MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT

February 2024

Foreword

This document is the Municipal Class Environmental Assessment (2024). It incorporates all approved amendments to the Municipal Class Environment.

Previous editions were published in 2000, 2007, 2011, 2015 and March 2023.

Further questions or clarifications regarding the Municipal Class Environmental Assessment can also be requested by emailing admin@municipalengineers.on.ca.

Table of Contents

Executive Summary

Introduction

In 1987, the first class environmental assessments (Class EAs) for municipal road, water, and wastewater projects, prepared by the Municipal Engineers Association on behalf of Ontario municipalities, were approved under Ontario's *Environmental Assessment Act*. In 1993, these Class EAs were reviewed, updated and their approval extended.

In 2000, the Class EAs for municipal road, water and wastewater projects were consolidated into a single Class EA; the Municipal Class Environmental Assessment (MCEA), updated, and approved under Part II.1 of the amended Ontario EAA by Order-in-Council dated October 4, 2000. Since many municipalities and stakeholders indicated the process was working well, and, recognizing that much had been achieved over the years of working with and refining the Class EAs, and subsequently the MCEA, the main guiding principle was to maintain the substance of the existing process and update as necessary.

Since 2000, MEA has proposed a number of amendments to the MCEA. The major amendments are summarized below:

- 2007 Amendment to create Schedule A+ and to create a section for Transit.
- 2011 Amendment to revise Section A.2.9 *Integration with the Planning Act*
- 2015 Amendment to the Roads section of Appendix 1 to include Active Transportation Facilities
- 2023 Amendment to Appendix 1 and other various sections as described in A.1.6
- 2024 Amendment to align MCEA with the EAA, the regulations, made under the EAA and other related regulatory changes.

Description Of The Class Of Undertakings

The municipal road, water, wastewater, and transit undertakings set out in Appendix 1 of this document may proceed pursuant to this Class Environmental Assessment. Since undertakings can vary in their environmental impact, the undertakings are classified as exempt, eligible for screening, B, and C within the MCEA with each classification having different requirements.

Exempt Projects

These projects, most of which were formerly classified as Schedule A and A+ projects, include various municipal maintenance, operational activities, rehabilitation works, minor reconstruction or replacement of existing facilities, and new facilities that are limited in scale and have minimal adverse effects on the environment. These projects are exempt from the requirements of the *Environmental Assessment Act*.

Eligible for Screening to Exempt

Some projects may be eligible for exemption based on the results of a screening process. Proponents may choose to complete the applicable screening process to determine whether their project is eligible for exemption from the EAA or proceed with the applicable Schedule B or C process. Projects that are eligible for screening are identified in column 2 of the

tables in Appendix 1. Proponents must fully and accurately complete the relevant screening process(es) outlined in Appendix 1 to proceed pursuant to the exemption.

Schedule B
These projects have the potential for some adverse environmental effects. The proponent is required to undertake the first two phases of the assessment process, involving mandatory contact with the public and relevant review agencies, to ensure that they are aware of the project and that their concerns are identified and considered. A Project File must be prepared and made available for review by any interested person or party. If there are no outstanding concerns, then the proponent may proceed to implementation once the regulatory process has been completed. Schedule B projects generally include improvements and minor expansions to existing facilities or smaller new projects.

Schedule C
These projects have the potential for more significant environmental effects than a Schedule B project and as such a proponent is required to complete the full planning and documentation process set out in the MCEA. For Schedule C projects, proponents are required to prepare an Environmental Study Report for review by the public and review agencies. If there are no outstanding concerns, the proponent may proceed to implementation once the regulatory process has been completed. Schedule C projects generally include the construction of new facilities and major expansions to existing facilities.

Proponents should refer to the table in Appendix 1 for those undertakings that can proceed pursuant to the MCEA and their categorization.

Reasons For Using A Class Environmental Assessment With Respect To Undertakings In The Class

The MCEA enables the planning and implementation of municipal infrastructure to be undertaken in accordance with an approved procedure designed to protect the environment. The MCEA process has been proven to be an effective way of complying with the EAA through thirty years of experience. It provides:

- a reasonable mechanism for proponents to fulfill their responsibilities to the public for the provision of municipal services in an efficient, timely, economic, and environmentally responsible manner;
- 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.

Municipalities undertake hundreds of infrastructure projects. The MCEA process provides a decision-making framework that enables the requirements of the EAA to be met in an effective manner. Without the MCEA, each municipality would be required to either undertake a comprehensive EA for all municipal projects; develop their own Class EA process; and/or, obtain individual exemptions for each undertaking. 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 having municipal infrastructure projects proceed pursuant to a Class EA process.

Similarities And Differences To Be Expected Among Undertakings In The Class

The undertakings that can proceed through the MCEA process are municipal infrastructure projects (roads, water, wastewater, and transit). Accordingly, they share the following similarities:

- 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; and
- the types of impacts and approaches to environmental protection and mitigation are recurrent.

Given that there are over 440 municipalities, within Ontario, with a variety of environmental settings, the main expected differences between the undertakings are:

- project-specific problems and opportunities;
- project-specific environmental and community issues;
- project-specific solutions; and
- varying levels of project complexity or sensitivity

The MCEA defines the minimum requirements that a proponent must follow to proceed with the undertaking pursuant to the MCEA. There are potential differences amongst undertakings within the province, therefore, the framework is flexible so that proponents may “customize” it to address the specific complexities and needs of a project, including potential environmental effects.

Expected Range Of Environmental Effects

The geographic setting for projects proceeding pursuant to the MCEA 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.

Potential Mitigating Measures

Appendix 2 describes typical measures that could be taken to mitigate adverse environmental effects that may result from undertakings proceeding pursuant to the MCEA.

With the wide diversity of geographic settings and environmental conditions in which municipal infrastructure projects may be carried out throughout Ontario, it is not possible to identify specific mitigating measures which can be applied in all instances. Proponents of undertakings proceeding pursuant to the MCEA are required 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 environmental effects. The MCEA 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 effects are as predicted.

Process to Consult with the Public and Those Who May Be Affected by the Undertaking

Consultation early in, and during, the planning process is a key feature of successful EA program. The MCEA 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.

Method To Evaluate A Proposed Undertaking

The framework for evaluating undertakings is outlined in the description of the EA planning process in Sections A.1 and A.2 of the MCEA. The key elements are:

- 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.

Method To Be Used To Determine The Final Design Of A Proposed Undertaking

Section A.2.4 describes the process to determine the preferred design concept. Finalization of the detailed design occurs during Phase 5 after the Project File Report or Environmental Study Report has been reviewed by the public and technical agencies. It is imperative that the commitments and decisions made during the process be clearly documented in the Project File Report or Environmental Study Report and implemented during Phase 5.

Glossary of Terms

Note: Definitions for “Municipal Transit” and key transit terms are provided in Sections D.1.2 and D.1.3 respectively.

ALTERNATIVE SOLUTIONS
Means feasible alternative ways of solving an identified problem (deficiency) or addressing an opportunity from which a preferred solution is selected. Note: alternative solutions include the “Do Nothing” alternative.

ALTERNATIVE DESIGN
Means alternative ways of designing or carrying out the preferred solution.

ARCHAEOLOGICAL RESOURCES
includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act.*

ARCHAEOLOGICAL SCREENING PROCESS
Means the archaeological screening process set out in Appendix 1. For those undertakings identified in the tables in Appendix 1 as eligible for screening, the proponent must complete the screening process to determine whether the undertaking can proceed without further requirements under the EAA or whether a Schedule B or C process is required to be completed.

AREAS OF ARCHAEOLOGICAL POTENTIAL
Means areas with the likelihood to contain archaeological resources. Criteria to identify archaeological potential are established by the Province. The *Ontario Heritage Act* requires archaeological potential to be confirmed by a licensed archaeologist.

ARTERIAL ROAD
Refer to the definition for road.

BRIDGE
Means a structure that provides a roadway or walkway for the passage of vehicles, pedestrians, cyclists across an obstruction, gap or facility and that is greater than 3 metres in span. (CSA-S6-00).

BRIDGE CAPACITY
Means the number of through travel lanes for vehicles on the bridge. Adjusting lane width to current standards that do 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.

BUILT HERITAGE RESOURCES
means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous Community. Built heritage resources are located on property that may be designated under Parts IV or V of the *Ontario Heritage Act,* or that may be included on local, provincial, federal and/or international registers.

CLASS ENVIRONMENTAL ASSESSMENT (CLASS EA)
Means the Class EA that was approved under the EAA, and which sets out the undertakings to which the approval applies and the applicable planning process for those undertakings. It was historically referred to as the "parent" document.

COLLECTOR ROAD
Refer to the definition for road.

COLLECTOR ROAD SCREENING PROCESS
Means the collector road screening process set out in Appendix 1. For those undertakings identified in the tables in Appendix 1 as eligible for screening, the proponent must complete the screening process to determine whether the undertaking can proceed without further requirements under the EAA or whether a Schedule B or C process is required to be completed.

COMMUNAL SEWAGE SYSTEM
Means facilities requiring approval under Section 53 of the *Ontario Water Resources Act*. Shared facilities for the collection, treatment and disposal of sewage using subsurface effluent disposal. Communal sewage systems are physically separate from and not connected to full municipal services, are generally small to moderate size, and are often constructed by a private developer for residential purposes (including seasonal) but may also be for institutional, commercial or industrial uses.

COMPREHENSIVE ENVIRONMENTAL ASSESSMENT or COMPREHENSIVE EA
Means the environmental assessment process set out in Part II.3 of the EAA (see environmental assessment). Comprehensive EAs were previously referred to as an individual EA prior to the repeal of Part II of the Act.

COST
Means the most up-to-date estimate prepared by the proponent of the cost of a project, and which has been accepted by the proponent as the basis on which the project is to proceed. The estimate shall not include costs for:

i. acquisition of land;
ii. feasibility studies and engineering design for the project; and
iii. operation of the project.

The estimate shall include the capital costs of all components of a project required to solve the problem. If separate components of a project are independent of each other (i.e., are solving separate problems) but are being constructed together as a single project for purposes of cost effectiveness or efficiency (e.g., a defective watermain replaced while a road is being reconstructed), then the costs shall be considered to be separate. Costs thresholds are used in the Municipal Road Projects Table.

CULTURAL HERITAGE LANDSCAPE
means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous Community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under *the Ontario Heritage Act*, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

CULTURAL HERITAGE RESOURCES
include built heritage, cultural heritage landscapes, and marine and other archaeological sites. The Minister of Citizenship and Multiculturalism (MCM) 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. MCM has released a series of resource guides on the *Ontario Heritage Act,* entitled the Ontario Heritage Tool Kit.

CULVERT
Means a structure that forms an opening through soil. (CSA-S6-00)

ENVIRONMENT
means:
a) air, land, or water,
b) plant and animal life, including human life
c) the social, economic, and cultural conditions that influence the life of humans, or a community,
d) any building, structure, machine or other device or thing made by humans,
e) any solid, liquid, gas, odour, heat, sound, vibration, or radiation resulting directly or indirectly from human activities, or
f) any part or combination of the foregoing and the interrelationships between any two or more of them,

in or of Ontario.

ENVIRONMENTAL ASSESSMENT ACT or EAA
Means Ontario's *Environmental Assessment Act.*

ENVIRONMENTAL COMPLIANCE APPROVAL or ECA
Has the same meaning as in Ontario's *Environmental Protection Act*, and includes an approval issued under Part II.1 of the *Environmental Protection Act,* and a certificate of approval or provisional certificate of approval, or an approval granted under section 53 of the *Ontario Water Resources Act* prior to section 2.1 of the *Environmental Protection Act* coming into force.

ENVIRONMENTALLY SENSITIVE NATURAL AREA (Roads, Water and Wastewater)
Means any of the following:

- An area reserved or set apart as a provincial park or conservation reserve under the *Provincial Parks and Conservation Reserves Act, 2006*
- An area set apart as a wilderness area under the *Wilderness Areas Act*
- An area designated by a municipality in its official plan as environmentally significant, however expressed, including designations of areas as environmentally sensitive, as being of environmental concern and as being ecologically significant
- An area designated as an escarpment natural area or an escarpment protection area by the Niagara Escarpment Plan under the *Niagara Escarpment Planning and Development Act*
- A property within an area designated as a natural core area or natural linkage area within the area to which the Oak Ridges Moraine Conservation Plan under the *Oak Ridges Moraine Conservation Act, 2001* applies
- A hazardous site where property or lands could be unsafe for development and site alteration due to naturally occurring hazards; such as, unstable soils (sensitive marine clays, organic soils) or unstable bedrock
- An area identified as a key hydrologic area, such as; significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas that are necessary for the ecological and hydrologic integrity of a watershed.
- An area identified as having key hydrological features, such as; permanent and intermittent streams, inland lands and their littoral zones, seepage areas and springs, and wetlands.
- An area identified as having key natural heritage features such as; habitat of endangered species and threatened species; fish habitat; wetlands; life science areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars.

ENVIRONMENTALSTUDY REPORT OR ESR
Means the documentation for a specific project planned in accordance with the procedures for Schedule C projects, setting out the planning and decision-making process, including consultation practices, which has been followed to arrive at the preferred solution. The Environmental Study Report also sets out the mitigating measures proposed to avoid or minimize environmental impacts.

EXEMPT PROJECT
Means an undertaking which is exempt from the EAA.

EXISTING RATED CAPACITY
Means the flow or volume capacity of the overall sewage or water system, as stated on the Environmental Compliance Approval. In cases where this is not specified on the Environmental Compliance Approval, the existing rated capacity is as indicated in the plans and specifications that were submitted to obtain the approval. Where none of the above exists, then it is the current existing capacity as established by the documented records.

EXISTING RATED YIELD
Means the flow or volume yield of the water supply from a municipal well site, as indicated on the Permit to Take Water or as indicated in the plans and specifications submitted to obtain a Drinking Water Works Permit or Municipal Drinking Water Licence, or, where no technical documentation exists, is the current existing yield as established by documented pumping records.

EXISTING ROAD
Means a road being used to carry vehicular traffic for at least three seasons of the year.

EXISTING SEWAGE OR WATER SYSTEM
Means an existing sewage or water facility, or a series of such facilities making up a system, which is in existence and has received all necessary approvals including an Environmental Compliance Approval or a Drinking Water Works Permit or Municipal Drinking Water Licence, and includes those systems established prior to the legislative requirement to receive such approvals.

EXPANSION (Applies to Water and Wastewater Projects)
Means activities undertaken in an existing sewage, stormwater management or water system, which do not meet the definition of "Operation" and will physically enlarge that system or expand the hydraulic or treatment capacity of that system.

EXPRESSWAY
Refer to the definition for road.

GRADE SEPARATION
Means a crossing of a railway and a road at different levels or a crossing of two roads at different levels without interconnecting ramps.

HIGH OCCUPANCY VEHICLE (HOV)
Means a bus or motor vehicle containing the specified minimum number of persons prescribed by local by-laws.

INTERCHANGE
Means a crossing of two roadways at different levels with connecting ramps for traffic travelling between the intersecting roadways.

INTERMITTENT WATER COURSE
Means a watercourse which has no measurable flow at some times of the year.

LINEAR PAVED FACILITIES
Means facilities which utilize a linear paved surface including road lanes, or High Occupancy Vehicle (HOV) lanes.

LOCAL ROAD
Refer to the definition for road.

LOCALIZED OPERATIONAL IMPROVEMENT
Refers to structural changes to an existing roadway at specific locations, and may include turning lanes at an intersection, storage lanes, U-turn lanes, bus bays, median changes, changing the curb radii, etc.

LOW IMPACT DEVELOPMENT (LID)
Means a stormwater management strategy that seeks to mitigate the impacts of increased runoff and stormwater pollution by managing runoff as close to its source as possible. LID comprises a set of site design strategies that minimize runoff and distributed, small scale structural practices that mimic natural or predevelopment hydrology through the processes of infiltration, evapotranspiration, harvesting, filtration and detention of stormwater.

MASTER PLAN
Means a long-range plan which integrates infrastructure requirements for existing and future land use. The Master Planning process must follow, at a minimum, the same steps of the first two phases of the MCEA process.

MINIMUM MUNICIPAL STANDARD – CULVERT
Means the minimum culvert size which the municipality requires for new installations across the municipality's roads.

MINIMUM MUNICIPAL STANDARD - ROAD SURFACE
Means the municipality's lowest standard travelled width (where one exists) for the road being considered. In the absence of a Municipal Standard, the Geometric Design Standards for Ontario Highways may be adopted.

MINISTER
Means Ontario's Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned responsibility for the *Environmental Assessment Act.*

MINISTRY
Means the ministry of the Minister.

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT or MCEA
Means this document, as approved and amended from time to time pursuant to the EAA, establishing the process for a class or group of municipal road, water, wastewater, and

transit undertakings to proceed pursuant to the EAA. Undertakings included in the class of undertakings that may proceed pursuant to this approval may proceed provided the proponent complies with the requirements of this approval and the EAA.

MUNICIPAL ENGINEERS ASSOCIATION (MEA)
The MEA is a non-profit organization representing the interests of over 950 professional engineers employed by Ontario Municipalities, Provincial Agencies, Conservation Authorities or by Consulting firms who are designated by a municipality as their engineer-of-record.

MUNICIPAL ROADS
Has the same meaning as roads for the purposes of the MCEA.

NET ENVIRONMENTAL EFFECTS
Means the impacts, both positive and negative, of an alternative, which remain after mitigation measures have been applied.

NEW SEWAGE OR WATER SYSTEM
Means a new sewage or water facility, or series of facilities, having no physical connection with an existing sewage or water facility through property or process link.

NEW ROAD
Means the construction of an improved surface for vehicular traffic on a new right-of-way where the right-of-way is entirely separate from any previous right-of-way. Also refers to construction of a road on a road allowance where no road surface previously existed.

OPERATION
Means use, maintenance, repair, and management of a municipal facility where the purpose, use, capacity and location remain the same.

Same purpose, use, capacity and location refers to the replacement or upgrading of a structure or facility or its performance, where the objective and application remain unchanged, and the volume, size and capability do not exceed the minimum municipal standard (defined above), or the existing rated capacity (defined above), and there is no substantial change in location.

Example a) a change from rural to urban cross section for a roadway is considered to be for the “same purpose, use and capacity” if the reconstructed cross section has the same number of lanes and is essentially in the same location. Works carried out within an existing road allowance such that no land acquisition is required are considered to be in the same location.

Example b) a treatment plant system which was approved under the *Ontario Water Resources Act* to operate at 30,000 cubic metres per day (m^3/d) but which was only constructed to operate at 20,000 m^3/d, can be expanded by up to 10,000 m^3/d, at its existing site, and that expansion would qualify as an Operations activity.

The use of this definition when determining the appropriate Schedule (see Appendix 1) will require sound professional judgement through the scoping of issues and potential impacts.

PIECEMEALING
Refers to breaking up a larger project into smaller component parts to reduce environmental assessment requirements. It is inappropriate for proponents to piecemeal their projects.

PLANNING ACT
Means Ontario's *Planning Act*.

PROJECT
Has the same meaning as undertaking for the purposes of the MCEA. A project may consist of one or more activities to solve a specific problem or address an opportunity.

PROPONENT
Means a person who,
(a) carries out or proposes to carry out an undertaking; or
(b) is the owner or person having charge, management or control of an undertaking.

Refer to section A.1.3 (Proponency) for information on the proponents that may proceed with an undertaking through the MCEA.

PUBLIC
Means the general public, individual members of the public who may be affected by or have an interest in a project and special interest groups

RE-ALIGNMENT
Means adjusting the centerline of linear infrastructure either horizontally and/or vertically

RETIREMENT
Means the taking out of operation, abandonment, removal, demolition or disposal of a road, water or wastewater facility for which a process under the EAA would have been necessary for its establishment and includes sale, lease, or other transfer of the facility for purposes of taking out of operation, abandonment, removal, demolition or disposal.

REVIEW AGENCIES
Means government agencies, ministries or public authorities or bodies whose mandates require them to have jurisdiction over matters affected or potentially affected by projects planned under the MCEA. This includes municipalities other than the proponent.

ROAD ALLOWANCE
Means a surveyed allowance of land for roadway purposes.

For the purposes of a municipal water or wastewater project, road allowance includes a road allowance for an expressway.

A road allowance can be either “opened” with an existing road surface or “unopened” in which case no travelled surface is provided. In this document, “existing road allowance” means an existing opened road with an existing road surface, or road right-of-way. It does not include an unopened or shore road allowance.

ROAD CAPACITY
Means capacity defined in terms of travelled lanes and does not differentiate between various lane widths to accommodate differing volumes of traffic.

ROAD WIDENING
Means increasing the number of lanes of an existing road and may include the widening of the right-of-way but does not include localized operational improvements.

ROAD OR ROADS
For the purposes of the MCEA, means a local road, collector road or an arterial road but does not include an expressway.

Activities in respect of a municipal expressway or municipal expressway facilities may not proceed pursuant to the MCEA.

Local Road(s)
Local roads:

i) are usually designed for low speeds;
ii) have capacity for a single or 2 undivided lanes of traffic;
iii) through traffic is discouraged; and,
iv) parking is usually permitted though often controlled.

Collector Road(s)
Collector roads

i) are designed for medium speed,
ii) have capacity for 2 to 4 lanes and are usually undivided,
iii) direct access from adjacent development is permitted but usually controlled; and,
iv) with controlled on-street parking usually permitted.

Arterial Road(s)
Any road which is not a local road, a collector road or an expressway. Generally, arterial roads:

i) are designed for medium to high speeds,
ii) have capacity for 2 or more lanes and may be divided.
iii) have limited or controlled direct access from adjacent developments; and,

iv) on-street parking is normally discouraged,

Expressway(s)

A road which:

i) is designed for high speeds of at least 80 kilometres per hour
ii) has at least 2 lanes in each direction;
iii) has a median strip that divides traffic moving in opposite directions; and
iv) has access points that are primarily grade-separated interchanges;

SAME PURPOSE, USE, CAPACITY AND LOCATION
See Operation

SAME PURPOSE, USE AND LOCATION (TRANSIT PROJECTS)
See Section D.1.3.1.

SECONDARY PLAN
Means a development or other plan for a specific area within a municipality adopted and municipality-approved or which came into effect under the Planning Act as an Amendment to the Official Plan.

SECTION 16 ORDER
Means an order issued by the Minister (or the Minister's delegate) pursuant to section 16 of the EAA. Formerly referred to as a Part II order or "bump up" request.

SEWAGE
Includes sanitary sewage, drainage, storm water, commercial wastes and industrial wastes.

SEWAGE COLLECTION SYSTEM
Means service branches, trunk and local sewers, pumping stations, and appurtenances which include catch basins, inlet control devices, leads, manholes and outfalls, all for purposes of conveying sewage, but does not include sewage treatment facilities, sewage retention/detention tanks/ ponds or their respective outfalls. For further description of sanitary sewage projects, see Section C.2.2; for further description of storm sewage and stormwater management projects, see Section C.2.3.

STORMWATER MANAGEMENT
Means the management of stormwater run-off and may include:

- the collection and transport of stormwater run-off, e.g., storm sewers; facilities which attenuate the hydrograph and detain stormwater runoff, e.g., detention/retention, infiltration
- facilities and means to treat and address the quality of stormwater run-off
- water management facilities which minimize impacts of wave action, flooding, erosion and bank and valley wall instabilities

- facilities which affect fisheries, such as fish ladders, wetlands operation and maintenance of the above.

Within a stormwater management system:

- Passive biological treatment systems are unoperated systems that contain naturally occurring chemical/biological reactions.
- Active chemical or biological treatment or disinfection systems are operator-controlled or maintained systems that tend to have mechanical components included.

STORMWATER MANAGEMENT PLAN

Establishes the selection of Best Management Practices, the specifics for design of control facilities and the details of protection measures and/or enhancement of rehabilitation programs to meet the objectives set by the Watershed and Subwatershed Plans.

UNDERTAKING

Means:

(a) an enterprise or activity or a proposal, plan or program in respect of an enterprise or activity by or on behalf of Her Majesty in right of Ontario, by a public body or public bodies or by a municipality or municipalities, or

(b) a major commercial or business enterprise or activity or a proposal, plan or program in respect of a major commercial or business enterprise or activity of a person or persons other than a person or persons referred to in clause (1) that is designated by the regulations, or

(c) an enterprise or activity or a proposal, plan or program in respect of an enterprise or activity of a person or persons, other than a person or persons referred to in clause (a), if an agreement is entered into under section 3.0.1 in respect of the enterprise, activity, proposal, plan or program.

Undertaking can refer to a single project or group of projects the proponent intends to proceed with pursuant to the MCEA.

UPGRADING: (Water and Wastewater Projects)

Means additions to or replacement of existing equipment or facilities or changes in management practices, which are intended to achieve a higher level or improved quality of system performance or are intended to bring equipment or facilities up to current standards, while not increasing system capacity.

UTILITY CORRIDOR

Means land or rights to land utilized for locating utilities, including sewage, stormwater management and/or water services and/or appurtenances thereto, railways, streetcars, light rapid rail systems and transit ways.

In this document, “existing utility corridor” means a developed utility corridor.

WASTEWATER
Has the same meaning as sewage.

WATERCOURSE
Means flowing water, though not necessarily continuous, within a defined channel and with a bed and banks which usually discharges itself into some other watercourse or body of water.

Note: For all water crossings, proponents shall contact the local MNRF Office and the Conservation Authority as a minimum.

WATER CROSSING or WATERCOURSE CROSSING (ROADS)
Means a culvert, bridge, tunnel, causeway, ferry or other facility or structure carrying a roadway or linear paved facility which crosses a naturally occurring water body or surface drainage feature such as a lake, swamp, marsh, bay, river, creek, stream or man-made drainage facility such as a ditch, canal or municipal drain. As numerous variations in design are possible, the following distinguishing features will be used to differentiate between culverts, bridges and causeways

1. Culverts are usually covered by fill material.
2. Bridges consist of a deck supported by abutments and possibly piers.
3. Causeways are embankments of fill material constructed across bodies of water or wetlands and may include culverts and/or bridges.

WATERCOURSE CROSSING (WATER AND WASTEWATER)
Means a sewage, stormwater management or water facility or a component thereof, which crosses over, under or through a naturally occurring water body or surface drainage feature such as a lake, swamp, marsh, bay, river, creek, stream or man-made drainage facility such as a ditch, canal or municipal drain.

WATER DISTRIBUTION SYSTEM
Means service connections, trunk and local distribution mains, trunk supply mains connecting source to treatment facilities, pressure reduction stations, pumping stations, and appurtenances which include hydrants, valves and chambers, but does not include any water treatment or storage facilities, ground water wells or surface water intakes. For further description of water projects, see Section C.2.1

Part A – Municipal Class Environmental Assessment Planning Process

A.1 Introduction and Background

A.1.1 Ontario's *Environmental Assessment Act*

The purpose of the EAA is to provide for *"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."*

The term "environment" is broadly defined in the EAA and generally includes the natural, social, cultural, built and economic environments. For ease of use, the definition of the environment from the EAA has been included in the glossary.

There are generally two types of environmental assessments (EA) that have been established by the EAA:

1. **Comprehensive Environmental Assessments** – A comprehensive EA includes a terms of reference (approved by the Minister) and an EA (Minister with (Lieutenant Governor in Council (Cabinet) approval). Individual EAs are generally required for large-scale, complex projects with the potential for significant environmental effects. The projects that must follow the comprehensive EA process set out in Part II.3 of the EAA are identified in the regulation(s) made under the EAA.

2. **Streamlined EAs** – Streamlined EAs include Class EAs, and various regulatory processes, including processes applicable to waste, transit and electricity projects. Class EAs establish a process that proponents may follow for an established class of projects, which if followed allows the proponent to proceed with the undertaking without requiring further approval.

The key principles of a successful EA include:

- **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 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, other municipalities and Indigenous Communities.

- **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.

- **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.

- **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.

- **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.

A.1.2 Approved Class EA For Road, Water, Wastewater and Transit Projects

A.1.2.1 Approved Class of Undertakings

An approved Class EA document describes the consultation and impact assessment process that a proponent must follow in order to proceed with the undertaking in accordance with the EAA. The approved Class EA was historically referred to as a "parent" Class EA. The Class EA process provides an alternative to carrying out comprehensive EAs for each separate undertaking or project within the class.

The MCEA establishes an approved EA process for the municipal roads, water, wastewater and transit projects set out in Appendix 1 of this document. Undertakings within the identified class of undertakings can be planned, consulted on, assessed, designed, constructed, operated, maintained, rehabilitated and retired without having to obtain project-specific approval under the EAA, provided the approved Class EA process and applicable requirements in Part II.1 of the EAA are followed.

The MCEA describes the approved planning process and the types of projects that are included in the Class. The process that is implemented through the approval of the Class EA ensures that the intent of the EAA is met by providing for: the identification of problems or opportunities; the identification, evaluation and selection of a preferred means of addressing the problems or opportunities, giving due regard to the need to protect the environment and minimize environmental effects; and, doing the foregoing with the involvement of affected stakeholders and Indigenous Communities in the decision-making process and following the key principles under the EAA.

The MCEA process can be conducted in such a way as to ensure that compliance with other environmental legislation may be achieved. The MCEA process, however, does not replace or exempt the formal processes of other applicable federal and provincial 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.

A.1.2.1.1 Defining the Project

The project consists of all the activities necessary to solve the identified problem (deficiency) or address the identified opportunity.

If the components are interdependent, then they must be dealt with as a single project. For example, if the problem is to provide additional servicing for future development, then the project must be defined as constituting all those components required to provide servicing to the future development. This may include establishing a new roadway, construction of a bridge, new water intakes, sewage outfalls etc.

Proposed works are separate projects if:

- they are initiated to solve distinctly different sets of problems; and/or
- the resulting works are stand-alone facilities without the requirement of further works to completely solve the problem.

Where a project or parts of the project are classified as different schedules, the entire project shall be planned using the process for the highest schedule activity. If a comprehensive EA is required for part of the project, the entire project shall be planned as part of the comprehensive EA.

Exempt activities should not be included as part of the project to be assessed.

A.1.2.2 Project Schedules

Since municipal infrastructure projects can vary in their potential for environmental effects, projects have been classified into one of four groups or schedules in the MCEA.

The classification of the various undertakings in the approved class of undertakings is provided in Appendix 1. The types of projects and activities are intended to be categorized based on the magnitude of their anticipated environmental impact. In specific cases, however, a project may have a greater environmental impact than indicated by the Schedule. For Schedule B projects, the proponent may, at its discretion, decide to carry out the process for a Schedule C project. For schedule C projects, the proponent may decide to carry out a comprehensive EA. Proponents of exempt projects may decide to carry out an EA-like process outside of the EAA regime.

Exempt

Various maintenance, operation, rehabilitation, and other small projects that are limited in scale and have minimal adverse environmental effects are exempt from the EAA. Previously many of these projects were classified as Schedule A or A+ and as a result were exempt

from the Act through s. 15.3(3) of the Act and are now identified simply as exempt in the table. Exempt projects are identified in the first column of the table in Appendix 1.

While these projects are exempt from the EAA, municipalities should consider whether notice about the project should be given or consultation on the project should be carried out outside of the MCEA process. Municipalities should address any concerns raised with respect to the project, as appropriate. Proponents are also responsible for obtaining any other applicable permits, approvals and authorizations for their project.

Other projects may be eligible for exemption if they meet the requirements of the conditional exemptions including the completion the archaeological screening process. See Eligible for Screening to Exempt below and Appendix 1 for more information.

Eligible for Screening to Exempt
Some projects may be eligible for exemption based on the results of a screening process. Proponents may choose to complete the applicable screening process to determine whether their project is eligible for exemption from the EAA or proceed with the applicable Schedule B or C process. Projects that are eligible for screening are identified in column 2 of the tables in Appendix 1. Proponents must fully and accurately complete the relevant screening process(es) outlined in Appendix 1 to proceed pursuant to the exemption. For the road project #14b in the Municipal Road Projects Table, proponents must complete both the Archaeological Screening Process and the Collector Road Screening Process to be eligible for exemption. Completing the screening processes is voluntary.

Proponents of these projects are strongly encouraged to consider whether notice about the project should be given or consultation on the project should be carried out beyond that required by the screening process. Municipalities should also address any concerns raised with respect to the project, as appropriate. Proponents are also responsible for obtaining any other applicable permits, approvals and authorizations for their project.

Schedule B
Schedule B projects have the potential for some adverse environmental effects. Proponents are required, at a minimum, to complete phases one and two of the planning process set out in Section A.2, including mandatory consultation with Indigenous Communities, directly affected public and relevant review agencies, to ensure that they are aware of the project and that their concerns are identified and considered, and documenting the assessment requirements in a Project File Report. Schedule B projects generally include improvements and minor expansions to existing facilities as well as new smaller scale projects.

Schedule C
Schedule C projects have the potential for significant environmental effects and must proceed through the full planning and documentation process set out in Section A.2. This includes mandatory consultation with Indigenous Communities, directly affected public and relevant review agencies, to ensure that they are aware of the project and that their concerns are identified and considered. An Environmental Study Report must be prepared and filed for review by Indigenous Communities, the public and review agencies. Schedule

C projects generally include the construction of new facilities and major expansions to existing facilities.

Section 16 Orders
There is an opportunity to request a higher level of study for Schedule B and C projects through a Section 16 order request to the Minister of Environment, Conservation and Parks on the grounds that the order may prevent, mitigate or remedy adverse impacts on the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*. Section 16 Orders are discussed in Section A.2.8.

A.1.2.3 Responsibility for Compliance with the EAA

The MCEA process is a self-assessment process. In all situations where a project is proceeding pursuant to the MCEA, it is the responsibility of the proponent to ensure that the planning process as set out in the MCEA document is undertaken. If a proponent incorrectly determines that the MCEA does not apply, or if a proponent selects the incorrect Schedule, it is the responsibility of the proponent to rectify the matter and meet the requirements of the MCEA process.

Failure to fully and properly follow the applicable process outlined in this document is a breach of the approval for the MCEA and the proponent would be in contravention of the EAA should they proceed with their undertaking. Offences and penalties are dealt with in Section 38 of the EAA. Staff of the ministry enforce compliance with requirements of the EAA. Non-compliance or failure to apply the approved process in the intended manner may result in:

- Fines and/or penalties under the Act
- Refusal to issue permits under other legislation
- the proponent being required to carry out a comprehensive EA for the project(s)
- orders under the Act.

A.1.2.4 MCEA Framework

Annual monitoring of the MCEA process since 2000, demonstrates that while there have been several serious specific issues, in general the MCEA process is working well and continues to serve the public.

There are many proponents who are knowledgeable and experienced in applying the MCEA process to a full range of straightforward or complex projects and, who have developed their own approach to Master Plans and coordinating EAA requirements with *Planning Act* requirements. There are, however, some municipalities who desire greater direction, assistance or reassurance in carrying out their MCEA process, particularly when interpreting the schedules, conducting Master Plans and coordinating with other legislation, particularly the *Planning Act*.

This document does not provide exhaustive direction on how to manage complex projects or Master Plans. First and foremost, the MCEA provides the framework for assessment and consultation related to municipal infrastructure projects to fulfill the requirements of the EAA.

The key elements of the framework are provided in Section A.2. The MCEA 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 EAA are met. MEA has created a MCEA Companion Guide available on MEA's website.

A.1.3 Proponency

All Ontario municipalities and their public utilities commissions, private sector developers carrying out an undertaking designated by the regulations made under the EAA, and the Ontario Clean Water Agency may proceed with an undertaking set out in the class of undertakings in the tables in Appendix 1 pursuant to MCEA.

Where a number of municipalities and/or private sector developer(s) plan to carry out an undertaking as co-proponents, all terms and conditions of the MCEA apply equally to each co-proponent.

Municipal and private sector developers are urged to determine early in the process who will be the proponent when carrying out an undertaking pursuant to the MCEA.

Alternatively, a proponent may opt to submit a comprehensive EA for their project, regardless of cost, size or environmental impact.

In some cases, an undertaking within the class of undertakings in the MCEA may also include an undertaking or result in an undertaking that is within the class of undertakings in another Class EA. Should this occur, the processes should be coordinated as much as possible, including notices, consultation and impact assessment work and it should be clear what processes are being coordinated. Where there is more than one proponent, each proponent should identify what their undertaking consists of, what their Class EA requirements are and how those requirements will be met. Each proponent must ensure that the requirements with respect to their particular undertaking are met.

Private Sector Developers
Private sector developer is defined as a developer of land other than land belonging to Her Majesty in right of Ontario, a public body or a municipality.

Certain undertakings by private sector developers are designated by the regulations made under the EAA as undertakings. Private sector developers should review the regulations to determine whether their project is designated as an undertaking that is subject to the EAA. Generally, the regulation designates road, water and wastewater projects provided for the residents of a municipality that are classified as Schedule C in the MCEA.

Accordingly, those projects to be undertaken by private sector developers which are designated as an undertaking to which the EAA applies are subject to all of the requirements of the MCEA. Section A.2.9 of this document provides a means for integrating the requirements of the EAA and the *Planning Act*, where a proponent wishes to do so.

In addition, municipalities are encouraged to consider requiring developers to fully consider appropriate alternatives even if the project is not designated as an undertaking that is subject to the EAA.

A.1.4 Transition Provisions

For those projects proceeding pursuant to the MCEA which were rescheduled as a result of the March 2023 amendments to the MCEA, the following transition provisions apply.

1.4.1 A Notice of Commencement HAS NOT been issued

If a Notice of Commencement has not been issued for a project the proponent must proceed in accordance with the current amended MCEA.

1.4.2 A Notice of Commencement HAS been issued but a Notice of Completion HAS NOT

If a Notice of Commencement has been issued for a project, including for projects in a Master Plan, but the Notice of Completion has not been issued prior to the March 2023 amendments to the MCEA coming into effect, and subject to any conditions or exceptions set out below the proponent of the project may choose to either:

1. continue with the class environmental assessment process that was started for the project; or,

2. transition the project to the new applicable process based on the categorization of the project in the amended MCEA.

To transition the project, the proponent must follow the transition process set out below. Proponents should consider whether it is appropriate to transition the project based on where in the MCEA process the project is and the consultation that has occurred with government agencies, the public and Indigenous Communities to date.

A proponent may not transition a project where an Indigenous Community has been notified about a project and the Indigenous Community has identified potential impacts on its Constitutionally protected Aboriginal or Treaty rights and the concerns remain outstanding. If there is any question whether an Indigenous Community's concerns are outstanding, the proponent must contact the ministry's Environmental Assessment Branch for direction.

Transition Process

Before being able to transition a project from a Schedule B or Schedule C process to the new applicable screening process(es), the proponent must send a Transition Notice to the ministry, and all identified Indigenous Communities clearly identifying the project to be transitioned, including the location of the project and details of the project, explaining that the project has been reclassified as a result of the 2023 amendments to the MCEA, and that the proponent intends to proceed pursuant to the new applicable process. The Transition

Notice must include information on the applicable screening process(es) that will be followed by the proponent.

The Transition Notice must also provide a **60 day period** for Indigenous Communities to review the Transition Notice, and advise that, during this 60 day period an Indigenous Community may object to the transition of the project on the grounds that the proposed project may have a negative impact on a Constitutionally protected Aboriginal or Treaty right. Indigenous Communities should be encouraged to copy the ministry on any responses to the Transition Notice.

The Transition Notice must be sent to the Identified Indigenous Communities through two different delivery methods (e.g., by mail, courier, email or through an Indigenous Community's website). Proponents must follow up with the identified Indigenous Communities at least once during the 60 day period to confirm they have received the notice unless a response has already been received from the Indigenous Community.

If an Indigenous Community objects to the transition of the project on the grounds above, the proponent cannot transition the project to the screening process but rather must complete the Schedule B or Schedule C process that was commenced for the project.

If the proponent has not already completed an archaeological assessment for the project, the proponent may also request information from the Indigenous Communities in the Transition Notice to support their completion of the Archaeological Screening Process. Please see Appendix 1 for more information on the Archaeological Screening Process.

Exception
The transition process set out above is not appliable if a project has been reclassified from Schedule C to Schedule B. The proponent may elect to issue its Notice of Completion once the requirements of the Schedule B process have been met, including with respect to Indigenous Consultation. The Notice of Completion must clearly explain that the project has been reclassified as a Schedule B project and the proponent has elected to meet the requirements of Schedule B for the project as provided for in the amended MCEA. If the proponent has not yet completed the public consultation process for the project, the proponent must also identify that the project is being transitioned to the Schedule B process in the consultation materials. Proponents must consider whether it's appropriate to conclude the class environmental assessment for the project after meeting the requirements for a Schedule B project based on the complexity of the project and the environment in which it will be located, and the public, agency and Indigenous Community interest in the project to date.

1.4.3 A Notice of Completion HAS been issued

If a Notice of Completion for a project(s) has been issued, the proponent, if proceeding with the project, must implement the project in accordance with the project documentation. Proponents must fulfill all commitments made during the environmental assessment process and must comply with any order made under the *Environmental Assessment Act* with

respect to the project (i.e., Section 16 order). The revisions and addenda (including time lapse) provisions continue to apply to the project.

A.1.5 Monitoring And Amendments

A.1.5.1 Monitoring of MCEA

The ministry becomes aware of streamlined EAs (e.g., Class EA 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 the MCEA along with a new "Project Information Form". As of May 1, 2018, proponents must use this new process.

Four Step Process for Submitting Notice of Commencement for Streamlined EAs
To submit your notice, you need to do the following:

1. **Download and complete the Project Information Form** (The form can be found at https://www.ontario.ca/page/preparing-environmental-assessments. 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).

2. Create an email. The subject line of your email must include in this order: project location, type of streamlined EA and project name

   For example:
   - York Region, MEA MCEA, Elgin Mills Rd East (Bayview to Woodbine)
   - Durham Region, Electricity Screening Process, New Cogeneration Station
   - City of Ottawa, Waste Management Screening Process, Landfill Expansion

3. Attach the completed Project Information Form (in excel format) and a copy of your project notice (in PDF format) to the email.

4. Send by email to the appropriate ministry regional office:

Central Region	eanotification.cregion@ontario.ca
Eastern Region	eanotification.eregion@ontario.ca
Northern Region	eanotification.nregion@ontario.ca
Southwest Region	eanotification.swregion@ontario.ca
West Central Region	eanotification.wcregion@ontario.ca

   ***Note** – Notices should not be submitted to any other contacts in the ministry beyond the regional email addresses, unless otherwise requested to do so.

Three Step Process for Submitting Notice of Completion for Streamlined EAs

To submit your notice, you need to do the following:

1. Create an email. The subject line of your email must include in this order: project location, type of streamline EA and project name.

   For example:
   - York Region, MEA MCEA, Elgin Mills Rd East (Bayview to Woodbine)
   - Durham Region, Electricity Screening Process, New Cogeneration Station
   - City of Ottawa, Waste Management Screening Process, Landfill Expansion

2. Attach a copy of your project notice in (PDF format) to the email.

3. Send by email to the appropriate ministry regional office:

Central Region	eanotification.cregion@ontario.ca
Eastern Region	eanotification.eregion@ontario.ca
Northern Region	eanotification.nregion@ontario.ca
Southwest Region	eanotification.swregion@ontario.ca
West Central Region	eanotification.wcregion@ontario.ca

   Notes:
   - Notices should not be submitted to any other contacts in the ministry beyond the regional email addresses, unless otherwise requested to do so.
   - The Ministry District Office Locator website can be used to assist with determining what ministry region your project is located: https://www.ontario.ca/page/ministry-environment-conservation-and-parks-district-locator
   - If your project is located in more than one ministry region, the proponent shall submit notices to all appropriate regions.

This will provide a record of projects undertaken within the province for use during the next review of the MCEA.

In addition, representatives of the MEA will meet with staff of the ministry's Environmental Assessment Branch on an annual basis to review any comments received.

A.1.5.2 Amending Procedure for the MCEA

The following summarizes the process for requesting amendments to the MCEA and the authority for the Director and Minister to make amendments to the Class EA. To the extent that there is a conflict between what is set out below and the provisions in the EAA in respect of the authority of the Minister or Director, the provisions in the Act prevail.

Section 15.4 of the EAA sets out the authority for the Minister of the Environment, Conservation and Parks and the Director of the Environmental Assessment Branch (EAB) at

MECP to amend the Class EA. An amendment may be made at any time and may be initiated by the Minister or the Director, or as a result of a request for an amendment.

The Minister may amend the Class EA if the Minister is satisfied that the amendments are consistent with the purpose of this Act and the public interest. Examples of the types of amendments that the Minister may make include:

1. Improving the efficiency or the effectiveness of the process described in the document;
2. Adding new projects to the Class EA;
3. Recategorizing existing undertakings in the Class EA; and
4. Updating the Class EA to be consistent with new or updated guidelines, policies, regulations or legislation.

The Director may amend the Class EA to make any of the administrative changes set out in section 15.4(5) of the EAA as described below**.**

1. Correcting errors that are editorial or typographical in nature;
2. Updating references to a guideline, Act or regulation, or provisions or other portions of an Act or regulation;
3. Updating references to bodies, offices, persons, places, names, titles, locations, websites or addresses; or
4. Clarifying the existing text of the Class EA.

Written requests for amendments to a Class EA must be submitted to the Director of the EAB at the ministry. In some cases, the Minister may not consider a requested amendment until the next review period, as described below.

Amendment Process

The two types of amendments, Director and Minister, are described in the following sections.

<u>Director Amendments</u>
To request a Director's amendment, a formal written request must be submitted to the Director and must include details on the proposed amendment and the reason for the request.

Based on the information before the Director, the Director will decide whether to amend the Class EA.

The Director may also initiate an administrative amendment on their own initiative.

The proponent will be advised in writing if an administrative amendment is made by the Director. The amendment will come into effect upon publication of a notice of the amendment in the registry under the *Environmental Bill of Rights, 1993.*

Minister Amendments

Requests for Minister amendments should be made in writing to the EAB. The request should include the current text in the Class EA, the proposed changes and rationale for the changes, and revised text. The ministry may request additional information regarding the requested amendment.

The Minister may also initiate an amendment on their own initiative.

The proponent will be advised by the ministry in writing if a Minister's amendment is being considered.

As part of the request for an amendment, a consultation plan must be submitted to the ministry. The consultation plan must outline the method for consultation on the proposed amendments and identify the persons, agencies, ministries and Indigenous Communities to be consulted. The proponent shall undertake consultation in accordance with the plan and shall address and respond to any concerns that are raised during the consultation and provide those concerns and responses to the ministry for consideration as the Minister is required to ensure adequate public notice and an opportunity for public comment in respect of any proposed amendments and the proponent's consultation.

The ministry will undertake consultation on any Minister initiated amendments and may undertake additional consultation on requested amendments.

Based on the information before the Minister, the Minister may:

a. amend the Class EA, as requested or with changes to what was requested; or,
b. refuse to amend the Class EA.

The Minister will give notice of the Minister's decision, together with written reasons to the proponent of the Class EA and any other person the Minister determines appropriate. The Minister's amendments to the Class EA come into effect following publication of notice in the registry under the *Environmental Bill of Rights, 1993*.

A.1.6 Amendments to the MCEA

In 2000, the MCEA prepared by the MEA on behalf of proponent municipalities, was approved under the EAA. As part of the approval given by the Minister of the Environment, the MEA is required to undertake annual monitoring of the MCEA process to ensure the effectiveness of its continued use. In addition, the MEA is required to carry out a more comprehensive review of the MCEA process as part of the five-year reviews that are required by the Notice of Approval.

Over the years, a number of minor and major amendments to the MCEA have been proposed and approved and the MCEA document updated accordingly. These amendments include:

- 2007 – Amended to create Schedule A+ and Transit section;

- 2011 – Amended to revise Section A.2.9 *Integration with the Planning Act;*

- 2015 – Amended Roads section of Appendix 1 to include Active Transportation Facilities;

- March 2023 – Amended Appendix 1 and other various sections including changing the project schedules in Appendix 1 to better align study requirements with the potential environmental impact of the project and reduce duplication (including exempting low-risk projects and reclassifying other project types),and updating various sections of the MCEA to clarify and modernize process requirements;

- 2024– Amended MCEA to align with other class EAs and new regulations made under EAA as Part II.3 of the EAA comes into force.

A.1.7 Ministry Codes of Practice and Climate Change Guidance

The ministry has developed codes of practice to provide guidance on key aspects of the Class EA process. The codes of practice include:

- *Preparing, Reviewing and Using Class Environmental Assessments in Ontario;*
- *Consultation in Ontario's Environmental Assessment Process; and*
- *Using Mediation in Ontario's Environmental Assessment Process.*

Together, the codes of practice:

- set out the ministry's expectations for the content of a variety of EA documents and provide guidance on the roles and responsibilities of all participants in the EA process;
- provide clear direction to proponents, EA practitioners, and other stakeholders involved in both comprehensive and streamlined EA processes including Class EAs, consultation and mediation; and
- promote the transparency of government involvement and the decision making process when projects must meet the requirements of the EAA.

In addition to these codes of practice, the ministry has also developed the following guidance document: *Considering Climate Change in the Environmental Assessment process.*

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 EA studies and processes.

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.

Climate Change Mitigation
Climate change mitigation is a "big picture" issue. The most significant impact where decisions are made for climate change mitigation (i.e., greenhouse 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 generally take place long before an undertaking is considered in the context of the *EAA.* These decisions are made through the development of Official Plans and Secondary plans under the *Planning Act*.

The Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe address the need for climate change considerations in these high-level planning decisions. Infrastructure system development expansion and improvement projects that fall under the MCEA follow the strategic direction of these high-level planning decisions. The impact on climate change mitigation between alternative conceptual solutions (Phase 2 of the MCEA) or optional design approaches (Phase 3 of the MCEA) 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.

A logical approach to incorporate some consideration into the MCEA evaluation 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 MCEA) and/or preferred project design option (Phase 3 of the MCEA). Possible criteria descriptions may be as follows:

- Potential for greenhouse gas emission reduction measures; and
- Potential for protecting/enhancing carbon sinks (i.e., natural landscapes)

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.

Climate Change Adaptation
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 of level of service for existing infrastructure systems and impacting the basis of designing new systems for the future.

Climate change effects can be localized to property / project specific sites (e.g., flooding from extreme rainfall events), or widespread 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 windstorms or other extreme events of nature).

Effects of climate change on widespread 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, and other policies that incorporate climate change considerations.

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 MCEA) or optional design approaches (Phase 3 of the MCEA) 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.

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 MCEA) and/or preferred project design option (Phase 3 of the MCEA). Possible criteria descriptions may be stated as follows:

- Vulnerability of project/infrastructure to climate change effects; and
- Flexibility to incorporate climate change adaptation measures in design.

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.

Climate Change Conclusions
The proponent should avoid including specific detailed design features in the project analysis, particularly if these specific design features can be readily incorporated with any of the selected alternatives. Instead, the project analysis should focus on factors that contribute to selecting the best alterative solution.

The proponent would also decide what weighting the climate change criteria would carry relative to the other criterion in the decision matrix.

The outcome of these considerations would result in proponent commitments through recommendations in the Project File 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 MCEA).

In summary, climate change considerations need to be incorporated into the MCEA process, but these must be scaled appropriately to be practically applied for the types of

projects proceeding pursuant to MCEA.

A.2 Planning and Design Process

The main elements of the approved planning and design process and its application are that it:

- incorporates the key features of the EA process (see Section A.1.1.);
- follows five basic phases which are conducted within a framework of environmental protection, effective consultation with Indigenous Communities and stakeholders including review agencies, the public, property owners, interest groups, and traceable decision-making;
- outlines mandatory consultation and documentation requirements (these are a minimum only and in many cases project requirements may require them to be expanded);
- provides a flexible framework to respond to varying levels of complexity and sensitivity (see Section A.2.1.1), and, iterative in that it is not necessarily sequential since the findings in one step may result in a previous step being revisited;
- is comprehensive since it considers a broad range of environmental issues;
- is a self-assessment process where the responsibility for the process and compliance with the requirements of the MCEA rests with the proponent;
- can be applied to a single project or a Master Plan, or integrated with projects which come into effect with the completion of the MCEA process and approval under the *Planning Act*; and
- defines the minimum requirements for environmental assessment planning which the proponent is responsible for "customizing" to address the needs of a specific project.

This document does not provide exhaustive direction on how to manage complex projects or Master Plans. First and foremost, the MCEA provides the framework for EA planning of municipal infrastructure projects to fulfil the requirements of the EAA. It is neither an all-inclusive "checklist" nor a detailed "how to" manual for proponents, project managers or stakeholders. It 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 EAA are met. 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.

The planning and design process was originally developed to apply to specific projects and is usually applied by the majority of municipalities in this manner. While proponents may use this process to meet the requirements of the EAA, planning on a project-by-project basis may not always be the most appropriate in all situations. Municipalities are encouraged to prepare Master Plans to address groups of projects, an overall infrastructure system, a number of integrated systems or to co-ordinate the requirements of both the EAA and the *Planning Act* through the development of long range multi-disciplinary plans.

The development of “Master Plans” provides relief to the proponent from fulfilling the project-specific requirements of the EAA. As long as such plans integrate the principles of successful EA planning outlined in Section A.1.1, the proponent will benefit in the long term by reducing the time and costs associated with undertaking specific studies to support individual project planning. Master Plans are discussed in Section A.2.7 and Appendix 4.

Proponents and stakeholders have identified the general desire to further encourage the co-ordination and integration of the planning processes and approvals under the EAA and the *Planning Act*. An “integrated approach” is addressed in Section A.2.9 and may be applied to a specific project or at the broader Master Plan level.

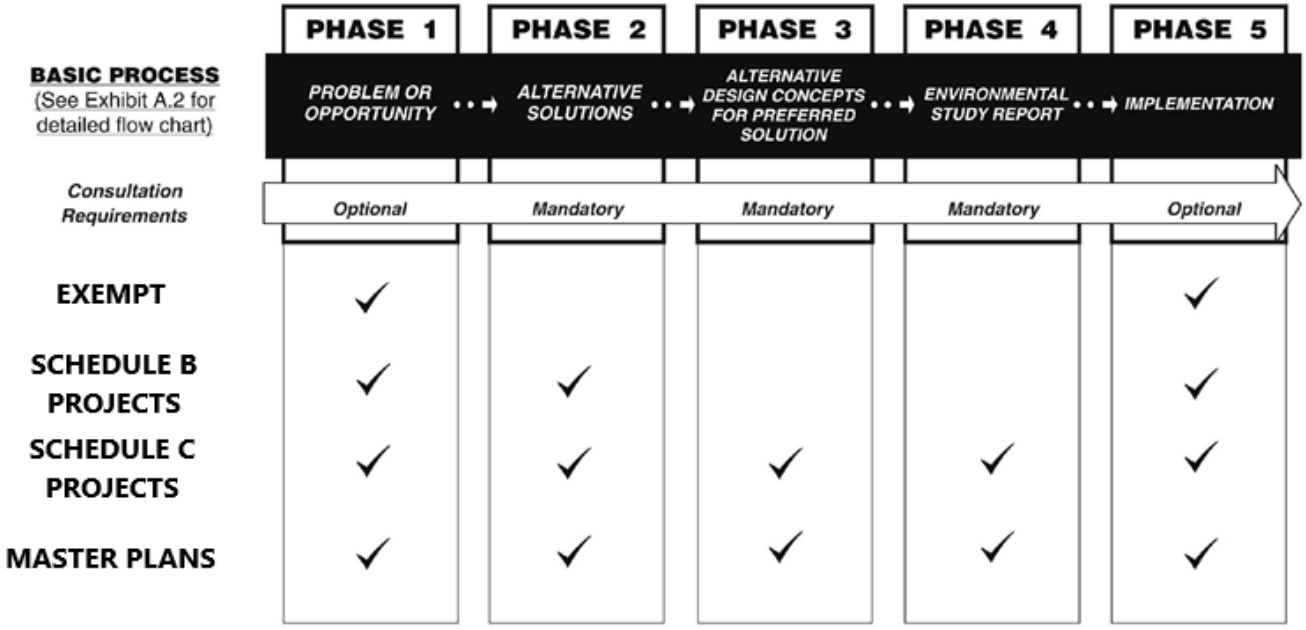
Proponents are encouraged to carry out an EA process at the earliest possible stage. The MCEA process can be most beneficial when it is applied early in the municipal planning process, while land use and servicing alternatives are still under consideration. **By coordinating land-use planning under the *Planning Act* and infrastructure planning under the MCEA process, proponents can meet the requirements of both processes in the most expeditious manner. Regardless of the approach taken for any undertaking subject to the MCEA, the proponent is responsible for ensuring that the requirements of the MCEA and principles of its application are met.**

A.2.1 Five Phase MCEA Planning Process

The main elements of the MCEA planning process are incorporated in the following five phases:

PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5
Problem or Opportunity	Alternative Solutions	Alternative Design Concepts for Preferred Solution	Environmental Study Report	Implementation
Optional Consultation	**Mandatory Consultation**	**Mandatory Consultation**	**Mandatory Consultation**	Optional Consultation

EXHIBIT A. 1 KEY FEATURES OF THE MCEA

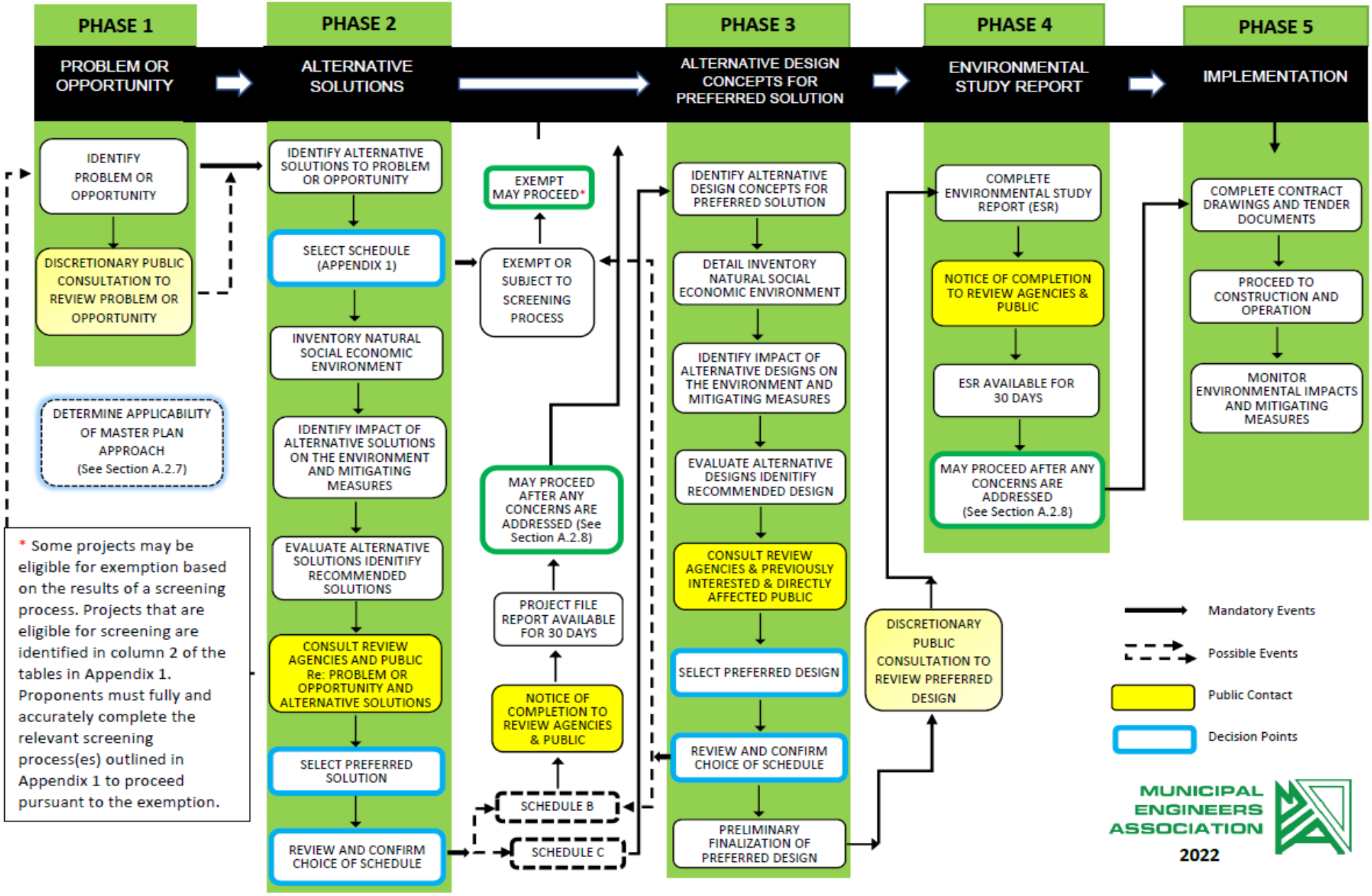


Notes:

- At a minimum, master plans must include Phases 1 and 2.

EXHIBIT A.2. MUNICIPAL CLASS EA PLANNING AND DESIGN PROCESS

NOTE: This flow chart is to be read in conjunction with Part A of the MCEA



In brief, the phases are summarized as follows:

Phase 1 Identify the **problem (deficiency) or opportunity.**

Phase 2 Identify **alternative solutions to** address the problem or opportunity by taking into consideration the existing environment, **and establish the preferred solution taking into account public, Indigenous Community and review agency input**. At this point, determine the appropriate Schedule for the undertaking (see Appendix 1) and document decisions in a Project File Report for Schedule B projects, or proceed through the Phases 3 and 4 for Schedule C projects.

Phase 3 Examine **alternative methods** of implementing the **preferred solution,** based upon the existing environment, public, Indigenous Community and review agency input, anticipated environmental effects and methods of minimizing negative effects and maximizing positive effects.

Phase 4 Document, in an **Environmental Study Report** a summary of the **rationale, and the planning, design and consultation process of** the project as established through the above Phases, and make such documentation available for review by agencies, Indigenous Communities and the public.

Phase 5 Complete contract drawings and documents and proceed to **construction and operation; monitor construction** for adherence to environmental provisions and commitments. Where special conditions dictate, also **monitor the operation** of the completed facilities.

The planning and design process shall be undertaken in such a way as to allow a reviewer to trace each step of the process. In particular, the documentation should explain the reasons for the criteria used to identity and assess the alternatives, the proponent's weighing of these criteria and the decision-making process followed.

To ensure that the planning and design process is easily traceable, the proponent shall ensure that:

- the analysis is understandable to the reasonable lay observer;
- all conclusions drawn from the analysis follow logically from the information gathered and presented; and
- a reasonable lay observer is able to replicate the conclusions based on the information presented.

The main phases and their application to single projects or Master Plans are identified in Exhibit A.1. The steps in each phase are identified in the Flow Chart, Exhibit A.2, which illustrates the process followed in the planning and design of projects covered by the MCEA. The flow chart incorporates the steps considered essential for compliance requirements of the EAA, which are discussed with the commencing in Section A.2.2.

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.

A.2.1.1 Level of Complexity

The following sections describe the planning process in the MCEA. 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 MCEA are met.

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, Indigenous Community, 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 MCEA 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.**

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.**

Given the varying levels of complexity, the divisions amongst Schedules B and C projects are therefore often not distinct. Historically, the MCEA 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 EAA, they can no longer be elevated to a Schedule B or C process. Proponents of these projects may choose to carry out a process for these projects outside of the formal process under the EAA. Proponents of Schedule B projects may decide to follow Schedule C requirements if the project is particularly complex or controversial and may warrant efforts beyond the minimum Schedule B requirements.

For those projects that are eligible to be screened to exempt, the project is subject to the Schedule B or C process specified in the table in Appendix 1 if the screening process is not successfully completed. While these projects are eligible to be screened for an exemption, use of the screening process is voluntary. Proponents may decide to follow the Schedule B or C planning process, as indicated in the table in Appendix 1, where there is a greater potential for public interest or environmental impacts.

While the MCEA document defines the minimum requirements, the proponent is responsible for “customizing” it to reflect the specific complexities and needs of a project.

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 of the above can be accomplished without elevating the project

to a Schedule C process (e.g., consulting on a preferred conceptual design (road cross sections).

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 MCEA.

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.

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.

Lastly, it should 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.

A.2.2 Phase 1: Problem Or Opportunity

Step 1 **Identification and description of the problem or opportunity.** Municipalities generally undertake projects in response to certain identified problems or deficiencies. These problems or opportunities may or may not be obvious to the public, but it is necessary to document factors which lead to the conclusion that an improvement or change is needed. Earlier studies or reviews undertaken by the proponent may be available to assist in defining the problem. **This phase should therefore lead to the development of a clear statement of the problem or opportunity being addressed.**

From the problem statement, a project will be developed. In assessing the magnitude and extent of a problem therefore the scope of the project, it is important that the projects **not be broken down or piecemealed** into component parts or phases, with each part being addressed as a separate project. **If the component parts are dependent on each other, then all of the components must be combined and dealt with as a single project.**

Step 2 **Discretionary Public Consultation.** For projects which are expected to generate considerable public or Indigenous interest or controversy, the proponent may find it advantageous to introduce a discretionary Step 2 and commence the consultation process in order that the public may be involved at this stage in defining the problem and formulating the problem statement.

Optional Prior to commencing the study, or during the course of defining the problem or opportunity, it may become apparent that a Master Plan approach is appropriate, or coordination with the *Planning Act* is beneficial. These are discussed in Sections A.2.7 and A.2.9 respectively.

A.2.3 Phase 2: Alternative Solutions

The procedures outlined in Phase 2 will lead the proponent to the conclusion that the project:

- is exempt;
- is eligible for exemption based on the results of the screening process(es) in Appendix 1;
- should proceed through Schedule B or C despite being eligible for screening;
- is subject to Schedule B requirements;
- is subject to Schedule C requirements; or,
- should proceed through a comprehensive EA.

Project schedules are identified in Appendix 1. The planning process in Phase 2 involves the following Steps:

Step 1 **Identification of alternative solutions to the problem.** There is usually more than one way to solve a problem. All reasonable and feasible solutions shall be identified and described.

At the conclusion of Step 1, the proponent is usually able to establish whether the project is classified as exempt in the table in Appendix 1 or is eligible for screening through the screening processes also set out in Appendix 1, to determine whether the project is exempt. This is the **first point at which the schedule for the project is determined** and the proponent may:

- conclude that the project is exempt. In this case, the proponent may proceed to implement the project without any further Class EA work while recognizing the obligation to minimize environmental impacts while doing so, subject to any other permits or approvals. The problem/opportunity identified in Phase 1 will be considered to have been resolved.
- conclude that the project is eligible for screening through the screening process(es) outlined in Appendix 1. If screened as exempt, the proponent may proceed to implement the project without any further work under the MCEA while recognizing the obligation to minimize environmental impacts, subject to any other permits or requirements. The problem/opportunity identified in Phase 1 will be considered to have been resolved.
- decide to undertake either the Schedule B or C project process despite being eligible to use the screening process(s).
- conclude that the project is classified as Schedule B or Schedule C, in which case the proponent shall continue to plan the project through the following steps.

These are preliminary decisions, however, and depending on the nature and complexity of the project may need to be reviewed and confirmed at later points in Phases 2 and 3.

In some cases, the proponent may decide not to continue with the project, for example, should the project have significant environmental effects which are not mitigable.

Step 2 **Preparation of a physical description of the area where the project is to occur, and a general inventory of the natural, social, built and economic environments** which are to be considered when reviewing the effects of a project in that area.

Step 3 **Identification** of the magnitude of the **net positive and negative effects of each alternative solution in Step 1,** with respect to the environmental factors identified in Step 2. Identify **mitigating measures**.

Step 4 **Evaluation** of all reasonable **alternative solutions,** identified in Step 1, taking into consideration the environmental and other factors identified in Steps 2 and 3. For projects which are relatively straightforward and uncontroversial this Step may lead to **the preliminary identification of a recommended solution** which should be conveyed to Indigenous Communities, the public and government review agencies in the following Step 5. This has the advantage that reviewers will have a better idea of the proponent's preliminary conclusions and will allow reviewers to focus their attention on the recommended solution.

It is important that the recommended solution not be presented as a decision but as a preliminary preference based on a rational evaluation of available information. Input is necessary and important at this point to assist the proponent by providing additional information, in reviewing the evaluation and in arriving at the best decision.

Step 5 **Consultation with review agencies, Indigenous Communities, and the public to solicit comment and input.** By making interested parties aware of the information gained up to this point in the process, including the problem or opportunity, the environmental considerations to be addressed during the evaluation of alternatives, the alternative solutions being considered and their impact on the environment, and the evaluation itself, other pertinent factors may come to light. The notification may also include the proponent's recommended solution, as outlined in Step 4 above (see Section A.3 Consultation and Appendix 3, Screening Criteria, for further details). **This is the first mandatory point of contact.**

Step 6 **Selection or confirmation of the preferred solution** to the problem or opportunity taking into consideration input and comment received from the review agencies, Indigenous Communities and the public and after evaluation of the net environmental effects of the various alternatives. Depending on the situation, the preferred solution may involve a combination of alternative solutions rather than a single outcome.

At this point, the proponent shall **review the classification of the project** as Schedule B or C, and either confirm this decision or conclude otherwise.

Schedule B:

- If the proponent concludes that the project is **Schedule B** then documentation of the planning process shall be finalized and placed on file (see Section A.4.1, Schedule B - Project File Report for requirements for documentation).

  To complete the Schedule B process, a **Notice of Completion** shall be issued to Indigenous Communities, review agencies and the public and a period of at least 30 calendar days shall be allowed for comment and input. The Notice shall include information on requesting a section 16 order (See Section A.2.8).

  Proponents **cannot** proceed with a project until **at least 30-days** after the end of the public comment period, including any extension, identified in the Notice of Completion unless an order has been made by the Minister under subsection 15.1.1.(5.1). If no section 16 order request has been received by the ministry, a notice of proposed order has not been given by the Director, or an order made by the Minister under section 16, the proponent may proceed to implement the project, based on the preferred solution, and may proceed with detailed design and the preparation of contract drawings and documents.

Schedule C:

- If the proponent concludes that the project is **Schedule C**, then the proponent must complete **Phases 3, 4 and 5.**

Other:

- If the proponent concludes that the problem as originally defined has to be re-defined, then the proponent shall return to Phase 1 with a new problem statement. If the proponent concludes that the project should undergo a **comprehensive EA**, then the procedures and requirements of the EAA shall be followed i.e., preparation of a terms of reference for **submission to the Minister for review and a decision**.

A.2.4 Phase 3: Alternative Design Concepts for the Preferred Solution

Phase 3 outlines a process similar to that followed in Phase 2. In Phase 3, possible design concepts that might be utilized to implement the preferred alternative solution identified in Phase 2 are evaluated. **Steps to be taken are:**

Step 1 **Identification of alternative designs for the preferred solution.** There are usually a number of ways in which a project can be developed and designed to implement the preferred solution. Each reasonable design shall be identified and described.

Step 2 **Preparation of a detailed inventory of the natural, social, built and economic environments.** At this point, rather than dealing with the general environment of the area, the particular components of the environment that must be considered and evaluated shall be identified in detail. **However, this only needs to be carried out to the extent necessary to select a preferred design.**

Step 3 **Identification of the potential impact of the alternative designs.** The impact of each alternative design on the environment (inventoried in Step 2) shall then be established. Appropriate mitigating measures shall also be identified and evaluated. Depending on the complexity or magnitude of the project, Steps 2 and 3 may involve detailed environmental studies to ensure that sufficient and appropriate information is available to base ensuing decisions and to allow the public, review agencies, and Indigenous Communities to fully understand the environmental implications of the project.

Step 4 **Evaluation of the alternative designs**, taking into consideration all the environmental impacts identified in Step 3 and appropriate mitigating measures. This Step will probably lead to the preliminary identification of a recommended design.

Step 5 **Consultation with review agencies, Indigenous Communities, and the public**, including those who previously expressed interest and/or concern and those directly affected by the project, to solicit comment and input. At this point the project is usually well developed, the results and conclusions from studies and investigations are available and some design detail may have been prepared to indicate how the preliminary recommended design will be employed to implement the preferred solution. Environmental impacts of the project will be well understood and the rationale for the identification of the recommended design will be clear.

This information must be shared with Indigenous Communities, the public and review agencies at this point to obtain further comment and input. **It is important, however, that the recommended design is not presented as a decision but as a preliminary preference based on a rational evaluation of available information.** Input from Indigenous Communities, review agencies and the public are necessary and important at this stage to assist proponent by providing additional information, in reviewing the evaluation and in arriving at the best decision. Where studies are necessary to support the decisions made, the

feasibility of the preferred alternative, and the conclusions drawn about the environmental impacts and mitigation measures (for example, hydrogeological study for a communal water supply) review agency input on the technical studies at or before Step 5 is critical.)

Indigenous Communities, the public and review agencies should be aware of how to comment and raise concerns and the ability to make a section 16 order request (see Section A.2.8) through this notification. **This is the second mandatory point of contact with the public for Schedule C projects.**

Step 6 **Selection or confirmation of the preferred design.** Having identified all environmental impacts, having determined **mitigating measures** to minimize impact on the environment, and having gained further input from interested parties, the preferred design can be confirmed.

At this point, the proponent is able to **review and confirm project status.** The environmental significance of the preferred design shall be reviewed to confirm that the planning process for Schedule C projects is appropriate and that the remaining procedures in Phases 4 and 5 should be followed. Alternatively, the proponent may decide that concerns and issues raised by the public are such that they cannot be resolved by the MCEA process. In this case it may be appropriate for the proponent to undertake a comprehensive EA for the project. The proponent should discuss this option with the ministry to confirm the approach.

Step 7 **Preliminary finalization of preferred design.** The design has been selected with the assistance of public input and the proponent is now able to begin design of the project in sufficient detail to be able to outline the project in the Environmental Study Report. Finalization of detailed design should wait until Phase 5, after the Environmental Study Report has been issued and reviewed by the public.

A.2.5 Phase 4: Environmental Study Report

Phase 4 represents the culmination of the planning and design procedures set out in the MCEA. The proponent is now required to document in a report all the activities undertaken to date through Phases 1, 2 and 3. This documentation is embodied in an **Environmental Study Report**.

The following steps shall be followed in this Phase:

Step 1 **Completion of the Environmental Study Report.** The report is intended to be a traceable and easily understood record of the proponent's decision-making process. A more detailed description of the contents and format of the Environmental Study Report, including requirements for filing, review and amendments, are contained in Section A.4.2. The following brief outline sets out the general requirements:

a) A description of the problem or opportunity and other background information.
b) The rationale employed in selecting the preferred solution to the problem.
c) The rationale employed in selecting the preferred design.
d) A description of the environmental considerations and impacts.
e) The mitigating measures which will be undertaken to minimize environmental effects.
f) A description of the consultation process and an explanation of how concerns raised by the public, Indigenous Communities and review agencies have been addressed in developing the project.
g) A description of the monitoring program which will be carried out during construction and, if necessary, for a specific time during operation.
h) Details of the ways in which the results of a monitoring program will be communicated to the public, Indigenous Communities and review agencies shall be included.

Step 2 **File the Environmental Study Report** with the Municipal Clerk **and place on the public record for at least 30 calendar days for review by Indigenous Communities, the public and review agencies**. At the time of filing this report, Indigenous Communities, the public and review agencies must be notified. This is accomplished by the mandatory issuance of the Notice of Completion, as detailed in Section A.3.4.1. This Notice constitutes the **third mandatory contact point** and carries a **mandatory requirement to include notification of the provision** to request a section 16 order.

If a proponent decides to or agrees to extend the comment period provided in the Notice of Completion, the proponent must give the Director of EAB notice of the extension.

Step 3 **Waiting Period and Section 16 Order Requests**. Proponents must wait at least 30 days following the end of the comment period or any extended comment period before proceeding with the undertaking unless the Minister makes an order pursuant to 15.1.1(5.1). Proponents cannot proceed if a section 16 order request is received, an order is made, and the terms of the order have not yet been met or a notice of proposed order has been given by the Director. Refer to section A.2.8 for more details on section 16 of the EAA.

A.2.6 Phase 5: Implementation

Phase 5 consists of three steps:

Step 1 **Completion of contract drawings and tender documents.** The contract drawings documents and the method of construction shall embody the selected design and the environmental provisions and mitigating measures developed throughout the planning process and as detailed in the Project File Report or Environmental Study Report: the proponent is not free to arbitrarily change or omit

these provisions.

Tenders should be issued after the expiration of the final 30-day comment period, and the waiting period prescribed by the EAA.

Step 2 **Proceeding to construction and operation.** Contracts are awarded, construction takes place, and the project is implemented, commissioned and placed into operation. It is recognized, however, that circumstances may arise which make it impossible to implement the project as outlined in the Project File Report or Environmental Study Report, which delay its implementation. In this case an addendum to the Project File Report or Environmental Study Report may be necessary and the procedure to be followed is set out in sections A.4.1.1 and A.4.3.

Step 3 **Monitoring for environmental provisions and commitments.** The Project File Report or Environmental Study Report will detail the potential effects of a project on the environment, and the mitigating measures, if any, to be taken to avoid, eliminate, prevent or minimize such effects. **The monitoring program outlined in the Project File Report or Environmental Study Report shall be undertaken to ensure that the environmental provisions and commitments made in the Project File Report or Environmental Study Report are fulfilled and are effective.** Monitoring of project operation may be necessary to ensure the effectiveness of the selected solution in resolving the problem. The results of the monitoring program shall be communicated to the public and review agencies, if requested.

A.2.7 Master Plans

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 transportation 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 and the associated broader context, are better defined.

Master Plans are long range plans that integrate infrastructure requirements for existing and future land use with EA 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 over the long-term. 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.

Master Plans typically differ from project-specific studies in several key respects:

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.

b) 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.

c) 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. While these works may be implemented as separate projects, collectively these works are part of a larger system. Master plans thus provide the context for the implementation or follow-up studies of the specific projects that make up the plan. Master Plan studies in essence conclude with a set of preferred alternatives and, therefore, by their nature, Master Plans will limit the scope of alternative which can be considered at a project specific level of assessment.

A.2.7.1 The Master Planning Process

The work undertaken in the preparation of Master Plans should recognize the planning and assessment process of the MCEA and should incorporate the key principles of successful planning identified in section A.1.1. It is imperative that public and agency consultation take place during each phase of the study process as outlined below.

Section 16 order requests pertaining to a master plan should identify the project(s) for which the concerns arise rather than referring to the Master Plan generally. Section 16 provides the Minister with the authority to make an order with respect to an undertaking.

The Master Planning process must follow, at a minimum, the same steps of the first two phases of the MCEA process:

- Phase 1 – Problem or Opportunity
    - Identify and describe the problem or opportunity that the Master Plan is addressing (see section A.2.2);
    - *Notes for Master Plan studies (Phase 1): It is imperative that public, Indigenous Community 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.*

- Phase 2 – Alternative Solutions
    - 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).

- *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.*

Given the broad scope of Master Plans, there are infinite 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 meets the requirements of the MCEA 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.

Prior to commencing a Master Plan, proponents are urged to contact the Regional EA Coordinator at the ministry to discuss their proposed approach.

Approach #1 – Broad Master Planning where identified projects are subject to project specific requirements

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.

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 MCEA 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 MCEA 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.

Documentation:

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 (Notice of Master Plan) would be issued and the Master Plan document would be made available for public comment prior to being approved by the municipality.

To proceed with a Schedule B project identified in the Master Plan the Project File Report(s)

must be filed for public review to complete Phases 1 and 2 of the MCEA. For Schedule C projects, the proponent must complete the remaining components of Phases 1 and 2, and Phases 3 and 4 of the MCEA process, including filing an Environmental Study Report for review.

Approach #2 – Detailed Master Planning where identified Schedule B projects have completed the MCEA process but identified Schedule C projects are subject to project specific requirements

Approach #2 involves the Master Plan being undertaken with detailed assessment work to appropriately meet the requirements of Schedule B projects.

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 prepared for the areas where specific Schedule B projects are proposed to be located as part of the Master Plan process. 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.

The Master Plan must at a minimum meet the requirements of Phase 1 and 2 of the MCEA for both Schedule B and C projects. 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 should be used in support of, future investigations for the specific Schedule C projects identified within it.

Documentation:
The Master Plan document would be prepared at the conclusion of Phases 1 and 2 of the MCEA process. The final public notice for the Master Plan would be the Notice of Completion for the Schedule B projects within it, and it must meet the requirements for a Notice of Completion, including providing notice of the opportunity to request a section 16 order. Information regarding section 16 order requests is in section A.2.8.

For any Schedule C projects identified in the Master Plan, the proponent would have to fulfil Phases 3 and 4 prior to filing an Environmental Study Report for review.

Approach #3 – Comprehensive Master Planning where the MCEA process has been completed for identified Schedule B and C projects

Approach #3 involves comprehensive assessment work being done to appropriately address Schedule B and C projects in the Master Plan.

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 prepared for the areas where specific Schedule B and C projects are proposed to be located as part of the Master Plan process. These detailed inventories should be considered in identifying and assessing project specific impacts and mitigation measures for each project. The Master Planning process would also include fulfilling all the relevant phases of the MCEA 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.

Documentation:
The Master Plan document would be prepared at the conclusion of Phase 4 of the MCEA process. The Master Plan documents all the relevant phases of the MCEA process for Schedule B and/or Schedule C projects. The final public notice for the Schedule B and C projects in the Master Plan would be the Notice of Completion, which must meet the requirements for the Notice of Completion, including providing notice of the opportunity to request a section 16 order.

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.

Modified Approach #2 or #3
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.

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 be the Notice of Completion for those specific Schedule B projects that had the detailed assessment completed and as such must meet the requirements of the Notice of Completion, including providing notice of the opportunity to request a section 16 order. The projects that have completed the process must be clearly identified in the Notice.

A Project File Report for the remaining Schedule B projects would be required to be filed for public review, and Phases 3 and 4 would need to be completed for the Schedule C projects prior to the Notice of Completion being issued for these projects.

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 be the Notice of

Completion only for the Schedule B projects and specific Schedule C projects for which the detailed assessment has been completed. The Notice of Completion would be required to meet applicable requirements, including providing notice of the opportunity to request a section 16 order. Information regarding section 16 order requests is in section A.2.8**.** The notice must clearly identify the projects for which the MCEA process has been completed. Phases 3 and 4 for the remaining Schedule C projects would have to be completed prior to issuing the Notice of Completion for these projects.

These modified approaches are meant to provide flexibility to proponents to accommodate their needs, timing and resources. In following Modified Approach #2 or #3, it is very important that the proponent clearly communicate to the public, Indigenous Communities and stakeholders which Schedule B and/or Schedule C projects the Notice of Completion applies to, and which will be subject to further investigation through subsequent project specific Class EAs. A strong consultation/communication plan is advised.

Integration with the *Planning Act*

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.

The integrated approach still involves the completion of the procedural requirements of the MCEA, however proponents can reduce duplication by simultaneously complying with *Planning Act* and MCEA processes using shared notification, consultation, studies, technical reports and documentation opportunities. Essentially both processes may be satisfied at the same time using some of the same information/studies/documentation, as along as the level of detail and assessment completed appropriately captures the requirements of both processes.

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. When choosing the appropriate approach, the proponent should carefully consider factors such as:

- 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 MCEA requirements in order to proceed to implementation (approach 2/3);

- 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 project); and
- timing of infrastructure needs (e.g., do any of the project need to be implemented immediately or in the short term)

More information on the integrated approach and fulfilling the requirements under both the Planning Act and the MCEA are in section A.2.9.

A.2.7.2 Master Plan – Lapse of Time

Master Plans are long-term plans that will likely be implemented over many years. In order to meet the requirements of the MCEA, a Notice of Completion for each of the identified Schedule B and C projects must be issued. 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).

If only some of the planning process for the projects identified in the Master Plan (i.e., Approach 1 or 2) has been completed and there has been a delay in completing the remaining requirements of the MCEA or a change in the environment, the proponent must update the work done to date to ensure accuracy and must use current information to complete the MCEA process for those projects.

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 Class EA process for a project.

A.2.8 Section 16 Orders

The EAA provides the Minister (or delegate) with the authority to make two types of orders with respect to an undertaking proceeding in accordance with a Class EA.

The following summarizes the Minister's (or delegate's) authority under section 16 and 16.1 of the EAA, and the prohibitions in s.15.1.1. To the extent that there is a conflict between what is set out below and the provisions in the EAA, the provisions in the EAA prevail. The Minister (or delegate) may order a proponent, before proceeding, to undertake a comprehensive EA or may impose conditions on the undertaking.

<u>Section 16(1) and 16(3) Orders</u>
The Minister (or delegate) may, on their own initiative, within a time limited period, require a proponent to undertake a comprehensive EA, referred to as a s.16(1) order, or impose conditions on an undertaking, referred to as a s.16(3) order.

If the Minister (or delegate) is considering making an order on their own initiative, the Minister must make the order no later than 30 days after the end of the comment period set out in the Notice of Completion or Notice of Addendum, unless a Notice of Proposed Order is provided to the proponent. If the Director provides a Notice of Proposed Order to the

proponent within the 30-day period, the Minister must make the order within 30 days of the Director's notice being provided to the proponent unless the notice also includes a request for information.

If the Notice of Proposed Order includes a request for information, the proponent must provide that information to the Director within the deadline contained in the notice. When received, the ministry will review the information and if the Director is satisfied that the submitted information meets the request, the Director will notify the proponent (Notice of Satisfactory Response). The Minister (or delegate) will then have 30 days to make an order. In this case, the following are the outcomes:

- If the Minister (or delegate) issues a s.16(1) order, the proponent cannot proceed with the project without first seeking and obtaining approval under Part II of the Act (i.e., comprehensive EA).
- If the Minister (or delegate) issues a s.16(3) order, the proponent must meet the conditions outlined in the order.
- If the Minister (or delegate) does not issue an order within 30 days of the Director giving a Notice of Satisfactory Response, the proponent can proceed with their project.

If the Director is not satisfied with the information provided (the proponent fails to provide the information requested within the timeline provided in the Director's notice or the information is not complete), the Director will issue a Notice of Unsatisfactory Response and the proponent will be required to issue a new Notice of Completion or Notice of Addendum. The new Notice of Completion (or Addendum), providing for a new comment period of at least 30 days, must be issued within the time period and following any directions specified by the Director in the notice (e.g., post information to the proponent's website). In addition, the information specified in the Notice of Unsatisfactory Response must be provided to the Director for review. If the Director is satisfied with the information provided to the ministry with the new Notice of Completion or Addendum, the Director will issue a Notice of Satisfactory Response. Once the Notice of Satisfactory Response is given, the Minister (or delegate) will have 30-days to issue an order if the Minister (or delegate) chooses to do so. In this case, the following are the potential outcomes:

- If the Minister (or delegate) issues a s.16(1) order, the proponent cannot proceed with the project without obtaining approval under Part II of the Act (i.e., a comprehensive EA).
- If the Minister (or delegate) issues a s.16(3) order, the proponent must meet the conditions outlined in the order.
- If the Minister (or delegate) does not issue an order within 30 days of the Director giving a Notice of Satisfactory Response, the proponent can proceed with their project.

However, if the Director remains unsatisfied with the information provided when a new Notice of Completion (or Notice of Addendum) is issued or the proponent continues to not provide the requested information, the Director will issue another Notice of Unsatisfactory Response, thereby requiring the proponent to again issue a new Notice of Completion (or Notice of Addendum) in accordance with any directions specified by the Director and

provide the requested information to the Director.

Requests for s.16 orders on the grounds that the order may prevent, mitigate or remedy adverse impacts on Aboriginal and treaty rights

In addition, the EAA allows a person with concerns pertaining to potential adverse impacts to Aboriginal or treaty rights, to request under section 16 of the EAA that the Minister make an order requiring a comprehensive EA) or that conditions be imposed on the project. A request can only be made on the grounds that the order may prevent, mitigate or remedy adverse impacts on Constitutionally protected Aboriginal or treaty rights. Requests that are not made on these grounds will not be considered by the Minister. If a section 16 order request is received by the Minister, the proponent shall not proceed with their project until a decision is made by the Minister on the request, or the ministry notifies the proponent that they may proceed.

The proponent of an undertaking proceeding in accordance with the MCEA shall provide accurate and detailed information on the section 16 order request process to the public and to Indigenous Communities. At a minimum, proponents must include information on the s.16 order request process in the Notice of Completion and any Notice of Addendum. The information in the notices should include what the grounds for a request must be (i.e., that the order may prevent, mitigate or remedy adverse impacts on Constitutionally protected Aboriginal or treaty rights), how to submit a request for a section 16 order, and timing for the public comment period, and information that must be submitted to the ministry in making a request. This includes:

a. requester contact information, including full name;
b. project name;
c. proponent name;
d. the type of order that is being requested (requiring a comprehensive EA before being able to proceed, or that conditions be imposed on the project);
e. specific reasons on how an order may prevent, mitigate or remedy potential adverse impacts on Aboriginal and treaty rights;
f. information about efforts to date to discuss and resolve concerns with the proponent; and
g. any other information in support of statements in the request.

If a request for a section 16 order is received by the ministry that meets the grounds in section 16(6), the ministry will contact the proponent for a response to the concerns raised in the section 16 order request. The proponent must respond in a timely manner with complete information to any request.

For more information on the section 16 order process, please visit:
https://www.ontario.ca/page/class-environmental-assessments-section-16-order

A.2.9 Integration with the *Planning Act*

There may be circumstances where a proponent (including private developers) may have a *Planning Act* application and MCEA 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, the ministry strongly encourages proponents to consider the *Planning Act* and Class EA processes together in an integrated approach in order to avoid duplication and ensure improved environmental protection. The MCEA recognizes the desirability of coordinating or integrating the planning processes and approvals under the EAA and the *Planning Act*, as long as the intent and requirements of both acts are met.

The types of *Planning Act* applications/documents that may proceed using the integration approach include for example: an official plan, official plan amendment including secondary plans adopted as an official plan amendment, community improvement plan and plans of subdivision. A municipality is responsible for developing its official plan and any secondary plans including any official plan amendments or a community improvement plan. However, applications/documents such as a plan of subdivision or an official plan amendment may be initiated by a private sector developer. By completing the requirements for the MCEA 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 EAA.

A.2.9.1 – A.2.9.4 – There may be circumstances where a proponent (including private developers) is required to submit a *Planning Act* application that includes a project(s) that is an undertaking that is subject to the EAA. For example, an application for a plan of subdivision may include a new collector road. In this case, the ministry encourages proponents to consider the *Planning Act* and MCEA processes together in an integrated approach in order to determine whether any work can be shared between the EAA and *Planning Act* processes to avoid some duplication and ensure improved environmental protection. The MCEA recognizes the desirability of coordinating or integrating the planning processes and approvals under the EAA and the *Planning Act*, as long as the intent and requirements of both acts are met.

A.2.9.1 Integrated Approach Overview

The integrated approach provides proponents with the opportunity to reduce duplication by simultaneously complying with the *Planning Act* and MCEA processes, where possible. For example, proponents could use the same public/stakeholder notification and consultation, technical reports and analyses, and land use planning and environmental protection decisions for both the *Planning Act* approval and the MCEA, as long as the level of detail and assessment completed for those shared opportunities appropriately captures the requirements of both processes.

The integrated approach still involves the completion of the procedural requirements of the MCEA 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 the MCEA. If the project is categorized as a Schedule C project, the proponent is required to complete Phases 1 through 4 of the MCEA. All MCEA planning principles and mandatory consultation requirements still apply.

Work completed by the proponent for each of the applicable Phases of the MCEA must be documented in a publicly available Project File Report or Environmental Study Report to meet the requirements of the MCEA and can be used as a supporting document for the *Planning Act* application. The Project File Report or Environmental Study Report must be prepared in accordance with section A.2.9.4 of the MCEA and must demonstrate how the proponent has satisfied the requirements for each of the Phases in the MCEA required to be completed while addressing infrastructure servicing needs for their *Planning Act* application(s) and their respective requirements.

Under the *Planning Act*, decision(s) made under that act may be appealed to the Ontario Land Tribunal (OLT). The OLT is the adjudicative tribunal to which appeals of land use planning decisions, including the supporting infrastructure, can be made.

As outlined in section 2.8 of the MCEA, a section 16 order request may also be made to the Minister with respect to the projects proceeding through the MCEA process.

A.2.9.2 Who Can Use the Integrated Approach

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.

Private Sector Proponent

Private developers are designated as subject to the requirements of the EAA if a private sector developer is proposing an undertaking of a type listed in Schedule C of the MCEA and the undertaking involves the provision of roads, water or wastewater facilities for the residents of a municipality.

Municipalities should not avoid their EAA requirements through the use of conditions on a *Planning Act* approval where the appropriate proponent for the work is the municipality.

Co-Proponency

- Two or more parties may have responsibility 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 the MCEA shall apply equally to each of the co-proponents.

- Proponents can also change during the planning and implementation of a project. Initial MCEA Phases are typically completed by the municipality and following Phases may be completed by another proponent. For example, a municipality may use a Master Plan to complete Phases 1 and 2 of the MCEA process, while a private sector proponent, building upon the work completed by the municipality, completes Phases 3 and 4 of the MCEA process through the standard MCEA 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 the MCEA, the proponent needs to ensure that the work that is being relied upon meets the requirements of section A.2.9.3 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., copy right or age of the information).

A.2.9.3 Steps in the Integrated Approach

The following section provides a step-by-step guide of the Class EA requirements for proponents planning a project using the integrated approach. Proponents should match up *Planning Act* approval requirement steps with the MCEA requirement steps to identify opportunities to reduce duplication and coordination timing of both processes:

Step 1:

- Identify the problem or opportunity.

Step 2:

a) Identify alternative solutions to the problem or opportunity.
b) Carry out an inventory of the environment, including the natural, social, cultural, built 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, Indigenous Communities and the public as described in section A.3 of the MCEA.
f) Determine the preferred alternative solution (project) based on the results of the comparative evaluation and feedback received from review agencies, Indigenous Communities and the public.
g) Key Decision Point - At this point in the process, the proponent must confirm the applicable MCEA Schedule for the preferred solution (project):

- If the Project would have been defined as a Schedule B project under the MCEA, then the proponent must:
    - 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 the MCEA;
    - issue a Notice of Completion to Indigenous Communities, review agencies, and the public about the availability of the study documentation for review, section 16 order requests, as well as the appeal rights under the *Planning Act*; and
    - proceed to Phase 5 of the MCEA below.
- If the Project would have been defined as a Schedule C project under the MCEA, then the proponent must:
    - Proceed with Phases 3, 4 and 5 of the MCEA below.

Step 3:

a) Identify alternative design concepts for the preferred solution (project).
b) Undertake a detailed inventory of the environment, including the natural, social, cultural, built and economic environments.

c) Identify the potential impact of the alternative project designs on the environment and any measures needed to mitigate those impacts.
d) Carry out a comparative evaluation of the alternative project designs and identify a recommended project design.
e) **Mandatory Point of Consultation** - notify and consult review agencies, Indigenous Communities and the public as described in sections A.3, A.3.5.3, A.3.6 and A.3.7 of the MCEA.
f) Determine the preferred design for the project.

Step 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.

b) **Mandatory Point of Consultation (e.g., Issue Notice of Completion) –** issue Notice of Completion to review agencies, Indigenous Communities and the public. The Notice of Completion must include information about the availability of the study documentation for public review and section 16 order requests, and information required by the *Planning Act*, including appeal rights under the *Planning Act*.

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.

Step 5:

- Once 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 EAA requirements for their project and obtained any other necessary approvals or permits prior to implementing the project.

A.2.9.4 Documentation

The MCEA documentation must be prepared and made available to the public and shall include:

- 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; and

- commitments made during the planning and consultation process.

(See section A.4 as a guide)

The MCEA documentation including its 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 as requested. 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.

As a reminder, proponents can use the same technical studies and documentation for both the *Planning Act* approval and the MCEA, 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 MCEA. This approach may result in a slightly longer single document versus two separate documents that may contain mostly duplicative information in both.

A.2.9.5 Project Notifications

Requirements remain the same as outlined in sections A.3.4, A.3.5.3, A.3.6 and A.3.7 of the MCEA. Consultation including, notification requirements, is the responsibility of the proponent. Under the *Planning Act*, municipalities are required to issue Notices of Public Meetings and Notices of Decision.

Tasks such as public meetings and public notices may be combined under the MCEA and the *Planning Act.* In some cases, final notices may also be coordinated, depending on the timing and alignment of *Planning Act* decisions with the MCEA work. While the content of combined notices will vary according to the type of *Planning Act* application and the requirements of the MCEA, these combined notices must, at a minimum, include the following:

- a clear statement that an integrated approach is being used;
- a clear statement that an appeal of the *Planning Act* application and related infrastructure is to be made to the OLT (where available) and that a section 16 order request may be made to the Minister of the Environment, Conservation and Parks;
- information about the municipal infrastructure to which the MCEA applies, and the type(s) of *Planning Act* approval being sought; and
- required information that shows that all applicable legislative and regulatory notice requirements under the *Planning Act* and the MCEA have been met.

In using the integrated approach, information contained in the notices may differ, based on the specific notice requirements for the type of *Planning Act* process being carried out and the Schedule of the MCEA project. These differences may relate to factors such as: timing; distribution; content; format; and author.

Appendix 7 highlights some of the key considerations that need to be taken into account when preparing combined notices. For example, comment periods differ for *Planning Act* and MCEA processes. The MCEA requires a Notice of Completion be given and documentation made available for a minimum 30-day comment period. In the case of an official plan amendment under the *Planning Act*, a copy of the application and related information and material must be made available for public inspection at least 20 days before holding a public meeting. When combining notices to meet the requirements under the MCEA and the *Planning Act,* the proponent must ensure that both requirements are met. For projects being planned using the integrated approach, once all of the requirements of the MCEA are completed including the section 16 process (section A.2.9), then under the MCEA the proponent can proceed with project implementation subject to the *Planning Act* application and any other relevant permits and approvals being obtained.

A.2.9.6 Considerations when using the Integrated Approach

A.2.9.6.1 Project Boundaries

Projects being planned using the integrated approach can include infrastructure that is located on lands beyond the boundaries of the lands that are the subject of the specific *Planning Act* application provided that the need for the infrastructure is triggered by the project being planned. Any infrastructure extending beyond the *Planning Act* application boundaries must be directly related to and required by the application(s).

For example, a *Planning Act* application for a plan of subdivision may have a requirement to service the subdivision through a connection to an off-site water tower or stormwater management facility. Another example would be if an extension to a collector road is needed for a short distance beyond the area involved in the *Planning Act* application to connect the subdivision to the existing road network. In this instance, infrastructure located beyond the boundary of the *Planning Act* application would be subject to EAA requirements for the municipality. To ensure that municipal requirements under the MCEA are met, the municipality has at least three options:

1. participate as a co-proponent in the integrated project and incorporate the off-site infrastructure into that same integrated project;

2. delegate the procedural aspects of the MCEA to the proponent of the integrated project, who would carry out the MCEA work for the off-site infrastructure on the municipality's behalf with the municipality the proponent responsible overall for meeting the MCEA requirements, including selection of the preferred alternative as part of the integrated project; and

3. carry out an independent MCEA for the off-site infrastructure.

When a project extends beyond the *Planning Act* application boundaries the associated investigations and EA documentation also needs to extend beyond the *Planning Act* application boundaries. Existing conditions and environmental effect boundaries, for

example would need to be expanded appropriately beyond the *Planning Act* application boundary.

As noted in section A.2.9.2, municipalities should not avoid their MCEA requirements through the use of conditions on a *Planning Act* approval where the appropriate proponent for the work is the municipality. Off-site infrastructure should only be a requirement of a *Planning Act* application if the infrastructure is directly related to the project.

Notice for a project being planned using the integrated approach must clearly identify all infrastructure outside the boundaries of lands that are the subject of the specific *Planning Act* application and the boundaries of the area of land affected by both the prescribed notice and the proposed infrastructure itself. Recognizing that this may not be possible at the earliest stages of project planning when the need for specific infrastructure may not yet have been determined, the level of information included in the notices should increase as project planning decisions are made.

The proponent must address all required phases for the project under the MCEA, including any infrastructure located outside the boundaries of the lands that are the subject of the specific *Planning Act* application in the documentation required under section A.2.9.4.

A.2.9.6.2 Revisions to a Project Planned Using the Integrated Approach

It may be necessary to revise a project that has been planned using the integrated approach due to environmental implications of changes to the project or due to a delay in implementation. Changes to a project must be made following the addenda procedures outlined in the MCEA (refer to section A.4.1.1 and A.4.3).

A.2.9.6.3 Lapse of Time

If a proponent planning a project using the integrated approach has fulfilled its requirements under the *Planning Act* and EAA, the project will be subject to the review requirements associated with the *Planning Act* approval and not the time lapse provision set out in the MCEA. The Planning Act does not contain an automatic review of an approval or an automatic expiry if a *Planning Act* approval is not implemented. A municipality may, however, include a time lapse provision in certain *Planning Act* approval(s) (e.g., a municipality may provide a deadline for the proponent to fulfill the conditions of a draft plan of subdivision) and/or seek reconsideration of matters through its regular planning reviews.

A.2.9.6.4 Consideration

By considering Class EA and land use planning processes in a coordinated approach, proponents may be able to streamline their efforts and more effectively meet the requirements of both the *Planning Act* and EAA. Proponents need to consider the project schedule, timing of the *Planning Act* applications, completion of any studies, public, Indigenous Community and stakeholder interest and implementation target dates, amongst other factors.

It is also possible to terminate an integrated approach once process has been initiated, if during the course of the project, considerations suggest that two separate processes may

be more effective. Work undertaken prior to this decision does not need to be redone as it was undertaken with the intent of meeting both acts. However, future work must still meet the requirements of the MCEA, and the *Planning Act* approvals process being used. If termination of an integrated approach occurs following the announcement or public notification of a project having been given, subsequent notices, or independent notices, shall be issued advising that an integrated approach is no longer being followed.

If a proponent, intends to give notice changing from a standard MCEA process to an integrated approach, notification of the change in process shall be made to the public, Indigenous Communities, and stakeholders involved in the process including the ministry and MMAH.

A.2.9.7 Monitoring the Application of the Approach to Integrate with the *Planning Act*

All notices of commencement and completion, including those for projects or Master Plans following the integrated approach and any notices of public meetings following the integrated process are required to be submitted to the ministry (per section A.1.5.1). This system will track the number of projects following the integrated approach.

A.2.10 Application of Other Legislation

The MCEA process can be conducted in such a way as to support compliance with other environmental legislation. The MCEA process, however, does not replace or exempt the project from other applicable federal, provincial and municipal legislation and municipal by-laws, such as permits or approvals and the specific public, Indigenous Community and agency consultation that they may require. Where possible, duplication between the MCEA process and other formal approval processes should be avoided.

This section is not intended to be an exhaustive list of approvals that may be required for a project. It is well beyond the scope of this document to outline all the potential legislation and requirements of municipal projects. It is the responsibility of the proponent to ensure that all approval and permitting requirements are met prior to implementation. Furthermore, good project management will endeavor to do this in a streamlined and efficient manner in order to minimize duplication where possible.

The relationship to the following provincial legislation is discussed in the following sections:

- *Planning Act* — see section A.2.9
- *Municipal Act, 2001* — see section A.2.10.1
- *Ontario Water Resources Act*, *Environmental Protection Act*, and the *Safe Drinking Water Act, 2002* — see section A.2.10.2
- O. Reg 586/06 (*Local Improvement Charges*) made under the *Municipal Act, 2001* — see section A.2.10.4
- *Drainage Act* — see section A.2.10.5
- *Clean Water Act, 2006* — see section A.2.10.6
- *Endangered Species Act, 2007* — see section A.2.10.7

Other key provincial plans, policies, regulations, and legislation include:

- *Conservation Authorities Act*
- Provincial Policy Statement (PPS);
- *Oak Ridges Moraine Conservation Act, 2001*, and the Oak Ridges Conservation Plan (2017);
- *Ontario Safe Water Drinking Act, 2002* and its regulations;
- *Nutrient Management Act, 2002* and its regulation;
- *Niagara Escarpment Planning and Development Act* and Niagara Escarpment Plan;
- *Greenbelt Act, 2005* and the Greenbelt Plan (2017);
- *Places to Grow Act*, 2005 and the Growth Plan for the Greater Golden Horseshoe;
- *Ontario Heritage Act* and its regulations;
- *Clean Water Act, 2006* and its regulations;
- Great Lakes – St. Lawrence River Basin Sustainable Water Resources Agreement
- *Safeguarding and Sustaining Ontario's Water Act, 2007;*
- *Lake Simcoe Protection Act, 2008* and the Lake Simcoe Protection Plan;
- *Water Opportunities Act, 2010;*

Also, proponents should be aware of the following:

- Certain waste management projects and electricity projects are designated in the regulations made under the EAA.
- Designated transit projects may also proceed pursuant to the process set out in O. Reg. 231/08 (Transit and Rail Project Assessment Process) under the EAA. See section A.2.10.8.

Municipal projects must also comply with the requirements of the federal Impact Assessment Act (IAA) where applicable. In addition, some federal acts are relevant to municipal projects including:

- *Fisheries Act* (see section A.2.10.10)
- *Canadian Navigable Waters Act* (see section A.2.10.11)
- *Species at Risk Act* (see section A.2.10.12)

For projects being planned under the MCEA, authorizations under other provincial acts or regulations can only be issued after the end of the comment period outlined in the Notice of Completion or Notice of Addendum and any statutory waiting periods.

If a request for a section 16 order is received, or if the Minister takes steps to issue an order on their own initiative (see Section A.2.8), the approval can be issued only after the Minister has made a decision whether to issue a section 16 order or the statutory period for an order to be made has expired.

Proponents will be required to demonstrate they have completed the MCEA process when submitting applications under other legislation. Proponents are requested to provide copies of Notices of Completion and confirm that no section 16 orders (formerly known as Part II Order requests) are outstanding.

A.2.10.1 *Municipal Act, 2001* / *City of Toronto Act, 2006*

The *Municipal Act, 2001* 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 co-ordinate requirements under the EAA and the *Municipal Act* where possible and appropriate, for example, public notification.

The *City of Toronto Act, 2006* 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.

A.2.10.2 *Ontario Water Resources Act* / *Environmental Protection Act* / *Safe Drinking Water Act, 2002*

The *Ontario Water Resources Act* (OWRA) requires that an approval to use, operate, establish, alter, extend or replace new or existing municipal sewage works be obtained. Certain other sewage projects (e.g., processed organic waste, biosolids management activities including biosolids disposal and utilization) require approval under the *Environmental Protection Act* (EPA).

A municipal drinking water licence and drinking water works permit are required under the *Safe Drinking Water Act*, 2002 (SDWA) to establish, operate and alter or extend a municipal residential drinking water system.

The EAA and, hence, the MCEA process is oriented towards the general planning decisions associated with the development of a project. Water and wastewater facilities involve relatively complex technology, and for this reason engineering decisions must be reviewed in greater detail than the scrutiny normally afforded by EAA review of engineering issues. **Technical consultation with the ministry is recommended for all complex projects involving construction of water supply and treatment, and sewage treatment and disposal systems.**

In addition, other approvals, legislation, policies and guidelines may apply. In most instances, stormwater management projects may require approval from any or all of the following: local municipality, local conservation authority, federal Department of Fisheries and Oceans, Ministry of Natural Resources and Forestry, and the ministry. The MCEA process does not relieve proponents from the responsibility to meet all such requirements; rather, it presents an opportunity to identify the appropriate approval agency early in the process and to co-ordinate these requirements in a systematic manner.

A.2.10.3 *Consolidated Hearings Act*

The *Consolidated Hearings Act* was repealed in 2021.

A.2.10.4 Ontario Regulation 586/06 (Local Improvement Charges) made under the *Municipal Act, 2001*

Previously, municipal works pursuant to the *Local Improvement Act* were Schedule A projects under the MCEA. The *Local Improvement Act* has essentially been replaced by

Ontario Regulation 586/06. Accordingly, projects planned and approved under this Regulation are considered to be exempt projects under the MCEA. It should be noted that in many cases a petition from adjacent property owners is required prior to implementation. Where there are significant public concerns, the municipality may conclude to proceed under the MCEA.

A.2.10.5 *Drainage Act*

Drainage works regulated under the *Drainage Act* are exempt from the Ontario EAA.

A.2.10.6 *Clean Water Act, 2006*

The purpose of the *Clean Water Act, 2006* (CWA) is to protect existing and future sources of municipal drinking water. For information about the CWA and drinking water source protection, please visit Ontario.ca: http://www.ontario.ca/pages/source-protection.

Source protection plans set out the local approach to protecting sources of drinking water in a source protection area. Where an activity poses a risk to drinking water, policies in the local source protection plan may impact how that activity is undertaken.

In accordance with the CWA, four types of **vulnerable areas** have been delineated in source protection areas. These vulnerable areas are known as a Wellhead Protection Areas (WHPAs), surface water Intake Protection Zones (IPZs), Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs). In addition, portions of the vulnerable areas may include Issues Contributing Areas (ICAs) and Events-based Areas (EBAs).

Policies may prohibit certain activities, or they may use certain tools to manage these activities. Municipal Official Plans, planning decisions, MCEA projects (where a project includes a drinking water risk) and prescribed instruments (environmental compliance approvals, permits to take water, and some aggregate permits and licenses) must conform with policies that address significant risks to drinking water and must have regard for policies that address moderate or low risks.

The Source Protection Information Atlas is a mapping tool available on Ontario.ca that can be used to determine whether a project would be in a source protection area and whether it would be in one of the four types of vulnerable areas. Details regarding the location of vulnerable areas and any applicable policies are available in approved Source Protection Plans available on Conservation Authority/Source Protection Authority websites.

Proponents undertaking a MCEA project must identify early in their process which source protection area(s) the project is occurring in and whether a project is, or could potentially be, occurring within a vulnerable area; this would fall within Phase 1 of the MCEA process and must be clearly documented in the Project File Report or Environmental Study Report, as may be appropriate. For example, reports should identify which source protection area(s) the project is in, whether it is in a vulnerable area and identify any policies that could potentially apply to the project.

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., landowners) should be given adequate consideration during the planning stage.

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 (i.e., changes to existing or 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 update the vulnerable areas and potential drinking water threats be undertaken concurrently with the MCEA 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 MCEA proponents having to amend completed MCEA projects to reflect the technical work required by the CWA.

For further information on source protection requirements, the proponent should contact source protection staff at the local Source Protection Authority or Source Protection Region.

A.2.10.7 *Endangered Species Act, 2007*

The *Endangered Species Act, 2007* (Endangered Species Act) provides for the protection of species that are listed as endangered, threatened, or extirpated and their habitat.

The purposes of the *Endangered Species Act* are to:

- identify species at risk based on the best available scientific information, including information obtained from community knowledge and Aboriginal traditional knowledge;
- protect species that are at risk and their habitats, and promote the recovery of species that are at risk; and,
- promote stewardship activities to assist in the protection and recovery of species at risk.

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 in the

form of a permit or an agreement 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, providing beneficial actions for a species).

Proponents are responsible for determining if their undertakings will impact species at risk and/or their habitat. It is expected that during the MCEA process, proponents will carry out the necessary work to identify species at risk and their habitat on and near the undertaking site and assess the impacts to species at risk that the undertaking may cause. This enables the identification of any Endangered Species Act requirements as part of the proposed undertaking. This includes:

- identification of what authorization may be applicable (i.e., permit, agreement or eligible regulatory exemptions);
- consideration of alternatives that avoid impacting species at risk;
- identification of mitigation actions that minimize impacts, when required; and
- identification of overall benefit actions.

For additional information on requirements for *Endangered Species Act, 2007* authorizations, proponents can consult the ministry's website at https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization or contact the ministry at SAROntario@ontario.ca.

A.2.10.8 Ontario Regulation 231/08 – (Transit and Rail Project Assessment Process) made under the EAA (Transit Regulation)

The Transit Regulation establishes a streamlined process that transit and rail projects designated by the regulation made under the EAA may follow (the project assessment process) before being eligible to proceed.

The project assessment process is a self-assessment process and does not require Minister and Cabinet approval. Timelines have been prescribed for the project assessment process that pertain to both proponents and the Minister. The process starts with a defined project. The transit regulation includes requirements for consultation including notification, studies, assessing the potential impacts that a transit or rail project may have on the environment, and documentation of this work through the preparation of an Environmental Project Report. 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 a comprehensive EA) 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.

Proponents of dedicated municipal transit facilities or services, other than heavy rail, have the option to provide written notice to the Director of Environmental Assessment Branch indicating their intent to proceed with their project pursuant to the MCEA. For those transit or rail projects that 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 the MCEA after giving written notice to the Director of Environmental Assessment Branch of their transit project.

The class of undertakings which may proceed pursuant to the MCEA, as set out in Part D (Municipal Transit Projects) and the Municipal Transit Projects table (Table C) in Appendix 1 of the MCEA, does not include heavy rail. The transit and rail project designations in the regulation "Part II.3 Projects – Designations and Exemptions" include, but are not limited to, certain activities in relation to heavy rail (e.g., establishing heavy rail).

For additional information on the project assessment process, please refer to the regulations and the Ministry of Environment, Conservation and Parks' Guide: Ontario's Transit and Rail Project Assessment Process, February 2024.

A.2.10.9 Environmental Assessment under Federal Legislation

Municipal projects may be subject to assessment requirements under federal legislation.

For specific details, refer to federal legislation and associated regulations.

Proponents are encouraged to contact potential federal authorities as early as possible so that all requirements for their municipal projects can be identified.

A.2.10.10 *Fisheries Act*

On August 28th, 2019, provisions of the new *Fisheries Act* 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.

The purpose of the *Fisheries Act* 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 *Fisheries Act* may be required.

A.2.10.11 *Canadian Navigable Waters Act*

In 2019, the Navigation Protection Act was amended and renamed the *Canadian Navigable Waters Act* to better reflect its purpose.

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.

Transport Canada administers the Act through the Navigation Protection Program. 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.

A.2.10.12 *Species at Risk Act (SARA)*

The purposes of the federal *Species at Risk Act* (SARA) are to:

- prevent wildlife species from being extirpated or becoming extinct;
- to provide for the recovery of wildlife species that are extirpated, endangered or threatened as a result of human activity; and
- to manage species of special concern to prevent them from becoming endangered or threatened.

A series of measures applicable across Canada provides the means to accomplish these goals. Some of these measures establish how governments, organizations, and individuals in Canada work together, while others implement a species assessment process to ensure the protection and recovery of species. Some measures provide for sanctions for offences under the *Species at Risk Act.*

To learn about the species' critical habitat, consult the SARA Public Registry. You can also contact the specialists at Environment and Climate Change Canada or Fisheries and Oceans Canada or provincial or territorial authorities to find out how to comply with the *Species at Risk Act.*

Further information on SARA can be found at:

- https://www.canada.ca/en/environment-climate-change/services/environmental-enforcement/acts-regulations/about-species-at-risk-act.html
- www.sararegistry.gc.ca
- www.cosewic.ca

A.3 Consultation

Consultation early in and throughout the process is a key feature of EA planning. Consultation is a two-way communication process between the proponent and affected or interested stakeholders or Indigenous Communities 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 the general public, property owners, community representatives, Indigenous Communities, 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 differing points of view, thus reducing or avoiding controversy and, ultimately, avoiding an order under section 16 of the EAA. Furthermore, contact with review agencies will ensure 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 the MCEA process.

This section discusses who may be interested in a project 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 those interested in the project. Supplementary information is provided in Appendix 5 while sample notices are provided in Appendix 6.

A.3.1 Municipal Council

It is important to keep Council aware of the study status. The manner in which this is done will vary considerably from municipality to municipality and can range from members of Council participating actively in the study, to being kept informed by staff reports during the course of the study, to receiving a report at the conclusion of the study. Project managers should confirm with Council their desired level of involvement. For example, members of Council would likely wish to be informed of any contacts with the general public.

A.3.2 Stakeholders

Potential stakeholders include the following:

- The **public** - individual members of the public including property owners, who may be affected by the project; individual citizens who have a general interest in the project; special interest groups which may have been created specifically to address concerns related to the project, or whose interest may be centered on specific issues and concerns; community representatives; and the general public.

- **Review agencies** - government agencies who represent the policy positions of their respective departments, ministries, authorities or agencies (see section A.3.6). These include federal, provincial and municipal or local agencies whose position may result in regulatory or statutory approval.

    - **Municipalities** other than the proponent.

A.3.3 Indigenous Communities

Indigenous Communities should be directly contacted throughout the planning process. Indigenous Communities may be interested in a project generally or may have Constitutionally protected Aboriginal or Treaty rights that may be impacted by a project. Proponents should refer to section A.3.7.

A.3.4 Timing of Contact

A.3.4.1 Mandatory Points of Contact

Exhibit A.2, Flow Chart, identifies a number of **mandatory contact points,** i.e., two for Schedule B activities and three for Schedule C activities. While not required, proponents may still want to provide notice or consult with interested parties with respect to an exempt project outside of the MCEA process (see section A.1.2.2).

The contact points identified for Schedule B and C projects are a minimum. For

controversial, lengthy or complicated projects however, it will likely be necessary to make additional formal contacts or to maintain on-going contact with the public, Indigenous Communities or review agencies.

Proponents should tailor the consultation plan to reflect the project and the interested parties.

First Mandatory Point of Contact:
By Phase 2 of the planning process, a proponent will have identified the problem or opportunity, identified and evaluated alternative solutions to the problem, and made a general inventory of the natural social and economic environments in order to determine the possible impacts which each of the alternative solutions might have on the environment. The purpose of the first contact is to review these issues with them and to allow the public, Indigenous Communities and stakeholders an opportunity to provide input to the identification of the problem or opportunity and alternative solutions, and to assist in the selection of a preferred solution.

This will allow the proponent to inform those being consulted of the nature of the problem or opportunity, the need for the project, the planning and design details formulated to date, and the inventories of the natural, social and economic environments; and would provide a forum to discuss potential impacts and local sensitivities. The opportunity should be taken to explain the MCEA planning process and to outline the rights and opportunities of the public with respect to participation, including their roles and responsibilities, how to raise concerns and provide feedback, and the right to request a section 16 order on the grounds that an order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal or treaty rights (See section A.2.8).

The first mandatory contact with Indigenous Communities, the public and review agencies therefore occurs towards the end of Phase 2 when a notice is issued inviting comment and input (see Appendix 6, Sample Notice - Public Comment Invited).

In many instances, the proponent will already have identified which Schedule best fits the project. Review of the project with the public and agencies at this stage and the selection of the preferred solution, however, will allow the proponent to review and confirm a choice of Schedule at the conclusion of Phase 2. **The nature and extent of contact at this stage will, therefore, be common to both Schedule B and Schedule C projects.**

Second Mandatory Point of Contact:

a) **For Schedule B projects,** input from Indigenous Communities, the public and review agencies will have been received at the first point of contact in Phase 2 and the proponent would have continued the planning process. It is then necessary for the proponent to **contact Indigenous Communities, the public and other stakeholders for the for the second mandatory contact to advise of the completion of the planning process. A Notice of Completion is issued at this point** (see Sample Notice, Appendix 6) and completes the requirements for Schedule B projects. The comment period associated with the Notice of Completion is normally 30 calendar days.

In special circumstances, the proponent may choose to set a longer period (for example, if public holidays intervene). In any event, the Notice of Completion shall clearly state the comment period and the date by which submissions or requests for a section 16 order. If no request is received within the comment period specified in the Notice, the proponent may proceed to design and construction of the project after the end of the statutory waiting period. See subsection 15.1.1.(5) and (5.1) of the EAA.

b) **For Schedule C projects,** the proponent shall follow the more formal project development and planning process outlined in Phase 3. These activities will identify alternative designs, will evaluate the alternative designs, and will identify the possible impacts of the alternative designs on the environment. **The second mandatory point of contact** is therefore intended to review these alternatives with Indigenous Communities, the public and agencies to assist in the selection of the preferred design for the chosen solution.

   It is anticipated that the project will be well developed at this stage and a preliminary recommendation or preferred design will probably have been identified. Although this should be conveyed to the public at this point of contact, it is important that the preliminary recommended design not be presented as a decision but as a preliminary preference following an evaluation of the alternatives and their impacts on the environment, based on available information. Indigenous Community, public and agency input is necessary at this stage to assist the proponent by providing additional information, in reviewing the evaluation and in arriving at the most appropriate decision.

   This is, therefore, an important contact point for most Schedule C projects. Assuming there are a number of interested and/or affected members of the public, this often involves the holding of public information centres, workshops or meetings etc. A notice in the form of Notice of Public Consultation Centre, or similar to suit local circumstances, shall therefore be issued at this point (see Sample Notice, Appendix 6). Indigenous Communities must be contacted directly, and Community-specific consultation opportunities offered to the Indigenous Communities throughout the MCEA process.

Third Mandatory Point of Contact (Schedule C Projects Only):

Schedule C projects require the completion of an Environmental Study Report which is intended to document the entire planning process undertaken through Phases 1, 2 and 3 (See section A.4.2 for details of the preparation of the Environmental Study Report).

A **third mandatory point of contact occurs when the Environmental Study Report is placed on the public record for a period of at least 30 calendar days**. Normally 30 days will be adequate, but the proponent may choose to set a longer period under special circumstances (e.g., if public holidays intervene; to accommodate pre-set Council meeting dates on which to review the Environmental Study Report; or if a particularly detailed or lengthy Environmental Study Report might not reasonably be reviewed by the public in 30 calendar days).

Contact at this point is through the issuance of a Notice of Completion which, will advise the public, particularly those who have expressed an interest and a desire to stay involved, Indigenous Communities, and review agencies where the Environmental Study Report may be seen and reviewed and the manner in which comments are to be received. **This Notice shall advise Indigenous Communities, the public and review agencies of their rights with regard to requesting a section 16 order and how to raise concerns with the proponent** and shall clearly state the comment period and the date by which submissions and/or requests are to be received by the Minister (see Sample Notice, Appendix 6).

A.3.4.2 Discretionary Points of Contact

Section A.3.4.1 describes the mandatory points of contact. These, however, are a minimum only. Discretionary points of contact may also occur:

- **During Phase 1 - To review and develop a clear problem statement:**
  For complex projects, many sectors of the community may be affected in different ways. The problem or opportunity as viewed by the proponent, may not be seen in the same way by the public or Indigenous Communities or may be seen in different contexts. There may, therefore, be benefit in discussing the problem or opportunity with the public and Indigenous Communities at an early stage to ensure, not only a better understanding of the definition of the problem and/or opportunity, but also identification of the most appropriate alternative solutions. In this way, the mandatory public consultation in Phase 2 could be more meaningful.

- **Between Phase 3 and Phase 4 - To review the preferred design prior to finalization of the Environmental Study Report:**
  Following public consultation in Phase 3, a preferred design is selected, and, in many cases, a great deal of work will ensue in developing the project in sufficient detail to complete the Environmental Study Report. For a project which has generated controversy or concern, the proponent may find it advantageous to undertake further consultation, at least with those members of the public, Indigenous Communities, or review agencies who have expressed concern and who have been involved in the planning process, prior to finalization of the Environmental Study Report and placing it on the public record. This will allow an additional opportunity to resolve outstanding issues. It is preferable to modify a project at this stage, if appropriate, then to negotiate

changes to the Environmental Study Report in a confrontational atmosphere, under the possible threat of a request for a section 16 order.

A.3.5 Public Consultation

A.3.5.1 Development of a Public Consultation Plan and Consultation Records

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:

- potential stakeholders and special requirements;
- level of consultation;
- appropriate means of contact; and
- general timing of contact.

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).

The following is an outline for the development of a Consultation Plan:

- define goals and objectives for the Consultation Plan considering the complexity of the EA project in the context of the Problem/Opportunity statement;
- identify stakeholders and potential concerns/issues that may be raised;
- develop a stakeholder distribution list (contact information for who will be contacted within each identified stakeholder group);
- confirm minimum consultation requirements, per the MCEA, in the Consultation Plan;
- develop strategies and communication activities (e.g., communication channels, materials, venues, etc.) to enhance the minimum consultation requirements;
- implement and document the consultation plan process (record or log); and
- evaluate need for mid-course corrections.

Consultation Records

A Consultation Record should be maintained and included in the Project File Report or Environmental Study Report as an appendix. The Consultation Record should be detailed, including:

- an overall record of communication (who was contacted, date of contact, method of contact) including details of follow-ups;
- proof of delivery of documents;
- the date of meetings, the agendas, any materials distributed, those in attendance and copies of any minutes prepared;
- concerns/comments/feedback provided and an explanation of how concerns were addressed; and
- copies of all correspondence and communication (to and from the public, government agencies and stakeholders).

Consultation Records are one of the first items that the ministry will request from a proponent when a section 16 order is requested and therefore it should be readily available. Also, a formal document will ensure that consultation is organized and complete.

A.3.5.2 Methods of Public Contact

There are several 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.

The proponent must decide which method of contact will best provide the public and government agencies 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.

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.

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 MCEA). It is then necessary to document the method, timing and content of all contact with the public, government agencies, other regulatory bodies, and any other identified stakeholders in a formal consultation record (see A.3.5.1 of the MCEA).

If a proponent develops its own Notice Requirements (A.3.5.3), they must clearly describe the approved procedure in the Project File Report or Environmental Study Report. This will increase transparency and clarify for all stakeholders who are reviewing the documentation.

A.3.5.3 Public Notices

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.

Historically, the MCEA required that a notice be published in a local newspaper having general circulation in the area of the project.

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 bylaw. Once incorporated into their municipal notice bylaw, proponents will comply with section A.3.5.3 of the MCEA if they follow the notice procedures set out in their municipal notice bylaw. Alternatively, a standardized procedure can be created specifically for the consultation/notification under the MCEA process, as long as it's been adopted by the municipality and made available to the public.

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 MCEA 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 MCEA projects.

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.

A sample of a detailed process follows:

Notice Type	Review Agencies	Members of the Public	Indigenous Communities
Schedule B Notice of Commencement	Notice via email	Signage at project location Notice on Municipal website and mail to directly impacted (adjacent) owners	Mail or email with minimum of one follow up communication and offer for a special meeting
Schedule C Notice of Commencement	Notice via email	Signage at project location Notice on Municipal website and mail to directly impacted owners	Mail or email with minimum of one follow up communication
Master Plans Notice of Commencement or Notice of Public Meeting	Notice via email	Signage in community Notice on Municipal website	Mail or email with minimum of one follow up communication Offer to meet with interested communities
Schedule C Notice of Public Consultation (minimum 10 days prior to meeting)	Notice via email	Email to anyone that responded to the Notice of Commencement and Mail to directly impacted (adjacent) owners and Notice on Municipal website	Mail or email with minimum of one follow up communication and offer for a special meeting.
Schedule B & C (and master plans) Notice of Completion	Notice via email	Email to anyone that has expressed interest in the Project and Notice on Municipal website. Copy of Project File Report and Environmental Study Report available on project website	Mail or email with minimum of one follow up communication

The format for notices may vary from municipality to municipality, but the following points shall be considered as minimum mandatory requirements.

Contents:

- date the notice was issued;
- project name, description and purpose;

- proponent name and contact information (address, phone, fax, email) where comments or questions should be directed to;
- name of the Class EA being followed (e.g., the MCEA);
- schedule of the MCEA being followed (B or C);
- a brief description of the project which outlines the nature of the problem or opportunity and the need for a solution;
- map of where project is located (where applicable);
- public record locations where documents are located for viewing or information (where applicable) and when they are available;
- meeting locations (where applicable);
- project website address (where applicable);
- *Freedom of Information and Protection of Privacy Act* (FIPPA) disclaimer;
- For the Notice of Completion, the right to request a section 16 order;
- For the Notice of Completion, information on who/where the section 16 order request must be sent to, including Minister of the Environment, Conservation and Parks, Environmental Assessment Branch (EAB) Director and proponent contact.

Two Published Notices:
Two (2) published notices previously meant the same notice appearing in two (2) separate issues of the same newspaper. However, it can now also mean that notices are provided in at least two widely available mediums (e.g., newspaper, website, social media, flyers/posters in public spaces, printed notices delivered door to door, press release, etc.) at multiple timelines (e.g., two weeks in a row), provided that this process is consistent with the municipality's bylaw or custom notification procedure.

Where possible, and for larger projects, the proponent should notify and solicit input from the public in ways other than newspaper advertisements alone.

First mandatory point of contact:
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.

Second mandatory point of contact:
- Schedule B projects - two (2) published Notices of Completion
- Schedule C projects - two (2) published notices

Third mandatory point of contact:
Schedule C projects - two (2) published Notices of Completion

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 MCEA planning process, a list of all persons who provide comment and input to the process or otherwise express an interest in the project.**

Sample Notices for Schedule B and Schedule C projects and for each point of public contact are included in Appendix 6. The Notices describe hypothetical projects in a hypothetical municipality and are intended only as a guide.

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.

A.3.5.4 Information About the Municipal Class Environmental Assessment

The proponent should recognize that many members of the public and Indigenous communities may not be familiar with environmental assessment legislation or, more particularly, with the requirements of the planning process set out in the MCEA. Opportunities should, therefore, be provided by the proponent to explain the requirements as fully as possible to those seeking information or clarification. The proponent should consider making copies of the ministry's most current consultation guide and the MCEA available to the public at convenient locations.

A sample public handout is provided in Appendix 5 which includes basic information about the MCEA process. This can be customized to a specific project.

A.3.6 Review Agencies

As a minimum, review agencies are to be contacted at the mandatory contact points identified in Exhibit A.2 and discussed in section A.3.4. The following provincial ministries, public authorities and federal departments and agencies have stated their desire to be Review agencies to be circulated on relevant Class EA projects and have been designated as "review agencies" for that purpose. It should be noted that agency names were correct as of March 2022. Any subsequent change in agency name will not change the need to contact agencies that have an area of interest that will be affected by a project. **Other than the agencies to be contacted in all cases (see below), only those agencies who are likely to have an interest in the project need be contacted.** In particular, the Ministry of the Attorney General should only be contacted if the project is relevant to that ministry.

Proponents should determine whether the nature of their project and the concerns and issues related to it require contact with other provincial ministries, public authorities or federal departments or agencies not listed here (see Appendix 3).

TO BE CONTACTED IN ALL CASES:

- Ministry of the Environment, Conservation and Parks, Environmental Assessment Branch
- Other directly affected municipalities

TO BE CONTACTED AS APPROPRIATE:

Provincial Ministries and Agencies (see Appendix 3)**:**

- Ministry of Agriculture, Food and Rural Affairs (Land Use Planning)
- Ministry of Children, Community and Social Services
- Ministry of Economic Development, Job Creation and Trade

- Ministry of Energy
- Ministry of Health (Local Medical Officer of Health)
- Ministry of Citizenship and Multiculturalism
- Ministry of Infrastructure
- Ministry of Municipal Affairs and Housing
- Ministry of Northern Development (District Office)
- Ministry of Mines (District Office)
- Ministry of Natural Resources and Forestry (District Office)
- Ministry of Transportation (District Office)
- Niagara Escarpment Commission (as applicable to the study area)
- Ontario Provincial Police
- Ontario Realty Corporation
- Electrical Utilities
- Waterfront Regeneration Trust

Federal Departments and Agencies (see section A.2.11 and Appendix 7)

- Department of Fisheries and Oceans - Habitat Management and Enhancement Division
- Environment and Climate Change Canada - Ontario Region
- Transport Canada - Navigation Protection Program - Canadian Coast Guard
- Transport Canada - Environmental Management Programs - Ontario Region
- Canadian Transportation Agency
- Parks Canada
- Impact Environmental Assessment Agency
- Indigenous and Northern Affairs Canada
- Innovation, Science and Economic Development

Other

- Conservation Authorities
- Regional and area municipalities
- Counties, districts and planning boards
- Emergency services (fire, police, ambulance)
- School boards
- Transit Authorities (e.g., TTC)
- Rail Authorities (CN, CP and Metrolinx)
- Municipal heritage committee
- Utilities (natural gas, cable, telephone)
- Local Heath Units

It is anticipated that review agencies will be contacted by formal letter or notice, although it is often useful to include the review agencies in the mailing to be sent to the general public. This ensures that the review agencies are in receipt of the same information as the general public and can therefore provide input and comment within the same context as the general public.

For projects that are subject to a federal assessment, the federal regulatory authority should be consulted as early as possible.

It should be recognized, however, that the mandates of review agencies are such that their needs and requirements for information may be more stringent than for members of the general public. Proponents should be prepared to provide review agencies with more detailed information, when requested. Whereas it may be reasonable for information to be made available to the general public, for example, at the local library, this would be unreasonable for review agencies.

Review agencies should not be placed in a position of having insufficient time in which to review a project (either Schedule B or Schedule C) and to give meaningful and informed comment to the proponent. The proponent is therefore advised to follow up with the relevant review agencies to ensure that the appropriate personnel have received notification of the proposal and that any concerns can be addressed.

It is suggested that proponents establish early in the planning process what the information needs will be for specific review agencies who will have an interest in a particular project, and set out a procedure to satisfy those needs. **Review agency responses are to be documented in the Project File Report or the Environmental Study Report.**

A.3.7 Indigenous Communities

Proponents proceeding pursuant to the MCEA are required to consult with Indigenous Communities who may be affected by a proposed undertaking. Proponents are required to contact the ministry as early as possible to request a list of Indigenous Communities for consultation. Projects proceeding pursuant to the MCEA may have the potential to impact on Indigenous harvesting activities, or on archaeological resources.

In addition to a public consultation plan, proponents must develop a plan for how Indigenous Communities will be consulted. The consultation plan should be flexible and take into consideration the preferences of Indigenous Communities with respect to consultation with their Community. Indigenous Communities are to be contacted directly with respect to the project using various means (mail, email and phone) and at a minimum at the mandatory contact points identified in Exhibit A.2 and discussed in section A.3.4. Community-specific consultation opportunities, such as information on the project, meetings etc., should be offered to communities.

Proponents must document the consultation process with Indigenous Communities. In addition to the information required by section A.3.5.1 above. The following information, as applicable, should be documented with respect to Indigenous consultation:

- any information that was shared by an Indigenous Community in relation to its asserted or established Aboriginal or treaty rights and any potential adverse impacts of the proposed activity on such rights;
- any proposed project changes or mitigation measures that were discussed and feedback from Indigenous Communities on those commitments;

- information regarding any financial assistance provided by the proponent to enable participation by Indigenous Communities in the consultation;
- periodic consultation progress reports or copies of meeting notes if requested by the ministry; and
- a summary of how the delegated aspects of consultation were carried out and the results.

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.

A.3.8 Review of Project File Report / Environmental Study Report

It is good practice to provide review agencies with the opportunity to comment on a draft copy of the Project File Report or Environmental Study Report.

When completed, the Project File Report or Environmental Study Report shall be placed on the public record and be available for review by Indigenous Communities, the public and review agencies for a period of at least 30 calendar days.

For most municipalities placing on the public record will mean placing a copy on the municipality’s website with hard copies available for viewing at select convenient locations. For complex projects, a summary of the Project File Report or Environmental Study Report could be placed on the website with hard copies of the full version available at select locations.

During preparation of the Project File Report or Environmental Study Report, it may be worthwhile to circulate draft wording for certain technical sections to relevant agencies to ensure wording in the final document is acceptable. For particularly complex projects, the ministry’s Regional EA Coordinator may ask to review a draft of the entire Project File Report or Environmental Study Report before it is finalized.

Whatever location is used to place the document on the public record and wherever the document is available for review, the location should be clearly indicated in the notices to the public. In the case of large or controversial undertakings, it may be necessary to have more than one copy of the Project File Report / Environmental Study Report available for review. In some cases, it may be necessary to print several copies and make them available to members of the public wishing to have individual copies.

One of the key principles of successful planning under the EAA is:

> *“to provide clear and complete documentation of the planning process followed, to allow for the traceability of decision making with respect to the project.*

Documentation of the planning and design process followed in developing Schedule B and C projects is, therefore, a mandatory requirement of the MCEA. It is important that, for all Schedule B and C projects, documentation be established that allows traceability and clearly identifies the mitigation measures, monitoring requirements and commitments made to stakeholders that were discussed during the EA process.

The following sections provide details of the documentation requirements which are a minimum in all cases.

A.4 Project Documentation

A.4.1 Project File Report (Schedule B)

Formal planning of Schedule B projects ends at the conclusion of Phase 2. At this point, documentation of the planning process followed for Phases 1 and 2 shall be finalized and a Notice of Completion shall be issued, allowing for a minimum 30-day comment 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 interested parties at any time.

Proponents shall maintain a **Project File Report** for all Schedule B projects.

The Project File Report 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:

- 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;
- reports or studies undertaken on various elements of the environment as appropriate;
- follow-up commitments, including any monitoring necessary; and
- the public and Indigenous consultation undertaken and how concerns raised have been addressed.

The Project File Report shall contain a complete record of all activities associated with the planning of the project and shall include:

- correspondence;
- copies of notices, letters, bulletins relating to public consultation;
- memoranda to file explaining the proponent’s rationale in developing stages of the project; and
- copies of reports prepared by consultants and others.

Proponents may wish to include in the Project File Report, a short summary listing key activities and the principal decisions/conclusions. Copies of the Project File Report and such

a summary should be made available on the municipality's website with hard copies available for viewing at selected convenient locations.

A.4.2 Environmental Study Report (Schedule C)

An Environmental Study Report must be prepared for each project that proceeds through the Schedule C planning process described in the MCEA. The Environmental Study Report 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 have been finalized.

A notice indicating completion of the Environmental Study Report and its filing on the 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.

A.4.2.1 Format and Content

In general, the Environmental Study Report will provide a complete account of the planning process followed for the project. The Environmental Study Report should include only what is necessary to cover fully the matters considered during the planning process. For a straightforward non-controversial project with relatively little public interest, the Environmental Study Report may be relatively brief. A more complicated, controversial project which involves a number of detailed studies and data collection and has raised special interest or concern with the public would demand a more comprehensive, lengthy, and more detailed Environmental Study Report. It would include details of all studies undertaken or data collected, the results and conclusions of all matters considered, a discussion of all issues raised by the public with an evaluation and response to each, and all other matters covered in the planning process.

Whatever format the Environmental Study Report takes, the proponent shall ensure that the language and terminology used, and the explanations given of technical matters considered, are readily understood by the public, government agencies and Indigenous Communities.

The outline for the preparation of the Environmental Study Report which follows is a suggested format only.

The Environmental Study Report does not necessarily have to follow the exact headings, order of presentation and content presented here. The following outline is intended to provide guidance on the type of information which would make the Environmental Study Report meaningful and which the public and government reviewers are likely to expect to have included. What is covered in the Environmental Study Report will depend on project specific conditions and the issues and concerns which the proponent addressed during project development and planning.

Executive Summary

This short summary provides an overview of the project and should include a brief description of the problem, the preferred solution, the method to be employed to resolve the

problem, the principal environmental impacts of the project and the mitigating measures to be employed to offset them. The Executive Summary should also include a brief description of the consultation carried out and the principal concerns raised by Indigenous Communities, the public and agencies.

Chapter 1: Introduction and Background
This chapter should describe the background to the project and will cover the history of issues which have led to the identification of the problem. Earlier studies relating to the problem and undertaken by the proponent should be described and referenced.

An explanation of the MCEA planning process should be provided and should include the rationale for developing the project under the MCEA process. This section should include a description of the Environmental Study Report and explain its purpose.

This section should identify the project team, giving names and affiliations of the principal parties involved. The type and extent of involvement of the proponent, and details of the consultants, sub-consultants, planners, special advisors and others involved in the planning process should be given. The time frame over which the planning process was undertaken should be given.

Chapter 2: Problem Statement
This chapter should describe the purpose of the project and should include a detailed description of the problem. The justification and need for the project, and its aims and objectives, should be provided.

If the consultation process has commenced at this stage, details should be provided of contacts with the public, Indigenous Communities, and review agencies, the concerns raised, and the way in which the concerns have influenced the development of the problem statement.

Chapter 3: Alternative Solutions
The alternative solutions considered should be detailed in this chapter. Details of the following should be provided, including:

- a description of the existing environment, i.e., natural, social, cultural economic and technical;
- the extent to which the alternative solutions resolve the problem;
- the advantages and disadvantages of the alternative solutions;
- the effects of the alternative solutions on the environment; and
- the decision-making process used to select the preferred solution.

Investigations and studies undertaken to prepare inventories of the environment and to assess impacts of the alternative solutions on the environment should be described and referenced. Details of the mitigating measures considered and their effectiveness in minimizing the environmental effects should be provided.

The chapter should include a description of the evaluation process employed to select the

preferred solution. The decision-making process, and any ranking procedures employed, should be described.

Details should be provided of the consultation undertaken during this stage of project development. The type of public, government agency and Indigenous Community involvement, the number of meetings, the notification method and attendance at meetings should be documented. Details of the concerns raised by the public, government agency and Indigenous Communities and the manner in which they were addressed and accommodated by the proponent should be provided.

Chapter 4: Alternative Designs
This chapter should describe the alternative designs that were considered for the preferred solution. The following information should be documented:

- the extent to which the alternative designs address the solution to the problem;
- the advantages and disadvantages of the alternative designs;
- the effects on the physical, natural, social, cultural, economic and technical environments of each of the alternative designs; and
- the evaluation and decision-making process used to select the most appropriate design.

This section requires that a description be provided of the detailed environmental inventory. Details of the mitigating measures to be employed should be given.

A description of the consultation program should be provided with details of the number of meetings, who was invited, how notification of the meetings was made, the issues and concerns raised by the public, government agencies and Indigenous Communities and how they were addressed in the evaluation of the alternative designs. Similarly, details of comments and input provided by the review agencies should be provided and an explanation given how issues were addressed.

Chapter 5: Project Description
A detailed description of the project should be provided, giving engineering characteristics of the works to be undertaken. The information provided in this chapter may include location plans and profiles, a description of lands to be affected by property acquisition, and should include a project schedule for the work.

A construction package should be described, with special reference to the mitigating measures to be employed during construction and how environmental commitments made during the planning process will be fulfilled. The anticipated hours of work, duration of the construction, the urgency of the works (if any) and timing constraints for construction should be described. The construction package should include details of methods for disposal of waste materials, and the control of nuisances e.g., dust, noise.

This section should contain information on the estimated costs of the project.

Chapter 6: Monitoring
This chapter should describe the monitoring program developed during the planning process designed to be carried out during and after construction. The program should monitor and review the environmental impacts predicted and the commitments made to mitigation throughout the planning and design process. The following items, for example, should be included:

- key impacts to be monitored;
- monitoring requirements during construction and during operation of the facility;
- the period during which monitoring will be necessary;
- frequency and timing of surveys, the location of monitoring sites and the methods of data collection, analysis and evaluation;
- the content, manner and form in which records of monitoring data are to be prepared and retained; and
- where and for how long monitoring records and documentation will be on file, specific requirements for monitoring appropriate to the particular circumstances and conditions under which the project will be implemented.

This section should describe how unexpected environmental effects identified during the monitoring program will be addressed.

Appendices
Items should be included in an Appendix to provide technical support to specific aspects of the information documented in the Environmental Study Report. These may include:

- maps and plans
- press releases/notices
- public, government review agencies and Indigenous Communities contacted
- submissions, input and opinions received from the public and from review agencies
- reports of studies undertaken on various elements of the environment
- other detailed material referenced in the Environmental Study Report

A.4.3 Change to the Project and Lapse of Time

Change to the Project
Due to unforeseen circumstances or changes in the environment, it may not be feasible to implement the project in the manner outlined in the project report. If a change to the project is proposed after the project is authorized to proceed pursuant to the MCEA due to unforeseen circumstances or changes to the environment, the proponent shall prepare an addendum to the report. For the purposes of the MCEA, a change to the project is any significant modification proposed to the project.

The addendum shall describe the proposed change, 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 report and a Notice of Addendum (see Sample Notice, Appendix 6) shall be issued immediately in accordance with the EAA and to all potentially affected members of the

public, Indigenous Communities and review agencies, as well as those who were notified in the preparation of the original report.

A period of 30 calendar days following the issuance of the Notice of Addendum shall be allowed for review of the Addendum. The Notice of Addendum shall include the public's right to request a section 16 order (see section A.2.8). A proponent must wait a minimum of 30-days following the end of the comment period before proceeding with the implementation and construction of the project, subject to a section 16 order request being submitted, the Minister making an order or the Director issuing a Notice of Proposed Order. During the 30-day comment period and applicable waiting period, no work shall be undertaken that would 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 be stopped and shall not restart until the end of the comment period and any statutory waiting period (see section15.1.1. of the EAA).

Lapse of time

A time lapse may occur between the filing of the Project File Report or Environmental Study Report and the implementation of the project. In such cases, the proposed project and the environmental mitigation measures proposed may no longer be valid.

If the period of time from the latter of (i) the issuance the Notice of Completion in the public record or (ii) a decision on an order request under section 16, to 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 report which shall be placed on the public record.

Commence construction means to begin work in a meaningful way such that it is obvious that the project is proceeding.

Sometimes the preferred solution determined by the EA process involves a project that is constructed in phases. Examples could include expanding the capacity of a treatment facility by first expanding one component of the treatment process 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. In these situations, 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 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 report.

The Notice of Addendum shall be placed on the public record with the Environmental Study

Report or Project File Report and shall be issued to the public, Indigenous Communities and to the review agencies.

Where a change is being proposed to the project due to, for example, changes in the environment, the provisions regarding changes to the project in the EAA and above shall be followed.

Part B – Municipal Road Projects

In fulfilment of the requirements of the EAA, this section provides a broad description of the following with respect to municipal road projects:

- the projects, purpose and alternatives.
- the environment, typical effects and potential mitigating measures.

NOTE: Activities in respect of a municipal expressway or municipal expressway facilities may not proceed pursuant to the MCEA. "Road" is defined to include local, collector and arterial roads but not expressways. Refer to the definitions contained in the MCEA for further information. Activities in respect of a municipal expressway or municipal expressway facility may proceed subject to the requirements set out in the Ministry of Transportation Class Environmental Assessment.

Section B.2 has been taken, for the most part, directly from the 1993 Class EA for Municipal Road Projects. While it focuses on road projects, the basic principles of the approach can also be applied to other projects included in the road schedules (see Appendix 1), for example, other linear paved facilities (see Glossary). Part B should be reviewed in conjunction with the project tables in Appendix 1; typical mitigation measures for potential effects in Appendix 2; and agency consultation recommendations based on environmental factors in Appendix 3.

The MCEA process, including consultation and documentation, is provided in Part A of this document.

B.1 Key Considerations

B.1.1 Key Considerations

Road projects/activities in general are discussed in Section B.2. This section addresses key considerations when developing and assessing alternatives.

When generating and evaluating alternative solutions in Phases 2 and 3 of the MCEA process, the proponent shall bear the following considerations in mind.

1. Land-Use Planning Objectives

Land-use planning objectives refer to the 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, 2020 (PPS), the *Places to Grow Act, 2005* and associated Growth Plan(s). See section A.2.10 for more information on other applicable legislation.

The *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 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.

2. Natural Heritage Features

The natural environment includes the following typical elements:

- Landforms (including valleylands)
- Groundwater
- Surface water and fisheries
- Terrestrial Vegetation and wetlands
- Wildlife and habitat; and
- Connections provided by, or between these, resources

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.

In most cases, municipalities have specific policies related to the protection of the natural environment. These policies, along with regional, provincial, and/or federal policies should be identified as part of the EA process.

3. Social Environment

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.

In most cases, municipalities have specific policies related to the protection of the social environment. These policies, along with regional and/or provincial policies should be identified as part of the EA process.

4. Cultural Environment

"Cultural environment" refers to archaeological resources, built heritage resources and cultural heritage resources in the environment. Areas of archaeological potential must be identified in accordance with the *Ontario Heritage Act*. Relevant terms can be found in the glossary.

Significant cultural heritage resources must be conserved. Where significant cultural heritage resources cannot be avoided, adverse impacts are to be mitigated in accordance with provincial and municipal policies, procedures, best practices and guidelines.

5. Indigenous Peoples

Proponents proceeding pursuant to the MCEA are required to consult with interested persons and with Indigenous Communities who may be affected by a proposed undertaking. Municipalities are directed to contact the ministry for direction on consultation with Indigenous Communities. For more information, see Part A.3.7.

As part of the assessment process, proponents need to consider the potential for the project to impact:

- Reserve lands and/or Indigenous Traditional Land Use Areas
- Aboriginal or treaty rights and claims
- Use of land and resources for traditional purposes
- Aboriginal Peoples' industry and economic opportunities
- Archaeological sites

6. Economic Environment

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.

7. Property

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 such as where relocating property lines would result in the property owner being out of compliance with local standards (e.g., building setback requirements, etc.).

8. Evaluation of Alternative Solutions

When evaluating alternative solutions, the following considerations should be kept in mind:

- 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 infrastructure, 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.

B.1.2 Transportation Master Plans

Many municipalities undertake Transportation Master Plans to define their long-term transportation objectives as a supplement to transportation needs identified through their Official Plan development process. A Transportation Master Plan integrates existing and future land-use planning and the planning of transportation infrastructure with the principles of environmental assessment planning.

Transportation Master Plans 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 *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 *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.

Transportation Master Plans are developed through a stakeholder consultation process that involves consultation with the public, government technical agencies, other municipalities, and Indigenous Communities. If developed in accordance with Section A.2.7 of the MCEA, at a minimum, a Transportation Master Plan can address Phases 1 and 2 of the MCEA process. As a result, a Transportation Master Plan can provide the basis for carrying out follow-up on EA studies of the specific components, including the problem and/or opportunity being addressed and the range of alternatives being considered. Transportation Master Plans are discussed in Section A.2.7.

B.1.3 Integration with the *Planning Act*

The MCEA also provides for the opportunity to integrate the requirements of the EAA with the requirements of the *Planning Act* as discussed in Section A.2.9. The key is that the requirements of both Acts must be met.

B.2 Description of the Projects, Purpose and Alternatives

In considering the alternative solutions to road and traffic problems in Phase 2, the proponent shall bear the following considerations in mind:

1. Non-structural Alternatives

On the premise that structural solutions to infrastructure problems generally have negative net environmental impacts, proponents should pay particular attention to non-structural solutions in evaluating alternatives.

Such alternatives might, for example, include the imposition of controls on private development (e.g., storm water management policies which require rainwater to be discharged onto the ground rather than into a storm sewer) or changes in traffic management practices (e.g., emphasizing alternative traffic routes by signing/traffic controls, or the removal of parking from roadways, rather than widening or reconstructing existing roads). Land use/zoning controls, transportation demand management measures, conservation programs, are further examples of soft technology measures which may deserve attention.

While these types of alternatives may not be effective in providing adequate solutions to immediate or critical transportation problems, they should be given serious consideration. Where possible, they should be implemented in combination with structural measures if it can be demonstrated that they can contribute to the overall solution.

For example, parking controls may allow a reduction in the size of a structural measure resulting in less environmental impact. Consideration of such alternatives would serve to focus a municipality's responsibility for the wise management of the resources under its jurisdiction, in a manner which would avoid the development of infrastructure problems through preventative or nonstructural measures.

2. The "Do Nothing" Alternative

Throughout Section B.2, the "Do Nothing" alternative can often be considered. In the "Do Nothing" alternative, no improvements or changes would be made to solve the identified problem or opportunity. This means that the problem would remain in the system. It does not necessarily mean, however, that no further development in the community would occur.

The "Do Nothing" alternative will be documented along with any other alternatives to the project which were examined.

The "Do Nothing" alternative may be implemented 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.

3. Evaluation of Alternative Solutions

When evaluating alternative solutions, the following factors should be kept in mind:

- 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 problem(s), the comparative cost of the alternative solutions, the pressures for growth, and on the

municipality's capacity to finance the extension of services.

B.2.1 New Roads

B.2.1.1 Description of the Projects

New road projects planned under this Class EA will involve the construction of an improved surface for vehicular traffic on a new road allowance which is separate from an existing right-of-way or will be a road or an existing road allowance where no road surface previously existed.

B.2.1.2 Purpose of the Project

New road projects will be undertaken to provide a new link in the road system for the following possible reasons:

- to provide relief to congestion of an existing road system,
- to shorten the travel distance between two points,
- to provide access to a new location,
- to accommodate growth and development.

B.2.1.3 Alternative Solutions

In many instances, there may be more than one way of solving problems or meeting the demand for a new road. Possible "Alternative Solutions" may include, for example:

1) Widen or improve existing roads,
2) Provide alternative transportation facilities such as bus, train, rapid transit, dedicated bus lanes, ferry, etc.,
3) Limit / manage growth,
4) Develop alternative routes for existing or anticipated traffic,
5) "Do Nothing".

B.2.2 Road Widenings, Adjustments And Operational Improvements

B.2.2.1 Description of the Projects

Projects in this group will generally involve one or more of the following types of project:

- widening of driving surfaces
- changes to grade and cross-section
- provision of additional traffic lanes
- addition / replacement of equipment or facilities
- changes in management practices to achieve improved system performance

The development and implementation of a project will often involve additional work and activities incidental to the primary purpose of the project, but which must be included in the project unless exempt from the EAA. These may include, for example:

- construction of road related storm sewage facilities
- operational or maintenance activities, e.g., changes in signal timing, changes in pavement markings

B.2.2.2 Purpose of the Project

Projects developed under this Class EA will be proposed to resolve problems affecting the operation and efficiency of existing systems, to accommodate future growth of communities, or to address specific traffic or transportation problems or opportunities.

One or more of the following general problems may be addressed:

a) structural deficiencies
b) capacity deficiencies
c) unsafe conditions
d) changes in land use

The purpose or objective of a specific project will be determined by the nature and severity of the problem(s) being addressed. For the deficiencies identified above, the following types of problems would be resolved.

a) Structural Deficiencies:

Inadequacies in the pavement surface, the roadway base, or surface or subsurface drainage characteristics, may result in poor rideability which, if not corrected, may cause unsafe conditions or may result in the untimely failure of the roadway. An existing roadway may have sections where abnormally high maintenance requirements are necessary and which may result in large numbers of public complaints.

b) Capacity Deficiencies:

The existing roadway may be providing poor service to the user due to traffic congestion, resulting in frequent traffic delays. Alternatively, traffic projections may indicate that this condition will occur in the near future. Traffic increases may be the result of normal growth and may be predicted on the basis of past trends and known future developments; or they may be substantial and sudden as a result of a specific development.

Traffic carrying capacity of a roadway may be affected by numerous turning and stopping movements which give rise to slow moving or congested traffic conditions at certain times of day or at certain locations.

Traffic congestion and a low level of service on an existing roadway may also be due to undesirable or outdated design features; for example, narrow traffic lanes, a lack of passing opportunities, or the absence of bus bays in heavily trafficked areas.

c) Unsafe Conditions:

A section of roadway may have been constructed to a lesser standard than adjacent sections of the same roadway. For example, the end of an urban roadway may be adjacent to a rural highway of considerably higher design standards, or vice versa. Depending on the nature of the transportation system and of traffic patterns, such situations can be confusing or annoying to a driver and may lead to problems in road safety, as well as restrictions in

traffic flow.

An existing roadway may exhibit undesirable collision experience which may be caused, for example, by the following:

- turning movements by commercial/industrial traffic to and from public roadways.
- stopping, standing or parking activities due to the presence of commercial or similar properties.
- heavy pedestrian movements.
- poor visibility at intersections and access locations and in areas of pedestrian activity.
- poor geometries which may relate to horizontal alignment, grades, super elevation, clearance from fixed objects.
- structural condition of the pavement and base.
- operational characteristics of the roadway, such as traffic control devices, illumination, turning lanes.
- high traffic volumes.
- a combination of these and other factors specific to a given location.

d) Changes in Land Use:

Land development and other changes in land use may give rise to a number of traffic problems and deficiencies which may relate to safety, roadway capacity problems, increased traffic, increases in noise.

B.2.2.3 Alternative Solutions:

In many instances, there may be more than one way of solving problems or meeting the demands on existing road and traffic facilities. A number of solutions, termed “Alternative Solutions” may include, for example:

a) Structural Deficiencies:

Where a structural deficiency is identified, possible alternatives for consideration are:

- resurface existing roadway.
- minor reconstruction and subsequent resurfacing of existing roadway.
- “do nothing”.

Where a resurfacing or minor reconstruction will resolve a problem, a more complex alternative solution is neither required nor appropriate. However, where safety or geometric problems exist in addition to structural deficiencies other alternatives may need to be considered, such as:

- adjustment to alignment, grade or cross-section.

b) Capacity Deficiencies:

Where capacity problems exist, the following alternatives may be considered:

- modify existing roadway through non-structural improvements such as signing or traffic controls.

- diversion of traffic to other existing roadways.
- widen an existing road by the addition of through traffic lanes.
- provision of lane dedicated to high occupancy vehicles.
- correct a deficiency elsewhere in the road network.
- a new roadway on a new alignment.
- alternative transportation modes such as: (i) low capacity transit, e.g., bus; (ii) medium capacity transit, e.g., light rail transit; (iii) high capacity transit, e.g., subway.
- “do nothing”.

c) Unsafe Conditions:

The following alternatives may be considered to address a number of possible conditions or situations which give rise to a safety deficiency:

- turning movements:
  i) enact by-law to control turns
  ii) delayed or advanced green traffic signal
  iii) creation of turning lanes

- stopping or standing:
  i) by-law control
  ii) provision of off-street parking
  iii) provision of off-street parking

- pedestrian movements:
  i) pedestrian grade separation
  ii) walk phase on traffic signalization
  iii) improved sidewalks
  iv) increase traffic lane widths

- poor visibility:
  i) modify grade and/or alignment
  ii) remove sightline obstruction
  iii) improve street lighting

- geometrics:
  i) reduce speed limit
  ii) modify grade and/or alignment

- structural condition:
  i) resurface/reconstruct existing roadway
  ii) modify grade and/or alignment

- operational:
  i) modify traffic patterns by by-law, e.g., no turns, one-way streets
  ii) modify traffic patterns by restraint, e.g., traffic lights, stop signs

iii) modify traffic by additions to roadway, e.g., add turning lanes

In most cases where unsafe conditions have been identified the Do nothing alternative is unacceptable.

d) Changes in Land Use:

Changes in land use may give rise to a number of deficiencies in the road network and in traffic conditions. Alternative activities to resolve a road deficiency are generally those described in the preceding paragraphs.

e) Noise Problems:

Whether or not traffic noise is a problem will depend on such variables as:

- proximity to noise sensitive land uses (e.g., hospitals).
- insufficient setbacks in residential areas.
- terrain.
- road grade (e.g., steep hills).
- high traffic volumes.
- poor road surface.
- heavy traffic volumes at night time.
- high proportion of truck traffic.
- high stop/start experience.
- traffic speed.

To address noise problems, the following possible alternative solutions may be considered:

- relocate arterial roadway away from sensitive land use areas.
- realign roadway to increase setback.
- change road elevation relative to noise receptors.
- reduce grades of hills.
- divert traffic to alternative routes.
- provide transit system.
- utilize appropriate asphalt mix to reduce tire noise.
- prohibit trucks at nighttime.
- provide facilities for through traffic.
- provide landscaping e.g., earth berms.
- construct a noise barrier (e.g., a berm or wall, or a combination of the two).
- reduce traffic speed.
- “do nothing”.

B.2.3 Interchanges, Grade Separations and Water Crossings

B.2.3.1 Description of the Projects

Projects in this group involve the following types of infrastructure (refer to the glossary for the meaning of these terms):

- interchanges
- grade separations
- water crossings

B.2.3.2 Purpose of the Project

The requirement for an **interchange** will generally arise because of high existing or anticipated turning movements relative to the carrying capacity of an existing intersection or interchange. An interchange provides a significant-means of improving capacity by increasing the ability to handle turning movements and thereby reducing conflict between through and turning traffic. Collision experience and system compatibility may also contribute to the justification for an interchange.

A **grade separation** is generally justified where high existing or anticipated traffic volumes are identified. Reference to traffic in grade separation projects developed under this Class EA will generally mean road traffic although rail traffic may also justify the need for grade separation. A combination of high road traffic and high volume/high speed rail traffic will give rise for the need for a grade separation. A grade separation will be the preferred solution when turning movements are generally low or can be relocated. Similarly, a grade separation will be justified where high collision experience is a major factor.

A **water crossing** will be justified where an existing or a new roadway is required to cross a river, lake, canal, bay or similar water body. Replacement or modification to an existing water crossing facility may be necessary to address a structural deficiency, a functional deficiency related to transportation demands or a functional deficiency related to hydrological conditions.

B.2.3.3 Alternative Solutions

INTERCHANGES:

a) Existing At-grade Intersection:
Where a deficiency is identified at an existing at-grade intersection the following alternative solutions may be considered:

- minor reconstruction, e.g., add right or left turning lanes
- modify existing facility through non-structural improvements such as signing or traffic controls
- modify grade and/or alignment and/or cross-section.
- provide a grade separation
- divert traffic
- resolve a deficiency elsewhere in the road network
- “do nothing”

b) Existing Interchange:
Where a capacity deficiency is identified at an existing interchange, the alternative solutions which may be considered would include the alternatives considered above for existing at-

grade intersections together with the following:

- add an interchange elsewhere in the road network.
- modify or replace the existing interchange.

c) No Existing Intersection or Interchange:
Where a new interchange is necessary and no intersection or interchange currently exists, all the alternative solutions listed above may be considered.

GRADE SEPARATIONS:

a) Existing At-Grade Intersection:
Where a deficiency is identified at an existing at-grade road/rail intersection, the following alternative solutions may be considered:

- modify the existing facility through non-structural improvements such as signing, traffic signals, wigwams, railway gates.
- modify grade and/or alignment and/or cross-section.
- provide a grade separation.
- “do nothing.

b) An Existing Grade Separation: Road/Rail or Road/Road:

At an existing grade separation, the following alternative solutions may be considered:

- increase width over the grade separation
- increase width under the grade separation.
- modify grade separation to an interchange.
- “do nothing”.

c) Water Crossings:
Where a water crossing is necessary for a new roadway, there are very few practical alternatives to the water crossing which can be considered. In exceptional circumstances, where the water body is of such width or has such navigational requirements, a tunnel or a surface water transportation system, such as a ferry, might be considered as alternatives.

A **transportation deficiency specific to a water crossing** site may require the replacement or modification of the existing roadway water crossing or the construction of a new roadway water crossing. Alternative solutions which may be considered are:

Road Deficiencies:

- modify the existing facility through non-structural improvements such as signing or traffic controls
- divert traffic to other existing roads and/or water crossings
- resolve a deficiency elsewhere in the road network
- restrictive traffic signing or closure of the road
- reconstruct the water crossing
- “do nothing”

Hydraulic Deficiencies:

- increase hydraulic capacity
- “do nothing”

B.2.4 Service Facilities

B.2.4.1 Description of the Projects

Projects developed in this group may include the following:

- construction of new patrol yards
- winter maintenance facilities
- parking lots
- weigh scale site

B.2.4.2 Purpose of the Projects

Projects to develop road and traffic service facilities are undertaken to address one or more of the following problems:

- increased road mileage to be maintained.
- existing patrol yards unsuitable, e.g., property limitations, incompatibility with adjacent land–uses - inadequate patrol yards and/or facilities.
- inadequate weigh scales.
- inadequate traffic control centres.
- inadequate parking facilities.

B.2.4.3 Alternative Solutions

The above problems or a combination of them could justify the development of a service facility project. Alternative solutions which may be considered are:

- build a new facility.
- increase the capabilities of a nearby facility.
- increase the efficiency of operation of existing facilities.
- utilize mobile or temporary facilities.
- lease commercially available facilities.
- contract out the service function to a commercial enterprise.
- “do nothing”.

B.3 Environment

B.3.1 Description of the Environment

The following section 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.

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, Indigenous Communities 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 and is provided for guidance only. A project specific description of the environment must be developed reflecting the scope of the study area, federal, provincial, and municipal legislation, policies, and agency and public input.

Transportation:

- Existing transportation network
- Future transportation network

Land-Use Planning Objectives:

- Provincial
- Regional
- Municipal

Natural Environment/Natural Heritage Features:

- Natural heritage policies
- Fisheries and aquatic resources
- Vegetation and flora
- Wildlife resources and linkages
- Surface water
- Ground water
- Geotechnical
- Fluvial geomorphology

Social Environment:

- Existing communities
- Existing residential areas
- Recreational facilities
- Noise and vibration
- Air quality
- Aesthetics

Cultural Environment Heritage (Cultural and Archaeological Resources in the Environment):

- Archaeological resources and areas of archaeological potential
- Built heritage resources and cultural heritage landscapes

Indigenous Peoples:

- Reserve lands and traditional land use areas
- Aboriginal and treaty rights

- Archaeological sites
- Land claims

Economic Environment:
- Commercial land-use
- Industrial land-use
- Agricultural land-use

Preliminary cost estimates:
- Capital costs
- Property costs
- Maintenance costs

Other:
- Utilities

B.3.2 Description of the Potential Effects on the Environment

The effects (both positive and negative) on the environment are to be identified and assessed based on the following process:
- 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 B.3.1.
- Identification of a technically preferred alternative based on the overall net effects.
- Review with affected parties per the requirements of the MCEA.

B.3.3 Mitigating Measures

B.3.3.1 Design

Through the planning and design process described in the MCEA, however, it may be determined that, together with the benefits, certain projects may have some adverse effects on the environment. The MCEA process is intended to identify potential impacts so that, where possible, they can be avoided. 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”.

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.

B.3.3.2 Construction

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.

Many projects which undergo the MCEA 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.

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.

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 ensure that changes to the contract do not cause negative environmental impacts.

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.

B.3.3.3 Policy and Guidelines

Section A.2.10 provides information on other federal, provincial and municipal legislation that may apply to projects proceeding pursuant to the MCEA. Proponents should review this information and consider it as part of the MCEA process to support compliance with other environmental legislation. Completion of the MCEA process does not relieve the proponent from complying with all applicable legislation, regulations, policies etc. or guarantee the issuance of other permits, approvals authorizations etc. for the project.

Part C – Municipal Water and Wastewater Projects

In fulfilment of the requirements of the EAA, this section provides a broad description of the following with respect to municipal water and wastewater (refers to sewage and stormwater) projects:

- the projects, purpose and alternatives.
- the environment, typical effects and potential mitigating measures.

Section C has been taken, for the most part, directly from the 1993 Class EA for Municipal Water and Wastewater Projects. It should be reviewed in conjunction with the project tables in Appendix 1; typical mitigating measures for potential environmental effects in Appendix 2; and agency consultation recommendations based on environmental factors in Appendix 3.

The MCEA process, including consultation and documentation, is provided in Part A of this document.

C.1 Key Considerations

C.1.1 Key Considerations

Water and wastewater projects/activities in general are discussed in Section C.2. This section addresses key considerations when developing and assessing alternatives.

When generating and evaluating alternative solutions in Phases 2 and 3 of the MCEA process, the proponent shall bear the following considerations in mind:

1. Land-Use Planning Objectives

Land-use planning objectives refer to the plans and policies 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). See section A.2.10 for more information on other applicable legislation.

The *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 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.

2. Natural Heritage Features

The natural environment includes the following typical elements:

- landforms (including valleylands)
- groundwater
- surface water and fisheries
- terrestrial vegetation and wetlands
- wildlife and habitat and
- connections provided by, or between these, resources.

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.

In most cases, municipalities have specific policies related the protection of the natural environmental. These policies, along with regional, provincial, and/or federal policies should be identified as part of the EA process.

3. Social Environment

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.

In most cases, municipalities have specific policies related to the protection of the social environment. These policies, along with regional and/or provincial policies should be identified as part of the EA process.

4. Cultural Environment

“Cultural environment” refers to archaeological resources, built heritage resources and cultural heritage resources in the environment. Areas of archaeological potential must be identified in accordance with the *Ontario Heritage Act*. Relevant terms can be found in the glossary.

Significant cultural heritage resources must be conserved. Where significant cultural heritage resources cannot be avoided, adverse impacts are to be mitigated in accordance with provincial and municipal policies, procedures, best practices and guidelines.

5. Indigenous Communities

Proponents proceeding pursuant to the MCEA are required to consult with interested persons and with Indigenous Communities who may be affected by a proposed undertaking. Municipalities are directed to contact the ministry for direction on consultation with Indigenous Communities. For more information, see Part A.3.7.

As part of the assessment process, proponents should consider the potential for the project to impact:

- Reserve lands and/or Indigenous Traditional Land Use Areas
- Aboriginal or treaty rights and claims
- Use of land and resources for traditional purposes
- Aboriginal Peoples' industry and economic opportunities
- Archaeological sites

6. Economic Environment

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.

7. Property

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 such as where relocating property lines would result in the property owner being out of compliance with local standards (e.g., building setback requirements, etc.).

8. Evaluation of Alternative Solutions

When evaluating alternative solutions, the following considerations should be kept in mind:

- 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 infrastructure, 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.

C.1.2 Master Plans

Many municipalities undertake Servicing Master Plans to define their long-term servicing objectives as a supplement to water and wastewater needs identified through their Official Plan development process. A Master Plan integrates existing and future land-use planning

and the planning of servicing infrastructure with the principles of environmental assessment planning.

Master Plans build upon the analysis and detailed policies developed through municipal Official Plans. Therefore, it must be recognized that the link between 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 *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 *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.

Master Plans are developed through a stakeholder consultation process that involves consultation with the public, government technical agencies, other municipalities, and Indigenous Communities. If developed in accordance with Section A.2.7 of the MCEA, at a minimum, a Master Plan can address Phases 1 and 2 of the MCEA process. As a result, a Master Plan can provide the basis for carrying out follow-up on EA studies of the specific components, including the problem and/or opportunity being addressed, and the range of alternatives being considered. Master Plans are discussed in Section A.2.7.

C.1.3 Integration with the *Planning Act*

The MCEA also provides for the opportunity to integrate the requirements of the EAA with the requirements of the *Planning Act* as discussed in Section A.2.9. The key is that the requirements of both Acts must be met.

C.2 Description of the Projects, Purpose and Alternatives

In considering the alternative solutions to water, stormwater management and sewage problems in Phase 2, the proponent shall bear the following in mind:

1. Nonstructural Alternatives

On the premise that structural solutions to infrastructure problems generally may have negative net environmental impacts, proponents should pay particular attention to non-structural solutions in evaluating alternatives.

Such alternatives might, for example, include the imposition of controls on private development (e.g., storm water management policies which require rainwater to be discharged onto the ground rather than into a storm sewer) or controls on resource use (e.g., by-law requirements that prevent the discharge of once-through cooling water taken from municipal supplies). Land use/zoning controls, flood warning/flood proofing/emergency measures, conservation programs, are further examples of "soft" technology measures which may deserve attention.

While these types of alternatives may not be effective in providing adequate solutions to

immediate or critical sewage, stormwater management or water problems, they should be given serious consideration. Where possible, they should be implemented in combination with structural measures if it can be demonstrated that they can contribute to the overall solution. For example, improved maintenance activities may allow a reduction in the size of a structural measure resulting in less environmental impact.

Consideration of such alternatives would serve to **focus a municipality's responsibility for the wise management of the resources under its jurisdiction**, in a manner which would avoid the development of infrastructure problems **through preventative or non-structural measures.**

2. Existing Servicing Conditions

Since sewage and water servicing are often inter-related, proponents should carefully consider **existing servicing** in the project study area when **defining the problem** and when **evaluating alternatives.**

3. The "Do Nothing" Alternative

The "Do Nothing" alternative examines what may happen if none of the alternatives under consideration are carried out and should be considered by the proponent in all cases. The "Do Nothing" alternative assists project participants by providing a benchmark against which the consequences of the other alternatives can be measured.

C.2.1 Water Projects

C.2.1.1.Description of the Projects

Projects planned under the MCEA can generally be categorized as:

- new water systems.
- expansions to existing water systems.
- upgrading of existing water systems.

A **new water system** refers to a project which may include a water source, treatment plant and/or distribution system.

Expansion of an existing water system refers to the addition of new equipment or facilities or through improvements to operations and management activities to increase system capacity.

Upgrading an existing water system consists of additions or replacements to existing equipment or facilities or changes in management practices which are intended to achieve a higher level or improved quality of system performance, while not increasing system capacity.

The following are typical components of a water system:

- source
- treatment
- distribution
- storage

The **source of water** for a community may be either from a surface water body such as a lake or river, in which case an intake extends into the water body; or from a groundwater aquifer, in which case the water is pumped from a well or wells. Many municipal water systems utilize both surface water and ground water. In addition, individual properties may be served by individual wells.

The quality of the source of water supply is what mainly determines the degree and type of treatment necessary. Where the community draws its water from a surface water source, treatment will be necessary because surface water contains bacteria and may be turbid, coloured or contain algae or other organics, or may suffer some other quality defect. Where the community is serviced by a communal well or wells drawing on groundwater supplies, treatment may or may not be necessary, (other than a mandatory requirement for disinfection.)

The **treatment component** will typically comprise a water treatment facility within which the incoming water is treated and pumped into the distribution system. Treatment may occur at a central pumping station or may occur at other points throughout the system where water is added, for example, at individual wells. The treatability of raw water from available water supply sources to achieve drinking water quality objectives will be the main environmental concern.

The water **distribution component** for communal systems will consist of watermains and may also include booster pumping stations.

Water Storage Facilities will be connected to the distribution system and may be for the purposes of pressure equalization and/or ensuring adequate flows for the peak hour water demand and for firefighting. These facilities may be underground tanks, above-ground tanks or elevated tanks.

The development and implementation of a project under this Class EA will often involve additional work and activities incidental to the primary purpose of the project, but which must be included in the project unless exempt from the EAA. These may include, for example:

- construction of new facilities or additions to existing facilities such as impoundments, settling tanks, pipe galleries and buildings.
- extensions of existing easements or utility corridors for watermains.

C.2.1.2 Purpose of the Project

Projects developed under the MCEA will be undertaken to address problems affecting the operation and efficiency of existing water systems, to accommodate future growth of communities or to address water source contamination problems.
One or more of the following general objectives will be achieved:

a) eliminate or reduce risk of public health problems or nuisances
b) improve the quality of water
c) expand the capacity of the system
d) improve system efficiency
e) prevent system failure
f) improve disposal of treatment wastes

The purpose or objective of a specific project will be determined by existing or anticipated problems affecting operation and efficiency and the present or forecast demand for increased system capacity.

The following describe typical problems and demands which may arise:

a) Public Health:

The well-being of human life may be affected by or nuisances may be caused by such problems as:

- groundwater or surface water pollution
- contamination of the water through the distribution system
- noise resulting from the operation of the water treatment plant or booster pumping stations
- inadequate treatment of raw water

b) Water Quality:

Water may not conform to the regulated or required water quality objectives as a result of such factors as:

- contamination of a distribution system
- deterioration in quality of the water source
- change in Ministry policies and guidelines for drinking water quality objectives
- inefficient operation of the water treatment plant
- outdated original design and/or construction of the water treatment plant.

c) System Capacity:

The existing water system may not be able to supply the quantities of water required, or to supply water at the required pressure due to such factors as:

- escape of water exfiltration / leakage from the water distribution network
- deterioration in the condition of the distribution system
- outdated original design and/or construction of the system
- system unable to meet new demands since it is at or very near to its original design capacity
- failure of the water source

- changes in design philosophy which affect capacity requirements.

d) System Efficiency:

Various facets of system efficiency such as labour, maintenance costs or energy consumption may be improved by design improvements and/or the introduction of new technology.

The system may be considered inefficient for various reasons including:

- increased cost of maintaining existing equipment.
- increased energy consumption.
- equipment does not meet performance specifications
- outdated original design of system.

e) Potential System Failure:

Concern may be expressed as to potential system failure due to such factors as:

- deterioration of system components due to age.
- repeated equipment breakdown over time.
- evidence of structural failure over time.
- outdated original design and/or construction of the system.

f) Disposal of Treatment Wastes:

The existing water treatment plant may exhibit problems related to the disposal of wastes generated, which may be attributed to:

- frequency of backwashing to maintain drinking water quality objectives.
- changes in Ministry policies and guidelines with respect to disposal of chemical biosolids and backwash water.

C.2.1.3 Alternative Solutions

In many instances, there may be more than one way of solving problems or meeting new demands for system requirements. A number of solutions, termed “Alternative Solutions” may include, for example:

a) New water system
b) Expansion or upgrading of existing water system
c) Modifying operational practices at water treatment plant
d) Expanding maintenance program
e) Reducing water demand
f) Obtaining water from another source
g) Limiting community growth
h) “Do nothing”

In evaluating alternative solutions, the following factors should be kept in mind:

- A water system consists of inter-related components. Therefore, many of the

potential alternative solutions may resolve more than one of the general problems previously described.
- The feasibility of the alternative solutions will depend, in part, on the nature and location of the water system, the nature and location of the problem(s), the comparative cost of the alternative solutions, the pressures for growth, and on the municipality capacity to finance the extension of services.

For the alternative solutions identified above, a number of possible options are suggested:

a) New Water System:

- limit growth
- expand existing water system
- use individual wells for each property

b) Expand or Upgrade Existing System:

- limit growth
- improve operation and maintenance of existing system
- establish new water system
- replace/reconstruct existing system

c) Modify Operational Practices at the Water Treatment Plant:

- limit operating hours of noisy equipment to reduce sound level impacts on adjacent residents and uses.
- ensure that the operator of the water treatment plant is following proper procedures to adhere to the required degree of treatment.
- optimize operational procedures at the water treatment plant by altering equipment operation and chemical addition.
- undertake training programs to upgrade the operator's understanding of treatment procedures and Ministry policies, guidelines and practices.
- modify operational procedures and/or processes to reduce the quantities of backwash wastewater or chemical biosolids requiring disposal.
- modify water quality monitoring program.

d) Expand Maintenance Program:

- increase frequency of "flushing-out" and cleaning of the distribution system to improve hydraulic capacity and water quality.
- undertake maintenance activities such as, (i) equipment overhaul and replacement of faulty or damaged parts, and (ii) locate and repair faults causing contamination in the water distribution component.
- trace and monitor leakage in the water distribution system and undertake a program for its reduction.

e) Reduce Water Demand:

- initiate a water conservation program to educate both the general public and industrial users of ways to reduce water usage.
- adopt a municipal by-law directed at reducing water usage.

- install individual water meters at each point of water usage and charge on the basis of volume used rather than a flat rate.

f) Obtain Water from Another Source:

- provide for extension of watermains from another municipality into that part of the community requiring additional supply.
- abandon existing water source and extend watermains from another municipality into the needy community.
- abandon existing groundwater/surface water source and develop new water source and treatment at new groundwater/surface water source.

g) Limit Community Growth:

- limit the ultimate extent and/or location of proposed residential, industrial and commercial growth in the community.
- phase or schedule proposed growth in the community with respect to both locations and implement timing.

h) Do Nothing:

In the “Do Nothing” alternative, no improvements or changes would be made to solve the identified problem(s). This means that the problem(s) would remain in the system. It does not necessarily mean however, that no further development in the community would occur.

The “Do Nothing” alternative will be documented in the ESR along with any other alternative solutions.

The “Do-Nothing” alternative may be implemented 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.

C.2.2 Sanitary Sewage Projects

C.2.2.1 Description of the Projects

Projects planned under this Class EA can generally be categorized as:

- new sanitary sewage systems.
- expansions to existing sanitary sewage systems.
- upgrading of existing sanitary sewage system.

A **new sanitary sewage system** may include a sanitary sewage collection system, flow equalization facilities, a treatment plant, biosolids management facilities and effluent outfall/discharge/disposal facilities, and storage facilities.

Expansion to an existing sanitary sewage system refers to the addition of new equipment or facilities or through improvements to operations and maintenance activities to increase system capacity.

Upgrading of an existing sanitary sewage system consists of additions or replacements to existing equipment or facilities or changes in management practices which are intended to achieve a higher level or improved quality of system performance, while not increasing system capacity.

Sanitary Sewage System Components:
A typical sanitary sewage system may commonly include all or some of the following components:

- collection
- treatment
- effluent disposal
- management of biosolids
- storage

The **collection component** of a sewage system collects raw sewage from a source and delivers it to the treatment component via one or more of the following:

- gravity sewers
- vacuum lines
- pumping stations
- forcemains

The **treatment component** consists of one or more of the following facilities:

- forcemains
- an individual septic tank and tile field (servicing one building).
- a communal septic tank(s) and tile field(s) (servicing a number of buildings).
- a lagoon or waste stabilization pond.
- a sewage treatment plant (STP).
- effluent outfall (may include diffuser and/or mixing zone).

Each of the above treatment facilities uses different processes and also produces wastewater effluent and biosolids.

The **effluent disposal component** consists of one or more of the following facilities or practices:

- outfall sewer (to surface water body receiver).
- diffusers and/or mixing zone (in surface water body receiver).
- disposal on land by spray irrigation and/or snow effluent.
- subsurface disposal tile field.
- infiltration lagoon (to ground water body receiver).

The **biosolids component consists** of one or more of the following facilities or practices:

- disposal of biosolids at a sanitary landfill site.
- disposal of biosolids by burning it in an incinerator.
- utilization of biosolids by applying it to soil conditioning sites (agricultural fields).

- utilization of biosolids by composting.
- a biosolids transfer station to store biosolids on a temporary basis.

The **storage component** consists of one or more of the following facilities:
- flow equalization facility.
- lagoon systems.
- storage for combined sewage overflow.

An expansion or upgrading project may include the construction of one or more of the following facilities:
- sewers (gravity sewer, vacuum line, forcemain).
- pumping stations.
- communal septic tanks and/or tile fields.
- sewage treatment plants.
- lagoon systems.
- facilities for the disposal or utilization of biosolids.
- flow equalization facility.
- storage (e.g., for combined sewage overflow).

The development and implementation of a project proceeding through the MCEA will often involve additional work and activities incidental to the primary purpose of the project but which must be included in the project unless exempt from the EAA. These may include, for example:
- construction of new facilities or additions to existing facilities such as settling or aeration tanks and buildings.
- extension and/or widening of existing sewer easement or utility corridor.

C.2.2.2 Purpose of the Project

Projects proceeding through the Class EA will be proposed to resolve problems affecting the operation and efficiency of existing systems, and/or to accommodate future growth of communities, or to alleviate specific pollution problems.

One or more of the following general objectives will be achieved:
a) Eliminate or reduce risk of public health problems or nuisances.
b) Improve the quality of effluent produced by the existing sewage system.
c) Improve the management of biosolids waste produced by the system.
d) Expand the capacity of the sewage system to solve existing problems or to accommodate future growth.
e) Improve system efficiency.
f) Prevent system failure.

The purpose or objective of a specific project will be determined by existing or anticipated problem(s) affecting the operation and deficiency of the system, and the present or forecast demand for increased system capacity.

The following are descriptions of the types of problems and demands identified above:

a) Public Health:
The well-being of human life may be affected, or nuisances may be caused, by such problems as:

- contamination of groundwater supply or surface water supply used for human consumption, livestock watering, recreation or irrigation
- failure of the system resulting in the backup of raw sewage through the sewers into basements
- failure to meet air quality requirements at biosolids incinerators
- odour from the sewage treatment facilities or from a biosolids transfer station
- noise from operation of a pumping station or sewage treatment plant
- traffic hazards, nuisance or noise from trucking of biosolids.
- bypassing of sanitary sewage flows at a treatment plant or pumping station during periods of high flow

b) Effluent Quality:
The objectives for water quality include criteria governing the physical and inorganic characteristics of water bodies (e.g., temperature, dissolved oxygen, chlorine, phosphorous), microbiological criteria and the allowable concentration of all parameters that may cause an impact to receiving water quality. The quality of the effluent produced by a sewage treatment plant must be adequate to ensure that the minimum standards set for the receiving water body or for land disposal can be consistently achieved.

It is the responsibility of the proponent to assess, or to confirm, the assimilative capacity of the receiver, derive effluent quality criteria from this assessment (concentrations and loadings) and have them confirmed by the Ministry. This shall be done in the earliest stages of the planning and design process and the results should serve as the basis for comparison of alternative solutions.

The rationale for an expansion or upgrading project, based on the effluent quality criteria may be due to such problems as:

- inefficient operation of the treatment facility
- outdated original design of the system
- original design criteria are no longer acceptable
- industrial waste discharged contains chemicals toxic to the biological treatment process used in the treatment facility
- changes in policies and guidelines for sewage treatment processes and for the receiving water body
- changes in the physical and chemical characteristics of the influent due to sewer discharges and/or infiltration/inflow into the sewer system
- assimilative capacity of the receiving water body

c) Management of Biosolids:
The need for the project may result from problems such as:

- the sanitary landfill site(s) at which biosolids are currently being disposed of may be

at or near capacity
- the agricultural lands or soil conditioning sites at which biosolids are utilized may be at or near capacity
- the constituents of the biosolids may make them unacceptable for disposal/utilization at existing available sites
- Ministry policies or guidelines for biosolids disposal/utilization may have changed.
- changes in agricultural practices making land unavailable for spreading biosolids.
- cost of haulage of biosolids to a distant landfill site may be prohibitive.
- biosolids incinerator may be at or near capacity.

d) System Capacity:
The existing sewage system may not be capable of handling present or forecast volumes of sewage due to such problems as:
- system is at or approaching its original design capacity and cannot accommodate increased volumes of sewage
- outdated original design or construction of the system
- deterioration in the condition of the collection system
- infiltration of groundwater into the collection system
- illegal connections into the collection system
- changes in design philosophy

e) System Efficiency:
Various facets of system efficiency such as labour, maintenance costs or energy consumption may be improved by design improvements and/or the introduction of new technology, by plant optimization, process audit and real time control.

f) Potential System Failure:
Concern may be expressed as to potential system failure due to such factors as:
- deterioration of system components due to age.
- structural failure of system components.
- deterioration due to chemical attack.
- repeated equipment breakdown
- outdated original design and/or construction of the system.

C.2.2.3 Alternative Solutions

There may be a number of ways of solving problems, of meeting new demands on existing sewage systems. A number of solutions, termed “Alternative Solutions”, may include, for example:
a) New sanitary sewage system.
b) Expansion or upgrading of existing sanitary sewage system.
c) Rehabilitate existing sanitary sewage system.
d) Modify operational practices at the treatment facility.
e) Expand maintenance program.
f) Improve individual septic systems.
g) Reduce sewage flows.

h) Reduce industrial discharge.
i) Improve combined sewer system control.
j) Alter current biosolids management practices.
k) Limit community growth.
l) Discharge to an adjacent existing sewage system.
m) Construct a new sewage/lagoon treatment facility.
n) “Do Nothing”.

In evaluating Alternative Solutions, the following factors should be kept in mind:

- A sewage system consists of a series of inter-related components. Therefore, many of the potential alternative solutions may resolve more than one of the general problems previously described.
- The feasibility of the alternative solutions will depend, in part, on the nature and location of the sewage system, the nature and location of the problem(s), the assimilative capacity of the receiver, the comparative cost of the alternative solutions, the pressures for growth and the municipality’s capacity to finance the extension of services.

For the alternative solutions identified above, a number of possible options are suggested:

a) New Sanitary Sewage System:

- limit growth
- expand existing sanitary sewage system
- use individual septic tanks for each property

b) Expansion or Upgrading of Existing System:

- limit growth
- improve operation and maintenance of existing system
- establish new sanitary sewage system
- management of peak flows by providing on-line storage

c) Rehabilitate Existing Sanitary Sewage System:

- reline and/or seal existing sewers
- reconstruct existing sewers
- improve operation and maintenance of existing system
- modify drainage area
- management of peak flows by providing on-line storage

d) Modify Operational Practices at the Treatment Facility:

- limit operating hours of noisy equipment to reduce sound levels
- reschedule the timing for, or haulage routes of, trucks removing biosolids from the treatment facility to minimize traffic and safety problems in residential areas
- alter quantities of biosolids stored at the treatment facility and/or duration of biosolids storage to minimize odour problems
- alter timing or duration of land treatment
- audit process and optimize operational efficiency

- undertake training programs to upgrade operator's understanding of treatment procedures and Ministry policies, guidelines and practices
- real time control of treatment processes

e) Expand Maintenance Program:

- clean the sewage system to improve treatment efficiency and hydraulic characteristics.
- undertake maintenance activities such as equipment overhaul, replacement of parts, repair of damaged tanks.

f) Improve Individual Septic Systems:

- repair, clean and enlarge existing septic tanks and/or tile fields.

g) Reduce Sewage Flows:

- enforce municipal by-laws with respect to permitted connections to the sewage collection system e.g., sever illegal roof drains and weeping tiles.
- maintain the collection system to minimize groundwater infiltration and stormwater in-flow into the sewers.
- initiate a community water conservation program in order to reduce overall sewage volumes.

h) Reduce Industrial Discharge:

- adopt a sewer use by-law in the municipality to set criteria for the quality of industrial sewage discharge.
- amend existing sewer use by-law in order to require pretreatment of sewage at industrial plants.
- amend existing sewer use by-law in order to require process changes in industrial plants.
- appoint an Industrial Waste Inspector and ensure that violations of the by-law are sought out and the by-law is vigorously enforced.

i) Improve Combined Sewer System Control:

In situations where combined sewers exist, the following alternatives may be considered:

- provide or expand temporary or permanent surface runoff storage facilities to accommodate "wet weather" peak surface run-off flows, e.g., in ponds, swales, fields, parking lots, roof tops, parks
- install inlet controls, as part of normal maintenance activities, to prevent surcharge of combined sewers during "wet weather" peak run-off periods
- improve street maintenance program (i.e., cleaning, removal and disposal of debris) to minimize grit and solids entering combined sewers
- improve sewer maintenance program (e.g., sewer flushing, catch basin cleaning) to minimize grit, solids and slime being by-passed by combined sewer overflows
- install stationary or automatic flow regulators to utilize available storage capacity in an existing system

j) Alter Current Biosolids Management Practices:

- utilize alternative chemicals or quantities of chemicals and/or chemical dosing methods to change characteristics of biosolids thereby making it acceptable for disposal utilization
- maintain or improve biosolids dewatering equipment to increase process efficiency and reduce biosolids volume
- alter the application rate of biosolids disposal at existing landfill site(s)
- alter the application rate of biosolids utilized on existing agricultural land
- alter the quantity of biosolids stored on a contingency basis in existing facilities at the treatment plant or transfer stations, in order to resolve scheduling problems at disposal or utilization sites
- construct a new biosolids incinerator to complement/ substitute for existing disposal/utilization methods
- improve the operating efficiency of an existing biosolids incinerator

k) Limit Community Growth:

- limit the ultimate extent and/or location of proposed residential industrial and commercial growth in the community.
- phase or schedule proposed growth in the community with respect to both location and implementation timing.

l) Discharge to an Adjacent Existing Sewage System:

- discharge sewage from existing or proposed development into an existing sewage system located in an adjacent municipality.

m) Construct A New Sewage/Lagoon Treatment Facility:

- construct a new sewage treatment plant within an existing collection and treatment system to replace or supplement an existing sewage treatment plant or lagoon treatment facility.
- construct a new lagoon treatment facility to supplement or replace an existing communal and/or subsurface disposal system.

n) “Do Nothing”:

In the “Do Nothing” alternative, no improvements or changes would be made to solve the identified problem(s). This means that the problems would remain in the system.

It does not necessarily mean however, that no further development in the community would occur. The “Do Nothing” alternative shall be documented in the ESR along with any other alternative solutions which were examined.

The “Do Nothing” alternative may be implemented 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.

C.2.3 Stormwater Management Projects

C.2.3.1 Description of the Projects

Stormwater management projects proceeding pursuant to the MCEA can generally be categorized as:

- new storm sewer systems.
- expansions to existing storm sewer systems.
- upgrading of existing storm sewer systems.
- watercourse management projects.
- stability projects.

A **new storm sewer system** may include a stormwater collection system, treatment facility(ies), an outfall/discharge/re-use/disposal facility and storage facilities.

An **expansion to an existing storm sewer system** refers to the addition of sewers and new facilities or a change in management practices to an existing sewage system to increase system capacity.

Upgrading of an existing storm sewer system consists of additions or replacements to existing sewers and facilities or implementation of practices which are intended to modify flow, volume and/or quality control.

Watercourse management projects are intended to minimize the impacts of flooding, erosion and bank and valley wall instabilities.

NOTE:
Drainage works regulated under the **Drainage Act are exempt** from Part II.1 of the EAA through the regulations made under the EAA.

Where stormwater works are carried out in conjunction with municipal road works, they shall be planned in accordance with the requirements of the schedules for municipal water and wastewater projects but may be included in documentation prepared for municipal road projects.

Storm Sewer System Components:
A storm sewer system will consist of the following basic components:

- collection system.
- stormwater management and/or treatment facilities.
- management of waste e.g., catch basin cleanings retention/detention basin solids, dredging.

The **collection system** collects storm drainage from such sources as private drains, road storm sewers, catch basins, ditch inlets and culverts, and conveys it to a **trunk storm sewer and/or channel**, which in turn conveys it to receiving waters and/or a treatment facility.

Receiving waters and watercourses include but are not restricted to: overland flow routes, ditches, channels, intermittent or continuous streams and creeks, and rivers and lakes.

Stormwater management and/or treatment facilities include storage and other means to achieve hydrograph attenuation, volume reduction and/or to treat and address the quality of stormwater run-off. Storage may be provided by underground chambers, roofs, parking lots and detention/retention ponds together with their outlet control structures and outfalls. Stormwater volume may be reduced by enhancing infiltration by providing infiltration wells, pipes and trenches.

Water quality control may consist of one or more of the following:

- monitoring of stormwater quality parameters such as temperature, dissolved oxygen, bacterial counts, suspended solids and nutrients
- treatment such as infiltration, disinfection, sedimentation, biological uptake, screening and vortex sedimentation
- screening

An **expansion or upgrading project** may include the construction of one or more of the following:

- extension/expansion of collection system
- pumping stations
- stormwater channel improvements
- stormwater management/treatment facilities
- facilities for the disposal or utilization of solids/wastes
- storage (retention/detention)
- addition of control works such as weirs, dams, hydraulic brakes and other flow-limiting devices

Watercourse Management projects consist of works located in open watercourses and may include flood control erosion control water quality control and works related to aquatic, wildlife and terrestrial management within a floodplain

Stability Projects consist of cut and fill works in floodplains and works required to stabilize banks and valley walls where instability is not caused by watercourse flow.

The development and implementation of a project pursuant to the MCEA will often involve additional work or activities incidental to the primary purpose of the project but which must be included in the project unless exempt from the EAA. These may include, for example:

- extension or widening of existing sewer easements or utility corridors.

C.2.3.2 Purpose of the Project

Projects developed under this Class EA will be proposed to resolve problems affecting the operation and efficiency of existing systems and/or to accommodate future growth of communities, and/or to alleviate flooding or specific pollution problems.

One or more of the following general objectives will be achieved:

a) Alleviate local or regional flooding problems
b) Eliminate or reduce risk of public health or safety problems or nuisances
c) Improve the quality of effluent produced by the stormwater system
d) Expand the capacity of the stormwater system
e) Improve system or treatment efficiency
f) Prevent system failure
g) Control, erosion and sedimentation
h) Maintain baseflow or groundwater recharge
i) Reduce combined sewer overflows
j) Management of wastes produced by the system

The purpose or objective of a specific project will be determined by existing or anticipated problem(s) affecting operation and efficiency of the system, and the present and forecast demand for increased system capacity and/or improved water quality.

Following are descriptions of the types of problems and demands identified above:

a) Local or Regional Flooding:
Flooding caused by system deficiencies, alteration of land use characteristics and/or incidence of low frequency storms, may result in the following problems:

- loss of life.
- serious property damage.
- economic business loss.
- damage or interruption of municipal services.
- degradation of agricultural or recreational lands.

b) Public Health and Safety:
The well-being of human life may be affected, or nuisances may be caused, by such problems as:

- contamination of groundwater supply or surface water supply used for human consumption, livestock watering, recreation or irrigation
- failure of the system resulting in the backup of sewage through the sewers into basements
- inadequate water quality control at stormwater management facilities
- unsafe conditions resulting from high flows, velocities or depths in open channels, detention ponds or other facilities accessed by the public

c) Effluent Quality:
The objectives for water quality include criteria governing the physical and chemical characteristics of water bodies, (e.g., temperature, dissolved oxygen, suspended solids, grease, salts, chlorides, nutrients), microbiological criteria, and the allowable concentration of all parameters that may cause impact to receiving water quality. The quality of the effluent produced by storm sewage systems should ensure that minimum standards set for receiving water bodies are consistently achieved.

The rationale for an expansion or upgrading project may, therefore, be based on the current or forecast quality of effluent produced, due to such problems as:

- inefficient operation of the stormwater management facility
- outdated original design or construction of the system.
- original design criteria are no longer acceptable.
- changes in policies and guidelines for stormwater management.
- changes in the physical and chemical characteristics of the receiving water body due to upstream discharges.
- insufficient assimilative capacity of the receiving water body.
- degraded receiving water body.

d) System Capacity:

The existing storm sewage system may not be capable of handling present or forecast flows or volumes of stormwater due to such problems as:

- system is at or approaching its original design capacity and cannot accommodate increased flows or volumes of stormwater
- outdated original design or construction of the system
- deterioration in the condition of the collection system
- infiltration of groundwater into the collection system
- illegal connections into the collection system
- changes in design philosophy
- changes in drainage area and land use characteristics

e) System Efficiency.

Various facets of system efficiency such as labour, maintenance costs or energy consumption may be improved by design improvements and/or the introduction of new technology.

f) Potential System Failure:

Concern may be expressed as to potential system failure due to such factors as:

- deterioration of system components due to age
- structural failure of system components
- erosion of streams and channels
- outdated original design or construction of the system
- degraded receiving waters
- changes in flow/quality of stormwater run-off

g) Erosion and Sedimentation:

Either in association with the construction of a project, and/or caused by natural processes and/or development pressures, erosion and-sedimentation may result in the following problems:

- serious property damage
- damage or interruption of private and municipal services
- degradation of terrestrial habitat
- degradation of aquatic habitat and fisheries resources

- upstream/downstream flooding problems

h) Baseflow or Groundwater Recharge:
In areas of natural groundwater recharge, sprawling development and urbanization can threaten the continued replenishment of groundwater by precipitation and surface run-off.

The following are examples of the kinds of problems which may result:
- lowered water table on local or regional scale, affecting the surface ecosystem
- reduced groundwater supplies to municipal well systems
- reduced groundwater flows to streams, thus reducing dilution qualities downstream
- reduced groundwater contribution to watercourses, thus affecting peak flow, base flow and temperature characteristics important to aquatic and terrestrial habitats and fisheries resources

i) Combined Sewer Discharges:
During wet weather conditions, stormwater run-off combines with sanitary sewage in combined sewers. Typical problems which result are:
- sewers function at, or over, capacity during times of wet weather flows, causing basement flooding.
- dilution of flows make treatment more difficult and less effective.
- excessive by-passing of sewage at treatment plant to receiving water bodies.
- sewer overflow to receiving water body.

j) Management of Wastes:
Failure to remove or control gravel, sand, road salt and other debris which accumulate in catch basins, retention/detention ponds, roadside ditches and in storm sewers may result in the following problems:
- degraded water quality in catch basin sumps.
- impacts on water quality of receiving water body.
- obstruction/blockage in storm sewer system causing back-ups and flooding.
- reduction in volume of retention/detention ponds.
- reduction in groundwater recharge from ponds

C.2.3.3 Alternative Solutions

There may be more than one way of solving problems or of meeting new demands on existing stormwater management systems. A number of solutions, termed “Alternative Solutions”, may include, for example:
a) New storm sewage system.
b) Expansion or upgrading of an existing storm and/or combined sewage system.
c) Rehabilitate existing storm sewage system.
d) Expand sewer cleaning program.
e) Expand street cleaning program.
f) Remove illegal drain connections.
g) Require stormwater management.
h) Limit community growth.

i) Establish a sewer use by-law.
j) Control and/or treat combined sewer flow.
k) Manage system wastes.
l) “Do Nothing”.

Depending on the nature of the existing stormwater management system, and on the problems being encountered or anticipated, there are various ways in which these general alternatives could be carried out. The most common of these are described below.

In evaluating the Alternative Solutions, the following factors should be kept in mind:

- a stormwater management system comprises a series of components.
- the feasibility of the alternative solutions will depend in part, on the nature and location of the stormwater management system, the nature and location of the problem(s), the comparative cost of the alternative solutions, the pressures for growth, and the municipality’s capacity to finance extensions of services.

For the alternative solutions identified above, a number of possible options are suggested:

a) New Storm Sewage System:

- limit growth
- expand existing storm sewage system

b) Expansion or Upgrading of Existing System:

- limit growth.
- improve operation and maintenance of existing system.
- establish new storm sewage system.
- install flow regulators to utilize storage capacity in existing sewage system.

c) Rehabilitate Existing Storm Sewage System:

- reconstruct/reline existing storm sewers.
- reshape/realign existing stormwater ditches/channels.
- add stormwater treatment facility.

d) Expand Sewer Cleaning Program:

- increase frequency of removal of debris and sediment from catch basins, manholes, inlet structures
- undertake regular, scheduled dragging, flushing and cleaning of the storm sewer system.

e) Expand Street Cleaning Program:

- carry out regular, scheduled cleaning of the street system to improve stormwater quality
- undertake normal maintenance and repair activities on the storm sewage system.

f) Remove Illegal or Undesirable Drain Connections:

- separate roof leaders and weeping tiles from storm drains

- disconnect illegal sanitary sewer connections from storm drains
- plug or disconnect floor drains from storm sewer systems

g) Require Stormwater Management:

- provide or expand temporary or permanent surface runoff management facilities e.g., in ponds, swales, fields, parking lots, roof tops, parks.
- develop artificial/constructed, or utilize natural, wetlands to improve quality of stormwater discharges.
- ensure that approvals for new developments require the incorporation of urban surface run-off control measures, (e.g., on-site stormwater retention), minimization of impervious areas, appropriate lot grading, discharge of roof drains into cisterns, infiltration trenches or onto grassed areas to maximize ground water recharge.
- ensure that approvals for major phased development be based on comprehensive sub-watershed plans.
- for existing systems develop a comprehensive pollution prevention and control strategy for the community as part of an overall strategy for the municipality.
- for both new and existing systems ensure that appropriate infrastructure policies are included in the municipal Official Plan.

h) Limit Community Growth:

- limit the ultimate extent and/or location of proposed residential, industrial and commercial growth in the community.
- phase or schedule proposed growth in the community with respect to both location and implementation timing.

i) Establish a Sewer Use By-law:

- adopt a sewer use by-law in the municipality to set criteria for stormwater quality and storm sewer use.
- amend existing sewer use by-law to reflect current or improved criteria.
- ensure that violations of the by-law are sought out and the by-law is vigorously enforced.

j) Control and/or Treat Combined Sewer Flow:

- disconnect catch basins and reconnect to separate new or existing storm sewer.
- provide sewer separation.
- provide storage for treatment of combined sewer flows.
- provide high-rate treatment for combined sewer flows.
- increase hydraulic capacity at sewage treatment plant.

k) Manage System Wastes:

- improve storm sewer inspection and cleaning program.
- increase frequency of catch basin cleaning.
- proper disposal of catch basin cleanings/wastes.
- improve street sweeping program especially in early Spring.
- undertake roadside debris clean-up.

- remove and dispose of sediments from retention/detention ponds.

l) "Do Nothing":
In the "Do Nothing" alternative, no improvements or changes would be made to solve the identified problem(s). This means that the problems would remain in the system. It does not necessarily mean however, that no further development in the community would occur.

The "Do Nothing" alternative shall be documented in the Environmental Study Report along with any other alternative solutions which were examined.

The "Do Nothing" alternative may be implemented 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.

C.3 Environment

C.3.1 Description of the Environment

The following section 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.

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, Indigenous Communities 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 and is provided for guidance only. A project specific description of the environment must 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.

Water or Wastewater:
- Existing water and/or wastewater systems
- Future water and/or wastewater systems

Land-Use Planning Objectives:
- Provincial
- Regional
- Municipal

Natural Environment/Natural Heritage Features:
- Natural heritage policies
- Fisheries and aquatic resources
- Vegetation and flora

- Wildlife resources and linkages
- Surface water
- Ground water
- Geotechnical
- Fluvial geomorphology

Social Environment:
- Existing communities
- Existing residential areas
- Recreational facilities

Cultural Environment Heritage (Cultural and Archaeological Resources in the Environment):
- Archaeological resources and areas of archaeological potential.
- Built heritage resources and cultural heritage landscapes.

Indigenous Peoples
- Reserve lands and traditional land use areas
- Aboriginal and treaty rights
- Archaeological sites
- Land claims

Economic Environment:
- Commercial land-use
- Industrial land-use
- Agricultural land-use

Preliminary cost estimates:
- Capital costs
- Property costs
- Maintenance costs

Other:
- Utilities

C.3.2 Description of the Potential Effects on the Environment

The effects (both positive and negative) on the environment are to be identified and assessed based on the following process:
- 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 C.3.1.
- Identification of a technically preferred alternative based on the overall net effects.
- Review with affected parties per the requirements of the MCEA.

C.3.3 Mitigating Measures

C.3.3.1 Design

Through the planning and design process described in the MCEA, however, it may be determined that, together with the benefits, certain projects may have some adverse effects on the environment. The MCEA process is intended to identify potential impacts so that, where possible, they can be avoided. 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”.

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.

C.3.3.2 Construction

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.

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.

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.

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 ensure that changes to the contract do not cause negative environmental impacts.

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.

C.3.3.3 Policy and Guidelines

Section A.2.10 provides information on other federal, provincial and municipal legislation that may apply to projects proceeding pursuant to the MCEA. Proponents should review this information and consider it as part of the MCEA process to support compliance with other environmental legislation. Completion of the MCEA process does not relieve the proponent from complying with all applicable legislation, regulations, policies etc. or guarantee the issuance of other permits, approvals authorizations etc. for the project.

Part D – Municipal Transit Projects

D.1 Introduction and Background

Public transit is a key component of municipal transportation networks. As municipalities continue to grow, there is an increasing emphasis being placed on public 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.

With the growing emphasis on public 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:

- 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
- it will help achieve sustainable development and an improved urban environment.

O. Reg. 231/08 sets out the default streamlined assessment process for transit or rail projects designated in the regulation Part II.3 Projects – Designations and Exemptions made under the EAA. For additional information on the project assessment process, please refer to the regulations and the guide.

Alternatively, proponents may proceed with their municipal transit project pursuant to the transit provisions set out in the MCEA. To proceed with a transit project pursuant to the MCEA process, proponents must provide written notice to the Director of the Environmental Assessment Branch prior to starting the MCEA process. The notice to the Director must clearly state that the proponent intends to proceed with their undertaking pursuant to the MCEA process.

D.1.2 Exception – Heavy Rail

Despite anything contrary in the MCEA, the class of undertakings which may proceed pursuant to the MCEA, as set out in Part D below (Municipal Transit Projects) and the Municipal Transit Projects table (Table C) in Appendix 1 of the MCEA, does not include heavy rail, including linear and non-linear components.

D.1.3 Glossary of Transit Terms

This section defines terms specific to the transit section of the MCEA. Proponents should also refer to the Glossary of Terms for defined terms applicable to the entire document.

Heavy Rail
means subway facilities.

Maintenance Facility
means a facility for the servicing or repairing of major mechanical components of rail or transit vehicles

Municipal Transit
means a transit system for passengers that is operated principally within an upper-tier, lower-tier or single-tier municipality and can include bus, streetcar or light rail vehicles but does not include special purpose vehicles, such as school buses, or heavy rail.

Park and Ride Lot
means a parking lot associated with a passenger station for the purposes of passenger transfer between personal motor vehicles and rail or bus services.

Passenger Pick-Up/Drop Off Area
means an area at a passenger station where a passenger can be dropped off or picked up.

Passenger Station
means a station along a rail or bus route where passengers can embark or disembark to transfer between rail or bus routes or other travel modes but does not include a facility which is only a transit stop.

Project Assessment Process
means the process set out in O. Reg. 231/08 as amended from time to time.

Rail Line
means the track upon which rail service is provided and, includes any right of way that is exclusively for the rail service.

Same Purpose, Use and Location
see section D 1.3.1 below

Sensitive Area
means

a) an area of residential land use, or

b) an environmentally sensitive area such as an area that includes natural heritage features, cultural heritage or archaeological resources, recreational land uses or other sensitive land uses.

Storage Yard
means a facility for the storage of rail or transit vehicles and may include,

a) facilities used for fueling or washing vehicles, loading and unloading goods or performing minor running maintenance, and
b) tracks, other than passing tracks.

Transit Loop
means 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.

Transit Stop
means a location along a rail or bus route that is used by passengers to embark or disembark and has no structures other than simple structures such as passenger shelters and benches.

Transit System
means the linear component of a transit facility and associated system elements such as stations, park and ride lots, passenger pick-up/drop off areas, grade separations in respect of a linear component of a transit facility, storage yards, maintenance facilities and other features.

D.1.3.1 "Same Purpose, Use and Location"

For the purposes of Part D (Municipal Transit Projects), Table C in Appendix 1 and all other transit related provisions of the of the MCEA.

Same Purpose, Use, and Location means the replacement or upgrading of a structure or facility, where the objective and application remain unchanged, and there is no substantial change in location.

Purpose and Use refer to the overall intended result/objective of the project, and the specific operational utilization of the corridor.

Location 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: *road allowance* is defined in the Glossary). 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 localized, site-specific areas. If the impacts are determined not to be significant, this can be considered to be in the same location.

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.

Example a) A general traffic lane is reconstructed as a physically separated (e.g., semi-exclusive) transit lane. This is considered to be a significant change in the purpose and use of the lane.

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.

D.1.4 Municipal Transit in the MCEA

This section provides a broad description of the following with respect to municipal transit projects:

- the projects, purpose and alternatives
- the environment and potential mitigating measures

Part D of this Class EA should be reviewed in conjunction with the project tables in Appendix 1; the typical mitigation measures for potential effects in Appendix 2; and the agency consultation recommendations based on environmental factors in Appendix 3.

The MCEA process, including consultation and documentation, is provided in Part A of this Class EA.

D.1.5 Key Considerations

Municipal transit projects are discussed in Section D.2 below. This section addresses key considerations when developing and assessing alternatives to a municipal transit project and alternative designs for the transit project.

When generating and evaluating alternative transit improvement solutions in Phases 2 and 3 of the MCEA process, the proponent shall bear the following considerations in mind:

1. Land-Use Planning Objectives

Land-use planning objectives refer to the plans and policies identified in provincial plans and municipal Official Plans and Secondary Plans. At a provincial level, key policies/plans include the Provincial Policy Statement, 2020 (PPS), the *Places to Grow Act*, 2005 and associated Growth Plans as amended or replaced from time to time.

The *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 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.

2. Natural Heritage Features

The natural environment includes the following typical elements:

- landforms (including valleylands)
- groundwater
- surface water and fisheries
- terrestrial vegetation and wetlands
- wildlife and habitat and
- connections provided by, or between these, resources

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.

In most cases, municipalities have specific policies related to the protection of the natural environment. These policies, along with regional, provincial, and/or federal policies should be identified as part of the MCEA process.

3. Social Environment

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.

In most cases, municipalities have specific policies related to the protection of the social environment. These policies, along with regional and/or provincial policies, should be identified as part of the MCEA process.

4. Cultural Environment
Cultural environment refers to archaeological resources, built heritage resources and cultural heritage in the environment. Areas of archaeological potential must be identified in accordance with the *Ontario Heritage Act*. Relevant terms can be found in the glossary.

Significant cultural heritage resources must be conserved. Where significant cultural heritage resources cannot be avoided, adverse impacts are to be mitigated in accordance with provincial and municipal policies, procedures, best practices and guidelines.

5. Indigenous Communities
Proponents proceeding pursuant to the MCEA are required to consult with interested persons and with Indigenous Communities who may be affected by a proposed undertaking. Municipalities are directed to contact the ministry for direction on consultation with Indigenous Communities. For more information, see Section A.3.7.

As part of the assessment process, proponents should consider the potential for the project to impact:

- Reserve lands and/or Indigenous Traditional Land Use Areas
- Aboriginal or treaty rights and claims
- Use of land and resources for traditional purposes
- Aboriginal Peoples' industry and economic opportunities
- Archaeological sites

6. Economic Environment
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.

7. Property
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 such as where relocating property lines would result in the property owner being out of compliance with local standards (e.g., building setback requirements, etc.).

8. Evaluation of Alternative Solutions
When evaluating alternative solutions, the following considerations should be kept in mind:

- 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 infrastructure, 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.

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.

D.1.6 Overview of Municipal Transit in Transportation Master Plans

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 integrates existing and future land-use planning and the planning of transportation infrastructure with the principles of environmental assessment planning.

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.

Transportation Master Plans usually 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 *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 *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.

Development of a Transportation Master Plan pursuant to the MCEA would include a stakeholder consultation process that involves consultation with the public, government technical agencies, other municipalities and Indigenous Communities.

If developed in accordance with section A.2.7 of the MCEA, at a minimum, a Transportation Master Plan must follow the same steps as Phases 1 and 2 of the MCEA process. As a result, a Transportation Master Plan can provide the basis for addressing EA requirements for specific projects, including the problem and/or opportunity being

addressed and the range of alternatives being considered. Transportation Master Plans are discussed in Section A.2.7.

D.1.7 Integration with the *Planning Act*

The MCEA also provides opportunity to integrate the requirements of this Class EA with requirements under the *Planning Act* as discussed in Section A.2.9 of this Class EA. The key is that the requirements of both acts must be met.

D.2 Description of the Projects, Purpose and Alternatives

D.2.1 New Transit System

D.2.1.1 – Description of the Projects

New Transit Systems are comprised of the linear components of a transit system and elements such as stations, park and ride lots, passenger pick-up/drop off areas, grade separations in respect of a linear component of a transit system, storage yards, maintenance facilities and other features. These projects typically involve the acquisition of a new or widened right-of-way.

D.2.1.2 Purpose of the Project

New transit systems planned under this Class EA could be undertaken to provide new or extended transit facilities for the following possible reasons:

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;
5) to support policies for reducing environmental and health impacts of transportation; and
6) to provide access to existing or proposed land uses.

D.2.1.3 Alternative Solutions

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:

1) New transit system;
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; and
7) “Do Nothing”.

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).

D.2.2 Linear Components of a Transit System

D.2.2.1 Description of the Projects

Projects of this type would typically involve one or more of the following:

- construction of a new transit system with new transit facilities;
- constructing a new grade separation in respect of a rail line or a linear component of a transit system in a sensitive area;
- reconstruction of a water crossing;
- reconstruction, widening or expansion of linear components of a transit system;
- widening of an existing road to create new transit lanes for bus or light rail; and
- other municipal infrastructure combined with transit.

D.2.2.2 Purpose of the Project

Linear components of a transit system will be undertaken for the following possible reasons:

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.

D.2.2.3 Alternative Solutions

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:

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; and
6) "Do Nothing". 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).

D.2.3 Site Specific Facilities

While site-specific facilities are a linear component of a transit system, they may also be "standalone" facilities. Transit systems include both linear components and site-specific facilities.

D.2.3.1 Description of the Projects

The projects in this group include those located in or adjacent to a sensitive area, including:

- construction of new stations
- construction of new passenger pick-up/drop off areas (e.g., Kiss and Ride), and park and ride lot construction of new storage yards.
- construction of new maintenance facilities.
- Construction of new grade separations.

D.2.3.2 Purpose of the Projects

Projects to develop site specific facilities are undertaken to address one or more of the following problems:

- additional or expanded stations required to meet demand or service requirements
- increased transit vehicle fleet to be maintained
- inadequate parking facilities
- inadequate vehicle storage facilities

D.2.3.3 Alternative Solutions

The above problems, opportunities or a combination of them could justify the development of a site-specific project. Examples of alternative solutions that may be considered are:

- build a new facility
- increase the capabilities of a nearby facility
- increase the efficiency of operation of existing facilities
- utilize mobile or temporary facilities
- lease commercially available facilities (e.g., parking lots)
- contract out the service function to a commercial enterprise (e.g., vehicle

maintenance operations)
- “do nothing”
- a combination of multiple alternative solutions.

D.2.4 The “Do Nothing” Alternative

The “Do Nothing" alternative is to be considered for all projects proceeding pursuant to the MCEA. 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.

The “Do Nothing” alternative must be documented along with any other alternatives to the project which were examined.

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.

D.3 Environment

D.3.1 Description of the Environment

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.

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, Indigenous Communities 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.

Transportation:
- Existing transportation network
- Future transportation network

Land-Use Planning Objectives:

- Provincial
- Regional
- Municipal

Natural Environment/Natural Heritage Features:

- Natural heritage policies
- Fisheries and aquatic resources
- Vegetation and flora
- Wildlife resources and linkages
- Surface water
- Ground water
- Geotechnical
- Fluvial geomorphology

Social Environment:

- Existing communities
- Existing residential areas
- Recreational facilities
- Noise and vibration
- Air quality
- Aesthetics

Cultural Environment (Cultural Heritage and Archaeological Resources in the Environment):

- Archaeological resources and areas of archaeological potential; and
- Built heritage resources and cultural heritage landscapes

Indigenous Peoples:

- Reserve lands and traditional land use areas
- Aboriginal and treaty rights
- Archaeological sites
- Land claims

Economic Environment:

- Commercial land-use
- Industrial land-use
- Agricultural land-use
- Capital costs
- Property costs
- Maintenance costs

Other:

- Utilities

D.3.2 Description of the Potential Effects on the Environment

The effects (both positive and negative) on the environment are to be identified and assessed based on the following process:

- 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; and
- Review with affected parties per the requirements of the MCEA.

D.3.3 Mitigating Measures

D.3.3.1 Design

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, 2020* outlines the major benefits of transit to the economy, urban form, and protection of natural resources.

Through the planning and design process described in the MCEA, however, it may be determined that, together with the benefits, certain projects may have some adverse effects on the environment. The MCEA process is intended to identify potential impacts so that, where possible, they can be avoided. 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”.

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.

D.3.3.2 Construction

The MCEA 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.

Many projects which undergo the MCEA 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.

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.

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 ensure that changes to the contract do not cause negative environmental impacts.

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.

D.3.3.3 Policy and Guidelines

Section A.2.10 provides information on other federal, provincial and municipal legislation that may apply to projects proceeding pursuant to the MCEA. Proponents should review this information and consider it as part of the MCEA process to support compliance with other environmental legislation. Completion of the MCEA process does not relieve the proponent from complying with all applicable legislation, regulations, policies etc. or guarantee the issuance of other permits, approvals authorizations etc. for the project.

Appendices

Appendix 1: Project Tables
Appendix 2: Typical Mitigating Measures for Potential Environmental Effects
Appendix 3: Recommended Agency Contacts
Appendix 4: Master Plans
Appendix 5: Public Consultation
Appendix 6: Sample Notices
Appendix 7: Integrated Approach

Appendix 1: Project Tables

1.1 General

The class of undertakings approved to proceed pursuant to the MCEA are set out in the tables in Appendix 1 together with their classification. The projects are broken into three tables based on the type of infrastructure: roads, water and wastewater and transit. Projects are classified into one of four schedules:

a) exempt from *Environmental Assessment Act* requirements,
b) eligible for exemption based on the results of the screening process(es) in Appendix 1;
c) Schedule B, and
d) Schedule C.

Project schedules are detailed in Section A.1.2.2.

Exempt from *Environmental Assessment Act* Requirements
Most of the projects identified as exempt in the tables are exempt from the requirements of the EAA by section 15.3(4) of the EAA. As a result of the March 2023 amendments, the EAA does not apply with respect to a few additional projects which are exempt through sections 15.3(1) and (2) of the EAA.

A proponent of an exempt project may decide to undertake consultation and assessment activities outside of the Class EA process.

Tables A, B, and C identify the schedule for each of the municipal undertakings (roads, water and wastewater and transit) that may proceed pursuant to the MCEA. The schedule of the undertakings determines the MCEA process that must be followed to proceed with an undertaking pursuant to the MCEA rather than completing a comprehensive EA for a project.

Despite anything contrary in the MCEA, the class of undertakings which may proceed pursuant to the MCEA, as set out in Part D (Municipal Transit Projects) and the Municipal Transit Projects table (Table C) below, does not include heavy rail ~~transit~~ system.

As part of the March 2023 amendments, undertakings in the tables were reorganized under new subheadings to assist users in finding the applicable project description and schedule.

Eligible for Screening
Those projects that are identified as eligible for screening may be exempt from the requirements of the EAA based on the results of the archaeological screening process, and the collector roads screening process (where applicable). Proponents must fully and accurately complete the archaeological or collector road screening processes in

order to determine whether their project can proceed without further application of the Act or if they must complete the identified Schedule B or C process. Completing the screening process(es) is voluntary and proponents may choose to proceed with the Schedule B or C process instead.

See more information on these screening processes below.

Voluntary Elevation of Schedule B and C Projects

A proponent may choose to voluntarily elevate a project classified as Schedule B by completing the Schedule C process or a project classified as Schedule C by applying under subsection 17.2(1) of the Act for approval to proceed with the project as a Part II.3 project (Comprehensive EA). Projects that are classified as exempt in the tables cannot be elevated to a Schedule B or C process.

Proponents may want to elevate a project where a project may have a greater environmental impact. To select the appropriate project schedule, it must be recognized that the level of complexity will vary depending on the nature of the project. Given the varying levels of complexity, the divisions between Schedules B and C projects are therefore often not distinct. The Class EA document defines the minimum requirements for the MCEA process or the planning of the project; the proponent is responsible for "customizing" it to reflect the complexities and needs of a specific project. Proponents should refer to Section A.2.1.1 for guidance in selecting the appropriate schedule and customizing the process to fit the project and the community. The classification of the project should be considered not only at the outset of project planning but throughout the process.

Key considerations are outlined in Parts B through D, and in Appendix 3 and include requiring property, affecting watercourses, affecting fisheries, affecting significant natural heritage features (e.g., woodlots and wetlands), or having impacts which are considered significant to your community.

Finding the Correct Schedule

Proponents must consider all aspects of their project when reviewing the project tables to ensure the correct schedule is followed. In cases where components of a single project fall within more than one project description, the more rigorous schedule applies to the entire project. This does not include elements of a project that are classified as exempt (first column), but **it does include** projects that are classified as eligible for screening (second column).

Proponents must review all of the relevant project descriptions in the various tables (roads, water and wastewater and transit) for their project as some projects will involve work on more than one type of infrastructure.

For example, a project that includes a new road crossing and a new dike will fit within project descriptions in both the roads, and water and wastewater tables. The classification for both parts of the project must be determined and the highest schedule

followed. The proponent must plan the project in accordance with all applicable requirements and may document the planning process in one Project File Report or Environmental Study Report.

Planning the Project in its Entirety

Proponents are required to plan large or extended projects in their entirety and the project schedule should be determined accordingly. Projects which are to be implemented in stages over an extended period of time must be planned in their entirety at the time when the first stage is to be undertaken and must not be broken up, or piecemealed, into smaller components.

1.2 Archaeological Screening Process

The projects that are identified as eligible for screening, subject to the archaeological screening process (identified as “ASP”) may be exempt from the requirements of the EAA as determined by the archaeological screening process set out below. In order to proceed with a project that is identified as eligible for screening, a proponent must either (i) carry out the process for a Schedule B/C project; or (ii) complete the archaeological screening process according to the directions set out in the screening process. If the outcome of the screening process is that the project is exempt from the requirements of the EAA, the proponent may proceed with the undertaking/project without further application of the EAA to the project. ***Proponents must have regard to the conditions contained in the section above titled “Finding the Correct Schedule”.***

The archaeological screening process consists of three questions with links to various tools and criteria under the *Ontario Heritage Act*. Proponents must carry out the specified research and consultation to accurately respond to each question. This includes, but is not limited to, consultation with Indigenous Communities, municipal governments, and the Ministry of Citizenship and Multiculturalism, and may require the assistance of a licensed archaeologist. Proponents will not be able to answer the screening questions accurately and properly without the knowledge and assistance of other parties.

The ministry recognizes that some municipal proponents have an established relationship with Indigenous Communities and may have regular meetings to share information about upcoming projects and initiatives. It is appropriate for municipalities to use these meetings to discuss information on archaeological resources to respond to the checklists required by question 1 of the archaeological screening process. A consultation record must be maintained as part of the documentation for the undertaking/project.

If a proponent does not fully and properly complete the archaeological screening process in accordance with the questions set out below and the checklists/instructions referred to in those questions or mischaracterizes their project or the impacts associated with the project, the proponent cannot proceed with their project and would be out of compliance with the EAA. A project is not exempt unless the archaeological screening process is completed as required, project documentation maintained and all

mitigation measures that are identified through the screening process are implemented. Despite whether a project screens as exempt through the archaeological screening process the project is not exempt from any subsequent permits and approvals. All other applicable permits and approvals continue to be required for the project.

1. Does the project area include known or potential archaeological resources?

- Proponents must complete the Criteria for Evaluating Archaeological Potential Checklist (form 021-0478E) and/or the Criteria for Evaluating Marine Archaeological Potential Checklist (form 021-0503E) if your project is located in or by the water. The marine licensing program is different from the land-based system. The checklists can be accessed at: https://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/?OpenDatabase&ENV=WWE

- Instructions:
    - Fill out the Criteria for Evaluating Archaeological Potential Checklist beginning at question 2.

    - If your project is located in or by the water, fill out the Criteria for Evaluating Marine Archaeological Potential Checklist beginning at question 2.

    - To answer this question and complete the associated checklists, proponents need to contact:
        - The Ministry of Citizenship and Multiculturalism at archaeology@ontario.ca
        - Appropriate Indigenous Communities *
        - Local municipal staff
        - Research known burial sites or cemeteries

* You can contact the Ministry of the Environment, Conservation and Parks for guidance on which Indigenous Communities should be contacted.

- Responses:
    - If the checklist(s) identifies that there are known archaeological sites on or within 300 metres of the project area, or that the project area has potential for archaeological resources, then an archaeological assessment shall be undertaken by an archaeologist licensed under the *Ontario Heritage Act*. Please proceed to question two.

    - If the checklist identifies that the project area does not include known or potential archaeological resources, a project that is identified as exempt conditional on the completion of this screening is exempt from the EAA, provided that the notification/documentation process is followed, as set out below.

- Notification/Documentation:
    - The screening checklists must be filed as project documentation and made available upon request of the Ministry of the Environment, Conservation and Parks and/or any interested parties.

    - Proponents should also consider posting the screening checklists and/or relevant supporting documentation on the project/municipality's website.

2. Based on the archaeological assessment(s), will the proposed project/undertaking have negative impacts (effects) to archaeological resources?

- Instructions:
    - To respond to this question, archaeological assessment(s) must be undertaken by a licensed archaeologist. There are various stages of archaeological assessments, which your licensed archaeologist will be able to advise you on. For more information on archaeological assessment and their requirements, please refer to www.ontario.ca/archaeology.

    - Indigenous Communities should be engaged throughout the archaeological assessment process and any traditional knowledge that is shared should be considered and/or incorporated, as appropriate, into the assessment of potential impacts associated with the project.
        - Proponents should reference the following bulletin which is intended to help consultant archaeologists engage Indigenous Communities in archaeology as effectively as possible. http://www.mtc.gov.on.ca/en/publications/AbEngageBulletin.pdf

    - Archaeological concerns have not been addressed until a report(s) has been entered into the Ontario Public Register of Archaeological Reports where those reports recommend that:
        - the archaeological assessment of the project area is complete and
        - all archaeological sites identified by the assessment are either of no further cultural heritage value or interest (as per Section 48(3) of the *Ontario Heritage Act*) or that mitigation of impacts has been accomplished through excavation or an avoidance and protection strategy.

    - Proponents cannot proceed with any ground disturbing activities before receiving a letter from the Ministry of Citizenship and Multiculturalism indicating that the above criteria have been met.

- Responses:

- Based on the archaeological assessment(s), if it has been determined that the proposed undertaking/project may have negative impacts to archaeological resources, proceed to question 3.

- Based on the archaeological assessment(s), if it has been determined that the undertaking/project will not have negative impacts to archaeological resources, a project that is identified as exempt conditional on the completion of this screening is exempt from the EAA, provided that the notification/documentation requirements are met, as set out below.

- Notification/Documentation:
  - The archaeological assessment must be submitted to the Ministry of Citizenship and Multiculturalism. That ministry may review the report to ensure that the licensed archaeologist met the terms and conditions of their licence, including requirements for fieldwork and reporting, and to ensure that concerns for any archaeological sites found were properly addressed.

  - A Notice of Project Screening must be provided to the ministry's regional email account, provided in section A.1.5, documenting that the proponent has followed the archaeological screening process.

  - The archaeological assessment(s) must be filed with other project documentation.

  - Proponents should also consider posting the Notice of Project Screening and relevant supporting documentation on the project/municipality's website.

3. Based on the archaeological assessment(s), will any negative impacts (effects) be appropriately mitigated?

- Instructions:
  - To respond to this question, archaeological assessment(s) must be undertaken by a licensed archaeologist. There are various stages of archaeological assessments, which your licensed archeologist will be able to advise you on. For more information on archaeological assessment and their requirements, please refer to www.ontario.ca/archaeology.

  - Indigenous Communities should be engaged throughout the archaeological assessment process and any traditional knowledge that is shared should be considered and/or incorporated, as appropriate, into the assessment of potential impacts associated with the project.
    - Proponents should reference the following bulletin which is intended to help consultant archaeologists engage Indigenous

Communities in archaeology as effectively as possible. http://www.mtc.gov.on.ca/en/publications/AbEngageBulletin.pdf

- Archaeological concerns have not been addressed until a report(s) has been entered into the Ontario Public Register of Archaeological Reports where those reports recommend that:
  - the archaeological assessment of the project area is complete and
  - all archaeological sites identified by the assessment are either of no further cultural heritage value or interest (as per Section 48(3) of the *Ontario Heritage Act*) or that mitigation of impacts has been accomplished through an avoidance and protection strategy.
  - Proponents cannot proceed with any ground disturbing activities before receiving a letter from the Ministry of Citizenship and Multiculturalism indicating that the above criteria have been met.

- Responses:
  - Based on the archaeological assessment(s), if it has been determined that the proposed ***project will have negative impacts on archaeological resources*** that cannot be appropriately mitigated, the project ***is not exempt*** from the EAA.

  - Based on the archaeological assessment(s), if it has been determined that ***the impacts to archaeological resources can be appropriately mitigated***, a project that is identified as exempt conditional on the completion of this screening ***is exempt*** from the EAA, provided that the notification/documentation requirements are met, as set out below, and the proponent implements all necessary mitigation measures that were identified in the archaeological assessments.

- Notification/Documentation:
  - The archaeological assessment must be submitted to the Ministry of Citizenship and Multiculturalism That ministry may review the report to ensure that the licensed archaeologist met the terms and conditions of their licence, including requirements for fieldwork and reporting, and to ensure that concerns for any archaeological sites found were properly addressed.

  - A Notice of Project Screening must be provided to the ministry's regional email account, provided in section A.1.5, documenting that the proponent has followed the archaeological screening process.

  - The archaeological assessment(s) must be filed with other project documentation.

- Proponents should also consider posting the Notice of Project Screening and relevant supporting documentation on the project/municipality's website.

1.3 Collector Road Screening Process

In order to proceed with an undertaking identified as subject to the collector road screening process (CR) in the column titled Eligible for Screening in Table A: Municipal Roads Projects, a proponent must either (i) carry out the process for a Schedule B or C project, as applicable; or (ii) undertake the Archaeological Assessment Screening Process and Collector Road Screening Process and follow the directions provided for each of the screenings. If the outcome of the screening process is that the project is exempt from the requirements of the EAA, the proponent may proceed with the undertaking without further application of the EAA. If the outcome of the screening processes is that the undertaking is not exempt, the proponent must complete the Schedule B or Schedule C process, as applicable (refer to the columns under Class EA in the table).

Proponents are required to answer "yes" or "no" to the questions below. If the answer to any of the questions is "no", then the proponent must proceed with the applicable Schedule B or C process. If the answer to each of the questions is "yes" the project may be exempt subject to the results of the Archaeological Screening Process.

Proponents may rely on information and studies already prepared that include the project, such as work completed under the *Planning Act* (e.g., approved Master Plans under MCEA [Approach 2] or Secondary Plans), to meet the requirements of the screening questions below. Where a time lapse has occurred between when a Master Plan was completed and when the project is proceeding, the conclusions and assumptions in the Master Plan should be revisited. The proposed project must have been sufficiently planned, described, and detailed under the *Planning Act* to rely on this information. A road illustrated with a line on a schedule to a Secondary Plan or an Official Plan is not sufficient for the purposes of this screening. The municipality must be satisfied that the proposed road will provide the required function in the road system. Alternative alignments and a specific location for the road must be identified as part of the *Planning Act* approvals (i.e., road allowance) and design (i.e., cross-section for a road) for the project such that the municipality, the public and other stakeholders could understand and raise any concerns with the proposed project through the *Planning Act* process. Municipalities are responsible for ensuring that there are sufficient controls in the *Planning Act* approval (i.e., specific clauses in the draft conditions and/or subdivision agreement) to ensure that the collector road will be properly designed, constructed and implemented and that they are constructed in accordance with the approval.

Proponents who have answered "yes" to all of the questions below are required to provide the local MECP Regional Environmental Planner with the project documentation, including a summary about the evaluation of the alternative solutions (and design concepts) and rationale of the preferred solution (and design concept),

defined alignments, mitigation measures, and consultation process, to confirm that the project is exempt before proceeding. Proponents must also maintain consultation records. Proponents should contact the MECP Regional Environmental Planner for direction on which Indigenous Communities should be consulted with.

Proponents should provide the local MECP Regional Environmental Planner with project documentation before completing the archaeological screening process.

Screening Questions

1. Has the final collector road alignment been specifically defined in the *Planning Act* approval, **AND**

   a) The majority of the collector road is located on a new alignment in a plan of subdivision; **OR**,

   b) The collector road is located in an existing road allowance associated with a plan of subdivision (e.g., condition of approval);

   AND

   The collector road was identified in an approved Master Plan such as a Transportation Master Plan completed under the master planning process in the MCEA and the new alignment is identified on a Secondary Plan or an Official Plan approved under the *Planning Act,* or other approved municipal transportation studies or master plans.

   Note - Municipally approved Master Plans or transportation studies that were completed by a municipality but were not completed pursuant to the master planning process in the MCEA may still meet the criteria above. Proponents must demonstrate that the criteria above are met and provide these studies to the MECP to confirm.

2. Has the problem (deficiency) or opportunity been identified? **(Y/N)**

3. Were environmental studies completed based on the broad definition of the environment as defined in the EAA to describe the existing environment? **(Y/N)**

4. a) Were alternative solutions identified and assessed, including selecting a preferred solution, taking into consideration the existing environment and potential effects as part of the Master Plan completed under MCEA process? **(Y/N)**

   b) Were alternative designs identified, assessed and consulted on taking into consideration the existing environment and potential effects as part of the *Planning Act* approval in a manner that is similar to the MCEA process? **(Y/N)**

5. Were potential environmental effects assessed, and mitigation measures developed committed to be implemented, and documented as a part of the *Planning Act* approval at an increased level of detail for the preferred undertaking? **(Y/N)**

   Note - Proponents must implement any mitigation measures developed for the project and undertake any environmental monitoring (as may be applicable).

6. Did consultation with federal, provincial, and local governments and agencies, the public and Indigenous Communities occur at all key decision-making milestones (e.g., with respect to the alternatives considered and the preferred solution)? **(Y/N)**

   Note - The proponent must have consulted with interested persons at key decision-making milestones (e.g., consideration of alternatives, selection of a preferred alternative and preferred design concept). Federal agencies will be consulted as may be applicable.

7. Have all outstanding commitments and concerns raised been appropriately addressed/considered? **(Y/N)**

   Note – if an Indigenous Community raises concerns with respect to an Aboriginal or treaty right, the proponent must contact the ministry before proceeding further.

8. Have any other applicable permits, approvals or authorizations been identified and relevant government agencies consulted? **(Y/N)**

1.4 Notes for Tables A, B, And C

- "ASP" means the archaeological screening process described in section 1.2
- "CR" means the collector road screening process described in section 1.3

Table A: Municipal Road Projects

Table A uses cost thresholds to determine the schedule for a road project. A determination as to which schedule is appropriate will require the proponent to prepare a cost estimate for the project during Phase 2 when the appropriate schedule is still under consideration.

In the Table A, the following notations apply:

- NL – No financial limit
- < $12 m – less than $12 million
- ≥ $12 m – greater than or equal to $12 million

Note: Previously the MCEA allowed for cost thresholds to be indexed by MEA based on MTO's Tender Price Index. The cost thresholds in the table have been adjusted to March 2022 based on MEA's prior indexing in March 2019.

- The cost limit of $2.4 million has increased to $3 million.

- The cost limited of $3.5 million has increased to $4.1 million.
- The cost limit of $9.5 million has increased to $12 million.

Cost thresholds will be updated on an annual basis by the ministry based on MTO's Tender Price Index and will be effective when published on the Environmental Registry on Ontario (ERO).

Table B: Municipal Water and Wastewater Projects

The **dams** and **weirs** referred to in the table are flow control structures located within a watercourse. Any outfall structure at a wastewater treatment facility or sewage lagoon would be part of that wastewater treatment facility or sewage lagoon and would not be considered a dam or weir within one of these sections. Stormwater management facilities, whether located within a watercourse or not, would not be considered a dam or weir.

For greater certainty, the shoreline/in water works projects set out in Table B do not include activities designated by regulation as a project to which Part II.3 of the Act applies. Refer to the regulation made under the EAA titled Part II.3 Projects – Designations and Exemptions.

Table C: Municipal Transit Projects

Despite anything to the contrary in the MCEA, the class of undertakings which may proceed pursuant to the MCEA, as set out in Part D (Municipal Transit Projects) and the Municipal Transit Projects table (Table C) below, does not include heavy rail ~~transit~~ system. The transit and rail project designations in the regulation "Part II.3 Projects – Designations and Exemptions" include, but are not limited to, certain activities in relation to heavy rail (e.g., establishing heavy rail).

Proponents intending to proceed with a transit project pursuant to the MCEA must provide written notice to the Director of the Environmental Assessment Branch prior to starting the process. The notice must clearly indicate that the proponent intends to proceed with their project in accordance with the process set out in this Class EA rather than the project assessment process.

Table A: Municipal Road Projects

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
OPERATIONAL AND MAINTENANCE ACTIVITIES				
1 Normal or emergency operation and maintenance of linear paved facilities, cycling lanes/facilities & multi-purpose paths, sidewalks, parking lots and related facilities located within or outside existing rights-of-way • *Related facilities include bridges*	**X**			
2 Shaping and cleaning existing roadside ditches	**X**			
3 Gravel replacement and reshaping on existing roads	**X**			
4 Plowing and sanding	**X**			
5 Snow and de-icing operations that comply with MECP's Guideline B-4 "Snow Disposal and De-icing Operations in Ontario	**X**			
6 Stockpiling sand, gravel and fill	**X**			
7 Stockpiling of de-icing material at existing service facility where stockpiling has previously taken place	**X**			
8 Culvert repair and replacement where the capacity of the culvert is not increased beyond the minimum municipal standard or the capacity required to adequately drain the area, whichever is greater, and where there is no change in drainage area	**X**			
9a Initial stockpiling of de-icing material within an engineered permanent storage structure where the storage structure has an impervious ground surface and de-icing material will be protected from precipitation and surface runoff and the storage structure is not located in or adjacent to an environmentally sensitive natural area, residential, or other sensitive land use. • *Refer to "environmentally sensitive natural area" in the Glossary*		**ASP**	**X**	

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
9b Initial stockpiling of de-icing material, where the de-icing material will be stored in an outdoor or unprotected facility or the facility is located in or adjacent to an environmentally sensitive natural area, residential, or other sensitive land use • *Refer to "environmentally sensitive natural area" in the Glossary*			**X**	
ROAD RELATED FACILITIES				
10 Establishment of a roadside park or picnic area	**X**			
11a Expansions, improvements and modifications to existing patrol yard and maintenance facilities where land acquisition is required provided the project conforms to *Planning Act* requirements and with municipal and other requirements	**X**			
11b Establish new patrol yards or maintenance facilities provided the project conforms to *Planning Act* requirements and with municipal and other requirements	**X**			
12a Construction of new parking lots not associated with a building	**<$12M**			
12b Construction of new parking lots not associated with a building and are not located in or adjacent to an environmentally sensitive natural area, residential or other sensitive land use, or on lands with cultural heritage or archaeological potential. • *To determine whether there is "archaeological potential" refer to MCM's Criteria for Evaluating Archaeological Potential checklist posted on the MEA website.* • *Refer to "environmentally sensitive natural area" in the Glossary*		**≥$12M ASP**	**≥$12M**	
12c Construction of new parking lots not associated with a building and are located in or adjacent to an environmentally sensitive natural area, residential or other sensitive land use, or on lands with cultural heritage or archaeological potential • *To determine whether there is "archaeological potential" refer to MCM's Criteria for Evaluating Archaeological Potential checklist posted on the MEA website.* • *Refer to "environmentally sensitive natural area" in the Glossary*			**≥$12M**	

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
OTHER PROJECTS				
13 Projects planned and approved under Ontario Regulation 586/06 (see Section A.2.10.4)	**X**			
14a Construction of local roads which are required as a condition of approval on a site plan, consent, plan of subdivision or plan of condominium which will come into effect under the *Planning Act* prior to the construction of the road • *"Local" refers to roadway function not municipal jurisdiction. See the definition of "Roads" in the Glossary*	**X**			
14b Construction of a new collector road, or reconstruction or widening of an existing collector road that will not be for the same purpose, use, capacity or at the same location, and is required as a condition of approval on a plan of subdivision and/or the subdivision agreement which will come into effect under the *Planning Act*		**ASP CR**	**<$3M**	**≥$3M**
15 Any road project classified as a Schedule B or C undertaking where the proponent has determined that the work must be undertaken to address an emergency and the Director of the EAB, and the conservation authority where relevant, is notified. A situation created by intentional delay does not constitute an emergency • *Notice should be provided within 30 days at the latest*	**X**			
16 Restoration of a facility immediately after a natural disaster, provided the facility is for the same purpose, use, capacity and all at the same location	**X**			
RECONSTRUCTION OF ROADS WITH NO INCREASE TO TRAVEL LANES				
17a Urban: Resurfacing, with no change to horizontal alignment	**X**			
17b Urban: Patching and frost heave treatment	**X**			
17c Rural: Resurfacing, patching and frost heave treatment with no change to horizontal alignment	**X**			
18 Streetscaping (e.g., decorative lighting, sidewalk improvements, benches, landscaping not part of another project)	**X**			

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
19a Construction of localized operational improvements at specific locations, and construction of intersections and roundabouts. • Project must be within an existing right-of-way • For projects that require property acquisition, refer to project description 33 to determine project schedule	**X**			
19b Installation of guide rails	**X**			
20 Construction of a new culvert or increase culvert size due to change in the drainage area	**X**			
21 Reconstruction where the reconstructed road or other linear paved facilities (e.g., HOV lanes) will be for the same purpose, use, capacity and at the same location (e.g., addition or reduction of cycling lanes/facilities, parking lanes, or continuous center turn lanes – no change to the number of motor vehicle lanes)	**X**			
22 Redesignation of a Linear Paved Facility through signage or pavement marking modifications (i.e., not requiring physical construction beyond localized operational improvements described in activity No.19a above): including ○ addition or removal of parking or turning lane markings on an existing roadway ○ conversion of one-way or two-way streets ○ redesignation of existing General-Purpose Lane (GPL) or on- street parking to High Occupancy Vehicle (HOV) or cycling lanes/facilities or vice versa: ○ addition or removal of cycling lanes/facilities or continuous turn lanes	**X**			
23 Construction of noise barriers (i.e., structures such as walls and berms or a combination of the two, including retaining walls which are part of a noise wall)	**X**			
24a Retirement of existing roads and road related facilities. • *Related facilities include bridges* • *Proponents should consider cultural heritage value in accordance with MEA's Municipal Heritage Bridge Checklist developed with the Ministry of Citizenship and Multiculturalism (MCM) and posted on the MEA website. Completion of the checklist does not mean approval or permission from MCM to remove a bridge with potential heritage value*	**X**			

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
24b Retirement of existing laneways	**X**			
25a Construction or removal of sidewalks or multi-purpose paths or cycling facilities within existing or protected rights-of-way	**X**			
25b Construction or removal of sidewalks, multi-purpose paths or cycling facilities including water crossings outside existing right-of-way and/or in a utility or rail corridor	**<$4.1M**		**≥$4.1M**	**≥$12M**
26 Utility removal, modification or relocation for safety or aesthetic purposes	**X**			
27 New fence installations not associated with another project	**X**			
28a Installation, construction, or reconstruction of traffic control devices (e.g., signing, signalization)	**<$12M**			
28b Installation, construction, or reconstruction of traffic control devices (e.g., signing, signalization)		**≥$12M ASP**	**≥$12M**	
29a Installation of safety projects (e.g., lighting including “high mast”, grooving, glare screens, safety barriers, energy attenuators)	**<$3M**			
29b Installation of safety projects (e.g., lighting including “high mast”, grooving, glare screens, safety barriers, energy attenuators)		**≥$3M ASP**	**≥$3M**	
RECONSTRUCTION OF BRIDGES WITH NO INCREASE TO TRAVEL LANES				
30 Reconstruction of a water crossing where the reconstructed facility will be for the same purpose, use, capacity and at the same location • *Capacity refers to either hydraulic or road capacity but does not include alterations to include or remove facilities for cycling, pedestrians or to support utilities* • *This includes ferry docks*	**X**			

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
31a Reconstruction of, or alteration to a structure or the grading adjacent to it, when the structure is over 40 years old and has been found not to have cultural heritage value or interest • *To determine whether a bridge has "cultural heritage value", refer to the MEA's municipal heritage bridge checklist developed with the Ministry of Citizenship and Multiculturalism and posted on the MEA website*	**X**			
31b Reconstruction of, or alteration to a structure or the grading adjacent to it when the structure is over 40 years old, the structure is found to have cultural heritage value or interest, and the heritage attributes will be conserved in accordance with the recommendations of a Heritage Impact Assessment • *To determine whether a bridge has "cultural heritage value", refer to the MEA's municipal heritage bridge checklist developed with the Ministry of Citizenship and Multiculturalism and posted on the MEA website*		**ASP**	**X**	
31c Reconstruction of, or alteration to a structure or the grading adjacent to it, when the structure is over 40 years old the structure is found to have cultural heritage value or interest, but heritage attributes will not be conserved in accordance with the recommendations of a Heritage Impact Assessment • *To determine whether a bridge has "cultural heritage value", refer to the MEA's municipal heritage bridge checklist developed with the Ministry of Citizenship and Multiculturalism and posted on the MEA website*			**X**	
NON-VEHICLE BRIDGES				
32a Construction of underpasses or overpasses for pedestrian, cycling, recreational or agricultural use	**<$3M**			

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
32b Construction of underpasses or overpasses for pedestrian, cycling, recreational or agricultural use, and where the underpass or overpass would not be located in or adjacent to an environmentally sensitive natural area, potential built heritage resource or cultural heritage landscape or other sensitive land use, or on lands with archaeological potential • *To determine whether there is "archaeological potential" refer to MCM's Criteria for Evaluating Archaeological Potential checklist* • *Refer to new definition of "environmentally sensitive natural area" in the Glossary*		**≥$3M ASP**	**≥$3M**	
32c Construction of underpasses or overpasses for pedestrian, cycling, recreational or agricultural use, and where the underpass or overpass would be located in or adjacent to an environmentally sensitive natural area, potential built heritage resource or cultural heritage landscape or other sensitive land use, or on lands with archaeological potential • *To determine whether there is "archaeological potential" refer to MCM's Criteria for Evaluating Archaeological Potential checklist* • *Refer to new definition for "environmentally sensitive natural area" in the Glossary*			**≥$3M**	
RECONSTRUCTION OF ROADS WITH INCREASE TO TRAVEL LANES				
33 Reconstruction or widening where the reconstructed road or other linear paved facilities (e.g., HOV lanes) will not be for the same purpose, use, capacity or at the same location (e.g., additional motor vehicle lanes, continuous centre turn lane that requires property, i.e., not at the same location)			**<$3M**	**≥$3M**
34 Construction of new roads or other linear paved facilities (e.g., HOV lanes)			**<$3M**	**≥$3M**
RECONSTRUCTION OF BRIDGES WITH INCREASE TO TRAVEL LANES				
35 Reconstruction of a water crossing where the reconstructed facility will not be for the same purpose, use, capacity or at the same location • *Capacity refers to either hydraulic or road capacity but does not include alterations to include or remove facilities for cycling, pedestrians or to support utilities* • *This includes ferry docks*			**X**	

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
36a Reconstruction of, or alteration to a structure or the grading adjacent to it when the structure is over 40 years old and has cultural heritage value or interest and the heritage attributes will **not be** conserved in accordance with the recommendations of a Heritage Impact Assessment • *To determine whether a bridge has "cultural heritage value", refer to the MEA's municipal heritage bridge checklist developed with the Ministry of Citizenship and Multiculturalism and posted on the MEA website*			**X**	
36b Reconstruction of, or alteration to a structure or the grading adjacent to it when the structure is over 40 years old and is not found to have cultural heritage value or interest or is found to have cultural heritage value or interest but the heritage attributes will be conserved in accordance with the recommendations of a Heritage Impact Assessment • *To determine whether a bridge has "cultural heritage value", refer to the MEA's municipal heritage bridge checklist developed with the Ministry of Citizenship and Multiculturalism and posted on the MEA website*			**X**	
37 Construction of new water crossings • *This includes ferry docks* • *This does not include culverts. See Projects # 8 and 20.*			**X**	
38 Construction of new grade separations and interchanges			**X**	

Table B: Municipal Water and Wastewater Projects

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
DRINKING WATER SYSTEMS – MAINTENANCE, OPERATION, DISTRIBUTION, STORAGE & RETIREMENT				
1 Normal or emergency operational activities (see Glossary definition of "Operation"). Such activities may include but are not limited to the following: • modify, repair, reconstruct existing facilities to provide operational maintenance or other improvements such as reducing odour, insulating of buildings to reduce noise levels and conserve energy, landscaping • on-going maintenance activities • normal operation of water treatment plants • install new service connections, hydrants and appurtenances from existing water mains • maintenance and/or minor improvements to grounds and structures • addition of minor buildings, sheds and equipment and materials storage areas • repairs or cleaning of a well or intake • repairs and renovations to treatments and pumping plant equipment, water storage facilities, distribution mains and appurtenances • installation of corrosion protection systems • cleaning and/or relining existing watermains	**X**			
2 Install chemical or other process equipment or provide additional treatment facilities such as filtration for operational or maintenance purposes in existing pumping stations	**X**			
3 Repairs, renovation, and replacement of existing outfall in the same location for a water treatment plant		**ASP**	**X**	
4a Establish, extend or enlarge water distribution system and all necessary works to connect the system to an existing system, where it is required as a condition of approval on a site plan, consent, plan of subdivision or plan of condominium which will come into effect under the *Planning Act* prior to the construction of the extension of the distribution system	**X**			

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
4b Establish, extend or enlarge a water distribution system and all works necessary to connect the system to an existing system or water source, provided all such facilities are either in an existing road allowance or an existing utility corridor including the use of Trenchless Technology for water crossings	**X**			
4c Establish, extend or enlarge a water distribution system and all works necessary to connect the system to an existing system or water source, where such facilities **are not** in either an existing road allowance or an existing utility corridor			**X**	
5a Increasing pumping station capacity by adding or replacing equipment where new equipment is located within an existing building or structure	**X**			
5b Increasing pumping station capacity where new equipment is located in a new building or structure and the new building or structure is located on the existing pumping station site, or located on municipally owned lands adjacent to the existing pumping station site where the lands are not in an environmentally sensitive natural area • *Refer to "environmentally sensitive natural area" in the Glossary*		**ASP**	**X**	
5c Increasing pumping station capacity where new equipment is located in a new building or structure and the new building or structure would be located outside the existing pumping station site			**X**	
5d Construct a new pumping station where the facility is not located in or adjacent to an environmentally sensitive natural area, residential or other sensitive land use, or on land with cultural heritage or archaeological potential		**ASP**	**X**	
6a Replace/expand existing water storage facilities provided all such facilities are in either an existing road allowance or an existing utility corridor or where no land acquisition is required	**X**			
6b Replace/expand existing water storage facilities, where additional land must be acquired			**X**	
6c Establish new water storage facilities where the facility is not located in or adjacent to an environmentally sensitive natural area, residential or other sensitive land use, or on lands with cultural heritage or archaeological potential		**ASP**	**X**	

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
7 Retire any water infrastructure facility (see Glossary for definition of Retirement)	**X**			
NEW DRINKING WATER SYSTEMS AND WATER SUPPLY				
8 New water systems for which an approval under the *Safe Drinking Water Act, 2002* is not required	**X**			
9a Install new or replacement wells or deepen existing wells or increase pumping capacity of existing wells, at an existing municipal well site, where the existing rated yield will not be exceeded	**X**			
9b Install a new well on an existing municipal well site • *This does not include the construction of a new water system*		**ASP**	**X**	
9c Deepen or increase the pumping capacity of an existing well where the well is located on an existing municipal well site and the existing rated yield will be exceeded. • *This does not include the construction of a new water system*	**X**			
9d Establish a well at a new municipal well site			**X**	
10a Construct new water system including a new well				**X**
10b Construct new water system including a water distribution system				**X**
11 Establish a new surface water source				**X**
12 Artificially recharge an existing aquifer from a surface water source for purposes of water supply				**X**
WATER TREATMENT FACILITIES				
13 Increase water treatment plant capacity through improvements to operations and maintenance activities only, but without construction of works to expand, modify or retrofit the plant	**X**			

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
14 Install chemical or other process equipment or provide additional treatment facilities such as filtration for operational or maintenance purposes in existing treatment plants	**X**			
15a Expand / refurbish / upgrade water treatment plant up to existing rated capacity where no land acquisition is required	**X**			
15b Expand existing water treatment plant including intake up to existing rated capacity where land acquisition is required			**X**	
15c Construct new water treatment plant or expand existing water treatment plant beyond existing rated capacity				**X**
16 New, expansion or replacement of water intake pipe for a surface water source			**X**	
17 Install sewer connections for disposal of process wastewater		**ASP**	**X**	
18 Establish facilities for disposal of process wastewater (e.g., construct holding pond, dewatering and hauling operations to disposal sites) where the facility does not require new property or property is not disturbed, is not a significant drinking water threat in a source water protection area or requires a new outfall or does not discharge to a sensitive receiver, and is not located on lands with cultural heritage or archaeological potential		**ASP**	**X**	

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
SEWAGE SYSTEMS – MAINTENANCE, OPERATION, COLLECTION, STORAGE & RETIREMENT				
19 Normal or emergency operational activities (see Glossary definition for Operation). Such activities may include, but are not limited to, the following: • modify, repair, reconstruct existing facilities to provide operational, maintenance or other improvements such as reducing odour, insulating buildings to reduce noise levels and conserve energy, landscaping • on-going maintenance activities • normal operation of sewage treatment plants • installation of new service connections, catch basins and appurtenances from existing sewers • maintenance and/or minor improvements to grounds and structures • addition of minor buildings, sheds and equipment and materials storage areas • repairs, cleaning, renovations or replacement of sewage treatment facilities, pumping plant equipment or outfalls • cleaning, relining, repairs and renovations to existing sewage collection system	**X**			
20 Install chemical or other process equipment for operational or maintenance purposes in existing sewage collection system or existing sewage treatment facility	**X**			
21 Retire any wastewater infrastructure facility (see Glossary for definition of Retirement)	**X**			
22a Establish, extend, or enlarge a sewage collection system and all necessary works to connect the system to an existing sewage outlet, where it is required as a condition of approval on a site plan, consent plan of subdivision or plan of condominium which will come into effect under the *Planning Act* prior to the construction of the collection system	**X**			
22b Establish, extend, or enlarge a sewage collection system and all necessary works to connect the system to an existing sewage or natural drainage outlet, provided all such facilities are in either an existing road allowance or an existing utility corridor, including the use of Trenchless Technology for water crossings	**X**			
22c Establish, extend or enlarge a sewage collection system and all works necessary to connect the system to an existing sewage outlet where such facilities are not located in an existing road allowance, or existing utility corridor			**X**	

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
23a Increase pumping station capacity by adding or replacing equipment and appurtenances, where new equipment is located in an existing building or structure	**X**			
23b Increase pumping station capacity where new equipment is located in a new building or structure and the new building or structure is located on the existing pumping station site, or located on municipally owned lands adjacent to the existing pumping station site where the lands are not in an environmentally sensitive natural area • *Refer to "environmentally sensitive natural area" in the Glossary*		**ASP**	**X**	
23c Increase pumping station capacity where new equipment is located in a new building or structure and the new building or structure would be located outside the existing pumping station site			**X**	
24d Construct new pumping station where the facility is not located in or adjacent to an environmentally sensitive natural area, residential or other sensitive land use, or on land with cultural heritage or archaeological potential		**ASP**	**X**	
25 Communal sewage systems (new or expanded) with subsurface effluent disposal subject to approval under Section 53 of the *Ontario Water Resources Act*			**X**	
26 A new municipal holding tank that is designed for the total retention of all sanitary sewage disposed into it and requires periodic emptying			**X**	
27 Construct new sewage system, including outfall to receiving water body and/or a constructed wetland for treatment				**X**
SEWAGE TREATMENT FACILITIES				
28a Increase sewage treatment plant capacity beyond existing rated capacity through improvements to operations and maintenance activities only, but without construction of works to expand, modify or retrofit the plant or the outfall to the receiving the water body, with no increase to total mass loading to receiving water body as identified in the Environmental Compliance Approval	**X**			
28b Increase sewage treatment plant capacity beyond existing rated capacity through improvements to operations and maintenance activities only but without construction of works to expand, modify or retrofit the plant or the outfall to the receiving water body			**X**	

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
where there is an increase to total mass loading to the receiving water body as identified in the Environmental Compliance Approval				
29a Expand / refurbish / upgrade sewage treatment plant including outfall up to existing rated capacity where no land acquisition is required	**X**			
29b Expand sewage treatment plant, including relocation or replacement of outfall to receiving water body, up to existing rated capacity where new land acquisition is required			**X**	
29c Construct new sewage treatment plant or expand existing sewage treatment plant beyond existing rated capacity including outfall to receiving water body				**X**
30a Establish sewage flow equalization tankage for influent and/or effluent control within existing sewer system or at existing sewage treatment plants, or at existing pumping stations where no property acquisition is required		**ASP**	**X**	
30b Establish sewage flow equalization tankage for influent and/or effluent control within existing sewer system, at existing sewage treatment plant, or at existing pumping station where property must be acquired for the infrastructure			**X**	
31a Provide additional treatment facilities in existing lagoons, such as aeration, chemical addition, post treatment, including expanding lagoon capacity up to existing rated capacity, provided no land acquisition nor additional lagoon cells are required	**X**			
31b Add additional lagoon cells or establish new lagoons or install new or additional sewage storage tanks at an existing sewage system, where land acquisition is required but existing rated capacity will not be exceeded			**X**	
31c Establish new lagoons or expand existing lagoons or install new or additional sewage storage tanks which will increase beyond existing rated capacity				**X**
32a Expansion of the buffer zone between a lagoon facility or land treatment area and adjacent uses where the buffer zone is entirely on the proponent's land	**X**			

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
32b Expansion of the buffer zone between a lagoon facility or land treatment area and adjacent uses, where the buffer zone extends onto lands not owned by the proponent			**X**	
33a Dispose of, utilize, or manage biosolids on an interim basis (e.g., further treatment in drying beds, composting, temporary holding at transfer stations), at: a) An existing sewage treatment plant where the biosolids is generated, or b) An existing landfill site, incinerator or organic soil conditioning site, where the biosolids is to be utilized or disposed of	**X**			
33b Establish a new biosolids organic soil conditioning site	**X**			
33c Establish biosolids management facilities at: a) A sewage treatment plant where the biosolids were not generated b) An existing landfill site, incinerator or organic soil conditioning site where the biosolids are not to be disposed of nor utilized			**X**	
33d Establish a new biosolids landfill site or new biosolids incineration site for purposes of biosolids disposal				**X**
34 Establish a new transfer station or new storage lagoon not located at a sewage treatment plant, incinerator, landfill site, or organic soil conditioning site, for purposes of biosolids management				**X**
35 Construct new sanitary or combined sewage retention / detention facility at a new location				**X**
36 Provide for land application of sewage effluent through spray irrigation system or overland flow				**X**
STORMWATER MANAGEMENT SYSTEMS				
37 Roadside ditches, culverts and other such incidental stormwater works constructed solely for the purpose of servicing municipal road works	**X**			
38a Establish new or modify, retrofit or improve LID features within an existing road allowance or an existing utility corridor		**ASP**	**X**	

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
38b Establish new or modify, retrofit or improve LID features where property acquisition is required			**X**	
39 Modify, retrofit, or improve a retention/detention facility including outfall or infiltration system for the purpose of stormwater quality control. Biological treatment through the establishment of constructed wetlands is permitted • *Note – Biological treatment refers to passive treatment systems*	**X**			
40a Establish new or replace or expand existing stormwater detention/retention ponds or tanks and appurtenances including outfall to receiving water body provided all such facilities are in either an existing utility corridor or an existing road allowance where no additional property is required	**X**			
40b Establish new or replace or expand existing stormwater detention/retention ponds or tanks and appurtenances including outfall to receiving water body where all such facilities are not located in an existing utility corridor, or an existing road allowance or where property acquisition is required			**X**	
41 Construct a stormwater control demonstration or pilot facility for the purpose of assessing new technology or procedures.			**X**	
42 Establish stormwater infiltration system for end-of-pipe control and/or for groundwater recharge • *This does not include LID features*			**X**	
43 Construct new or modify, retrofit or improve existing retention/detention facility or infiltration system for the purpose of stormwater quality control where **active** chemical or biological treatment or disinfection is included, including outfall to receiving water body				**X**
44 Construction of stormwater management facilities which are required as a condition of approval on a consent, site plan, plan of subdivision or condominium which will come into effect under the Planning Act prior to the construction of the facility. • *This includes LID features*	**X**			

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
WATER CROSSINGS				
45 Establish, extend, or enlarge a sewage collection system and all necessary works to connect the system to an existing sewage or natural drainage outlet, provided all such facilities are in either an existing road allowance or an existing utility corridor, including the use of Trenchless Technology for water crossings	**X**			
46 Establish, extend or enlarge a water distribution system and all works necessary to connect the system to an existing system or water source, provided all such facilities are in either an existing road allowance or an existing utility corridor, including the use of Trenchless Technology for water crossings	**X**			
47 Water crossing for a new or replacement water or sewage facility where the facility will be supported by an existing bridge or structure and the project does not involve in-water works or significant modifications to the bridge or structures piers or abutments; the bridge or structure does not have cultural heritage value; and additional property is not required		**ASP**	**X**	
48 Water crossing for a new or replacement water or sewage facility where the project is not otherwise described in this table			**X**	
SHORELINE/IN WATER WORKS – NOTE: refer to the notes for Table B for shoreline/inwater works projects above.				
49 Replace traditional materials in an existing watercourse or in slope stability works with material of equal or better properties, at substantially the same location and for the same purpose	**X**			
50 Reconstruct an existing dam or weir at the same location and for the same purpose, use and capacity	**X**			
51 Construct berms along a watercourse for purposes of flood control in areas subject to damage by flooding.			**X**	
52 Modify existing water crossings for the purposes of flood control			**X**	
51 Works undertaken in a watercourse for the purposes of flood control or erosion control, which may include:			**X**	

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
• bank or slope regrading • deepening the watercourse • relocation, realignment or channelization of watercourse • revetment including soil bio-engineering techniques • reconstruction of a weir or dam				
52 Construction of spillway facilities at existing outfalls for erosion or sedimentation control			**X**	
53 Construct a fishway or fish ladder in a natural watercourse, expressly for the purpose of providing a fishway			**X**	
54 Reconstruct existing weir or dam at the same location where the purpose, use and/or capacity are changed			**X**	
55 Removal of an existing weir or dam			**X**	
56 Enclose a watercourse in a storm sewer			**X**	
57 Construction of a diversion channel or sewer for the purpose of diverting flows from one watercourse to another				**X**
58 Construct new shore line works, such as off-shore breakwaters, shore-connected breakwaters, groynes and sea walls				**X**
59 Construct a new dam or weir in a watercourse				**X**
OTHER PROJECTS				
60 Installation and operation of standby power equipment	**X**			
61 Construct new or expand/modify existing service facilities (e.g., patrol yards, storage and maintenance facilities, parking lots for service vehicles) provided project is subject to *Planning Act* requirements and conforms with municipal and other requirements	**X**			

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
62 Projects planned and approved under Ontario Regulation 586/06: Local Improvement Charges – Priority Lien Status (see Section A.2.10.4)	**X**			
63 Any water, wastewater or stormwater project classified as a Schedule B or C undertaking where the proponent determines that the work must be undertaken to address an emergency and the Director of the EAB is notified, and the Conservation Authority where relevant. A situation created by intentional delay does not constitute an emergency. • *Notice should be provided as soon as possible, or within 30 days at the latest*	**X**			

Table C: Municipal Transit Projects

Project Description	Exempt	Eligible for Screening	Schedule B	Schedule C
1 Reconstructing a water crossing associated with a rail line or a linear component of a transit system, if the reconstructed water crossing will not have the same location, purpose, use or hydraulic capacity as it had before the reconstruction.			**X**	
2. Reconstructing a rail line or a linear component of a transit system if the reconstructed rail line or linear component of a transit system will not have the same location, purpose or use as it had before the reconstruction				**X**
3 Widening or extending a rail line or linear component of a transit system				**X**
4 Construction of new passenger stations in or adjacent to a sensitive area			**X**	
5 Construction of new passenger pick-up/drop off area or park and ride lot in or adjacent to a sensitive area			**X**	
6 Widening a road to create transit lanes for bus or light rail				**X**
7 Constructing in or adjacent to a sensitive area a new grade separation in respect of a rail line or a linear component of a transit system				**X**
8 Constructing a new maintenance facility in or adjacent to a sensitive area				**X**
9 Constructing a new storage yard in or adjacent to a sensitive area			**X**	
10 Construction of a new Transit System Note: the list of activities below that were exempted from the Act as of May 1, 2019.				**X**

For reference purposes, the following undertakings were listed as Schedule A and A+ projects in the MCEA on May 1, 2019.

1 General maintenance of all transit-related facilities

2 General service operations

3 New, extended or expanded transit stops (including roadside shelters on road bays and platforms)

4 Construction of localized operational improvements at specific locations (i.e., stopping lanes, access lanes, turning lanes, queue jump lanes, and roadway access ramps etc.)

5 Installation, construction or reconstruction of traffic control devices with no or minimal adverse environmental effects (i.e., signing, signalization)

6 New Intelligent Transportation System elements for transit systems (e.g., signal priority for transit)

7 Installation of safety projects with no or minimal adverse environmental effects (i.e., lighting, glare screens, safety barriers, energy attenuation)

8 Culvert repair or replacement where the capacity of the culvert is not increased beyond the minimum municipal standards or capacity required to adequately drain the area, whichever is greater and where there is no change in drainage area

9 Culvert repair or replacement where the capacity of the culvert or drainage area is changed

10 Reconstruction of water crossing where the reconstructed facility will be for the same purpose, use, capacity and at the same location as the facility being reconstructed (capacity refers to hydraulic capacity)

11 Reconstruction of linear components of a transit system where the reconstructed facility will be for the same purpose, use, and location as the facility being reconstructed (e.g., resurfacing of an existing Reserved Bus Lane (RBL) or reconstruction of existing streetcar track)

12 Redesignation of an existing General Purpose Lane (GPL) or High Occupancy Vehicle (HOV) lane to a transit lane through signage and pavement marking modifications (i.e., not requiring physical construction)

13 Reconstruction of stations, maintenance/storage facilities, passenger pickup/drop off areas (e.g., Kiss and Ride), park and ride lots, etc. where no land acquisition is required

14 Expansions, improvements and modifications to existing stations, maintenance and storage facilities, passenger pick-up/drop off areas (e.g., Kiss and Ride), park and ride lots, etc. 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

15 Expansions, improvements and modifications to existing stations, maintenance and storage facilities, passenger pick-up/drop off areas (e.g., Kiss and Ride), park and ride lots, etc. 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.

16 Construction of new stations not 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

17 Construction of new passenger pick-up/drop off areas (e.g., Kiss and Ride), and park and ride lots not 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

18 Construction of a new electrical substation associated with an existing transit facility

19 Construction of a transit loop

20 Construction of new storage facilities not 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

21 Construction of noise barriers (i.e., structures such as walls and berms or a combination of the two)

22 New fence installations not associated with another project

23 Utility removal, modification or relocation for safety, operational or aesthetic purposes

24 Restoration of a facility immediately after a natural or man-made disaster provided the facility is for the same purpose, use, and at the same location

25 Temporary, not permanent, activity with a defined duration and with the intent to go back to the original condition, unless it is determined to make it a permanent condition which would have to be approved through the Class EA process where applicable

26 Decommissioning of existing major transit facilities (i.e., facilities requiring construction activities for decommissioning)

Appendix 2: Mitigating Measures for Potential Adverse Environmental Effects

Sections B.3.3 and C.3.3 and D.3.3 refer to the mitigation of potential adverse environmental effects. This Appendix provides examples of possible site-specific situations and the measures which might be taken to mitigate the effects identified.

This list is illustrative only and the proponent must identify project-specific effects during the planning and design process and document these and the appropriate mitigating measures.

With any potential adverse environmental effects, the objectives are to avoid, prevent or minimize impacts.

Reference to the Provincial Policy Statement issued under the *Planning Act* and associated reference manuals, may also be useful.

Effect	Mitigating Measures	Application Where/When
SURFACE DRAINAGE SYSTEM		
Sedimentation and turbidity of adjacent water bodies	• erosion control measures • buffers and setbacks • sediment traps • staging work • bio-engineering techniques	After site grading and during construction on slopes and channels Collect sediment before entering drainage channel During biologically critical periods
Ponding effects on adjacent properties due to natural drainage disruption	• appropriate use of culverts, porous backfill and tile drains • apply natural channel design principles	In new construction projects and expansion
Streambank erosion from diversion, construction or channelization of watercourse	• erosion control measures • bio-engineering techniques	River crossings, drainage outlets
Contamination of surface waters through runoff, spills, leaks and disinfection activities	• provision for spill control • fast accurate reporting of spill • spill containment • stockpile materials or devices for spill control	As a general practice and particularly in vicinity of water bodies, wetlands

Effect	Mitigating Measures	Application Where/When
	• avoid adverse soil conditions • monitor facility for leaks • implement disinfection techniques in concert with fisheries requirements • pollution prevention and source control by best management land use practices and best management stormwater practices. • buffers and setbacks • install check dams on drainage swales	
Blasting exposes rocks containing soluble minerals that could potentially contaminate surface water supply, i.e., sulfate, lead, arsenic	• subsurface investigation, i.e., geochemical analysis of bedrock • avoid blasting in areas containing toxic materials	Areas of shallow soil over relevant bedrock type (normally occurring in Canadian Shield)
Changes in volume of surface runoff	• use design measures to minimize increase in surface runoff	New impervious surfaces
Changes in flood storage capacity by placing fill and structures in floodplain	• avoid placing fill and structures in floodplain or compensate • flood and fill permits from Local Conservation Authority	Construction within river valleys. Disposal of excess fill.
GROUNDWATER		
Through blasting, expose rocks containing soluble minerals that could potentially contaminate groundwater, e.g., sulfate, lead, arsenic	• subsurface investigation, i.e., geochemical analysis of bedrock • avoid blasting in areas containing toxic minerals	Areas of shallow soil over bedrock. Rock cuts and excavations.
Interference of shallow aquifers and springs	• hydrogeologic investigation to identify such areas in advance • develop alternatives to avoid impacts	Excavations
Reduce groundwater quantity through construction dewatering	• locate construction activities • away from groundwater users and water bearing formations (soils) where possible • proper dewatering techniques	Depletion or lowering of shallow aquifers and springs by groundwater utilization

Effect	Mitigating Measures	Application Where/When
	• seasonal constraints on construction	
Spills or leaks resulting in contamination of groundwater supply	• construction refueling precautions • land filling precautions • operation and storage precautions	Near watercourses and on site generally. Areas of high infiltration capability.
Drainage of wetland areas resulting in a reduced groundwater contribution to surface waterbodies	• avoid wetland areas • utilize appropriate backfill material, i.e., high permeable backfill is unsuitable	Trenching, excavation, placing fill, dewatering
Reduced surface water recharge to groundwater particularly in soils with high permeability	• restrict extent of impervious surfaces in zones of high permeability	Subsurface barriers, e.g., foundations, areas of impervious
Interference with groundwater movement	• maintenance of the existing groundwater regime through engineering design	Excavations, drainage, construction, dewatering, e.g., in roadbeds, foundations and trenches
Contaminations of adjacent wells through runoff from construction	• erosion and sediment control • locate projects appropriately • setbacks	Construction adjacent to well sites and exposed aquifers
FISH, AQUATIC WILDLIFE AND VEGETATION		
Introduction of warmer water from ponds into colder surface watercourse	• appropriate selection of ponding site • pond design • infiltrate into groundwater system • planting to provide shade	Dewatering of trench and excavations. Sediment traps. Extend detention ponds.
Modification or removal of aquatic habitat; displacement of plants and animals	• stage work to non-critical times • restore stream substrate • choose suitable site for stream diversions • seasonal constraints	During construction, e.g., river crossings, dewatering of excavations

Effect	Mitigating Measures	Application Where/When
Reduced water quality of nearby surface water having value as wildlife habitat	• provisions for spill control • fast and accurate reporting of spill • spill containment • stockpile materials or devices for spill control • avoid adverse soil conditions • minimize tree removal • buffers and setbacks	Storm sewers, ditches, diversions and by-passing
Timing effects of construction on spawning, nesting and breeding periods	• staging of work to avoid spawning and breeding periods • seasonal constraints for cold and warmwater systems	For stream crossings and diversions
Lowering of water table resulting in reduced contribution to streams and stress of riparian vegetation	• design to maintain existing groundwater flows • restrict extent of impervious surfaces in zones of high infiltration	Dewatering of trenches, excavations and aquifers. Areas of newly created impervious surfaces.
Increased nutrient loading of existing habitats	• buffers and setbacks • provisions for spill control • land filling precautions	Near watercourses and on site generally.
Drainage of wetland areas causing mortality or stress to animals and possible changes in species composition	• maintain existing groundwater regime • avoid wetland areas • utilize appropriate backfill material,	Trenching or excavating
Siltation to surface watercourses resulting in “smothered” plants and animals due to the deposition of silt and increased turbidity of surface watercourses	• utilize suitable backfill material • trench drainage should be discharged to settling areas before being permitted to enter surface waterbodies • erosion control measures • staging of work	Road bed and ditch construction. Storm sewer outfalls. Erodible soils, stockpiles.
Stress on biological communities	• consider the carrying capacity of the local natural environment	Municipal infrastructure is necessary to service projected municipal / population growth. This increases

Effect	Mitigating Measures	Application Where/When
	• avoid sensitive periods such a breeding seasons	stress on recreational and natural resources.
Tree removal will affect the amount of sunlight reaching waters and affect plan productivity and increase watercourse temperatures	• avoid tree removal near surface waterbodies • restoration planting	Stream crossings
TERRESTRIAL VEGETATION AND WILDLIFE		
Introduction of exotic plant species through erosion control restoration	• restoration planting • use annuals which later die out • use indigenous (native) species only	On slopes and other areas to control erosion. In any distribution area requiring restoration work.
Changes in vegetative composition as a result of loss of topsoil and subsoil or mixing	• restore site by replacing soils in preconstruction horizons	Trenching or excavating
Removal or disturbance of significant trees and/or ground flora	• review status of species • avoid these areas • employ tree protection measures	During site grading and construction phase of any project
New or increased exposure of forest edge with resultant effects of windthrow, leading to loss of habitat for wildlife	• avoid woodlots and similar areas • pre-stress woodlots • restore edges	During site grading and construction phase of any project
Mortality / stress due to changes in soil moisture conditions, resulting in loss of wildlife habitat	• minimum fragmentation of forest habitat • avoid poorly drained areas • use of appropriate roadbed and backfill materials • revegetation using indigenous species able to survive new conditions	During construction of roadbed and storm sewers

Effect	Mitigating Measures	Application Where/When
HERITAGE RESOURCES		
Deterioration of sites, structures or landscapes having archaeological, historical or architectural values, as a result of environmental changes	• avoid where possible • employ necessary steps to decrease harmful environmental impacts such as vibration, alterations of water table, etc.	Where appropriate with respect to archaeological, historical or architectural resources
Unwanted increase in public access and potential vandalism	• fence off area of concern • prevent public access	Where appropriate with respect to archaeological heritage resource
Threatened viability of, or opportunity for, retention of sites having heritage value	• avoid these areas • record or salvage information on features to be lost	Where appropriate with respect to significance of the heritage recourse
Unavoidable alteration to or destruction of heritage structures or archaeological sites	• record or salvage information on features to be lost	Where appropriate with respect to significance of the heritage resource
Disruption of quiet enjoyment	• staging of construction to cause least disruption • employ noise and dust control measures	As general practice.
AGRICULTURAL		
Soil contamination by chemicals	• minimize use of de-icing materials • establish and enforce chemical handling standards • provide for emergency clean-up and soils replacement	As general practice.
Loss of productive farmland	• avoid prime agricultural areas • direct where possible to non-agricultural designations • locate and design facilities so as to minimize land requirements and construction disturbance • rehabilitate disturbed areas	In agricultural and rural areas.

Effect	Mitigating Measures	Application Where/When
Disruption of field access	• minimize severance of farm properties • provide alternative access points at critical times	In agricultural and rural areas.
Disturbance of livestock by noise and dust during construction	• employ noise and dust control measures	In agricultural and rural areas.
Disruption of tile and surface drainage systems	• stage construction work • restore tile and surface drainage system	In agricultural and rural areas.
Loss of biosolids use as fertilizer	• improve biosolids quality	In agricultural and rural areas.
Decrease in groundwater	• design to minimize dewatering effects • provide recharge	In agricultural and rural areas.
Facilities inconsistent with or disrupt character of prime agricultural area	• avoid prime agricultural areas • avoid major capital infrastructure, i.e., barns, dryers, etc. • comply with MDS	In agricultural and rural areas.
Climate change on which crops including specialty crops depend	• avoid and design facilities so as to not adversely disrupt the micro-climate (cold air drainage) on which crops depend	In agricultural and rural areas Specialty crop designation in Municipal Official Plans.
Effects of physical changes in operation due to property loss	• compensation	In agricultural and rural areas.
Loss of infrastructure	• avoid major capital investments in infrastructure • avoid major livestock facilities	In agricultural and rural areas.
RESIDENTIAL, INSTITUTIONAL, COMMERCIAL AND INDUSTRIAL		
Disruption of pedestrian movements between adjacent uses	• maintain continuity of pedestrian walkway system as much as possible • provide walkway strips to adjacent residential areas	As general practice. Where suitable.
Disruption of tourism facilities	• stage construction • employ noise and dust control measures • provide crosswalks and sidewalks at access points	As general practice. Where suitable.

Effect	Mitigating Measures	Application Where/When
Facilities inconsistent with or which disrupt character of area	• preserve existing amenities as much as possible • design and site structures to blend with adjacent building forms and materials • site grading; utilize berms or other screening devices	As general practice. Where suitable.
Temporary disruption during construction and/or inconvenience to users of adjacent properties and building	• notify public agencies and adjacent owners of construction scheduling • prepare emergency program to ensure quick resolution of servicing problems • consult with public agency and/or adjacent landowners regarding temporary access routes • schedule construction so as to minimize period of disruption in proximity of adjacent uses and structures • ensure access for emergency response vehicles / personnel • apply noise and vibration control measures (use quieter equipment, maintain equipment properly)	Where substantial inconvenience or disruption to adjacent uses would be experienced and where measures would substantially reduce effects. As general practice.
Removal of residences and other buildings	• co-ordinate removal program to minimize inconvenience • carry out heritage assessment as appropriate	As general practice.
OUTDOOR RECREATION		
Temporary disruption of open space activities during construction	• employ noise and dust control measures • staging of construction to cause least disruption	In areas within or adjacent to public open space.
Effects of physical changes in layout of recreational uses due to property loss	• compensate by providing facilities elsewhere	In areas within or adjacent to public open space.

Effect	Mitigating Measures	Application Where/When
SOILS GEOLOGY		
Erosion by wind, water and ice	• restoration planting • stage work • avoid highly erodible soils • stabilize slopes • compaction • chemical stabilizers • gravel blankets • seeding • sodding • toe drainage	Erodible soils in excavations, cut and fill areas. Stockpiles, cut slopes.
Slumping of encroached slopes	• avoid potentially unstable slopes • mechanical stabilization methods • revegetation (only effective once the root infrastructure has developed) • restrict dewatering near slopes • engineering design to control potential slumping	Steep slopes. Cut slopes. Removal of the toe of a slope during construction. Dewatering.
Rockfall hazard	• buffer zone • initiate rockfall at potential failures	Blasting. Steep weathered slopes.
Loss of aggregate and mineral resources	• avoid sites of aggregate and mineral reserves • extract aggregate and minerals prior to construction	Zones of economic aggregate and mineral occurrence.
Contamination of soils by petro-chemicals, etc.	• remedial measures to avoid spills and leaks • contingency plan for clean-up	During construction.
Mixing of topsoil with subsoil	• stripping and stockpiling of topsoil separate from subsoil	Generally in areas of undisturbed soils.

Effect	Mitigating Measures	Application Where/When
TOPOGRAPHY / LANDFORMS		
"Scarring" of significant landscape features	• avoid significant features	Designation of significant feature, i.e., landmark.
CLIMATIC FEATURES		
Drought, increased flooding, changes in water levels, increases in surface water runoff due to extreme weather events and climate change	Consider the following: • Design associated drainage and storm ponds to manage extreme weather events • Use of pervious pavement or reduce impervious pavement and other low impact development methodologies to manage or reduce storm water runoff and on-site flow control • Increase elevations of structures over waterways • Increased capacity of sewer and treatment systems to accommodate additional flows • Monitoring and adaptive management to manage flow rates • Artificial destratification to manage evaporation • Stormwater runoff to roadside ditches and/or grassed swales • Back-up features and infrastructure for upset conditions and emergency response procedures (e.g., standby	Construction in close proximity to buildings or activity areas

Effect	Mitigating Measures	Application Where/When
	power for water and waste water facilities) • Water conservation and efficiency through leakage/loss detection and prevention in distribution system	
Cracked concrete during freeze thaw cycles; deterioration of roadway/structures sooner than anticipated	Consider using materials resilient to freeze-thaw effect and salting, and survive higher temperatures	Design and construction
PUBLIC HEALTH		
Exhaust emissions from construction equipment and vehicles	• minimize operation on site, control location on site	Where adjacent uses or natural vegetation could be adversely affected
Effects on groundwater elevation of existing subsurface sewage disposal systems e.g., septic systems	• monitor groundwater levels and, if necessary, take appropriate action	Where appropriate
Groundwater contamination	• construction refueling precautions • fill design and operation precautions • precautions in operation and storage facilities • containment of leachate maintenance facilities	On site generally.
Effects of emergency by-passing of sewage	• contact potentially affected government agencies and public downstream within 24 hours of by-pass event	In all cases.
OPERTIONAL AND CONSTRUCTION NOISE		
Proximity to noise sensitive land uses (e.g., hospitals); insufficient setbacks;' road grades (steep hills); high traffic volumes; poor road	• relocate major roads away from sensitive land uses, divert traffic • reduce grades of hills	As general practice. Construction in urban areas.

Effect	Mitigating Measures	Application Where/When
surface; stopping / starting of truck traffic; operation of construction equipment	• use appropriate asphalt surface to reduce tire noise • institute truck prohibitions • construct noise barriers • modify speed limits • proper maintenance of equipment	

Appendix 3: Recommended Agency Contacts

The table below identifies those review agencies that a proponent should contact based on the nature of the environment in which the project will be implemented and the potential effects a project may have. Proponents are not limited to those agencies identified in the table below. The proponent is responsible for determining the appropriate agencies to contact.

The following guidelines are expected to be useful to proponents developing projects under Schedules B or C. Reference to the Provincial Policy Statement issued under Section 3 of the Planning Act, and associated reference manuals, would also be useful.

Abbreviations:

ECCC	Environment and Climate Change Canada
MCM	Ministry of Citizenship and Multiculturalism
MECP	Ministry of the Environment, Conservation and Parks
MMAH	Ministry of Municipal Affairs and Housing
MND	Ministry of Northern Development
MINES	Ministry of Mines
MNRF	Natural Resources and Forestry
MTO	Ministry of Transportation
DFO	Fisheries and Oceans Canada

Works Directly Affecting	Example	Contact
Permanent and intermittent water courses and waterbodies, navigable waterways	• rivers • streams, creeks • marshes, bogs • lakes, ponds • outfalls, crossings • municipal drains	• Conservation Authority • Local MNRF Office (in all cases) • MECP Regional Office (or other appropriate MECP offices) • DFO - Habitat Management • ECCC
Groundwater	• wells, aquifers • groundwater recharge areas	• Local Health Unit and/or MECP Regional Office • Local MNRF Office
Navigable Waterways	• navigable waterways	• Transport Canada
Rare, endangered or significant assemblage of wildlife fish and plant species	• list pursuant to the Endangered Species Act • game species • regionally significant wildlife, fish or flora	• MECP Species at Risk Branch • Conservation Authority • COSEWIC • ECCC
Migratory Birds	• migratory birds	• ECCC
Fisheries, fish habitat	• rivers, lakes • navigable waters • highways	• Local MNRF Office • Conservation Authority • DFO - Habitat Management

Works Directly Affecting	Example	Contact
Environmentally sensitive area	• ESA as defined and identified on OP or in MNRF's or Conservation Authority's plans	• Local MNRF Office • MECP • Conservation Authority • Local/Regional Municipality
Hazard Lands	• unstable soils • steep slopes • floodplain land	• Local MNRF Office • Conservation Authority • Local/Regional Municipality
Woodlots	• Agreement Forests • Significant Woodland	• Local MNRF Office • Local/Regional Municipality
Natural Heritage Features	• provincially, regionally and locally significant natural heritage features (such as significant woodlots and wetlands) and associated ecological functions • National Wildlife areas	• Regional and local municipality • Local MNRF Office • Conservation Authority • MECP Regional Office • ECCC
Ornamental or Street Trees	• trees on municipal land	• Owner of property immediately • adjacent to lands containing trees • municipal staff responsible for trees
Recreational Areas	• Provincial Parks and park reserves • Conservation areas • Niagara Parks Commission • National Parks • Heritage Lands • Municipal Parks, open spaces and trail system	• Owner of recreational property • MCM • Local MNRF Office • MECP - Parks • Conservation Authority • Local/Regional Municipality • Canadian Heritage - Parks Canada
Tourist Facilities	• motels • restaurants, scenic lookouts	• MCM
Historical or Archaeological Resources	• historic buildings • heritage structures (e.g., bridges) • scenic areas • archaeological sites (historic and pre-historic) • historic regions, e.g., Rideau-Trent-Severn Corridor	• MCM • Local Heritage or Historical Group including Local Architectural Conservation Advisory Committee (LACAC) • Canadian Heritage • Indigenous Communities

Works Directly Affecting	Example	Contact
	• cultural heritage landscapes	
Indigenous Community Traditional Territories and Reserves	• roadways • sewage and water facilities • places of importance for reasons of traditional use, sacred significance and cultural and natural heritage significance	• Indigenous Communities • MECP Regional Office
Social Service Facilities	• homes for the aged • psychiatric homes • group homes • hospitals	• Ministry of Children, Community and Social Services - District Office
Transportation Service Facilities	• highways • navigable waters / harbours • St. Lawrence Seaway • airports • railway crossings	• MTO - District Office and Regional Manager of Engineering and Right-of-Way • Transport Canada Canadian Transportation Agency
Utilities	• electrical, telephone, oil, gas pipelines	• Hydro One • Local Utility Companies
Sensitive or Special Planning Areas	• regionally significant growth centres • major industrial parks, subdivisions • development in Northern Ontario • areas with potential for tourism development / designation	• MMAH • Ministry of Economic Development and Trade • MND • MCM • Local/Regional Municipality
Prime agricultural areas and specialty crop areas	• areas designated for prime agricultural in Municipal Official Plans and/or areas where soil Classes 1, 2 and 3 predominate	• Ontario Ministry of Agriculture, Food and Rural Affairs • Local Agricultural Representative • Local/Regional Municipality
Where project is being either partially or entirely federally funded or involves federal land	• federal infrastructure programs • sale or leasing of federal lands	• funding agency or landowner
Works directly affecting “Great Lakes interconnecting channels”	• St. Mary’s River • St. Clair River • Detroit River • Niagara River	• Local MNRF Office (in all cases) • DFO - Canadian Coast Guard

Works Directly Affecting	Example	Contact
	• St. Lawrence River	• DFO - Habitat Management • ECCC • Foreign Affairs and International Trade • MECP
Niagara Escarpment Planning Area		• Niagara Escarpment Commission
Parkway Belt Planning Area		• MMAH - Provincial Planning and Environmental Services Branch
Oak Ridges Moraine		• MNRF • MMAH
Planning Act and Provincial Policy Statements	• where the Ministry of Municipal Affairs and Housing is the Planning Act approval authority • where an inter-jurisdictional project is contemplated • where new services would substantially increase growth capability outside an urban designation	• MMAH - Provincial Planning and Environmental Services Branch • appropriate *Planning Act* approval authority where it is not MMAH
IN ALL CASES	• every situation	• MECP EA Coordinator (Regional Email Address) • property owners adjacent to project site • local area municipality (as appropriate) • local regional municipality (as appropriate) • County or Planning Board potentially affected members of the public, landowners and adjacent municipalities
Contaminated Sites	• current or historical waste disposal sites • current or abandoned mine sites/feature	• MECP regional office • MND and MINES (for mines)

Works Directly Affecting	Example	Contact
	• Canada Ontario Agreement Areas of Concern	• ECCC
Source Water Protection	Vulnerable Areas as defined by the Clean Water Act	• Source Protection Authority • MECP Regional Office, Source Protection Programs Branch • Conservation Authority
Air Quality	Local and regional air quality	MECP Regional Office

Appendix 4: Master Plans

4.1 Introduction

This appendix should be read in conjunction with Section A.2.7 of Part A. Master Plans are long range plans which integrate infrastructure requirements for existing and future land use with EA planning principles. These plans examine an infrastructure system(s) or group of related projects to outline a framework for planning for subsequent projects and/or developments. At a minimum, Master Plans must follow the same steps as Phases 1 and 2 of the MCEA process.

The master planning approach recognizes that there are real benefits to the process when comprehensive plans are undertaken for projects which have some commonalities, such as geography or function. A Master Plan provides a municipality with a broad framework through which the need and justification for specific projects can be established and the MCEA process can be satisfied. Master Plans are discussed in Section A.2.7 while additional explanatory information and sample notices are in this Appendix.

4.2 Features of Master Plans

Key features of a Master Plan include:

- addresses the key principles of successful environmental planning (see Section A.1.1)
- follows at least the first two phases of the MCEA and can also cover other phases
- allows for an integrated process with other planning initiatives
- provides a strategic level assessment of various options to better address overall system needs and potential impacts and mitigation
- is generally long term
- takes a system wide approach to planning which relates infrastructure either geographically or by a particular function
- recommends an infrastructure master plan which can be implemented through the implementation of separate projects
- includes a description of the specific projects (including anticipated project schedule)
- all notices clearly identify the approach being followed

Examples of Master Plans include wastewater and water servicing plans for an entire, or major portions of a municipality; wastewater treatment plans and water supply plans for a community or municipality; watershed plans; transportation master plans; and infrastructure master plans.

4.3 Section 16 Order Requests

The provisions of section 16 under the EAA apply to projects that are being planned pursuant to a master planning process. Refer to section A.2.8 for details.

4.4 Approval of Master Plans

A Master Plan would typically be subject to approval by the municipality. A Master Plan does not require approval under the EAA. However, any specific projects within a Master Plan must fulfill all appropriate Class EA requirements. Requests for an order to comply with section 16 of the EAA would be possible only for those projects identified in the Master Plan which are subject to the MCEA and not the Master Plan itself.

4.5 Master Planning Process

The master planning process is discussed in Section A.2.7. A summary of the various approaches is provided below.

	Approach 1	Approach 2*	Approach 3*
Level of Detail	Broad (project specific information is minimal) Used as support for subsequent Schedule B and C project specific studies	Sufficient to fulfil requirements for Schedule B projects (more detailed project specific information is included) Used as support for subsequent Phase 3 and 4 for Schedule C project specific studies	Sufficient to fulfil requirements for Schedule B and C projects (more detailed project specific information is included)
Process	Preliminary Phase 1 and 2	Phase 1 and 2	Phase 1 to 4
Final Notice	Notice of Master Plan *This should not be called a Notice of Completion	Final notice becomes Notice of Completion for Schedule B projects	Final notice becomes Notice of Completion for Schedule B and C projects
Integration with Planning Act*	***Official Plan and Secondary Plan**	***Official Plan and Secondary Plan, Plan of Subdivision, etc.**	***Official Plan, Secondary Plan, Plan of Subdivision, etc.**

* The various master planning approaches provide proponents with flexibility to customize their master plans to suit their needs. See section A.2.7 for information on modified approaches 2 and 3.

4.6 Master Plan Reviews and Updates

Master Plans are long term plans that will likely be implemented over many years. Accordingly, before a proponent can proceed with one of the identified projects in the Master Plan, the proponent must complete the applicable MCEA process with complete and current information.

Depending on the scope and level of analysis of the Master Plan, the requirements of Phases 1 and 2 may have been satisfied at the project specific level. Alternatively, Phases 1 and 2 may have to be revisited as they relate to specific projects. In addition, for Schedule B projects, it would be necessary to fulfil the consultation and documentation requirements.

For Schedule C projects, it would be necessary to fulfil the additional requirements of Phases 3 and 4 and consider the site-specific issues which were beyond the scope of the master planning process. If the Master Plan is dated (i.e., older than ten years) and does not include complete and current information, the proponent may need to re-visit the information in the Master Plan as part of the project specific investigations prior to issuing the Notice of Completion for the Schedule B or C project.

For those projects where a Notice of Completion has been issued, the lapse of time provision applies.

It is recommended that proponents review and update their Master Plans on a regular basis. The proponent should include within the Master Plan, regardless of the approach followed, a process which clearly states when and how the Master Plan will be reviewed. Regular updates will permit the proponent to simply reference the complete and current information in the Master Plan when completing the MCEA process for a project.

For example, the Master Plan could be reviewed every five years to determine the need for a detailed formal review and/or updating. Potential changes which may trigger the need for a detailed review include:

- major changes to original assumptions;
- major changes to components of the Master Plan;
- significant new environmental effects; and
- major changes in proposed timing of projects within the Master Plan.

Appendix 5: Public Consultation

5.1 Consultation Plan

Section A.3 of Part A identifies the mandatory requirements for public notification and consultation. This, however, is the minimum. Proponents must develop an approach to consultation which incorporates the minimum mandatory requirements while reflecting the needs of the specific project, the community in which it is located, potentially affected and interested stakeholders and Indigenous Communities.

Accordingly, at the outset of the study, the proponent should develop a consultation plan identifying:

- who is to be consulted
- what they will be consulted about
- where they will be contacted in the process
- how they will be consulted, i.e., what methods will be used
- how input will be integrated in the study and decision-making
- the manner in which comments and concerns will be responded to
- how the plan will be monitored to determine its effectiveness

When developing a consultation plan, the main considerations are:

- the scope of the problem or opportunity being addressed
- the level of complexity and sensitivity
- potential environmental issues and impacts
- specific community characteristics and needs
- available resources
- approaches used on other similar studies in the community
- appropriate methods for the specific project
- ensuring that Indigenous Communities are appropriately consulted

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).

5.2 Methods of Public Consultation

There are numerous methods for contacting and consulting with the public including the following:

Purpose	Methods
Notification	• notices in newspapers • notices mailed and/or emailed to persons directly affected (mandatory) • notices posted in community facilities • notices sent to resident associations, specified interest groups, etc. • radio / TV announcements • notices posted at the site of the project • notices posted on the municipality's website/project website
Provision of Study Information	• information package distributed by mail or made available at a community facility or municipal office • newsletter • display panels in a community facility • website
Information Collection / Exchange	• public information centre; public open house; public consultation centre; public involvement centre (in person or virtual) • workshops for the public, specific interest or community groups and/or for representatives of different groups • small group meeting • meeting on a one-to-one basis • "kitchen table" meeting • field trip / site visit • comment sheets, surveys or questionnaires • telephone calls • personal visits • creation of a public liaison committee • representation on the Study Team

For a more detailed description of consultation methods and techniques, please refer to the most current consultation guide prepared by the Ministry of the Environment, Conservation and Parks. See section A.1.7.

Most projects will likely require a combination of methods. When determining the appropriate methods to use, the following should be considered:

- potential audience size
- level of involvement - i.e., potential for information exchange and input
- degree of information exchange that can be expected
- potential to identify issues
- potential to resolve contentious or outstanding issues
- special needs of the participants

5.3 Information about the Municipal Class Environmental Assessment

It is the responsibility of the proponent to explain the MCEA process including the ability to request a section 16 order, to any interested persons or Indigenous Communities. Proponents should make a copy of the MCEA available for review to those who request it and have a copy available at public locations when the study is being discussed. It is also desirable to make available to members of the public, a summary of the main points related to the MCEA. A sample public handout about the MCEA is provided. It was prepared for a hypothetical project in a hypothetical municipality.
When referring to a specific project, it is desirable to identify where the project is in terms of the Class EA process.

5.4 Resolution of Conflicts and Disputes

The MCEA identifies the need for consultation early in and throughout the process and the need for those with concerns to discuss them with the proponent.

There may be projects, however, where issues cannot be resolved and so conflict resolution techniques may be appropriate. The main types of conflict resolution are:

Facilitation
Facilitation involves a third party to assist in the discussion of issues and concerns among the participants and assist them in arriving at mutually agreeable solutions. Facilitation refers to a flexible approach that encourages the open exchange of ideas and opinions. Facilitation is an art - it requires listening carefully to hear what a person is really saying, ensuring others are receptive to what is being said, and encouraging all sides to work co-operatively in developing solutions. In some cases, facilitation may result in a consensus - when an agreement is reached to the satisfaction of everyone. In other cases, facilitation may at least result in a narrowed list of issues that remain to be resolved.

Negotiation
Negotiation is possible when all sides - the proponent and the parties - want resolution of the outstanding issues and are willing to engage in negotiations. An outside person is not always necessary but may be helpful in assisting the proponent and interested parties to form their own positions and responses to what the other proposes.

Negotiations often require those in dispute to consider trade-offs and compromise. Effective negotiation results in proponents and interested parties arriving at mutually agreeable solutions.

Mediation
Mediation may be required when the proponent and participants have reached the point where no further discussion is possible without the intervention of a neutral third party. Mediation is a voluntary, more formalized conflict resolution process, and may include the mediator meeting with each side separately to identify what the problems are and then create a new process to resume discussions. Disputes requiring mediation are

often emotionally charged and require skillful handling by an experienced professional. The mediator has no authority to impose a settlement. The desired outcome of mediation includes an improved relationship between the proponent and parties, together with solutions that are mutually acceptable.

Arbitration
Arbitration is a technique involving a neutral third-party acceptable to all sides, who is retained to hear the positions of those in dispute and then issue a decision that resolves the conflict or dispute. The decision of the arbitrator is binding on all parties. Arbitration is a formal conflict resolution process and is used only when the proponent and interested parties cannot arrive jointly at an acceptable resolution. However, any decision of the arbitrator must respect the requirements of the EAA.

For additional information refer to MECP's Code of Practice: Using Mediation in the Environmental Assessment Process.

5.5 Sample Public Handout

The Town of North Falls is undertaking the study of Patricia Avenue and is planning this project through the Schedule 'C' (Municipal Road Projects) process in accordance with the requirements of the Municipal Class Environmental Assessment.

The purpose of this handout is to provide an overview of the Municipal Class Environmental Assessment Process; and, to explain the role of the public in the process and opportunities to get involved.

Ontario's *Environmental Assessment Act*
The purpose of the *Environmental Assessment Act* (EAA) is "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". The EAA broadly defines "environment" to include natural, social, cultural, built and economic components.

Environment Assessment (EA) is a decision-making process to promote good environmental assessment planning. The key features are:

- Early consultation
- Consideration of a reasonable range of alternatives
- Assessment of environmental effects
- Systematic evaluation of alternatives
- Clear documentation and traceable decision making

There are generally two types of EA processes that have been established by the EAA:

1. **Comprehensive Environmental Assessments** – A comprehensive EA application consists of a terms of reference and an EA prepared in accordance with Part II.4 of the EAA and submitted to the ministry for approval.

Comprehensive EAs are generally required for large-scale, complex projects with the potential for significant environmental effects.

3. **Streamlined EAs** – Streamlined EAs including Class EAs, establish a process that proponents may follow for a class of projects, which if followed allows the proponent to proceed with the undertaking without requiring further approval, subject to an order being made requiring the project to proceed through a comprehensive EA process.

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT

The Municipal Class Environmental Assessment provides a streamlined EA process for municipal infrastructure projects, including roads, water, wastewater, and transit. Projects being planned using the Municipal Class Environmental Assessment are broken up into different schedules, with different requirements applying to the different schedules.

Exempt Projects

These projects are exempt from the requirements of the EAA. They are generally limited in scale and have minimal adverse effects on the environment.

Eligible to be Screened to Exemption

These projects are eligible for exemption based on the results of a screening process. If as a result of the screening process the project is not exempt, the applicable schedule B or C assessment process must be completed. Proponents can also choose at the outset to not follow a screening process and just complete the applicable B or C process.

Schedule B

These projects have the potential for some adverse environmental effects. As part of the process, the proponent is required to consult and a Project File Report must be prepared and made available for review by the public, government agencies and Indigenous Communities.

Schedule C

These projects have the potential for more significant environmental effects than a Schedule B project and must proceed through the full planning and documentation process, including consultation. An Environmental Study Report must be prepared and made available for review by the public, government agencies and Indigenous Communities.

PUBLIC INVOLVEMENT

Members of the public with an interest in the project can participate in the Class EA process by providing background information, advising the proponent of their support and concerns, reviewing and providing comments and input about the study findings. For Schedule C projects there are three mandatory opportunities for public involvement as shown below. Government agencies and Indigenous Communities are also involved

in reviewing projects.

You will have the opportunity to learn more about the project and consultation opportunities through public notices in newspapers, online on the project website and signs in the community. Consultation opportunities will include public information centres, community workshops and / or municipal council meetings. Members of the public with an interest in the study should ask to be placed on the study mailing list to receive notification of the consultation opportunities for a specific project.

To provide your comments or to be placed on the study mailing list, please contact the following:

Study Contact: Municipality / Proponent
Mailing Address
Phone
Fax
Email
Website

You may provide written comments to our project team by DATE. All comments and concerns should be sent directly to PROPONENT CONTACT at the COMPANY/MUNICIPALITY.

The proponent will work with the public, Indigenous Communities and government agencies to determine the preferred means of addressing a problem or opportunity. If a person has concerns, the concerns should be discussed directly with the proponent to see if they can be resolved.

A request for an order may be made to the Ministry of the Environment, Conservation and Parks under section 16 of the EAA, asking the Minister to impose conditions in addition to those in the Class EA or to require a comprehensive EA on the grounds that the order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests on other grounds will not be considered. Requests should include the requester contact information and full name.

Requests should specify what conditions, if any, the requestor is seeking or that a comprehensive EA is being sought, how the requested order may prevent, mitigate or remedy potential adverse impacts on Aboriginal and treaty rights, and any other information in support of the request.

Additional information regarding this process may be obtained from the Town of North Falls.

Appendix 6: Sample Notices

6.1 Sample Notices for MCEA Projects

The following sample notices are provided:
Schedule B and C

A. 1st mandatory contact, Phase 2: Public comment invited or Notice of Study Commencement
B. 1st mandatory contact, Phase 2: Notice with Optional Public Consultation
C. 2nd mandatory contact, Phase 3: Notice of Public Consultation Centres
D. 3rd mandatory contact, Phase 4: Notice of Completion
E. Revisions and Addenda to ESR: Notice of Addendum

Please note that the notices describe hypothetical projects in a hypothetical municipality and are intended only as a guide. In addition, the format style, title or content may vary from municipality to municipality to suit specific circumstances and local requirements.

The following information must be included in all notices at a minimum:

- Date the notice was issued;
- Project name, description, purpose;
- Proponent name;
- Proponent contact information (address, phone, email);
- Name of the Class EA (e.g., the Municipal Class Environmental Assessment);
- Schedule of Class EA being followed (B, C);
- Map of where the project is located (where applicable);
- Where documents are located for viewing or information (where applicable);
- Timeframe for the public comment period (must be a minimum of 30 days)(where applicable);
- Meeting locations (where applicable);
- Project website address (where applicable);
- *Freedom of Information and Protection of Privacy Act* (FIPPA) disclaimer;
- Ability to request a Section 16 Order on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights; and
- Information on who/where the Section 16 Order request must be sent to including Minister of the Environment, Conservation and Parks, Environmental Assessment Branch (EAB) Director, and proponent contact

All notices should be written in language that is easy to understand and must be submitted to the ministry as outlined in Section A.1.5.1.

SAMPLE NOTICE A: NOTICE OF STUDY COMMENCEMENT

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT – EXPAND CAPACITY OF SOUTH FALLS WATER TREATMENT PLANT

The Town of South Falls is growing rapidly and the new growth requires access to municipal water. The Town of South Falls will study and then identify and consider options to expand the capacity of the existing water treatment plant on John St. Additional property may be required to accommodate a project to expand the water treatment plant.

INSERT MAP

The project is being planned following the **Schedule C** process in the **Municipal Class Environmental Assessment**. For further information on the project, or on the planning process being followed consult www.southfalls.ca/expandcapacitywtp or contact:

Town of South Falls - Paul Smith, P.Eng. Project Manager 175 Bridge Street South Falls, ON, K7C 2V8 Tel: 613-257-6207 E-mail: psmith@southfalls.ca

ABC Associates Limited - Andrew Black, Address, Phone, ablack@consultant.com Public, Indigenous Community and stakeholder input and comment are invited, for incorporation into the planning and design of this project and will be received until June 10, 2022. Subject to the identification of a preferred plan to expand the capacity of the water treatment plant, and the receipt of necessary approvals, the Town of South Falls intends to proceed with this project in the next five years.

This Notice is issued April 26, 2022.

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

SAMPLE NOTICE B: NOTICE OF STUDY COMMENCEMENT WITH OPTIONAL PUBLIC CONSULTATION CENTRE

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT FOR
REPLACEMENT OF THE CENTRAL BRIDGE

Bridge Street is the major arterial road in downtown South Falls and is the central link across the River. The traffic volumes are impeding traffic flow, particularly for through traffic, and business operations in the downtown.

The Town of South Falls needs to identify and then consider options to improve traffic congestion on Bridge St. These options could potentially include widening Bridge St to four lanes or constructing a new parallel arterial road on which some traffic could be diverted.

INSERT MAP OF PROJECT LOCATION

The project is being planned following the **Schedule C** process in the **Municipal Class Environmental Assessment**. As such, extensive public and technical agency consultation will play a key role in developing the study recommendations. At this time, it is anticipated that three (3) Public Consultation Centres (PCC) will be held during the study.

The first PCC will be held to present preliminary information on the project and to receive input from the public on the key issues and constraints within the study area. The PCC will be held as an informal “Open House” format with materials pertaining to the study on display and members of the project team on hand to answer questions and discuss issues related to the project.

Public Consultation Centre #1:
Date: Wednesday May 16, 2018
Time: 4:00 to 7:30 pm
Location: South Falls Canoe Club, 179 John St.

If you would like more information prior to the first public consultation centre, or to be included on the mailing list for this project, please contact one of the following members of the Project Team:

Town of South Falls - Paul Smith, P.Eng. Project Manager 175 Bridge Street South Falls, ON, K7C 2V8 Tel: 613-257-6207 E-mail: psmith@southfalls.ca
ABC Associates Limited - Andrew Black, Address, Phone, ablack@consultant.com

This Notice is issued April 26, 2018

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

SAMPLE NOTICE C1: NOTICE OF 1ST PUBLIC CONSULTATION CENTRE

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT
TRAFFIC CONGESTION ON BRIDGE ST.

Bridge Street is the major arterial road in downtown South Falls and is the central link across the River. The traffic volumes are impeding traffic flow, particularly for through traffic and business operations in the downtown.

The Town of South Falls is considering options to improve traffic congestion on Bridge St. including widening Bridge St. to four lanes or constructing a new parallel arterial road on which some traffic could be diverted.

INSERT MAP OF PROJECT LOCATION

The project is being planned through the **Schedule C** process in the **Municipal Class Environmental Assessment**. As such extensive public and technical agency consultation will play a key role in developing the study recommendations.

This first PCC is being scheduled to present general alternatives being considered to improve traffic congestion on Bridge St. The PCC will be held as an informal "Open House" with materials pertaining to the study on display and members of the project team on hand to answer questions and discuss issues related to the project.

Public Consultation Centre #1
Date: Wednesday, June 27, 2018
Time: 4:00 p.m. – 7:30 p.m.
Location: Town Hall – Auditorium (175 Bridge Street, South Falls, ON)

If you would like more information prior to the public consultation centre or to be added to the study mailing list, please contact one of the following members of the Project Team.

Town of South Falls – Paul Smith, P.Eng. Project Manager, 175 Bridge St. South Falls, ON, K7C 2V8 – Tel xxx-xxx-xxxx, E-mail : psmith@southfalls.ca

ABC Associated Limited – Andrew Black, Address, Phone; Email: ablack@cousultant.com

This Notice is issued July 14, 2018

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

SAMPLE NOTICE C2: NOTICE OF 2ND PUBLIC CONSULTATION CENTRE

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT
TRAFFIC CONGESTION ON BRIDGE ST.

Bridge Street in downtown South Falls is congested and through traffic flow must be improved on this important arterial road. To address this congestion, the Town of South Falls is considering options for locating a new parallel arterial road on which some traffic could be diverted.

The project is being planned through the Schedule C process in the Municipal Class Environmental Assessment. As such, extensive public and technical agency consultation will play a key role in developing the study recommendations. Preliminary project information and planning alternatives were presented at the 1st Public Consultation Centre.

INSERT MAP OF PROJECT

A 2nd Public Consultation Centre (PCC) is being scheduled to present alternative design concepts for the preferred solution to construct a new arterial road.

The PCC will be held as an informal "Open House" with materials pertaining to the study on display, and members of the project team on hand to answer questions and discuss issues related to the project.

Public Consultation Centre #2
Date: Monday November 19, 2018
Time: 4:00 pm to 7:30 pm
Location: Town Hall – Auditorium (175 Bridge Street, South Falls, ON)

If you would like more information prior to the public consultation centre or to be added to the study mailing list, please contact one of the following members of the Project Team:
Town of South Falls - Paul Smith, P.Eng. Project Manager 175 Bridge Street South Falls, ON, K7C 2V8 Tel: 613-257-6207 E-mail: psmith@southfalls.ca

ABC Associates Limited - Andrew Black, Address, Phone, ablack@consultant.com
This Notice first issued November 8, 2018.

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

SAMPLE NOTICE D1: NOTICE OF COMPLETION

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT
TRAFFIC CONGESTION ON BRIDGE STREET

The Town of South Falls has completed the Class Environmental Assessment to address traffic congestion on Bridge St in the Downtown. The recommended solution is to construct a new arterial road to the east that parallels Bridge St and provides an alternative route on which traffic will be diverted.

INSERT MAP OF PROJECT LOCATION

The Town has planned this project through the Schedule "C" process of the Municipal Class Environmental Assessment (2023). As such, public and technical agency consultation played a key role in developing the study recommendations.

An Environmental Study Report (ESR) documenting the planning process undertaken, details of the study recommendations as well as potential impacts and mitigation measures, has been completed and is being made available for public review. Subject to comments received following this Notice and the receipt of approvals, the Town intends to proceed with construction of the recommended project as outlined in the ESR.

The ESR is available for review on the Town's website (www.southfalls.ca) and at the South Falls Town Hall (175 Bridge Street) during regular hours of operation Monday to Friday. Further information may be obtained from one of the following members of the project team:
Town of South Falls - Paul Smith, P.Eng. Project Manager 175 Bridge Street South Falls, ON, K7C 2V8 Tel: 613-257-6207 E-mail: psmith@southfalls.ca

ABC Associates Limited - Andrew Black, Address, Phone, ablack@consultant.com
Interested persons may provide written comments to our project team by **[date]**. All comments and concerns should be sent directly to the Town of South Falls at the **[address]**.

In addition, a request to the Minister of the Environment, Conservation and Parks for an order imposing additional conditions or requiring a comprehensive environmental assessment may be made on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests should include your full name and contact information.

Requests should specify what kind of order is being requested (additional conditions or a comprehensive environmental assessment), explain how an order may prevent, mitigate or remedy potential adverse impacts, and can include supporting information.

The request should be sent to:

Minister of the Environment, Conservation and Parks
Ministry of the Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto ON M7A 2J3
minister.mecp@ontario.ca

and

Director, Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto ON, M4V 1P5
EABDirector@ontario.ca

Requests should also be sent to the Town of South Falls by mail or e-mail. Please visit the ministry's website for more information on requests for orders under section 16 of the *Environmental Assessment Act* at: https://www.ontario.ca/page/class-environmental-assessments-part-ii-order

All personal information included in your request – such as name, address, telephone number and property location – is collected, under the authority of section 30 of the *Environmental Assessment Act* and is collected and maintained for the purpose of creating a record that is available to the general public. As this information is collected for the purpose of a public record, the protection of personal information provided in the *Freedom of Information and Protection of Privacy Act* (FIPPA) does not apply (s.37). Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential.

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

This Notice is issued on **[date]**.

SAMPLE NOTICE D2: NOTICE OF COMPLETION

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT – EXPAND CAPACITY OF SOUTH FALLS WATER TREATMENT PLANT

The Town of South Falls is growing rapidly and the new growth requires access to municipal water. The Town of South Falls has studied alternatives and determined that the capacity of the water treatment plant should be expanded by installing another treatment filter, installing an addition high lift pump and expanding the size of the clear well for water storage. To minimize the visual impact of this project, the clear well water storage tank will be underground. Additional property for this project will be acquired prior to construction. The estimated cost of $2.5m will be funded entirely from development charges.

INSERT MAP OF PROJECT LOCATION
The Town has planned this project through the Schedule B process in the Municipal Class Environmental Assessment. As such, public and technical agency input played a key role in developing the study recommendations.

A Project File Report documenting the planning process undertaken, details of the study recommendations as well as potential impacts and mitigation measures, has been completed and is being made available for public review. Subject to comments received following this Notice and the receipt of approvals, the Town intends to proceed with construction of the recommended project, as outlined in the Project File Report.

The Project File Report is available for review on the Town's website (www.southfalls.ca) and at the South Falls Town Hall (175 Bridge Street) during regular hours of operation Monday to Friday. Further information may be obtained from one of the following members of the project team:

Town of South Falls - Paul Smith, P.Eng. Project Manager 175 Bridge Street South Falls, ON, K7C 2V8 Tel: 613-257-6207 E-mail: psmith@southfalls.ca

ABC Associates Limited - Andrew Black, Address, Phone, ablack@consultant.com

Interested persons may provide written comments to our project team by [date]. All comments and concerns should be sent directly to the Town of South Falls at the [address].

In addition, a request to the Minister of the Environment, Conservation and Parks for an order imposing additional conditions or requiring a comprehensive environmental assessment may be made on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests should include your full name and contact information.

Requests should specify what kind of order is being requested (additional conditions or a comprehensive environmental assessment), explain how an order may prevent, mitigate or remedy potential adverse impacts, and can include any supporting information.

The request should be sent in writing or by email to:

Minister of the Environment, Conservation and Parks
Ministry of the Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto ON M7A 2J3
minister.mecp@ontario.ca

and

Director, Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto ON, M4V 1P5
EABDirector@ontario.ca

Requests should also be sent to the Town of South Falls by mail or e-mail.

Please visit the ministry's website for more information on requests for orders under section 16 of the *Environmental Assessment Act* at: https://www.ontario.ca/page/class-environmental-assessments-part-ii-order

All personal information included in your request – such as name, address, telephone number and property location – is collected, under the authority of section 30 of the *Environmental Assessment Act* and is collected and maintained for the purpose of creating a record that is available to the general public. As this information is collected for the purpose of a public record, the protection of personal information provided in the *Freedom of Information and Protection of Privacy Act* (FIPPA) does not apply (s.37). Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential.

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

This Notice is issued **[date]**.

SAMPLE NOTICE E: NOTICE OF ADDENDUM

TOWNSHIP OF DARTFORD
MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT
WATER SUPPLY AUGMENTATION
FIRST CONCESSION RECHARGE SYSTEM
NOTICE OF ADDENDUM

Construction of the First Concession Recharge System commenced in the summer of 2019. The York River Pumping Station and the trunk watermains were completed in late September. Due to unexpected soil conditions at the southerly end of Dartford Hill however, construction of the lagoons and infiltration trenches was halted to allow a review of the design to be undertaken.

An addendum has now been completed to the Environmental Study Report issued June 1, 2019. The project was planned through the Schedule C Municipal Class Environmental Assessment process. The Addendum contains details of the revised recharge system and the amended construction schedule. The Township is seeking comments on the proposed changes as outlined in the Addendum.

The Addendum is available for public, government agency and Indigenous Community review in accordance with the requirements of the Municipal Class Environmental Assessment. Subject to comments received following this Notice, the Township intends to proceed with the construction of this project in the summer of 2021. The estimated cost is $725,000.

The addendum is available for review at www.dartford.ca and at the following location(s):

Township Office, Township of Dartford, Township Road 20, Dartford, ON. Mon-Fri: 8:30 a.m. - 4:30 p.m. Telephone: (519) 765-4321	Resource Centre, YM-YWCA, 3rd Floor, 123 First Avenue, Dartford, ON. Mon-Sat: 9:00 a.m. - 9:00 p.m. Telephone: (519) 456-7123

Further information may be obtained from the Township's consultants, ABC Engineering Limited, 100 Main Street, Huntington, ON K0L 1C0. Telephone (519) 123-4567. Attention Ms. Julie Appleby, Chief Hydrogeologist jappleby@ABC.com

Interested persons may provide written comments to our project team by **[date]**. All comments and concerns should be sent directly to the Town of South Falls at the **[address]**.

In addition, a request to the Minister of the Environment, Conservation and Parks for an order imposing additional conditions or requiring a comprehensive environmental assessment may be made on the grounds that the requested order may prevent,

mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests should include your full name and contact information.

Requests should specify what kind of order is being requested (additional conditions or a comprehensive environmental assessment), explain how an order may prevent, mitigate or remedy potential adverse impacts, and can include any supporting information. The request should be sent in hardcopy or by email to:

Minister of the Environment, Conservation and Parks
Ministry of the Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto ON M7A 2J3
minister.mecp@ontario.ca

and

Director, Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto ON, M4V 1P5
EABDirector@ontario.ca

Requests should also be sent to the Town of South Falls by mail or by e-mail.

Please visit the ministry's website for more information on requests for orders under section 16 of the *Environmental Assessment Act* at: https://www.ontario.ca/page/class-environmental-assessments-part-ii-order

All personal information included in your request – such as name, address, telephone number and property location – is collected, under the authority of section 30 of the *Environmental Assessment Act* and is collected and maintained for the purpose of creating a record that is available to the general public. As this information is collected for the purpose of a public record, the protection of personal information provided in the *Freedom of Information and Protection of Privacy Act* (FIPPA) does not apply (s.37). Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential.

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

This Notice is issued **[date]**.
Reeve John McKay
Township of Dartford Hill
R.R. #1, Dartford, ON

6.2 Sample Notices for Master Plans

Given the broad scope of Master Plans, the different approaches and the potential diversity of their implementation, notices may vary and therefore the following sample notices are provided to information purposes only:

A. Notice of Commencement and Public Consultation Centre #1 for Approach #1

    1. Note to Users: In some cases these could be separate notices, i.e., a notice of study commencement followed at a later date by a notice of the first public consultation centre.

B. Notice of Public Consultation Centre #2 for Approach #1

C. Notice of Study Completion for Approach #1

D. Notice of Study Completion for Approach #2

E. Notice of Study Completion for Approach #3

Regardless of the approach, proponents must ensure that the minimum mandatory notification requirements outlined in this Class EA are met.

MASTER PLAN SAMPLE NOTICE A: NOTICE OF STUDY COMMENCEMENT AND PUBLIC CONSULTATION CENTRE #1

NORTH FALLS MASTER PLAN
NOTICE OF STUDY COMMENCEMENT AND PUBLIC CONSULTATION CENTRE #1*

THE STUDY

The Town of North Falls is carrying out a study to determine infrastructure requirements for the Town to service the proposed doubling of our population. This study is being conducted in accordance with the requirements of Phases 1 and 2 of the Municipal Class Environmental Assessment. The Master Plan is following **Approach #1.**

The Master Plan will have a broad scope and level of assessment. The analysis will be on a regional or systems scale to identify infrastructure needs and establish broader alternatives and solutions. The Master Plan will form the basis for future, more detailed investigations for projects that are subject to the *Environmental Assessment Act*.

WE WANT TO HEAR FROM YOU

Public consultation is a key component of this study. The proposed consultation plan provides for public consultation centres at two points in the study: Spring 2020 - to review the problem; and Fall 2020 - to review alternative solutions. In addition, there will be an opportunity to review the final Master Plan report.

The study area is as shown on the attached key plan. The first public consultation centre has been arranged to review and receive input from the public about the collection of background information and identification of the problem:

Date
Time
Location

STUDY CONTACTS

All those with an interest in the study are urged to attend. If you have any questions or wish to be added to the study mailing list, please contact:

Project Manager phone
Address fax
e-mail

or visit our website at
www.northfalls.com

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

This Notice is issued **[date]**.

MASTER PLAN SAMPLE NOTICE B: NORTH FALLS MASTER PLAN NOTICE OF PUBLIC CONSULTATION CENTRE #2

STUDY STATUS

The Town of North Falls is carrying out a study to determine infrastructure requirements for the Town to service proposed future development. The Master Plan is being prepared in accordance with **Approach #1** of the Municipal Class Environmental Assessment. The study area is as shown on the attached key plan. Based on the study findings to date and comments received from technical agencies and the public, a series of alternative solutions have been developed to address proposed transportation, water and wastewater requirements.

SECOND PUBLIC CONSULTATION CENTRE

The first public consultation centre was held on May 1, 2020, to introduce the study. As a result of comments received from the public and interested persons, additional investigations were conducted regarding heritage resources in the study area. Thereafter, alternative solutions were developed and assessed in terms of their environmental effects.

A second public consultation centre has been arranged to review and receive input from the public about the alternative solutions, and the preliminary identification of a preferred master plan solution:

Date:
Time:
Place:

STUDY CONTACTS

All those with an interest in the study are urged to attend. If you have any questions or wish to be added to the study mailing list, please contact:

Project Manager phone
Address fax
e-mail

or visit our website at
www.northfalls.com

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

This Notice issued **[date]**.

MASTER PLAN SAMPLE NOTICE C: NORTH FALLS MASTER PLAN NOTICE OF MASTER PLAN

RECOMMENDED MASTER PLAN
The Town of North Falls has prepared a Master Plan following Phases 1 and 2 of the Municipal Class Environmental Assessment process. The Master Plan is following **Approach #1**. The study area is as shown on the attached key plan.

Based on the study findings and input from technical agencies and the public, the recommended Master Plan is as shown on the attached key plan. The Master Plan identifies the recommended infrastructure to service the future growth of the Town while minimizing environmental impacts. The recommended Master Plan incorporates the comments received from the public and agencies during the study. The main components are listed below. While the Master Plan addresses need and justification at a broad level, more detailed studies for each of the projects included in the Master Plan will be done later following the Municipal Class Environmental Assessment.

TYPE OF PROJECT

SCHEDULE B PROJECTS • water • wastewater • roads	**STATUS** • While the Master Plan generally addresses Phases 1 and 2 of the Municipal Class Environmental Assessment, additional investigations will be carried out at a later date and published in a Project File Report.
SCHEDULE C PROJECTS • water • wastewater • roads	• Master Plan generally addresses Phases 1 and 2 of the Municipal Class Environmental Assessment • Additional investigations will be carried out at a later date for the remaining components of Phase 1 and 2 as well as Phases 3 and 4 will be completed for each project at a later date and documented in an Environmental Study Report

The Master Plan is available for review at the following locations:
Municipal Office Local Library or on the town website at www.northfalls.com/masterplan

Please forward any comments to the Study Contact by <date>. Thereafter, the Master Plan will be reviewed and revised taking into consideration the comments that are received from the public. The recommended Master Plan will be presented to Town Council for approval.

Project Manager
Address
Phone
E-mail

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

This Notice is issued **[date]**.

SAMPLE NOTICE D: NORTH FALLS MASTER PLAN
NOTICE OF COMPLETION

RECOMMENDED MASTER PLAN
The Town of North Falls has prepared a Master Plan that fulfills Phases 1 and 2 of the Municipal Class Environmental Assessment. The Master Plan is following **Approach #2.** The study area and identified project locations are as shown on the attached key plan.

The Master Plan has been completed with a level of detail sufficient to fulfil the requirements for projects classified as Schedule B in the Municipal Class Environmental Assessment; however more detailed studies for each of the projects in the Master Plan classified as Schedule C will be done at a later date.

Based on the study findings and input from technical agencies and the public, the recommended Master Plan is as shown on the attached key plan. The Master Plan identifies the recommended infrastructure to service the future growth of the Town while minimizing environmental impacts. The recommended Master Plan incorporates the comments received from the public and agencies during the course of the study.

The following Schedule B projects are identified as completing the Municipal Class Environmental Assessment process through the Master Plan.

- Project #1
- Project #2
- Project #3

Interested persons may provide written comments to our project team by **[date].** All comments and concerns should be sent directly to the Town of North Falls at the **[address].**

In addition, a request to the Minister of the Environment, Conservation and Parks for an order imposing additional conditions or requiring a comprehensive environmental assessment may be made on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests should include your full name and contact information.

Requests should specify what kind of order is being requested for what project(s)(additional conditions or a comprehensive environmental assessment), explain how an order may prevent, mitigate or remedy potential adverse impacts, and can include any supporting information.

The request should be sent by mail or by email to:
Minister of the Environment, Conservation and Parks
Ministry of the Environment, Conservation and Parks

777 Bay Street, 5th Floor
Toronto ON M7A 2J3
minister.mecp@ontario.ca

and

Director, Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto ON, M4V 1P5
EABDirector@ontario.ca

Requests should also be sent to the Town of South Falls by mail or by e-mail. Please visit the ministry's website for more information on requests for orders under section 16 of the *Environmental Assessment Act* at: https://www.ontario.ca/page/class-environmental-assessments-part-ii-order

The Master Plan is available for review at the following locations:

Municipal Office, Local Library or on the town website at 222.northfalls.com/masterplan

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

This Notice is issued **[date]**.

SAMPLE NOTICE E: NORTH FALLS MASTER PLAN
NOTICE OF COMPLETION

RECOMMENDED MASTER PLAN

The Town of North Falls has prepared a Master Plan that fulfills the requirements of the Municipal Class Environmental Assessment. The Master Plan is following **Approach #3.** The study area and identified project locations are as shown on the attached key plan.

Based on the study findings and input from technical agencies and the public, the recommended Master Plan is as shown on the attached key plan. The Master Plan identifies the recommended infrastructure to service the future growth of the Town while minimizing environmental impacts. The recommended Master Plan incorporates the comments received during the study. The Master Plan has been completed at a level of detail sufficient to fulfil the requirements the projects included in the Master Plan that are classified as Schedule B and C in the Municipal Class Environmental Assessment.

The following Schedule B and C projects are identified as completing the Municipal Class Environmental Assessment process through the Master Plan.

Project #1 – Schedule B	Project #4 – Schedule C
Project #2 – Schedule B	Project #5 – Schedule C
Project #3 – Schedule B	Project #6 – Schedule C

Interested persons may provide written comments to our project team by **[date]**. All comments and concerns should be sent directly to the Town of South Falls at the **[address]**.

In addition, a request to the Minister of the Environment, Conservation and Parks for an order imposing additional conditions or requiring a comprehensive environmental assessment may be made on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests should include your full name and contact information.

Requests should specify what kind of order is being requested for what project(s) (additional conditions or a comprehensive environmental assessment), explain how an order may prevent, mitigate or remedy potential adverse impacts, and can include any supporting information.

The request should be sent by mail or email to:
Minister of the Environment, Conservation and Parks
Ministry of the Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto ON M7A 2J3
minister.mecp@ontario.ca

and

Director, Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto ON, M4V 1P5
EABDirector@ontario.ca

Requests should also be copied to the Town of South Falls by mail or by e-mail. Please visit the ministry's website for more information on requests for orders under section 16 of the *Environmental Assessment Act* at: https://www.ontario.ca/page/class-environmental-assessments-part-ii-order

The Master Plan is available for review at the following locations:

Municipal Office, Local Library or on the town website at 222.northfalls.com/masterplan

This notice was issued on (insert date)

[Placeholder for proponents to insert notice of collection text, as required under any protection of privacy legislation (e.g., FIPPA, MFIPPA, as required).]

Appendix 7: Integrated Approach

Consultation Guidance and Considerations for the MCEA and the *Planning Act*

Note: This chart highlights existing key notice and consultation information – users are responsible for all statutory and regulatory requirements.

MUNICIPAL CLASS ENVIRONMENTAL ASSESMENT	PLANNING ACT
Mandatory Notice/Consultation Requirements	
Mandatory public consultation is required at key decision points during the MCEA process. The method of consultation is discretionary (e.g., Open House, Public Meeting) Public notice requirements are described in A.3.5.3. Proponents are encouraged to establish their own custom policies for providing notice to the public.	Minimum of one statutory public meeting is required. Refer to the • *Planning Act* (see sections 17, 22, 28 or 51 for relevant instrument type), **and** • O.Reg. 543/06 (official plan/plan amendments and community improvement plans), **or** • O.Reg. 544/06 (plan of subdivision/condominium) • Official plan/plan amendments, community improvement plans Earliest day to hold a public meeting − **20 days** after the requirements for giving notice are met Plan of Subdivision/Condominium Latest time to hold a public meeting − **14 days** before a decision is made
Mandatory Notices and Consultation Notice of Commencement Notice of Completion Project File Report (Schedule B)	Mandatory Notices and Consultation Official plan/secondary plan, community improvement plans: - Plans to be publicly available and consulted on -Notice of statutory public meeting -Notice of decision and appeal rights to Ontario Land Tribunal (OLT)

MUNICIPAL CLASS ENVIRONMENTAL ASSESMENT	PLANNING ACT
Notice of Public Consultation Centre in Phase 3 (Schedule C) -Environmental Study Report (Schedule C) - Section 16 Order requests related to Indigenous community issues Discretionary Notices/consultation: -Notices for public meetings at key decision points -Review of draft documents	Official Plan Amendments/ Plans of Subdivision/ Condominium for specific projects: -sign on the site -circulation to property owners within 120 metres - Notice of statutory public meeting - Notice of Decision with appeal rights to OLT <u>Timing for Public Meetings:</u> Earliest day to hold a public meeting − **20 days** after the requirements for giving notice are met (official plans/amendments and community improvement plans) Latest time to hold a public meeting − **14 days** before a decision is made (plan of subdivision and condominium
Distribution of Notices	
Mandatory notification to the general public by: • Two public notices, and • those who have expressed interest by direct mail For Indigenous communities: Contact the MECP, for direction on how to identify Indigenous communities that may have an interest in the proposed project. Notices sent to federal, provincial and local government agencies and Indigenous Communities Notices to appropriate MECP Regional Email Accounts	Notice requirements are dependent upon type of planning instrument. Planning Act requirements for official plans/plan amendments, community improvement plans (O.Reg. 543/06) and plans of subdivision/condominium (O.Reg. 544/06) include: • forms of notice – (1) personal service **or** ordinary mail **and** by posting notice on a property **or** (2) by publishing a notice in a newspaper) • recipients of the notice to prescribed persons and public bodies, including Indigenous Communities and geographic areas for the distribution of notices (typically local government agencies) Notice to the relevant regional Municipal Services Office of the Ministry of Municipal Affairs and Housing

MUNICIPAL CLASS ENVIRONMENTAL ASSESMENT	PLANNING ACT
Content of Notice of Public Meeting / Notice of Completion	
Schedule B and C Projects • Date the notice was issued • Project name, description and purpose • Proponent name and contact information (address, phone, fax, email) where comments or questions should be directed to • Name of the Class EA being followed (e.g., the Municipal Class Environmental Assessment) • Schedule of the Class EA being followed (B or C, or Master Plan with specific approach) • A brief description of the project which outlines the nature of the problem or opportunity and the need for a solution • Map of where project is located (where applicable) • Public record locations were documents are located for viewing or information (where applicable) and when they are available to the public • Comment period deadline (30 days) • Meeting locations (where applicable) • Project website address (where applicable)	Notice content for **official plans/plan amendments and community improvement plans** are set out in the Planning Act and O.Reg. 543/06 for: • notices that exclude notices posted on a property (personal service, ordinary mail and newspaper) • notices that are posted on a property Notice content for **plans of subdivision/condominiums** (Planning Act and O.Reg. 544/06), including details relating to: • notices that exclude notices posted on a property (personal service, ordinary mail and newspaper) • notices that are posted on a property

MUNICIPAL CLASS ENVIRONMENTAL ASSESMENT	PLANNING ACT
• Freedom of Information and Protection of Privacy FIPPA disclaimers • For Notice of Completions - the provisions to request a section 16 order	
Availability of Documentation for Review (using an integrated approach, public review requirements must be met for both planning and class EA matters)	
Discretionary opportunities to review and comment on materials at various public meetings held at key milestones of the projects (2 to 3 meetings typical) Discretionary timelines to provide notice of public meeting (e.g., 2 weeks- varies) Discretionary documentation available for review on municipal web sites Minimum **30-day public, government agency, and Indigenous Community review** of final documentation (after Notice of Completion)	Official plans/secondary plans and community improvement plans a minimum **20-day** public review of related information and material prior to a public meeting In the case of a privately initiated official plan amendment, supporting information and materials must be made available to the public within 15 days of application being determined to be complete. Plans of subdivision/condominiums Within **15 days of advising an applicant that its application is determined complete,** notice of a complete application is given and the supporting information and materials must be made available to the public. In giving notice of a public meeting a municipality must advise where and when additional information and material regarding the proposed plan of subdivision will be available to the public.
Notice of Completion / Notice of Adoption / Notice of Approval	
Individual Recipients: • Appropriate federal, provincial and local review agencies	MUNICIPALITY EXEMPT FROM APPROVAL Official plans/plan amendments and community improvement plans –

MUNICIPAL CLASS ENVIRONMENTAL ASSESMENT	PLANNING ACT
• Indigenous Communities • Those who provide a written request for notice • Public-Published notices (website, newspapers, other) • During **30-day** comment period after Notice of Completion is issued requests can be made to the Minister for a Section 16 Order (refer also to appeals below)	Written notice of adoption must be provided no later than **15 days** after the day a plan is adopted. Notice requirements are contained in the Planning Act and O.R. 543/06 for the • content of the notice, including who may appeal to the OLT, who may be added as a party to the hearing of the appeal and the last day for the filing of a notice of appeal • recipients of the notice MUNICIPALITY NOT EXEMPT FROM APPROVAL **Official plans/plan amendments** (excluding community improvement plans) Written notice of adoption must be provided no later than **15 days** after the day a plan is adopted. Notice requirements are contained in the Planning Act and O.Reg. 543/06 for the • content of the notice • recipients of the notice Materials are then forwarded to the approval authority who gives written notice of its decision. Notice requirements are contained the Planning Act and O.Reg. 543/06 for the: • content of the notice including who may appeal to the OLT and who may be added as a party to the hearing of the appeal • recipients of the notice **Plans of subdivision/condominium:** when the approval authority makes a decision, written notice of the decision must be provided with **15 days**. Notice requirements are contained in the Planning Act and O.Reg. 544/06 for the: • content of the notice, including who may appeal to the OLT and who may be added as a party to the hearing of the appeal recipients of the notice

MUNICIPAL CLASS ENVIRONMENTAL ASSESMENT	PLANNING ACT
	• recipients of the notice
Section 16 Orders/Appeals To OLT	
• Members of the public, interest groups, Indigenous communities and review agencies may request the Minister of the Environment, Conservation and Parks impose conditions or require a comprehensive EA be completed under section 16 of the EAA (section 16 order request) related to an Aboriginal or treaty right, before proceeding with a proposed undertaking.	MUNICIPALITIES EXEMPT FROM APPROVAL **Official plans/plan amendments and community improvement plans:** not later than **20 days** after the day that the giving of notice is completed, all or part of the decision of council to adopt all or part of the plan may be appealed to the OLT by filing a notice of appeal with the clerk of the municipality MUNICIPALITIES NOT EXEMPT FROM APPROVAL: **Official plans/plan amendments** (excluding community improvement plans)**:** not later than **20 days** after the day that the giving of the notice of decision is completed, all or part of the decision of the approval authority may be appealed to the OLT by filing a notice of appeal with the approval authority ** **Plans of Subdivision/Condominium:** not later than **20 days** after the day that the giving of notice is completed, the decision, the lapsing provision or any of the conditions may be appealed to the OLT, by filing a notice of appeal with the approval authority ** **Where a municipality does not make the decision (i.e., not exempt from approval), it must forward its documentation to the approval authority - the upper tier or the province. Upon the giving of a notice of decision by the approval authority, the 20-day appeal period starts.

Note: The *Planning Act* and regulations provide for notice requirements, depending on the application type. The following sample is intended only as a guide for municipalities providing a Notice of a Public Meeting for an Official Plan Amendment in the context of an integrated approach. It is the responsibility of the municipality to fulfill the requirements of both the *Planning Act* and the EAA.

SAMPLE – NOTICE OF PUBLIC MEETING

(other than a Notice given by posting)

Notice of Public Meeting for a Proposed Official Plan Amendment

Notice of Completion of Class Environmental Assessment

A public meeting to receive input on the following application will be held on:
File Name:
File No.:
Date:
Time:
Place:

INSERT KEY MAP OF SUBJECT LAND

A request has been made by **[name]** to amend the Official Plan of **[name of municipality]** for lands known as **[description]**. The subject land has a frontage of **[length]** on **[street name]** and has an area of approximately **[size]**.

The Applicant (and **name of the municipality if co-proponent) is/are also planning** for certain infrastructure needed for the proposed development. This process is being conducted using an integrated approach in accordance with Section A.2.9 of the Municipal Class Environmental Assessment (EA), to meet the requirements of the *Environmental Assessment Act* and for approval under the *Planning Act*.

[Where infrastructure work is proposed outside of the *Planning Act* application boundaries, add:]

Elements of the infrastructure work identified above are proposed beyond the boundaries of this official plan amendment but is needed to serve the project. The lands affected as shown on the attached map and the elements include:

- [list of infrastructure work]

INSERT MAP OF ALL INFRASTRUCTURE WORK PROPOSED TO SUPPORT THE PROJECT

The requested Official Plan Amendment would amend the Official Plan of **[name of municipality]** in order to **[insert official plan amendment details**. including information related to the proposed infrastructure that is part of this integrated approach].

A copy of the proposed Official Plan Amendment and supporting information and material, along with documentation associated with the Municipal Class Environmental Assessment for the project are available for inspection between **[time]** and **[time]** at the **[municipal department]** at **[address(es)]**.

ANY PERSON may attend the public meeting to provide comments on the proposed Official Plan Amendment and the infrastructure project(s), including the Municipal Class Environmental Assessment documentation.

Comments may also be mailed to the **[name of municipality]** at the address above, faxed to **[fax number]** or e-mailed to **[e-mail address]** prior to the public meeting **[quote file name and number]**. If you are aware of any other individuals or landowners who may be interested in this matter, please advise them of the public meeting. A copy of the staff report and the Municipal Class Environmental Assessment documentation will be available from the **[specify contact]** on **[specify date and time]**.

A request to the Minister of the Environment, Conservation and Parks for an order under the *Environmental Assessment Act* imposing additional conditions or requiring a comprehensive environmental assessment for the project proceeding through the Municipal Class Environmental Assessment process may be made on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests should include your full name and contact information.

Requests should specify what kind of order is being requested for what project(s) (additional conditions or a comprehensive environmental assessment), explain how an order may prevent, mitigate or remedy potential adverse impacts, and can include any supporting information.

IF A PERSON or public body does not make oral submissions at the public meeting or make written submissions to **[name of municipality]** before the proposed Official Plan Amendment is adopted, the person or public body is not entitled to appeal the decision of the Council of **[name of municipality]** to the Ontario Land Tribunal.

IF A PERSON or public body does not make oral submissions at the public meeting or make written submissions to **[name of municipality]** before the proposed Official Plan Amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

IF YOU WISH to be notified of the adoption of the proposed Official Plan Amendment, or of the refusal of a request to amend the Official Plan, you must make a written request to **[name and address of municipality]**.

[In cases where there are other applications, add:]

The subject land is subject to an application under the *Planning Act* for a [**type of application**] which is being processed under file number **xxxxx-xx**.

Contact Information:

Name:
Municipal Address:
Telephone:
Email:

DATED this day of , 20XX.