

# DEPUTATION REQUEST

REGIONAL COUNCIL

MARCH 18, 2021

**Subject:** Bradford Bypass

**Spokesperson:** Irene Ford

**Name of Group or person(s) being represented (if applicable):**

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**Brief summary of issue or purpose of deputation:**

Request Council support the request for the Federal Impact Assessment of the Bradford Bypass

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Mar 18, 2021

York Regional Council

**Re: Agenda Items F.4.1 at the March 18 Special Council Meeting**

I am a York Region resident I am asking York Region Council support the Bradford Bypass request for the Federal Impact Assessment for the following reasons.

The studies and Environmental Assessment (EA) approval were given and conducted at a time when the Greenbelt and Lake Simcoe Protection Plans did not exist and climate change was not part of the conversation or evaluation. This project was started so long ago that the policy, social, environmental and economic environment are completely different. To suggest that a 20-year-old approval for such a large infrastructure project on environmentally sensitive land is adequate when the context has changed dramatically is concerning. Nonetheless, York Region staff state in their response to the Federal government: *"The provincial EA process provides for a robust level of environmental assessment and stakeholder consultation. The Region expects the current provincial environmental process will continue to address environmental, social, economic and health issues as well as the necessary public consultation to balance the needs of all project stakeholders.."*

The EA Notice of Approval is dated from 2002 and the EA was initiated in 1997. Upon reviewing the project files it would appear that only 3 public consultation sessions were completed during the late 90s on 'IF' the highway should proceed. To say that the Province and Region have completed public consultation is disingenuous, people impacted now were not old enough to be consulted or did not live in the area at the time.

The EA approval was given dependent on conditions of approval. Now almost 20 years later the government is trying to change legislation so that they can do even less than what was required then: *"The Ministry of Transportation would no longer be required to fulfill Condition 4 of the EA Notice of Approval and complete a TESR or DCR(s) that would typically be required in accordance with the Ministry of Transportation's Class EA which would normally initiate a 30-day public consultation period"*<sup>1</sup> If the proposed exemption to conditions of the EA Approval are approved the outcome will be that the government eliminates the requirement to do a Class EA and no further consultations or studies would be mandated. How can the 2002 EA approval be valid if there are exemptions to the conditions? **The Minister of the day gave approval with the expectation that a Group A Class EA would be done and stated specifically in the reasons for approval that it is required to address public concerns about site specific impacts. To change or not fulfill the conditions undermines the EA Approval<sup>2</sup>.**

The Bradford Bypass Study page<sup>3</sup> currently states: *"This Study will follow the approved planning process for a Group 'A' project under the MTO Class Environmental Assessment for Provincial*

<sup>1</sup> <https://www.ontario.ca/page/highway-400-highway-404-extension-link-bradford-bypass#section-related>

<sup>2</sup> <https://www.ontario.ca/page/approval-highway-400-highway-404-extension-link-bradford-bypass-environmental-assessment#section-0>

<sup>3</sup> <https://www.bradfordbypass.ca/ea-process/>

Transportation Facilities (2000). *Alternatives within the Study Area will be generated and evaluated based on technical and environmental factors and in consultation with Indigenous communities, public stakeholders, municipalities and government agencies. Upon completion of the study, a Transportation Environmental Study Report (TESR) will be prepared to document the design, environmental assessment and consultation. It will be available for a 30-day public review period."*

It is extremely confusing and circular in places the Province appears to state they will do these studies to address public and environmental concerns and then in other places it states that these studies are not necessary, they are red tape, duplication of process. What are we the public to believe when the narrative is so inconsistent?

Why have staff not included a staff report as was requested on Feb 25 Council meeting and expected by Council members today? How can staff tell you that the Provincial EA process is sufficient when the Province is trying to exempt themselves from conditions of approval and when the current provincial government has shown such a clear and utter disregard for environmental protection? The Province has quite literally demonstrated they are willing to rewrite provincial laws to do as they wish on environmentally sensitive land and do so retroactively to absolve themselves of wrongdoing<sup>4</sup>.

**York Region Staff appear entrenched in their position to support this highway and not open to new information.** They do not acknowledge that province has changed EA legislation, weakened almost all environmental legislation, proposed to be exempt from the class EA that would eliminate the need for further studies and consultation, or express any concern about the dated EA and how it may or may not be compliant with the Greenbelt Plan and Lake Simcoe Protection Plan. They remain steadfast in their support for the highway and the provincial EA process. **Staff appear biased or to lack autonomy to report back to Council.** This is very concerning because it impacts Council's ability to make informed decisions and we as the public are forced to use our own resources and time to ensure you are getting all of the information.

The health of Lake Simcoe is not as well as the province would like the public to believe. The Province has not met its reporting obligations under the Lake Simcoe Protection Plan and the impacts from the Bradford Bypass would be impossible to understand since the EA report is so dated and the health status of Lake Simcoe not fully understood. The Lake is under immense pressure from invasive species, urban sprawl, stormwater run-off and climate change. The Bradford Bypass would only amplify an already stressed aquatic eco-system combined with significant impacts to wetlands and prime agricultural farmland.

Please support the request for the Federal Impact Assessment for the Bradford Bypass or acknowledge that this EA is so dated that you have to start over.

Thank you,  
Irene Ford

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<sup>4</sup> <https://www.cbc.ca/news/canada/toronto/ontario-doug-ford-mzo-pickering-duffins-creek-1.5937584>