

# The Regional Municipality of York

Regional Council  
Transportation Services  
February 25, 2021

Report of the Commissioner of Transportation Services

## **Bradford Bypass Project**

### **Regional Response to the Impact Assessment Agency of Canada**

#### **1. Recommendations**

1. Council endorse the proposed response (Attachment 1) to the Impact Assessment Agency of Canada as the Region's input to inform the Impact Assessment Agency of Canada's analysis of the designation request for the Bradford Bypass Project under the federal *Impact Assessment Act*.
2. The Regional Clerk circulate this report to the Ontario Minister of Transportation, Simcoe County and the local municipalities.

#### **2. Summary**

On February 3, 2021, Ecojustice, on behalf of Rescue Lake Simcoe Coalition and Simcoe County Greenbelt Coalition, submitted a request to the Minister of the Environment and Climate Change Canada to designate the Bradford Bypass Project under the federal *Impact Assessment Act* (IAA) (Attachment 2). On February 12, 2021, the Impact Assessment Agency of Canada (Agency) requested input from municipalities on the Bradford Bypass Project to inform the Agency's analysis of the designation request (Attachment 3). The Agency has requested municipal input by March 3, 2021.

Key Points:

- The Bradford Bypass (also known as the Highway 400-404 Link) supports the Region's Official Plan and Transportation Master Plan (2016) and is an important component of servicing planned growth in the Region
- The Region has long supported the Bradford Bypass Project and has been consulted by the Ontario Ministry of Transportation since the original Individual Environmental Assessment (EA) approved in 2002, the Simcoe Area Multimodal Transportation Study undertaken in support of Growth Plan Amendment 1 (Simcoe Sub-Area Amendment – January 2012), to the current ongoing preliminary design and Class EA process

### 3. Background

#### **The Impact Assessment Agency of Canada has invited affected municipalities to provide input on the Bradford Bypass Project**

The Ontario Ministry of Transportation is proposing a new four-lane highway, connecting Highways 400 and 404. The proposed Bradford Bypass Project will connect Highway 400 in Bradford West Gwillimbury in Simcoe County to Highway 404 in East Gwillimbury and across King Township in York Region.

The Impact Assessment Agency of Canada has invited affected municipalities to provide input on the Bradford Bypass Project to inform the Agency's analysis of the designation request submitted by Ecojustice, on behalf of Rescue Lake Simcoe Coalition and Simcoe County Greenbelt Coalition. In particular, the Agency is seeking input on:

- Whether any York Region requirements apply to the Project?
- Would any of those involve consultation with the public and Indigenous groups?
- What environmental, social, economic or health issues would those address?
- Whether the Ontario Ministry of Transportation is addressing the interests and issues of importance to York Region?

#### **The federal *Impact Assessment Act* regulates projects that are required to undergo a federal impact assessment process**

The *Impact Assessment Act* became law in 2019 and outlines two ways a project may be required to undergo a federal impact assessment process. The first is the project contains an activity that matches a description contained in the federal *Physical Activities Regulations* (Project List). The second is that a request be made to the Minister of the Environment and Climate Change to exercise their discretion to require a federal impact assessment process for a project that is not on the Project List, but due to the potential for the project to cause adverse effects on matters within federal jurisdiction, or adverse direct or incidental effects (due to a federal decision) or due to public concerns related to those effects. With the IAA in effect only since 2019, staff has not been able to identify any instance of the Minister exercising their discretion in this manner over a project that would otherwise only be regulated by a provincial environmental assessment process.

#### **Planning for the Bradford Bypass Project began in the 1990's**

The Ontario Ministry of Transportation completed an Individual EA for the Bradford Bypass Project concurrent with the EA for the Highway 404 extension in 1993 and was granted approval by the Ministry of Environment for both EA's on August 28, 2002. In 2004, the Province designed the approved alignment for the Highway 400 – 404 Link as a Controlled Access Highway Corridor under the *Public Transportation and Highways Improvement Act*, thereby protecting the route from development until the highway is constructed.

As a condition of the EA approval, the design and construction of the highway is subject to the Ontario Ministry of Transportation Class EA process for Provincial Transportation Facilities. The preliminary design and Class EA phase of the Bradford Bypass Project is currently ongoing.

The Ministry of Transportation also undertook the Simcoe Area Multimodal Transportation Study in support of the Growth Plan (Simcoe Sub-Area Growth Plan Amendment 1 – January 2012). The study was completed in March 2014 and reaffirmed the need for the Bradford Bypass Project.

## 4. Analysis

### **Council has long-supported the Bradford Bypass Project**

The Ministry of Transportation has consulted the Region throughout the EA, network planning and design processes for the Bradford Bypass Project. Staff have reported to Council at key milestones and will continue to do so throughout the current preliminary design and Class EA process. Council positions related to the Bradford Bypass Project are summarized below:

York Region Council [March 2008](#) resolved:

*Regional Council request the Regional Chair to present a brief to the Ministers of Public Infrastructure Renewal, Transportation and Municipal Affairs and Housing on the urgent need for action on the Bradford Bypass, including adding the Bradford Bypass into the Provincial Growth Plan and committing to develop an implementation schedule with York Region.*

York Region Council [September 2009](#) resolved:

*Regional Council requested the Province to expedite its review and study of the following facilities with funding commitments:*

- a. Yonge Street Subway
- b. Bradford Bypass
- c. Highway 427 extension to Major Mackenzie Drive
- d. Completion of the GTA West Individual Environmental Assessment (IEA) study

York Region Council [June 2011](#) resolved:

*Council endorse this staff report and Attachment 1 as the Region's official comments on the Provincial Proposed Amendment No. 1 to the Growth Plan: An Amendment and Implementation Tools for the Simcoe Sub-Area.*

York Region Council [June 2012](#) resolved:

*Council direct staff to work with Simcoe County, Bradford West Gwillimbury, East Gwillimbury and Newmarket to develop a joint communication strategy to advocate for the Highway 400-404 Link and to report back to Council by the end of 2012 with an update on the progress.*

York Region Council [June 2019](#) resolved:

*Council support a robust highway network to move people, goods and services and achieve provincial Growth Plan population and employment objectives in York Region and encourage:*

- a. The resumption of Environmental Assessment for GTA West Highway for near-term inclusion in the Southern Highways Program*
- b. The inclusion of the Highway 400-404 Connecting Link and the Highway 404 Extension to Highway 12 in the next Southern Highways Program*

## **The Bradford Bypass supports the Region's Official Plan and Transportation Master Plan**

The York Region Official Plan 2010 describes how the Region plans to accommodate future growth and development while meeting the needs of existing residents and businesses. It provides directions and policies that guide economic, environmental and community planning decisions.

The Bradford Bypass Project is identified as a planned transportation corridor in the York Region Official Plan ([Map 12 Street Network](#)) and included in policy 7.2.56:

*To work with the Province and local municipalities to plan and protect for the following corridors and facilities:*

- a. Highway 427 north to the GTA West Corridor*
- b. Highway 404 north beyond Ravenshoe Road*
- c. the Bradford Bypass (Highway 400-404 Link)*
- d. the GTA West Corridor*

The York Region Transportation Master Plan 2016 establishes the vision for transportation services, assesses existing transportation system performance, forecasts future travel demand and defines actions and policies to address road, transit and active transportation needs in York Region to 2041.

The Bradford Bypass Project is identified in the Transportation Master Plan as an important component of the transportation network required to service York Region residents and businesses ([Map 8 - Proposed 2041 Road Network](#)).

## **The Ontario Ministry of Transportation has consulted the Region throughout the Bradford Bypass Project**

The Ontario Ministry of Transportation has consulted the Region throughout the planning for the Bradford Bypass Project. Through the original Individual EA process, Simcoe Area Network Study in support of The Growth Plan, to the ongoing preliminary design and Class EA study, the Region has been consulted and actively engaged. At key milestones, staff will continue to report to Council, including highlighting issues or concerns for consideration during the Provincial preliminary design and Class EA process.

## 5. Financial

There are no financial implications resulting from this report.

## 6. Local Impact

The Region and the local municipalities benefit from provincial investment in the highway network in the Greater Toronto Area. The planned Bradford Bypass Project is identified as an important component of the transportation network required to service the Region's residents and businesses.

## 7. Conclusion

This report seeks Council endorsement for staff to submit the proposed response to the Impact Assessment Agency of Canada to inform the Agency's analysis of the designation request under the federal *Impact Assessment Act* for the Bradford Bypass Project.

The Region anticipates the current provincial Environmental Assessment process for the Bradford Bypass will continue to address environmental, social, economic and health issues as well as necessary public consultation to balance the needs for all community stakeholders.

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For more information on this report, please contact Brian Titherington, Director of Transportation and Infrastructure Planning at 1-877-464-9675 ext. 75901. Accessible formats or communication supports are available upon request.

Recommended by:



**Paul Jankowski**  
Commissioner of Transportation Services

Approved for Submission:



**Bruce Macgregor**  
Chief Administrative Officer

February 24, 2021  
Attachments (3)  
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