



Impact Assessment
Agency of Canada

Ontario Region
600-55 York Street
Toronto ON M5J 1R7

Agence d'évaluation
d'impact du Canada

Région de l'Ontario
600-55 rue York
Toronto ON M5J 1R7

ATTACHMENT 3

February 12, 2021

Sent by email

Invitation for Input

Christian Meile, Simcoe County
Christopher Raynor, Regional Municipality of York
Tom Webster, Town of East Gwillimbury
Daniel Kostopoulos, Township of King
Jag Sharma, Town of Newmarket

Dear Colleagues:

**Subject: Designation Request for the Proposed Bradford Bypass Project
under the *Impact Assessment Act***

On February 3, 2021, the Minister of Environment and Climate Change received a request to designate the proposed Bradford Bypass Project under subsection 9(1) of the *Impact Assessment Act* (IAA). The designation request from Ecojustice, on behalf of Rescue Lake Simcoe Coalition and Simcoe County Greenbelt Coalition is enclosed (Enclosure 1).

The Proposed Project

The Ontario Ministry of Transportation is proposing the construction and operation, including maintenance, of a new 16.2-kilometre four-lane controlled access all-season public highway. As proposed, the Bradford Bypass Project (also known as the Highway 400-404 Connecting Link, the Highway 400-404 Extension Link or the Holland Marsh Highway) would connect Highway 400 in Bradford West Gwillimbury (Simcoe County), and cross north King Township, to Highway 404 in East Gwillimbury (Regional Municipality of York) in Ontario. The corridor would require a new 100-metre wide right of way, and would involve water crossings over the Holland River and Holland River East Branch within the Holland Marsh. The Project would also include the replacement of the 9th Line structure on Highway 400. The Project as proposed is not a designated project as described in the *Physical Activities Regulations*. The impact assessment process under IAA only applies to designated projects.

Further information on the Project can be found on the proponent's website at www.bradfordbypass.ca.

.../2



Provincial Process

On August 28, 2002, the Government of Ontario approved the individual environment assessment for a new freeway to connect Highway 400 in Bradford West Gwillimbury to a northerly extension of Highway 404 in East Gwillimbury. As a condition of this approval, the design and construction of the highway became subject to the Ministry of Transportation Class Environmental Assessment for Provincial Transportation Facilities, as a “Group A” project; however, the Government of Ontario is proposing to exempt the Project from further provincial review. More information on the Government of Ontario’s proposal to exempt the Project is available at: <https://www.ontario.ca/page/highway-400-highway-404-extension-link-bradford-bypass>.

Designation Request

Under subsection 9(1) of IAA the Minister may, by order, designate a physical activity that is not prescribed in the *Physical Activities Regulations*. The Minister may do this, if, in the Minister’s opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects (resulting from a federal decision), or public concerns related to those effects warrant the designation. In accordance with subsection 9(4) of IAA, it is expected that the Minister will respond, with reasons, to the request by May 4, 2021.

The Impact Assessment Agency of Canada will review information about the Project, any concerns expressed by the public and Indigenous groups, expert advice from federal authorities and input from provincial ministries and municipalities to prepare a recommendation to the Minister on whether to designate the Project. If the Project were designated by the Minister, the Ontario Ministry of Transportation (the proponent) would be prohibited from carrying out the Project and would be required to submit an Initial Project Description, thereby commencing the planning phase of IAA. During the planning phase, the Agency would determine whether an impact assessment is required.

Additional information regarding the process for designation requests can be found at the following link: <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/designating-project-impact-assessment-act.html>

Invitation for Input

The Agency notes that the environmental assessment process by the Ontario Ministry of Transportation included consultation with your municipality. However, to further support the Agency's analysis of the designation request, we wish to invite the views and input from representatives of your municipality.

In particular, the Agency would like to confirm whether any bylaws or requirements of your municipality apply to the Project.

- If applicable, would any of those involve consultation with the public and Indigenous groups?
- If applicable, what environmental, social, economic or health issues would those bylaws or requirements address?

In general, please confirm whether the Ontario Ministry of Transportation is addressing the interests and issues of importance to your municipality. The Agency will be pleased to receive any other comments. Given the legislated timeline for the Minister to make a decision, your response is requested by **Wednesday, March 3, 2021**.

In the coming days, a Registry page for the Project will be available on the Canadian Impact Assessment Registry Internet site at iaac-aeic.gc.ca/050/evaluations. Please use the *submit a comment* feature on the Project's Registry page to provide the Agency with information regarding this file. Letters can be uploaded using this feature. If you have difficulties with this feature, immediately contact Conor Anderson, Project Manager, at Conor.Anderson@canada.ca or 416-735-1673.

Important Note: All records produced, collected or received in relation to the designation request process—unless prohibited under the *Access to Information Act* or *Privacy Act*—are considered public and may be released. The Agency's Submission Policy¹ determines which submitted information can be shared publicly, and what should remain private. For further information on how we protect your privacy, please refer to the Privacy Notice.²

.../4

¹ <https://www.iaac-aeic.gc.ca/050/evaluations/participation/conditions>

² <https://www.iaac-aeic.gc.ca/050/evaluations/protection>

If you have any questions regarding the designation process or the response sheet, please do not hesitate to contact Conor Anderson, Project Manager by email at Conor.Anderson@canada.ca or by telephone at 416-735-1673.

Sincerely,

A handwritten signature in black ink, appearing to be 'AP', with a long horizontal flourish extending to the right.

Anjala Puvananathan
Director, Ontario Region

Enclosure Designation request letter from Ecojustice on behalf of Rescue
Lake Simcoe Coalition and Simcoe County Greenbelt Coalition