May 24, 2019

Sharifa Wyndham-Nguyen

Client Services and Permissions Branch

Ministry of the Environment, Parks, and Conservation

135 St. Clair Avenue West   
1st Floor   
Toronto, ON  M4V 1P5 

Dear Ms. Wyndham-Nguyen,

**Re: Comments on the Discussion Paper: Modernizing Ontario’s Environmental Assessment Program (ERO 013-5101)**

On behalf of the participating North Markham Future Urban Area Landowners, GHD has reviewed the Ministry of Environment, Conservation and Parks’ (MECP’s) *Discussion Paper: Modernizing Ontario’s Environmental Assessment Program* posted on April 25, 2019 and offer the following comments for MECP’s consideration. By way of background, the North Markham Future Urban Area (FUA) Landowners who collective own approximately 1,100 gross hectares are currently undergoing a Municipal Class Environmental Assessment (MCEA), a process that commenced in 2013 and is not yet complete to date.

Secondary Plan applications for the FUA lands are also in process which require additional onerous study requirements including detailed Master Environmental Servicing Plans and Transportation Studies to support the proposed development. Secondary Plans for the FUA lands must be approved prior to submission and approval of development applications (i.e. plans of subdivision). GHD is supportive of the Ministry’s proposal to modernize the Environmental Assessment Program based on our company’s extensive experience with both Individual environmental assessments as well as the various streamlined environmental assessments associated with different types of undertakings.

This letter submission responds to the proposed vision presented in the *Discussion Paper*. Firstly, eliminating duplication between environmental assessments and other planning approvals processes and redundancy with provincial processes, specifically the *Environmental Assessment Act* (*EA Act*) and *Planning Act* processes, is definitely needed. One issue with integrating these two planning processes efficiently is that the MCEA planning and design process (*EA Act*) is focused on planning and preliminary design while the plan of subdivision planning process (*Planning Act*) is associated with detailed design. This disconnect is not well understood by stakeholders nor acknowledged in the MCEA/*Planning Act* Integration process.

Consequently, regulatory requests in an integration process cannot be easily met because the plan of subdivision planning process typically follows the MCEA planning process. A case in point is the fact that *EA Act* and *Planning Act* processes have very similar requirements in terms of investigative study requirements (e.g., Archaeological Assessments, Baseline Conditions Reports, etc.). However, these studies are often required by review agencies at different times in an EA process versus the *Planning Act* process and by departments that are not familiar with the other process and how they are to be integrated. Also, the level of detail being required by a review agency including municipalities is often different between the two processes.

As a result, we suggest that the MCEA/*Planning Act* integration process be revised to allow proponents the ability to include commitments within an EA Document (e.g., ESR, PFR, etc.) that would satisfy both process studies requirements, with the actual study done as part of the *Planning Act* application process (e.g., plans of subdivision). Integration of the MCEA/*Planning Act* will facilitate coordination of Part II Order requests with development appeals to eliminate redundancies and streamline processes.

Secondly, we recommend finding efficiencies in the MCEA process including a review of applicable studies required in the context of what can actually be beneficially achieved. For example, Air Quality Impact Assessments which are now required by MCEA for all EAs seldom produce tangible recommendations apart from the application of standard best management practices, adding costs and increasing timelines to the MCEA process.

Lastly, duplicate documentation requirements for the *EA Act* and *Planning Act* processes should be eliminated. Numerous and far more detailed reports are developed through the subdivision planning process than those that are required to satisfy the MCEA process. However, MECP states that the “EA documentation should be a complete record of all activities associated with the planning of the project” which creates delays in completing EAs and unwieldly documents that are not user friendly and make it harder to find details pertinent to the MCEA planning and decision-making process.

The creation of an electronic registry will better serve to support the submissions providing access to all documentation material, thereby reducing the need for duplicate documentation and printing large documents.

We appreciate the opportunity to submit comments on the *Discussion Paper: Modernizing Ontario’s Environmental Assessment Program*, and we look forward to receiving further notifications and related updates.

Sincerely,

GHD

Ian Dobrindt, MCIP, RPP, EP  
Senior EA & Approvals Practice Lead

NJ/ID/

cc: B. Webb, WEBB + CO LIMITED

E. Grant, Malone Given Parsons Ltd

Participating North Markham Future Urban Area Landowners