

Dec 8, 2021

Mayor Ian Pennell  
Municipality of Calvin  
RR #2  
Mattawa, ON P0H 1V0

Dear Mayor Pennell and Councillors,

Re: Cassellholme Renovation Project Financing Update

Good day, I hope this message finds you all staying well.

I just wanted to ensure that you had heard that Cassellholme received approval to proceed to construction from the MLTC on Monday, November 29<sup>th</sup>, 2021. I have attached the correspondence that we received for your information (Appendix A).

Additionally, the Board at a special meeting on Monday afternoon directed the CEO, Jamie Lowery, to execute the contract with Percon as soon as possible. Motion #117-21 is attached for your reference (Appendix B).

As you will recall, on November 10, 2021 I sent you two letters regarding the East Nipissing District Home for the Aged ("Cassellholme") renovation project.

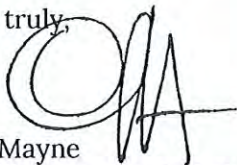
One letter provided three financing options available to the Member Municipalities, which included the Municipalities passing the required motions to allow Cassellholme to borrow the full amount or the provincial portion from IO or Cassellholme levying. The letter set out that levying would occur if the borrowing options did not occur by no later than November 24, 2021.

The other letter notified you that Cassellholme is levying for renovations, alternations, or additions to Cassellholme pursuant to Section 127(1) of the *Long-Term Care Home Act, 2007*, SO 2007, c. 8 ("Levy Letter"). The 2022 Levy Letter and Levy Apportionment Schedule A are attached (Appendix C and Appendix D).

I am confirming that the Member Municipalities have elected to not pass a motion to allow Cassellholme to borrow any amount from IO and therefore the levy communicated to you by the Levy Letter is in full force and effect.

Having identified that the Levy is now in force, I would continue to offer to meet with Municipalities to discuss other financing options outlined in our November 10, 2021 letter.

Yours truly,



Chris Mayne  
Cassellholme Board Chair



Ministry of Long-Term Care  
Assistant Deputy Minister  
Long-Term Care Capital Development

8<sup>th</sup> Floor, 438 University Ave.  
Toronto ON M5G 2K8  
Tel.: (416) 327-7461  
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Ministère des Soins de longue durée

Sous-ministre adjointe  
Optimisation des immobilisations dans le secteur des soins de  
longue durée

438, avenue de University, 8e étage  
Toronto ON M5G 2K8  
Téléphone: (416) 327-7461  
Télécopieur: (416) 327-7603

November 29, 2021

Mr. Jamie Lowery  
Chief Executive Officer  
The Board of Management for the District of Nipissing East  
400 Olive Street  
North Bay ON P1B 6J4

Dear Mr. Lowery:

Re: Approval to Construct for Cassellhome (PROJ- 479)

In accordance with the Development Agreement dated October 13, 2020, I am pleased to approve the selection of Percon Construction Inc. as general contractor for the Construction (the "Contractor") for the Cassellholme project. I am also pleased to approve the Final Estimate of Costs (FEC) received September 27, 2021, and acknowledge receipt of some of the required accompanying documentation. You may commence Construction once the following outstanding documents that are the responsibility of Cassellholme to provide have been submitted:

- Certificates for the following:
  - 50% performance bond and labour and material bond.
  - Builder's risk insurance
  - Wrap up liability
- Building permit from the local municipality
- A letter of confirmation of financing from your lender

In accordance with section 4.3 of the Development Agreement, funding is provided, subject to the requirements set out in that Development Agreement, based on approval of the Final Estimate of Cost form until such time as the Operator provides a Statement of Disbursements for the Project, and satisfactory proof of costs expended by the Operator on the project.

Your scheduled Total Completion date for Phase 1 of this project is November 30, 2023. Once the pre-occupancy review is satisfactorily completed and the first resident has been admitted, the construction funding will be initiated subject to the terms of the Development Agreement.

In accordance with Schedule B, section 5, prior approval is required for all change orders during the Construction that:

- (a) affect the Construction Plans in any material respect, or
- (b) once implemented, would either materially increase or decrease the total cost of the Project set out in the Final Estimate of Cost form approved for the Construction or render it difficult to meet the timelines set out in the Project Schedule.

Mr. Jamie Lowery:

In addition, please submit monthly construction progress reports to your Project Manager, Benedict Menachery in accordance with Section 7.1 of the Development Agreement. A standardized monthly construction reporting form is attached.

Should you have any questions, please contact Benedict Menachery, Project Manager at (437) 338-6454 or via email at [Benedict.Menachery@ontario.ca](mailto:Benedict.Menachery@ontario.ca).

Sincerely,



Brian Pollard  
Assistant Deputy Minister

Enclosure

c: Bill Hatanaka, Board Chair, Ontario Health  
Matthew Anderson, President and Chief Executive Officer, Ontario Health  
Brian Kytör, Chief Regional Office (North Region), Ontario Health

Mr. Jamie Lowery

Author: Benedict Menachery, (437) 338-6454, Capital Program Management Branch

bc: Wendy Ren, Director, Capital Program Management, MLTC  
Hindy Ross, Director (Acting), Capital Planning Branch, MLTC  
Neil VanderKooy, Manager, Long-Term Care Capital Development Division, MLTC  
Rashmi Sharma, Manager, Long-Term Care Capital Development Division, MLTC  
Jim Yuill, Director, Financial Management Branch, MoH  
Chandike Tennakoon, Manager, Financial Management Branch, MoH  
Margaret Allore, Manager, Long-Term Care Operations Division, MLTC  
Dorothy Ginther, A/Manager, Sudbury Service Area Office, LTC Inspections Branch, MLTC  
Vivian Lo, Technical Specialist, Long-Term Care Capital Development Division, MLTC  
Agnes Briones, Licencing Coordinator, Long-Term Care Operations Division,  
MLTC  
Michael Orr, Senior Counsel, Legal Services Branch, MAG  
William Georgas, Counsel, Legal Services Branch, MAG  
Benedict Menachery, Project Manager, Long-Term Care Capital Development Division,  
MLTC



# CASSELLHOLME

*Compassionate care for life's journey.*

EAST NIPISSING DISTRICT HOME FOR THE AGED  
SPECIAL REDEVELOPMENT BOARD MEETING

## RESOLUTION

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RESOLUTION NUMBER    117 - 21

November 29, 2021

MOVED BY:                Sherry Culling

SECONDED BY:         Claire Campbell

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"That the Board approve the motion below, as agreed to in-camera."

"That the Board, by unanimous vote, directs the CEO to utilize the services of the Procurement Office to execute the necessary agreements with Percon as soon as practical."

Record Vote:

Sherry Culling         YES

Claire Campbell       YES

Mark King              YES

Chris Mayne           YES

Carried /  Defeated

  
\_\_\_\_\_  
Chairman

December 8<sup>th</sup>, 2021

Ms. Cindy Pigeau  
Clerk Treasurer  
1355 Peddlers Drive  
Municipality of Calvin  
RR #2  
Mattawa, ON P0H 1V0

Dear Ms. Pigeau

Re: Cassellholme 2022 Municipal Levy

On November 25<sup>th</sup>, 2021, the Cassellholme Board of Management approved (a) 2022 Operating Budget and (b) the 2022 apportionment statistics which will apply to both operating and capital levies for Cassellholme East Nipissing District Home for the Aged.

This operating budget includes a 0% increase to the municipal levy over the amount levied for 2021. Note, that while the overall operating levy has not changed, your municipality's apportionment will fluctuate based on its apportionment statistics.

*Resolution No. 114-21*

*"That the Board approve Cassellholme's Proposed 2022 Operating Budget, as presented"*

*Moved by Mark King (City of North Bay)*

*Seconded by Claire Campbell (Province of Ontario Appointee)*

*Resolution No. 115-21*

*"That the Board approve the 2022 apportionment statistics for calculating the Cassellholme municipal levy"*

*Moved by Sherry Culling (Province of Ontario Appointee)*

*Seconded by Claire Campbell (Province of Ontario Appointee)*

Attached is Schedule A - Levy Apportionment noting each municipality's portion.

Sincerely,



Chris Mayne  
Cassellholme Board Chair

CC: Mayor Ian Pennell



**Levy Apportionment**  
Budget Period

2022



Compassionate care for life's journey.

Total Levy - 2022 **3,444,516**

Municipality	Apportionment Rate	2022 Operating Levy	Monthly Payment -		Total Levy Requested
			Jan 15th, 2022	December 15th, 2022	
North Bay	79.293%	2,731,251	227,604	227,607	2,731,251
East Ferris	7.659%	263,810	21,984	21,986	263,810
South Algonquin	3.305%	113,849	9,487	9,492	113,849
Bonfield	3.216%	110,770	9,231	9,229	110,770
Papineau/Cameron	1.728%	59,525	4,960	4,965	59,525
Chisholm	1.620%	55,787	4,649	4,648	55,787
Calvin	1.488%	51,270	4,273	4,267	51,270
Mattawa	1.363%	46,932	3,911	3,911	46,932
Mattawan	0.329%	11,322	944	938	11,322
<b>Total</b>	<b>100.000%</b>	<b>3,444,516</b>	<b>287,043</b>	<b>287,043</b>	<b>3,444,516</b>

Check - 3,157,473 287,043 3,444,516

**FIR Information Used**

2020

Municipality	2020 Phased-In Taxable Assessment (Wtd. & Disc CVA)		2020 Phased-In PIL Assessment (Wtd. & Disc CVA)		Total	Apportionment	Share of Operating Levy
	Phased-In Taxable Assessment (Wtd. & Disc CVA)	Phased-In Taxable Assessment (Wtd. & Disc CVA)	Phased-In PIL Assessment (Wtd. & Disc CVA)	Phased-In PIL Assessment (Wtd. & Disc CVA)			
North Bay	6,576,762,075	243,304,949	6,820,067,024	79.293%	6,820,067,024	79.293%	2,731,251
East Ferris	657,646,160	1,101,000	658,747,160	7.659%	658,747,160	7.659%	263,810
South Algonquin	274,077,750	10,208,752	284,286,502	3.305%	284,286,502	3.305%	113,849
Bonfield	275,478,787	1,119,093	276,597,880	3.216%	276,597,880	3.216%	110,770
Papineau/Cameron	147,577,568	1,058,855	148,636,424	1.728%	148,636,424	1.728%	59,525
Chisholm	139,256,528	45,204	139,301,732	1.620%	139,301,732	1.620%	55,787
Calvin	125,031,277	2,993,201	128,024,478	1.488%	128,024,478	1.488%	51,270
Mattawa	116,207,758	983,757	117,191,515	1.363%	117,191,515	1.363%	46,932
Mattawan	27,375,061	895,904	28,270,965	0.329%	28,270,965	0.329%	11,322
<b>Total</b>	<b>8,339,412,965</b>	<b>\$ 261,710,714</b>	<b>\$ 8,601,123,679</b>	<b>100.000%</b>	<b>\$ 8,601,123,679</b>	<b>100.000%</b>	<b>\$ 3,444,516</b>

# Canada



November 19, 2021

Cindy Pigeau  
Clerk/Treasurer  
Municipality of Calvin  
clerk@calvintownship.ca

Dear Ms. Pigeau:

I am writing to let you know about a new Canadian Agricultural Partnership (CAP) targeted cost-share initiative of up to \$700,000 aimed at increasing deadstock management capacity throughout the province. The application intake will be open from November 18, 2021 to December 13, 2021. You can find additional information, including how to apply, on the OMAFRA website at [www.omafra.gov.on.ca/english/cap/index.htm](http://www.omafra.gov.on.ca/english/cap/index.htm).

In light of the recent loss of on-farm deadstock pickup services in certain areas of the province, my ministry, in partnership with the government of Canada, is launching this CAP initiative to support livestock producers, waste management facilities, municipalities and other agri-businesses such as livestock auction barns, assembly yards, deadstock transporters, collectors, renderers, and veterinary clinics in increasing capacity for deadstock management. Given these increased pressures, this initiative offers a higher cost-share rate than our usual deadstock funding, that being 50% reimbursement of eligible expenses as opposed to 35%, up to a maximum of \$25,000 per applicant.

The initiative provides cost-share funding, to support planning, establishing, and/or managing deadstock to increase capacity for deadstock management. Specifically expenses eligible for cost-share reimbursement include:

### **Assessments and Planning**

- Qualified third-party services to provide an initial operational plan or assessment of an applicant's deadstock capacity (e.g., deadstock management plan, environmental plan/assessment).

.../2



### **Deadstock Facility Upgrades and Equipment**

- Establishment of an on-site facility to handle and store deadstock efficiently and securely as a preventive measure to reduce the risk of introduction and spread of disease to animals and humans, including, but not limited to:
  - Purchase, modification, or construction of a deadstock management system (e.g., composter, digester, incinerator [**subject to regulatory requirements and restrictions**], in-ground vessel, waste management bins) and associated runoff management equipment/systems,
    - Digester modifications or components that enable the taking of deadstock (e.g. pretreatment equipment)
  - New construction or modifications to structures or buildings to facilitate the handling, storage and removal of deadstock, or to securely store deadstock in a manner that prevents access or scavenging by wildlife and vermin, and;
  - New freezer or cooler systems for the temporary storage of deadstock and parts thereof, or specified risk materials.

Please note that expenses must meet the requirements of the [Ontario Regulation 105/09](#), under the *Food Safety and Quality Act, 2001* (FSQA), and [Ontario Regulation 106/09](#) under the *Nutrient Management Act, 2002* (NMA), (or any applicable requirements under the Safe Food for Canadians Act for federally registered plants) and be suitable for use. The undertaking of these activities for cost-share funding may still be subject to regulatory approvals.

Our government is committed to supporting the agri-food sector and rural communities in Ontario.

I encourage you to take advantage of this funding opportunity and submit an application for your project. Together, we can ensure Ontario's communities thrive.

Please accept my best wishes.

Sincerely,



Marie-Claude Bibeau  
Minister of Agriculture  
and Agri-Food Canada



Lisa M. Thompson  
Minister of Agriculture, Food  
and Rural Affairs

**REGULAR COUNCIL MEETING**

HELD

November 23rd, 2021

**2021-352**

**Moved by Councillor Champagne  
Seconded by Deputy Mayor Trahan**

WHEREAS Stop-Arm Camera Systems are a major part of creating safer school buses and safer roads for all area residents;

AND WHEREAS Bill 174 received Royal Assent on December 12th, 2017, under Schedule 4 Amendments to the *Highway Traffic Act* by adding a new Part providing for the use of automated school bus camera systems;

AND WHEREAS given the district courts are in North Bay, it is imperative that the City of North Bay come on board with a Stop-Arm Camera Program so that other municipalities within the Nipissing District can move forward to help keep the children in communities safe;

BE IT HEREBY RESOLVED that the Municipality of East Ferris request the City of North Bay to look into the process of implementing a stop-arm camera program with BusPatrol for the City with the goal of developing a regional program to ensure coverage of all school buses within the collective municipalities;

AND FURTHER that this resolution be forwarded to FONOM, OGRA, Let's Remember Adam, Stop for School Buses, BusPatrol and municipalities that form part of the Provincial Offences Act (POA) through the City of North Bay.

**Carried Mayor Rochefort**

CERTIFIED to be a true copy of  
Resolution No. 2021-352 passed by the  
Council of the Municipality of East Ferris  
on the 23rd day of November, 2021.

*Monica L. Hawkins*  
Monica L. Hawkins, AMCT  
Clerk

**Ministry of Northern  
Development, Mines,  
Natural Resources and  
Forestry**

Office of the Minister

99 Wellesley Street West  
Room 6630, Whitney Block  
Toronto ON M7A 1W3  
Tel: 416-314-2301

**Ministère du  
Développement du Nord,  
des Mines, des Richesses  
naturelles et des Forêts**

Bureau du ministre

99, rue Wellesley Ouest  
Bureau 6630, Édifice Whitney  
Toronto ON M7A 1W3  
Tél.: 416 314-2301



774-2021-241

November 24, 2021

His Worship Ian Pennell  
Mayor  
Township of Calvin  
RR 2  
Mattawa, ON P0H 1V0  
[mayorpennell@gmail.com](mailto:mayorpennell@gmail.com)

Dear Mayor Pennell:

I am pleased to write to you regarding the Northern Ontario Resource Development Support (NORDS) Fund.

As I announced today, our government, through the new NORDS Fund, is investing \$15 million annually over the next five years in municipalities across Northern Ontario to help offset some of the impacts that resource development can have on local municipal and community infrastructure.

All 144 municipalities in Northern Ontario are eligible to receive funding under the new NORDS Fund to support investments in municipal and community infrastructure projects. Based on community size, an annual allocation has been identified for each municipality in Northern Ontario.

This new funding will complement existing funding streams available to municipalities for infrastructure projects. To help address and respond to municipal priorities, the NORDS Fund is flexible and will allow municipalities to stack with other programs, carry-over unused allocations year over year, and pursue partnerships with other northern municipalities to support regional projects.

I am pleased to confirm that Township of Calvin's annual allocation is \$60,351.00. This annual allocation can fund projects that began on or after April 1, 2021.

You can begin submitting project information on December 7, 2021, through the Transfer Payment Ontario website available at [www.ontario.ca/page/get-funding-ontario-government](http://www.ontario.ca/page/get-funding-ontario-government).



Dominique Marleau, a Northern Development Advisor from my ministry's Regional Economic Development Branch, will reach out to you shortly to provide support, or to answer any questions you may have. Ms. Marleau can also be contacted by telephone at 705-471-1071, or by email at [dominique.marleau@ontario.ca](mailto:dominique.marleau@ontario.ca).

Our government remains committed to working with and supporting municipalities across Northern Ontario.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Rickford". The signature is written in a cursive style with a large initial "G" and "R".

The Honourable Greg Rickford  
Minister of Northern Development, Mines, Natural Resources and Forestry



Environmental Registry of Ontario

## Moving to a project list approach under the Environmental Assessment Act

<a href="#">ERO (Environmental Registry of Ontario)</a> number	019-4219
Notice type	Regulation
Act	Environmental Assessment Act, R.S.O. 1990
Posted by	Ministry of the Environment, Conservation and Parks
Notice stage	Proposal
Proposal posted	November 26, 2021
Comment period	November 26, 2021 - January 25, 2022 (60 days) Open
Last updated	November 26, 2021

This consultation closes at 11:59 p.m. on:

**January 25, 2022**

### Proposal summary

We are proposing regulations and related actions to move toward a project-list approach for projects that will require a comprehensive environmental assessment under the *Environmental Assessment Act*.

### Proposal details

#### Overview of proposed regulations and related actions

The July 2020 amendments to the *Environmental Assessment Act* ([EAA](#)) enabled, among other things, the move to a project list approach, which means that projects that require a comprehensive environmental assessment ([EA](#)) (previously known as an individual [EA \(environmental assessment\)](#)) will be listed in the regulation rather than being based mainly on who is proposing the project.

Taking this approach will better align Ontario with other jurisdictions across Canada, who use project lists to determine the types of projects that must complete an [EA \(environmental assessment\)](#). The shift to a Comprehensive [EA \(environmental assessment\)](#) Project List would ensure environmental safeguards are in place and allow us to align some of our thresholds with those of the federal government for key sectors.

Under the proposal, most project types that currently require a comprehensive [EA \(environmental assessment\)](#) will continue to need one. However, we are proposing a few changes to allow some projects to instead follow a streamlined process which will continue to ensure environmental oversight and robust consultation prior to the project being able to proceed.

To move to a project list approach, we are proposing the following:

- designating and exempting regulation: new regulation identifying the projects that would be subject to comprehensive [EA \(environmental assessment\)](#) requirements

(comprehensive [EA \(environmental assessment\)](#) projects regulation); this regulation would also replace [O. Reg. \(Ontario Regulation\) 101/07](#) (Waste Management) and [O. Reg. \(Ontario Regulation\) 116/01](#) (Electricity Projects), and the exemption in [O. Reg. \(Ontario Regulation\) 231/08](#) (Transit Projects and Metrolinx Undertakings). The Waste Projects and Electricity Projects regulations would be revoked, and the Transit Projects regulation would be amended.

- amendments to [O. Reg. \(Ontario Regulation\) 231/08](#) (to maintain the Project Assessment Process in [O. Reg. \(Ontario Regulation\) 231/08](#))
- amendments to class environmental assessments (to ensure alignment between class [EAs \(environmental assessments\)](#) and the projects that would be subject to comprehensive [EA \(environmental assessment\)](#) requirements) and revoking the Class [EA \(environmental assessment\)](#) for [GO \(Government of Ontario\)](#) Transit Facilities
- new regulation exempting some projects from the [EAA \(Environmental Assessment Act\)](#) (this new regulation will replace Regulation 334 General)
- complementary amendments to regulations made under statutes other than the [EAA \(Environmental Assessment Act\)](#)
- complementary amendments to and revocations of regulations and orders made under the [EAA \(Environmental Assessment Act\)](#)
- new transitional and general matters regulation, which sets out transition rules and general matters.

A summary of these proposed regulations and related actions is set out below. You can read more details on the proposed regulations, class [EA \(environmental assessment\)](#) amendments, and amendments to and revocation of regulations and orders in the attached document [Moving to a Project List Approach under the \*Environmental Assessment Act\*](#) (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20>). The drafts of the key proposed regulations are also attached to this notice.

## Background

On July 21, 2020, the *COVID-19 Economic Recovery Act, 2020* was passed. It included:

- amendments to the *Environmental Assessment Act* ([EAA](#))
- related consequential amendments

You can read the Environmental Registry notice for these amendments at <https://ero.ontario.ca/notice/019-2051> (<https://ero.ontario.ca/notice/019-2051>).

These amendments enable the next steps in modernizing Ontario's environmental assessment program, helping to:

- ensure strong environmental oversight
- facilitate Ontario's economic recovery

On September 11, 2020, we proposed a list of projects which would be subject to comprehensive [EA \(environmental assessment\)](#) requirements under the new Part II (two).3 of the [EAA \(Environmental Assessment Act\)](#) (policy proposal). You can read the Environmental Registry notice at <https://ero.ontario.ca/notice/019-2377>. (<https://ero.ontario.ca/notice/019-2377.%20>)



In that notice, we indicated we would seek input on a draft regulation based on feedback we received on the proposed project list.

## **Proposed comprehensive EA (environmental assessment) projects regulation**

The sections below provide a summary of the proposed comprehensive EA (environmental assessment) projects regulation that would identify the projects subject to a comprehensive EA (environmental assessment).

For detailed information on each of the matters below, we have attached:

- **Moving to a Project List Approach under the *Environmental Assessment Act*** (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20>), and
- the **proposed comprehensive** ([https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20Designations%20and%20Exemptions%29\\_Consultation%20Draft\\_1.pdf](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20Designations%20and%20Exemptions%29_Consultation%20Draft_1.pdf)) **EA (environmental assessment) projects regulation** ([https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20Designations%20and%20Exemptions%29\\_Consultation%20Draft\\_1.pdf](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20Designations%20and%20Exemptions%29_Consultation%20Draft_1.pdf)) as well as other related proposed regulations

### **Waste management, electricity and transit projects**

We are proposing to revoke the:

- Electricity Projects regulation (*O. Reg. (Ontario Regulation) 116/01*);
- Waste Management Projects regulation (*O. Reg. (Ontario Regulation) 101/07*),

And to amend and rename the:

- Transit Projects and Metrolinx Undertakings regulation (*O. Reg. (Ontario Regulation) 231/08*)

These three regulations designate:

- projects that require an individual EA (environmental assessment) (now known as a comprehensive EA (environmental assessment))
- projects that are eligible to follow a “streamlined” EA (environmental assessment) process, namely projects that require an individual EA (environmental assessment) but are conditionally exempt subject to following the streamlined process, such as the electricity or waste management screening processes, or the transit project assessment process, and
- projects that are unconditionally exempt from EA (environmental assessment) requirements

We are proposing to continue the waste, electricity and transit project designations through the proposed comprehensive EA (environmental assessment) projects regulation, including providing access to a streamlined process for some projects and unconditional exemptions for others consistent with the requirements below.

We are also proposing some adjustments due to the structure of the new regulation and

clarification of some terminology.

## Electricity projects

We are proposing that electricity projects, including those below, be required to complete a comprehensive EA (environmental assessment):

- transmission stations that are designed to operate at a voltage of 500kV (kilovolts) or more and that are not associated with certain generation facilities
- hydroelectric facilities with a capacity of greater or equal to 200 megawatts
- generating facilities that use oil, with a capacity greater than 5 megawatts
- Project Modifications – significant modifications to electricity projects will continue to require a comprehensive EA (environmental assessment), consistent with current provisions as noted in section 8 of the proposed comprehensive EA (environmental assessment) projects regulation.

The ministry recently consulted on a proposal to update the thresholds that determine the type of environmental assessment process required for establishing a transmission line not associated with generation. The information on this proposal can be found at <https://ero.ontario.ca/notice/019-3937> (<https://ero.ontario.ca/notice/019-3937>).

With the exception of the proposal to adjust the thresholds for transmission line projects, the electricity projects that currently require a comprehensive EA (environmental assessment) would continue to require one. We are proposing updated descriptions of the activity that would trigger the EA (environmental assessment) requirements. The proposed change is that the establishment of the project would be subject, rather than the planning, design, operation, etc. This proposed change would provide consistency with other project types.

We will also maintain the ability to use the streamlined process for those projects that are currently designated and conditionally exempted subject to following the streamlined process. We are not proposing to make any changes to the projects that are unconditionally exempt.

The new regulation will update some terminology for consistency, and make corresponding changes to the Guide for Electricity Projects including reflecting that the Minister is the only decision-making authority related to elevation requests, which are requests that a project following the screening process be elevated to a comprehensive EA (environmental assessment).

## Waste management projects

We are proposing to require a comprehensive EA (environmental assessment) for projects including:

Landfills:

- Establishing a landfill greater than 100,000 cubic metres.
- Changing a landfill to increase the total waste disposal volume by more than 375,000 cubic metres
- Changing a landfill to increase the total waste disposal volume by more than 100,000 cubic metres and less than or equal to 375,000 cubic metres if the change would increase the total waste disposal volume by more than 25%
- A change to a landfill that:

- involves the excavation of waste previously disposed of at the landfill; and
- the excavation would increase by more than 100,000 cubic metres the amount of waste that could be deposited at the site without any increase in the total waste disposal volume.

Hazardous or Liquid Industrial Waste Facilities:

- Establish a waste disposal site at which hazardous or liquid industrial waste is finally disposed of.
- A change to a landfill for hazardous waste or liquid industrial waste that:
  - results in an increase in the total approved waste disposal volume of the site; or
  - involves the excavation of previously disposed of waste.
- A change to a thermal treatment site at which hazardous waste or liquid industrial waste is subject to thermal treatment that increases the amount of waste that is authorized to be thermally treated at the site on any day.

We are also proposing corresponding updates to the thresholds for determining environmental assessment requirements for certain landfill expansions such that the following projects would be able to use the streamlined [EA \(environmental assessment\)](#) process for waste management projects:

- Changing a landfill to increase the total waste disposal volume by more than 100,000 cubic metres and less than or equal to 375,000 cubic metres if the change would increase the total waste disposal volume by less than or equal to 25%

Consistent with current requirements, changing a landfill to increase the total waste disposal volume by 40,000 cubic metres or more and less than or equal to 100,000 cubic metres would remain eligible to follow the streamlined [EA \(environmental assessment\)](#) process.

The proposed revisions will provide that proponents are not able to use the streamlined [EA \(environmental assessment\)](#) process to do a series of expansions over a defined period of time in order to avoid undertaking a comprehensive [EA \(environmental assessment\)](#). The proposed updates to thresholds would not apply to hazardous or liquid industrial waste facilities.

Note: The proposed update is not incorporated into the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation attached to this proposal notice.

Except for the proposed updates relating to landfill expansions of certain sizes summarized above, the waste projects which currently require a comprehensive [EA \(environmental assessment\)](#) would continue to require one. We would maintain the ability to use the streamlined process for projects that are currently designated and exempted subject to following the streamlined process. We are not proposing to make any changes to the projects that are unconditionally exempt.

We are also proposing changes to the Guide for Waste Projects, including reflecting that the Minister will be the decision-maker for ordering that a streamlined [EA \(environmental assessment\)](#) project be made subject to a comprehensive [EA \(environmental assessment\)](#), for consistency with other streamlined processes.



## Advanced Recycling Projects

Advanced recycling and energy recovery technologies can help ensure valuable resources contained in waste – like hard-to-recycle plastics – can be kept in the economy and out of landfills. The government continues to consider how best to streamline environmental assessment requirements and other environmental approvals to reflect that advanced recycling will play an important role in meeting Ontario's waste diversion goals.

Note: No changes to environmental assessment requirements for these technologies are incorporated into the proposed comprehensive EA (environmental assessment) projects regulation attached to this proposal notice.

## Transit projects

For transit projects, except for certain new passenger rail projects as noted below, we are proposing to generally maintain the types of projects set out in O. Reg. (Ontario Regulation) 231/08 (Transit Projects and Metrolinx Undertakings). The proposed comprehensive EA (environmental assessment) projects regulation will designate the projects that are currently captured by O. Reg. (Ontario Regulation) 231/08 and exempt them subject to following the streamlined process set out in the amended and renamed Transit Project Assessment Process (TPAP) or the applicable class EA (environmental assessment).

We are proposing some adjustments to the designations largely to update the terminology for consistency and provide for consistency among proponents subject to the streamlined process.

We are proposing to amend and rename the Transit Projects and Metrolinx Undertakings regulation (O. Reg. (Ontario Regulation) 231/08):

- to retain the streamlined process, until a new regulation for streamlined transit projects and the related assessment process is made,
- re-name the streamlined process, to reflect that it will be available for certain Ontario Northland Transportation Commission (ONTC) projects,
- clarify notification requirements, and
- adjust the process to include the ability for the Minister to amend or revoke conditions imposed in a notice given by the Minister to allow the proponent to proceed with a transit project.

The proposed minor amendments to the transit project definitions align with the proposed comprehensive EA (environmental assessment) projects regulation and the relevant class EAs (environmental assessments), including the Class EA (environmental assessment) for Provincial Transportation Facilities and Municipal Class EA (environmental assessment).

We are also proposing:

- to revoke the Class EA (environmental assessment) for GO (Government of Ontario) Transit Facilities since this class EA (environmental assessment) is rarely used by Metrolinx as they follow TPAP (Transit Project Assessment Process) instead
- to make new rail lines of 50 km (kilometres) or greater subject to comprehensive EA (environmental assessment) requirements as further summarized below.

## Highway projects

We are proposing to require a comprehensive EA (environmental assessment) for:

- establishing new highways of 75 km (kilometres) or more in length meet specific criteria set out in regulation

Highway projects less than 75 km (kilometres) would be subject to the streamlined EA (environmental assessment) process set out in the Class EA (environmental assessment) for Provincial Transportation Facilities (MTO Class EA) which is proposed to be amended to apply to those projects.

This represents a change from current requirements which requires the planning of all new freeways, namely 400 series, irrespective of length, to complete a comprehensive EA (environmental assessment).

This proposed approach would align Ontario's distance with that used by the federal government under the impact assessment legislation for a new all-season public highway that requires a new right of way.

### Railway and certain other projects

We are proposing to require a comprehensive EA (environmental assessment) for the following projects:

- establishing a new railway line (passenger or freight) of 50 km (kilometres) or more.

We are also proposing that the establishment of railway lines (passenger or freight) below 50 km (kilometres) in length and other rail and bus projects by the Ontario Northland Transportation Commission, such as stations, maintenance facilities and storage yards be eligible to follow the renamed TPAP (Transit Project Assessment Process) process. Certain ONTC (Ontario Northland Transportation Commission) projects which would be constructed to support ONTC bus services are also proposed to be designated. These changes will provide better alignment with other public sector proponents and jurisdictions to promote consistency and clarity.

Railway line projects that would involve adding new tracks alongside and contiguous to an existing line, if undertaken by Metrolinx, ONTC (Ontario Northland Transportation Commission), a municipality or MTO (Ministry of Transportation), irrespective of length, would also follow the streamlined process.

This represents a change from current requirements, as new railway projects may or may not trigger an EA (environmental assessment) process based on who is undertaking the project and whether they are eligible to follow a streamlined process.

You can read:

- **Moving to a Project List Approach under the *Environmental Assessment Act*** (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20>) for additional information, and
- the **proposed comprehensive** ([https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20Consultation%20Draft\\_1.pdf](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20Consultation%20Draft_1.pdf)) **EA (environmental assessment) projects regulation** ([https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20Consultation%20Draft\\_1.pdf](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20Consultation%20Draft_1.pdf))

[28Part%20II.3%20Projects%20Designations%20and%20Exemptions%29 Consultation%20Draft\\_1.pdf](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf)

- the [proposed amending regulation \(regulation amending \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf\)\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf) *O. Reg. (Ontario Regulation) 231/08* (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/EA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf>)

## Waterfront projects

We are proposing to make certain waterfront projects in the Great Lakes-St. Lawrence River System subject to comprehensive [EA \(environmental assessment\)](#) requirements. These projects would involve establishing “works” (e.g. [example](#)) berm, marina, channel, island, beach, pier, wall or riprap, which meet both of the proposed criteria below:

- alter at least 1 [km \(kilometres\)](#) of shoreline, and
- require at least 4 [ha \(hectares\)](#) of lakebed or riverbed to be filled

We are proposing that this designation apply to waterfront projects in the Great Lakes-St. Lawrence River System, which would be defined as the major water system consisting of:

- Lakes Superior, Huron, St. Clair, Erie and Ontario, and
- St. Marys, Detroit, Niagara, St. Clair and St. Lawrence rivers.

This represents a change from current requirements, where new waterfront projects may or may not trigger an [EA \(environmental assessment\)](#) process based on who is undertaking the project and whether they are eligible to follow a streamlined process. Waterfront projects which do not meet the proposed comprehensive [EA \(environmental assessment\)](#) thresholds might have requirements under a class [EA \(environmental assessment\)](#) process.

## Mineral development projects

Mineral development projects are not included in the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation. Ontario has a long history of regulating mineral development and has a deep understanding of the nature and type of environmental effects that mineral development can potentially create in some circumstances, as well as how to manage such potential effects.

We considered the ability of the current regulatory framework to address what an [EA \(environmental assessment\)](#) process for a mine would generally require, including public and Indigenous consultation requirements that already apply as part of the existing regulatory obligations. This information helped inform our decision on whether mineral development projects should be included in the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation.

Mineral development projects will continue to have requirements under streamlined [EA \(environmental assessment\)](#) processes (as applicable), and proponents can continue to voluntarily carry out a comprehensive [EA \(environmental assessment\)](#) and fulfill other project-related requirements that would be triggered under legislation other than the [EAA \(Environmental Assessment Act\)](#). In the past 10 years, nine proponents have volunteered to



carry out a comprehensive [EA \(environmental assessment\)](#) for their mineral development projects. There will continue to be the authority to make specific projects subject to the comprehensive [EA \(environmental assessment\)](#) requirements.

## Proposed amendments to Class Environmental Assessments

Until a project list is in place to designate the projects that would be subject to the streamlined environmental assessment (EA) requirements under Part II (two).4 of the *Environmental Assessment Act* (EAA), projects which are subject to a class [EA \(environmental assessment\)](#) will continue to be required to comply with the class [EA \(environmental assessment\)](#). Amendments to certain class [EAs \(environmental assessments\)](#) will be required to align with the proposed projects and thresholds for certain types of projects that are proposed to be made subject to the comprehensive [EA \(environmental assessment\)](#) requirements.

The list below identifies the class [EAs \(environmental assessments\)](#) which we are proposing to amend to align with the comprehensive [EA \(environmental assessment\)](#) project designations.

### Transportation

- Class [EA \(environmental assessment\)](#) for Provincial Transportation Facilities ([MTO \(Ministry of Transportation\)](#) Class [EA \(environmental assessment\)](#))
- Municipal Class [EA \(environmental assessment\)](#)

### Electricity

- Class [EA \(environmental assessment\)](#) for Minor Transmission Facilities

### Transit

- Municipal Class [EA \(environmental assessment\)](#)
- Class [EA \(environmental assessment\)](#) for Provincial Transportation Facilities

### Waterfront projects

- Class [EA \(environmental assessment\)](#) for Remedial Flood and Erosion Control Projects
- Class [EA \(environmental assessment\)](#) for Resource Stewardship and Facility Development Facilities
- Municipal Class [EA \(environmental assessment\)](#)
- Government Property Class [EA \(environmental assessment\)](#)

In addition, we are proposing related amendments to be made to all of the class [EAs \(environmental assessments\)](#) to facilitate the transition to the new framework. This includes updating terminology and referencing of provisions in the revised [EAA \(Environmental Assessment Act\)](#), adding text to enhance clarity about which proponents and projects are subject to a comprehensive [EA \(environmental assessment\)](#) or the specific class [EA \(environmental assessment\)](#).

Note: The class [EA \(environmental assessment\)](#) amendments that are being proposed to ensure alignment between class [EAs \(environmental assessments\)](#) and the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation are separate and in

addition to the class [EA \(environmental assessment\)](#) amendments which the ministry proposed in July 2020. Those proposed amendments remain under review. For more information, you can refer to the [Environmental Registry of Ontario posting 019-1712 \(<https://ero.ontario.ca/notice/019-1712>\)](#).

## Proposed amendments to regulations and orders

### *Regulation 334*

*Regulation 334* is a general regulation under the *Environmental Assessment Act* (EAA) which sets out provisions that affect how the Act applies to certain types of projects.

In keeping with the phased approach to modernizing the [EA \(environmental assessment\)](#) framework and the application of the [EAA \(Environmental Assessment Act\)](#) to projects designated as comprehensive [EA \(environmental assessment\)](#) projects, many of the provisions of this regulation will not be necessary or are not consistent with the new framework. We are proposing to revoke and replace this regulation with a new regulation.

This also includes a proposal to amend the Land Claim Exemption (currently found in *Regulation 334*) so that it applies to undertakings related to any settlement of the Algonquin land claim where consultation on particular undertakings has not yet commenced under the Algonquin Land Claim declaration order. The proposal is also to amend the Algonquin Land Claim declaration order so that it would align with the proposed exemption. The Ministry of Indigenous Affairs (IAO) has a robust [Indigenous Land Claim Consultation Process \(\[https://files.ontario.ca/iao\\\_land-claims-negotiation-process\\\_en\\\_2020\\\_03\\\_02.pdf\]\(https://files.ontario.ca/iao\_land-claims-negotiation-process\_en\_2020\_03\_02.pdf\)\)](#) that provides a mechanism to address consultation with government agencies, Indigenous communities, and the public for these types of projects and activities. The process is proposed to be followed for projects and activities associated with any Algonquin land claim settlement where consultation has not yet commenced under the Algonquin Land Claim Settlement Declaration Order.

You can read:

- The attached document [Moving to a Project List Approach under the \*Environmental Assessment Act\* \(<https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20>\)](#)
- the [proposed new general regulation \(Exemptions from the Act\) \(<https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20Exemptions%20from%20the%20Act%20and%20from%20Part%20II.1%20of%20the%20Act%20-%20Consultation%20Draft.pdf>\)](#)

### Regulations and declaration orders made under *Environmental Assessment Act*

The existing Environmental Assessment (EA) regulatory framework has, for a variety of reasons, required the implementation of over 100 instruments in the form of site-specific and program-based:

- declaration orders
- exemption orders
- regulations

These documents set out whether or not the *Environmental Assessment Act* (EAA) applies to the subject matter of the instrument (undertaking) and some include conditions associated with the exemption of the undertaking (conditional exemptions).

We are proposing to:

- make complementary amendments to some of these, such as cross-referencing the revised sections of the EAA (Environmental Assessment Act), so they continue to be effective
- maintain some so that they continue to provide a framework for some activities
- revoke others to align with the modernized EA (environmental assessment) framework

### **Complementary amendments - regulations made under legislation other than *Environmental Assessment Act***

We are proposing to make complementary amendments to some regulations made under statutes other than the EAA (Environmental Assessment Act) that refer to the environmental assessment regulations proposed to be revoked, or to the provisions of the EAA (Environmental Assessment Act) that have been revised.

### **Proposed transition regulation**

We are also proposing a new regulation that would set out the various transition rules, including how individual EAs (environmental assessments) that are underway would continue as comprehensive EAs (environmental assessments) once the regulation is in place.

We are proposing that where an individual EA (environmental assessment) is underway (i.e. that is) the proponent has submitted a proposed Terms of Reference to the ministry), the transition provisions will provide that the EA (environmental assessment) process continues uninterrupted once the comprehensive EA (environmental assessment) projects regulation is made.

You can read:

- The proposed general and transitional matters regulation (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20General%20and%20Transitional%20Matters%20-%20Consultation%20Draft.pdf>).

### **Proclamation**

For the purposes of the proposed regulations and related actions in moving to a project list approach under the *Environmental Assessment Act* (EAA), several sections of the EAA (Environmental Assessment Act), will be proclaimed in conjunction with the making of the proposed regulations and implementing all related actions. The sections that will be proclaimed will:

- Replace the existing application provision in section 3 of the EAA (Environmental Assessment Act) with an application section making the EAA (Environmental Assessment Act) apply only to designated projects,
- Repeal Part II (two) of the EAA (Environmental Assessment Act), and
- Add Part II (two).3

## Regulatory impact statement

There are no anticipated direct costs or new administrative burdens associated with the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation and related actions. While the proposal could result in a minor, temporary increase in administrative costs mostly associated with the time taken to learn about the proposed regulatory framework, the impact to the regulated community is anticipated to be negligible.

The proposed framework will provide clarity and transparency for the regulated community and others when it comes to determining which projects would be subject to the requirements of the *Environmental Assessment Act*. This would result in a net reduction in the administrative burden on the regulated community.

## Supporting materials

### Related files

[Consultation Draft - Regulation amending O.Reg. 231/08 \(Transit Projects and Metrolinx Undertakings \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf\)\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf)  
pdf (Portable Document Format file) 213.09 KB

[Consultation Draft - Exemptions from the Act Regulation \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20Exemptions%20from%20the%20Act%20and%20from%20Part%20II.1%20of%20the%20Act%20-%20Consultation%20Draft.pdf\)\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20Exemptions%20from%20the%20Act%20and%20from%20Part%20II.1%20of%20the%20Act%20-%20Consultation%20Draft.pdf)  
pdf (Portable Document Format file) 204.46 KB

[Consultation Draft - General and Transitional Matters Regulation \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20General%20and%20Transitional%20Matters%20-%20Consultation%20Draft.pdf\)\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20General%20and%20Transitional%20Matters%20-%20Consultation%20Draft.pdf)  
pdf (Portable Document Format file) 531.64 KB

[EAA Regulation \(Part II.3 Projects -Designations and Exemptions\) Consultation Draft 1.pdf \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20Consultation%20Draft\\_1.pdf\)\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20Consultation%20Draft_1.pdf)  
pdf (Portable Document Format file) 344.21 KB

[Moving to a Project List Approach under the Environmental Assessment Act.pdf \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20Act.pdf\)\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20Act.pdf)  
pdf (Portable Document Format file) 1.19 MB



## Related links

[Environmental Assessment Act, R.S.O. 1990, c. E.18  
\(https://www.ontario.ca/laws/statute/90e18\)](https://www.ontario.ca/laws/statute/90e18)

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## Related ERO (Environmental Registry of Ontario) notices

[Clarifying the authority to change the classes of projects to which a class environmental assessment process applies \(/notice/019-4189\)](/notice/019-4189)

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[Proposed Project List for comprehensive environmental assessments under the Environmental Assessment Act \(EAA\) \(/notice/019-2377\)](/notice/019-2377)

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[Environmental assessment modernization: amendment proposals for Class Environmental Assessments \(/notice/019-1712\)](/notice/019-1712)

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[Proposed Environmental Assessment Act \(EAA\) Amendments in the COVID 19- Economic Recovery Act \(/notice/019-2051\)](/notice/019-2051)

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[Discussion paper: modernizing Ontario's environmental assessment program \(/notice/013-5101\)](/notice/013-5101)

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[Updating environmental assessment requirements for transmission lines \(/notice/019-3937\)](/notice/019-3937)

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[Extending the expiry date for Environmental Assessment Act approvals for certain projects \(/notice/019-4428\)](/notice/019-4428)

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## View materials in person

Important notice: Due to the ongoing COVID-19 pandemic, viewing supporting materials in person is not available at this time.

Please reach out to the Contact listed in this notice to see if alternate arrangements can be made.

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## Comment

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the [ERO \(Environmental Registry of Ontario\)](#) number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies. \(/page/commenting-privacy\)](/page/commenting-privacy)

## Submit by mail

EA Modernization Project Team  
Environmental Assessment Modernization  
Branch


135 St Clair Ave West  
4th Floor  
Toronto, ON  
M4V 1P5  
Canada

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**Connect with  
US**

**Contact**

**EA Modernization Project Team**

 [EAmmodernization.mecp@ontario.ca](mailto:EAmmodernization.mecp@ontario.ca)

**Cindy Pigeau**

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**From:** EA Modernization (MECP) <EAModernization.MECP@ontario.ca>  
**Sent:** Friday, November 26, 2021 6:39 PM  
**To:** EA Modernization (MECP)  
**Cc:** EA Modernization (MECP); Cross, Annamaria (MECP)  
**Subject:** Environmental Assessment Modernization Proposals – Moving to a project list approach and Extending Environmental Assessment Act approvals for certain projects  
**Attachments:** Extending the expiry date for Environmental Assessment Act approvals for certain projects \_ Environmental Registry of Ontario.pdf; Moving to a Project List Approach under the Environmental Assessment Act.pdf; EA Modernization Proposal - Moving to A Project List Approach under the Environmental Assessment Act.pdf

Hello,

I am writing to provide you with information about the Ministry of the Environment, Conservation and Parks' ongoing efforts to modernize the environmental assessment program. As you may be aware, the ministry has been consulting on various aspects of environmental assessment modernization since 2019 including proposed amendments to eight class environmental assessments, some exemption regulations, and in September 2020, we began consultations on a proposed list of projects that would be subject to a comprehensive environmental assessment. On that note, I am writing to you today to let you know that we are now seeking input on the proposal for Moving to a project list approach under the Environmental Assessment Act that is attached and can be found here: <https://ero.ontario.ca/notice/019-4219> and the proposal to extend the expiry date of Environmental Assessment Act approvals for certain projects through Minister's Notices that is also attached and can be found here: <https://ero.ontario.ca/notice/019-4428>.

*Proposed Comprehensive Environmental Assessment Projects Regulation (Designations – Part II.3 Projects)*

Following the amendments to the *Environmental Assessment Act* made in July 2020, the ministry began work on the development of a number of regulations, including a regulation that will, if made, identify the projects that are subject to comprehensive environmental assessment requirements. We initially consulted on the proposed list of projects for comprehensive environmental assessments in fall 2020 and we are now consulting on the proposed comprehensive environmental assessment projects regulation and related actions, including posting on the Environmental Registry of Ontario for a 60-day public review and comment period. The notice for this proposal may be viewed here: <https://ero.ontario.ca/notice/019-4219>.

*How can I learn more or comment on the proposed Comprehensive Environmental Assessment Projects regulation (Designations – Part II.3 Projects)?*

In order to provide an opportunity for dialogue on the proposal, the ministry will be hosting webinars to provide an overview of the proposal, an opportunity to ask questions to the ministry and provide any comments or feedback for the ministry's consideration. You may register for an information webinar on December 17, 2021 by clicking on the following Eventbrite link: <https://www.eventbrite.ca/e/modernizing-ontarios-environmental-assessment-program-tickets-201142882777>. Once you have registered, you will receive an email with further details, including

login information. We are seeking your feedback on the proposal for the comprehensive environmental assessment projects regulation by January 25, 2022.

Comments can be shared directly with the ministry through the environmental registry or by e-mail at: [EAModernization.mecp@ontario.ca](mailto:EAModernization.mecp@ontario.ca).

*Proposal to extend the expiry date of Environmental Assessment Act approvals for certain projects*

The ministry is consulting on a proposal to extend the expiry date of *Environmental Assessment Act* approvals for certain projects. The amendments that were made to the *Environmental Assessment Act* in July 2020 included an unproclaimed provision imposing a 10-year expiry date for projects that are approved but do not have an expiry date and have not substantially commenced. Such an approval would expire on the later of the date the provision comes into force and 10 years from the date of approval. For example, for a project that was approved in 2009, if the approval has no expiry date and has not substantially commenced, it would expire on the date the new section of the *Environmental Assessment Act* comes into force.

The new section of the *Environmental Assessment Act* also allows the Minister to, by notice, extend the period within which the project is to be substantially commenced, extending the date of expiry. The Minister is proposing to issue Notices to extend the environmental assessment approval for nine projects by 10 years and is looking for feedback. Taking the example described above of a project approved in 2009, the proposal would extend the expiry date of the approval to 10 years from the date the notice is issued.

This proposal would ensure that old approvals would not remain valid indefinitely, unless the Minister exempts the project from the requirement or issues a notice to extend the expiry. The approvals for these projects would only expire when the expiry provisions under the *Environmental Assessment Act* come into effect.

Based on the ministry's detailed review of the conditions of the approval for these projects, we are satisfied that steps will be taken before a project proceeds to ensure environmental protection and oversight are in place.

The proposed extensions will ensure that the commitments made by proponents during consultation on these projects will be carried out. However, if at any time new information or a change in circumstance comes to the attention of the ministry, the Minister may consider this information and, where appropriate, may reconsider the approval and revoke or amend it.

If the proposed notices extending the expiry of the approval is given in respect of the nine projects, the approvals will not expire when the expiry date provisions in the *Environmental Assessment Act* are proclaimed into force.

In general, the conditions of approval for these projects are triggered prior to and during construction and during operation of the project. The conditions of approvals for these projects may be found in the "related files and links" sections of the environmental registry posting at <https://ero.ontario.ca/notice/019-4428>.

Below are the projects proposed for extension to their approval.

**Projects proposed for the 10-year extension**



<b>Project Type</b>	<b>Proponent Name</b>	<b>Project Name</b>	<b>EAA Approval Date</b>	<b>EA requirement if approval expires</b>
Landfill	The Corporation of H. Dodge Haulage Limited	H. Dodge Haulage Landfill Expansion	February 11, 2009	This project would be subject to an Individual EA process under the current requirements and if the proposed designating regulation is made would be subject to a comprehensive EA (Refer to <a href="https://ero.ontario.ca/notice/019-4219">https://ero.ontario.ca/notice/019-4219</a> for additional information)
Transit	The Regional Municipality of York	Markham North South Link Corridor Public Transit Improvements EA (Region of York proponent)	November 29, 2006	Regardless of whether the proposed designating regulation is made or not this project would be subject to the Transit Project Assessment Process (TPAP) or Municipal Class EA (MCEA)
Highway	Regional Municipality of York	Transportation Improvements: Donald Cousens Parkway (Markham) to Morningside Avenue (Toronto)	January 23, 2013	Regardless of whether the proposed designating regulation is made or not this project would be subject to the MCEA
Transit	Toronto Transit Commission	TTC Bloor Danforth Westerly Extension of Subway	October 27, 1994	Regardless of whether the proposed designating regulation is made or not this project would be subject to the TPAP
Transit	City of Niagara Falls and Niagara Parks Commission	Niagara Falls People Mover System	August 8, 2001	Regardless of whether the proposed designating regulation is made or not this project would be subject to the TPAP
Transit	Regional Municipality of	Ottawa-Carleton	May 17, 2000	Regardless of whether the proposed designating regulation

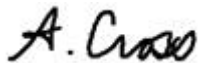
Project Type	Proponent Name	Project Name	EAA Approval Date	EA requirement if approval expires
	Ottawa-Carleton	Cumberland Transit Way (Now City of Ottawa)		is made or not this project would be subject to the TPAP or MCEA
Marina	City of Windsor	City of Windsor Downtown Marina	November 27, 1996	This project would be subject to an Individual EA process under the current requirements and if the proposed designating regulation is made no environmental assessment requirements would apply based on the proposed comprehensive EA threshold of establishing a works (e.g., marina) that alters at least 1 kilometre of shoreline and filling of 4 or more hectares of a lakebed or riverbed. Refer to <a href="https://ero.ontario.ca/notice/019-4219">https://ero.ontario.ca/notice/019-4219</a> for additional information.
Highway	Ministry of Transportation	MTO Highway 17 (Haley Station to Meath Hill)	August 25, 2004	Regardless of whether the proposed designating regulation is made or not this project would be subject to the Ministry of Transportation Class EA for Provincial Transportation Facilities
Electricity	Ontario Hydro (OH)	OH Eastern Ontario Transmission Route (East)	January 29, 1986	This project would be subject to an Individual EA process under the current requirements and if the proposed designating regulation is made would be subject to a comprehensive EA (Refer to <a href="https://ero.ontario.ca/notice/019-4219">https://ero.ontario.ca/notice/019-4219</a> for additional information)

*How can I learn more or comment on the expiry date proposal?*

We are seeking your feedback on the proposal to extend the expiry date for the approval of the above listed projects. Comments can be shared directly with the ministry by e-mail at [EAmmodernization.mecp@ontario.ca](mailto:EAmmodernization.mecp@ontario.ca) by January 25, 2022 and the proposal may be viewed on the Environmental Registry of Ontario at: <https://ero.ontario.ca/notice/019-4428>.

We are committed to keeping you apprised about the environmental assessment modernization initiative as it moves forward, including opportunities to provide input as we continue to build a strong environmental assessment program. We value your perspectives on the environmental assessment program and look forward to your feedback.

Sincerely,



Annamaria Cross  
Director, Environmental Assessment Modernization  
Environmental Assessment and Permissions Division  
Ministry of the Environment, Conservation and Parks

Attachments;

- 1) Proposal for Moving to a project list approach under the Environmental Assessment Act (ERO 019-4219)
- 2) Environmental Assessment Modernization – Moving to a Project List Approach under the Environmental Assessment Act
- 3) Bulletin on Extending the expiry date of Environmental Assessment Act approvals for certain projects (ERO 019-4428)

# Extending the expiry date for Environmental Assessment Act approvals for certain projects

ERO (Environmental Registry of Ontario) number	019-4428
Notice type	Bulletin
Act	Environmental Assessment Act, R.S.O. 1990
Posted by	Ministry of the Environment, Conservation and Parks
Bulletin posted	November 26, 2021
Last updated	November 26, 2021

This notice is for informational purposes only. There is no requirement to consult on this initiative on the Environmental Registry of Ontario. Learn more about the [types of notices \(/page/glossary#section-4\)](/page/glossary#section-4) on the registry.

## Bulletin summary

We are proposing to extend the expiry date for Environmental Assessment Act approvals by 10 years for certain projects once the relevant amendments to the Act come into effect. This extension will allow the projects to proceed (subject to any other permits and approvals required) instead of requiring a new environmental assessment to be completed.

## Why consultation isn't required

We are [proposing to extend the expiry date for Environmental Assessment Act approvals for 9 infrastructure projects by 10-years through Minister's notices](#).

These Minister's notices are not classified instruments under the Environmental Bill of Rights, 1993, so there is no requirement to consult on the Environmental Registry of Ontario (ERO). However, we want to hear your comments. Send us any feedback using the email address listed in the "Connect with us" section of this notice by January 25, 2022.

## Bulletin details

We are proposing to extend the expiry date of Environmental Assessment Act approvals for nine infrastructure projects, including three highways, two transit projects and a marina. The ministry has reviewed the conditions of the approvals for these nine specific projects and has determined that the appropriate environmental protection measures are still in place so these projects can continue without needing to complete a new environmental assessment for up to 10 years. These projects are also subject to any other permits and approvals required.

By providing an extension for these nine projects, we are allowing these important infrastructure projects to be built without delay to support our province's growing communities and economic recovery.

## **Background**

On July 21, 2020, the COVID-19 Economic Recovery Act, 2020 was passed and included amendments to the Environmental Assessment Act (EAA) and related consequential amendments (See ERO [019-2051](https://ero.ontario.ca/notice/019-2051) (<https://ero.ontario.ca/notice/019-2051>)). These amendments enabled the next steps in modernizing Ontario's environmental assessment program, helping to ensure strong environmental oversight and facilitate Ontario's economic recovery.

The amendments to the EAA:

- provide for a 10-year expiry date for approvals of projects that:
  - do not already have an expiry date
  - have not substantially started within 10 years (or an extended period if the Minister grants an extension) of approval being obtained
- give the Minister the authority to issue a notice that extends the expiry for certain older projects

This expiry date of 10 years, or any extended expiry date, will apply to approvals issued before the expiry date provision comes into force, if these older approvals do not have an expiry date.

## **Proposal to extend the expiry date of Environmental Assessment Act Approvals for nine projects**

We are proposing to extend the expiry by 10-years from the date notices are issued for nine projects. The proposed extensions would be granted through Minister's notices and the approval for these projects will not expire upon proclamation of the expiry date provisions in the EAA.

Information about these nine projects is outlined in the table below.

**The extension will ensure that the commitments made by proponents during consultation on these projects will be carried out and subject to any other permits and approvals required. However, if at any time new information or a change in circumstance comes to the attention of the ministry, the Minister may consider this information and, where appropriate, may reconsider the approval and revoke or amend it.**

## **Rationale for proposed expiry date extension**

An individual environmental assessment has generally been required for large-scale, complex projects with the potential for high impact to the environment. This is the highest level of assessment and involves a two-step process:

1. The terms of reference (the work plan)
2. The environmental assessment

In order to proceed with a project:

- the terms of reference must be approved by the Minister



- the proponent requires Minister and Cabinet approval to proceed with the undertaking following the environmental assessment process

**An individual environmental assessment also involves substantial investments in time and money including extensive public consultation to ensure that concerns are:**

- identified early
- considered
- addressed where appropriate

There are a number of reasons a project may not have been built after approval, such as:

- the proponent's ability to secure funding
- delays in obtaining proper authorizations before construction
- a change in the forecasted need for the project to accommodate future growth

In considering whether to extend the expiry, the ministry considered how to ensure continued environmental protection and oversight in relation to the infrastructure projects that matter most to Ontario communities.

**We have also decided not to propose an expiry date extension for 18 projects (see 'related files' section of this notice for a list). This is due to a combination of:**

- **the passage of time and inactivity**
- the proponent advising they are no longer considering the project
- the project has been replaced by another
- the project having substantially commenced (if a project has already substantially commenced, the approval will not expire).

### **Projects proposed for expiry date extension**

The proponents for the projects below requested their project approvals remain in place, as they intend to proceed with the projects at some point in the future.

Proponents were also asked to:

- confirm whether the assessment of environmental impacts in the EA remains valid
- describe whether there have been any changes to the environment (natural, cultural, built environment) at and near the project since approval was received

**Based on the ministry's detailed review of the conditions of the approval for these kinds of projects, we are satisfied that steps will be taken (subject to any other permits and approvals required) before a project proceeds to ensure environmental protection and oversight are in place.** No significant changes were identified.

For the Ottawa-Carleton Cumberland Transit Way project, we note there is now residential development on previously vacant land. There are conditions of the existing approval that will ensure the environment is protected including conditions related to noise and stormwater management.

If the approvals for these projects below are extended, the approval will not expire when the expiry date provisions are proclaimed in conjunction with Minister's notices being issued, and the projects will continue to be subject to the conditions in their approvals.

Additional information about each project including PDF copies of conditions of approval and any joint board decision, where applicable, may be found in the 'related files' section of this notice.

### Projects proposed for the 10-year extension

Project Type	Proponent Name	Project Name	EAA Approval Date	EA Act requirement if approval expires
Landfill	The Corporation of H. Dodge Haulage Limited	H. Dodge Haulage Landfill Expansion	February 11, 2009	This project would be subject to an Individual EA process under the current requirements and if the proposed designating regulation is made would be subject to a comprehensive EA (Refer to <a href="https://ero.ontario.ca/notice/019-4219">https://ero.ontario.ca/notice/019-4219</a> ( <a href="https://ero.ontario.ca/notice/029-4219">https://ero.ontario.ca/notice/029-4219</a> ) for additional information)
Transit	The Regional Municipality of York	Markham North South Link Corridor Public Transit Improvements EA (Region of York proponent)	November 29, 2006	Regardless of whether the proposed designating regulation is made or not this project would be subject to the Transit Project Assessment Process (TPAP) or Municipal Class EA (MCEA)
Highway	Regional Municipality of York	Transportation Improvements: Donald Cousens Parkway (Markham) to Morningside Avenue (Toronto)	January 23, 2013	Regardless of whether the proposed designating regulation is made or not this project would be subject to the MCEA
Transit	Toronto Transit Commission	TTC Bloor Danforth Westerly Extension of Subway	October 27, 1994	Regardless of whether the proposed designating regulation is made or not this project would be subject to the TPAP

<b>Project Type</b>	<b>Proponent Name</b>	<b>Project Name</b>	<b>EAA Approval Date</b>	<b>EA Act requirement if approval expires</b>
Transit	City of Niagara Falls and Niagara Parks Commission	Niagara Falls People Mover System	August 8, 2001	Regardless of whether the proposed designating regulation is made or not this project would be subject to the TPAP
Transit	Regional Municipality of Ottawa-Carleton	Ottawa-Carleton Cumberland Transit Way (Now City of Ottawa)	May 17, 2000	Regardless of whether the proposed designating regulation is made or not this project would be subject to the TPAP or MCEA
Marina	City of Windsor	City of Windsor Downtown Marina	November 27, 1996	This project would be subject to an Individual EA process under the current requirements and if the proposed designating regulation is made no environmental assessment requirements would apply based on the proposed comprehensive EA threshold of establishing a works (e.g., marina) that alters at least 1 kilometre of shoreline and filling of 4 or more hectares of a lakebed or riverbed. Refer to <a href="https://ero.ontario.ca/notice/019-4219">https://ero.ontario.ca/notice/019-4219</a> ( <a href="https://ero.ontario.ca/notice/019-4219">https://ero.ontario.ca/notice/019-4219</a> ) for additional information.
Highway	Ministry of Transportation	MTO Highway 17 (Haley Station to Meath Hill)	August 25, 2004	Regardless of whether the proposed designating regulation is made or not this project would be subject to the Ministry of Transportation Class EA for Provincial Transportation Facilities

Project Type	Proponent Name	Project Name	EAA Approval Date	EA Act requirement if approval expires
Electricity	Ontario Hydro (OH)	OH Eastern Ontario Transmission Route (East)	January 29, 1986	This project would be subject to an Individual EA process under the current requirements and if the proposed designating regulation is made would be subject to a comprehensive EA (Refer to <a href="https://ero.ontario.ca/notice/019-4219">https://ero.ontario.ca/notice/019-4219</a> ( <a href="https://ero.ontario.ca/notice/029-4219">https://ero.ontario.ca/notice/029-4219</a> ) for additional information)

## Supporting materials

### Related files

[Notice of approval for the TTC Bloor Danforth project \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/Notice%20of%20approval\\_TTC%20Bloor%20Danforth%20Westerly%20Extension%20of%20Subway\\_AODA.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/Notice%20of%20approval_TTC%20Bloor%20Danforth%20Westerly%20Extension%20of%20Subway_AODA.pdf)  
pdf (Portable Document Format file) 94.15 KB

[Projects not proposed for extension to their Environmental Assessment Act approvals \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/Projects%20not%20proposed%20for%20extension\\_AODA.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/Projects%20not%20proposed%20for%20extension_AODA.pdf)  
pdf (Portable Document Format file) 127.41 KB

[Notice of Approval for the Donald Cousens to Morningside project \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/Notice%20of%20approval%20-%20Donald%20Cousens%20to%20Morningside%20EA\\_AODA.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/Notice%20of%20approval%20-%20Donald%20Cousens%20to%20Morningside%20EA_AODA.pdf)  
pdf (Portable Document Format file) 184.61 KB

[The Joint Board Consolidated Hearings Act, 1981, Ontario Hydro, Eastern Ontario Transmission System Expansion, Reasons for Decision, Route Stage \(East Section\); Before D.S. Colbourne; B.E. Smith; D.H. McRobb, January 14, 1986 \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/H1\\_Reasons%20for%20Decisions%20Ottawa%20to%20St%20Lawrence%20EA%201986\\_AODA\\_1.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/H1_Reasons%20for%20Decisions%20Ottawa%20to%20St%20Lawrence%20EA%201986_AODA_1.pdf)  
pdf (Portable Document Format file) 5.25 MB

### Related links

[Notice of approval for H. Dodge Haulage Landfill Expansion project \(https://www.ontario.ca/page/approval-h-dodge-haulage-landfill-expansion-environmental-](https://www.ontario.ca/page/approval-h-dodge-haulage-landfill-expansion-environmental-)

[assessment\)](#)

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[Notice of approval for the Markham North-South Corridor Public Transit Improvem...  
\(https://www.ontario.ca/page/approval-markham-north-south-corridor-public-transit-improvements-environmental-assessment\)](https://www.ontario.ca/page/approval-markham-north-south-corridor-public-transit-improvements-environmental-assessment)

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[Notice of approval for the Niagara People Mover Transit System project  
\(https://www.ontario.ca/page/approval-niagara-people-mover-transit-system-environmental-assessment\)](https://www.ontario.ca/page/approval-niagara-people-mover-transit-system-environmental-assessment)

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[Notice of approval for the Ottawa-Carleton Cumberland Transitway project  
\(https://www.ontario.ca/page/approval-ottawa-carleton-cumberland-transitway-environmental-assessment\)](https://www.ontario.ca/page/approval-ottawa-carleton-cumberland-transitway-environmental-assessment)

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[Notice of approval for the Windsor Marina project \(https://www.ontario.ca/page/approval-windsor-marina-environmental-assessment\)](https://www.ontario.ca/page/approval-windsor-marina-environmental-assessment)

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[Notice of approval for the Highway 17 Haley Station to Meath Hill project  
\(https://www.ontario.ca/page/approval-highway-17-haley-station-meath-hill-environmental-assessment\)](https://www.ontario.ca/page/approval-highway-17-haley-station-to-meath-hill-environmental-assessment)

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## **Related ERO (Environmental Registry of Ontario) notices**

[Proposed Project List for comprehensive environmental assessments under the Environmental Assessment Act \(EAA\) \(/notice/019-2377\)](/notice/019-2377)

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[Updating environmental assessment requirements for transmission lines \(/notice/019-3937\)](/notice/019-3937)

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[Clarifying the authority to change the classes of projects to which a class environmental assessment process applies \(/notice/019-4189\)](/notice/019-4189)

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[Proposed Environmental Assessment Act \(EAA\) Amendments in the COVID 19- Economic Recovery Act \(/notice/019-2051\)](/notice/019-2051)

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[Discussion paper: modernizing Ontario's environmental assessment program \(/notice/013-5101\)](/notice/013-5101)

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[Moving to a project list approach under the Environmental Assessment Act \(/notice/019-4219\)](/notice/019-4219)

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## **View materials in person**

Important notice: Due to the ongoing COVID-19 pandemic, viewing supporting materials in person is not available at this time.

Please reach out to the Contact listed in this notice to see if alternate arrangements can be made.



Sharifa Wyndham-Nguyen

 [416-219-2902](tel:416-219-2902)

 [eamodernization.mecp@ontario.ca](mailto:eamodernization.mecp@ontario.ca)

Dear Sir / Madam:

**Re: Open Letter to Rule Making Producer Responsibility Organizations**

Thank you for your time in discussing the initial work completed by municipal governments to understand how some of our key principles will be addressed by producer responsibility organizations (PROs) under the common collection system (CCS) for the Blue Box.

Based on your feedback, we have opted to engage directly with you through a series of initial questions on how municipal objectives can be achieved through your preferred approach. We understand the scope for rule-setting and the creation of the allocation table are strictly limited to the terms in *O. Reg. 391/21 Blue Box*, but we believe municipal objectives may be addressed through several different means, including but not limited to:

- the common collection system rules as established under section 15 (1-10) under *O. Reg. 391/21 Blue Box*;
- interpretation and oversight of the requirements established under *O. Reg. 391/21 Blue Box*; and
- agreement between the PROs as to how they engage the marketplace and how they choose to meet the requirements established under *O. Reg. 391/21 Blue Box*.

We appreciate the willingness of your organizations to work with municipal governments to ensure the transition of municipal Blue Box programs to full producer responsibility happens in a smooth manner and leads to improved environmental, economic, and social outcomes. While we understand that municipal governments are transitioning responsibility for the system to producers, we also know there will be a continued need to work together, and a role for municipal government to support and assist with this important transition.

**Municipal Objectives**

Municipal governments have identified five key objectives for the transition of the common collection system to achieve.

**1. Ensure a smooth transition of municipal-led servicing to producer-led servicing.**

To ensure success, this fundamental change in how recycling from eligible sources is managed in Ontario requires thoughtful consideration be given to:

- reduce unnecessary expenses and minimize system costs,
- reduce risks to the existing market,
- reduce the potential for stranded municipal customers,
- leverage existing contracts and infrastructure, where possible, and
- provide greater certainty for current participants (e.g., service providers, customers).

This is not meant to say that change should not happen, nor that producers be beholden to municipal decisions. However, we should seek to evolve the system; not upend it.

## **2. Encourage collective action / collaboration between PROs and producers and ensure accountability.**

Municipal governments have advocated for a common collection system that is standardized across the Province for items such as: what materials are collected, how they are collected, and the messaging provided to residents and all eligible sources. There should be an opportunity to promote collective action / collaboration by producers and their PROs in these areas while at the same time ensuring fair competition. However, lower costs to producers should not be achieved by delivering a reduced level of service to residents and eligible sources or by measuring against their obligations in a different manner than their peers.

## **3. Protections to ensure stability of the common collection system.**

It is also important to ensure the stability of the common collective system is maintained so that if one PRO fails or if a producer switches PROs, the system is not disrupted. Additionally, it will be important to have mechanisms to fairly address changing market shares of PROs and any other factors that could re-allocate responsibility for the system amongst producers and their PRO(s). All producers should be responsible to ensure the functioning of the entire system.

## **4. Rules should enhance customer service and environmental protection.**

As the common collection system is standardized, there should be a priority on customer service (e.g., reliable service, complaint resolution) and protecting the environment (e.g., reducing the potential for litter, reducing the potential for disposal of packaging as waste, etc.).

## **5. Preserve and/or enhance competition.**

Municipalities have strongly advocated that all producer responsibility regulations should support a fair, open, and competitive market for both PROs and service providers. It is important to ensure no PRO or waste management company is provided an unfair advantage initially or moving forward. In the

case where a PRO has an advantage or holds a dominant position, the rules should be written in a way that ensures they don't abuse that position. All rules should be vetted by the federal Competition Bureau and comply with Canadian competition laws.

## Questions

To help municipalities better understand your PRO's preferred approach and how this approach may achieve the municipal objectives, we request your response to the following questions:

### *Smooth Transition*

1. Does your PRO support a CCS model that allows for options to transitioning communities where encumbered (e.g., for collection)? Including:
  - agreement to assume contracted costs to allow existing contracts to naturally terminate (Yes or No)
  - assignment of municipal contract to a PRO, multiple PROs or an administrator (Yes or No)
  - allow for a negotiated agreement or standard offer (potentially varied by density/geography/historic costs) to allow existing contracts to naturally terminate (Yes or No)
  - a) If yes, how does your PRO believe this would be best achieved?
  - b) If no, why not?
2. Does your PRO support the ability for co-collection of recyclables from certain non-eligible sources (e.g., small businesses, Business Improvement Areas and non-profits) at the community's expense? (Yes or No)
  - a) If yes, how does your PRO believe this would be best achieved?
  - b) If no, why not?
3. Does your PRO support ongoing options to allow for potential co-collection of materials (e.g., recycling, organics and/or garbage) where it makes economic sense? (Yes or No)
  - a) If yes, how does your PRO believe this would be best achieved?
  - b) If no, why not?

4. Does your PRO support allowing integrated contracts for multiple stream collection to be considered where blue box services are priced separately? (Yes or No)
  - a) If yes, how does your PRO believe this would be best achieved?
  - b) If no, why not?
5. Does your PRO support a CCS model that will prioritize the utilization of existing infrastructure and assets to minimize costs for all Ontarians (e.g., blue box containers, transfer stations, vehicles)? (Yes or No)
  - a) If yes, how does your PRO believe this would be best achieved?
  - b) If not, why not?

#### *Collective Action and Collaboration*

6. Does your PRO support a CCS that collects all designated blue box materials from all eligible sources (e.g., single-family, multi-residential, depots)? (Yes or No)
  - a) If no, why not?
  - b) Do you support adoption of the full standardized list of blue box materials in a community ahead of the January 1, 2026 deadline, wherever feasible.
7. Does your PRO support a promotion and education model where blue box messaging and images are standardized across the province (but delivered in the manner that makes most sense to the specific community, e.g., other languages in addition to English/French)? (Yes or No)
  - a) If yes, how does your PRO believe this would be best achieved?
  - b) If no, why not?
8. Does your PRO support a CCS model where the service levels and the approach to address complaints and service requests are standardized across the province for the different eligible sources? (Yes or No)
  - a) If yes, how does your PRO believe this would be best achieved?
  - b) If no, why not?
9. Does your PRO support having multiple PROs responsible for coordinating service to an individual community? (Yes or No)

- a) If yes, will there be one PRO as the lead?

*Stability*

10. Should PROs have at least 6 months of financial surety for operating costs and contracted services in place to ensure the stability of the system? (Yes or No)
- a) If no, why not?
11. How will your PRO deal with any insolvencies or other issues that could disrupt services to eligible sources to ensure service is uninterrupted?
12. How will your proposed model address issues of contamination?
13. How will your proposed model take into account changes to population (e.g., new residential developments requiring servicing) and a PRO's market share (e.g., producers changing PROs, new PRO, PROs ceasing to operate) so that service contracts are stable and ensure service provision maintained?
14. Should collection contracts be awarded based on cost as the primary evaluation?
- a) If yes, why?
- b) If no, how does your PRO believe contracts should be evaluated?

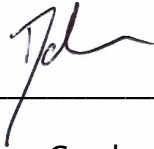
*Preserve and Enhance Competition*

15. Is your PRO willing to establish a formal working group that consists of municipal governments and service providers to provide input and feedback to the PROs in development of the common collection system and share best practices to support a smooth transition, and a healthy, competitive market? (Yes or No)
- a) If yes, how does your PRO believe this could be best achieved?
- b) If no, why not?
16. How does the model your PRO is proposing ensure conflict of interests are avoided (e.g., for PROs and service providers)?

We hope you may be able to provide responses to the above questions by December 9<sup>th</sup>, 2022. Additionally, it is our hope that you would be open to presenting to municipalities on your preferred approach. We look forward to hearing from you.



Sincerely,



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Dave Gordon

Senior Advisor – Waste Diversion, Association of Municipalities of Ontario

On behalf of the Municipal Resource Recovery and Research Collaborative (M3RC)



November 29, 2021

### COMMUNICATED VIA EMAIL

Hon. David Piccini, Minister; Andrew Evans, Director of Policy  
Ontario Ministry of the Environment, Conservation and Parks  
[minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca); [Andrew.Evans4@ontario.ca](mailto:Andrew.Evans4@ontario.ca)

Hon. Jonathan Wilkinson, Minister  
Environment and Climate Change Canada  
[jonathan.wilkinson@parl.gc.ca](mailto:jonathan.wilkinson@parl.gc.ca)

Hon. Lisa Thompson, Minister; Jack Sullivan, Issues Manager & Press Secretary  
Ontario Ministry of Agriculture, Food and Rural Affairs  
[minister.omafra@ontario.ca](mailto:minister.omafra@ontario.ca); [jack.sullivan@ontario.ca](mailto:jack.sullivan@ontario.ca)

Hon. Marie-Claude Bibeau, Minister  
Minister of Agriculture and Agri-Food  
[Marie-Claude.Bibeau@parl.gc.ca](mailto:Marie-Claude.Bibeau@parl.gc.ca)

**RE: LACK OF RECYCLING OPTIONS  
AGRICULTURAL BALE WRAP AND TWINE AND BOAT SHRINK WRAP**

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To Whom this May Concern:

Residents of the Town of Georgina are concerned about the lack of options for recycling boat shrink-wrap and agricultural bale wrap and twine. We note that the [Inventory of recycling programs](#) in Canada, listed on the Government of Canada website specifies that the only location in Canada to recycle bale and silage wrap is in Manitoba as part of a pilot program by CleanFARMS. The Region of York has advised that there are additional pilot programs in Bruce County, Clinton, and Ottawa Valley however, none of these locations are accessible to the residents of Georgina, nor to many other rural communities in Ontario. Moreover, CleanFarms has advised that expansion beyond Bruce County is highly unlikely due to financial limitations.

Every year, tons of plastic waste are burned on farms around Ontario and across Canada, and more is buried or dumped in municipal landfills. [CBC reports that a 2012 survey](#) found that only 17 percent of farmers send their plastic for recycling. Accordingly, 83 percent of farmers have been forced to adopt

other means of disposal, largely, or entirely due to a lack of options for agricultural plastics within the province. As you are aware, burning plastics releases potent environmental toxins into the air and buried plastics are not biodegradable.

Just recently, Prince Edward Island announced [regulatory amendments](#) that will transition pilots for items like silage wrap and twine into permanent, industry-funded programs starting December, 2022. More recently still, Quebec took similar [regulatory action](#). Are similar initiatives currently under consideration for Ontario?

We seek to work with you, however possible, and with neighboring municipalities, in order to promote the well-being of our environment and to make recycling programs more accessible to farmers and boaters across the country. We look forward to hearing from you regarding concrete steps that can be implemented between government, agricultural and marine groups, and municipalities for the furtherance of these causes.

Kind Regards,

FOR THE TOWN OF GEORGINA

**Council of the Town of Georgina**  
**Georgina Agricultural Advisory Committee**  
**Georgina Environmental Advisory Committee**  
**Georgina Waterways Advisory Committee**

Cc: Scot Davidson, MP, York-Simcoe, [Scot.Davidson@parl.gc.ca](mailto:Scot.Davidson@parl.gc.ca)  
Caroline Mulroney, MPP, York-Simcoe, [caroline.mulroneyc@pc.ola.org](mailto:caroline.mulroneyc@pc.ola.org)  
Laura McDowell, Regional Municipality of York, Director, Environmental Promotion and Protection Branch, [Laura.McDowell@york.ca](mailto:Laura.McDowell@york.ca)  
Cleanfarms Inc., [info@cleanfarms.ca](mailto:info@cleanfarms.ca)  
Dr. Shrink, [drshrink@dr-shrink.com](mailto:drshrink@dr-shrink.com)  
Switch Energy Corp., [dnott@switchenergycorp.com](mailto:dnott@switchenergycorp.com)  
Neighbouring Municipalities

**From:** [AMO Communications](#)  
**To:** [Cindy Pigeau](#)  
**Subject:** AMO Policy Update - AMO Board Approves Indigenous-Municipal Relationship Agreement Guidance Document for Municipalities  
**Date:** Monday, November 29, 2021 1:40:41 PM

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## AMO Policy Update



November 29, 2021

# AMO Policy Update – AMO Board Approves Indigenous-Municipal Relationship Agreement Guidance Document for Municipalities

Municipal leaders are being looked to set the tone and be part of the constructive societal change in Indigenous Relations that is needed and expected. A question we have been hearing from members is how municipal governments leaders and staff can support the healing, learning, and restoration needed to strengthen reconciliation with Indigenous friends, neighbours, and communities.

Relationship Agreements can be helpful in building relationships and identifying areas of mutual concern and interest. By going through the process of creating an agreement, municipalities and Indigenous communities can continue (or begin) the process of developing mutual understanding and ongoing conversations. Completing this process will better equip all those involved to engage in meaningful, respectful conversations and solutions when issues do arise.

A guidance document is now available to support AMO members in creating [Indigenous-Municipal Relationship Agreements](#). It was developed by the AMO Indigenous Relations Task Force and recently approved by the AMO Board of Directors. The goal of a relationship agreement is the establishment a long-term relationship of practical cooperation and commitment that is respectful of the Indigenous community. The agreement must also recognize the need for ongoing compatibility, coordination, and understanding between the parties.

Since August 2021, the AMO Board has endorsed three documents to support our members in establishing and strengthening relationships with Indigenous communities. All three documents, including the Indigenous-Municipal Relationship Agreements, can be accessed [here](#).

\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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December 1, 2021

Honourable Doug Ford  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto ON M7A 1A1

Dear Premier Ford:

This is to advise that City Council, at a meeting held on November 22, 2021, passed the following resolution regarding fire safety measures:

"WHEREAS the Government of Ontario, in December 1975, enacted the Ontario Building Code for the purpose of regulating the construction of new, safe buildings within the Province of Ontario; and,

WHEREAS the Government of Ontario, in November 1981 enacted the Ontario Fire Code for the purpose of maintaining the life safety systems of all buildings within the Province of Ontario; and,

WHEREAS the Government of Ontario, in November 1983 began the process of amending the Ontario Fire Code to include Retrofit provisions, for the purpose of providing a minimum level of life safety for those existing buildings which had not been built under the provisions of any version of the Ontario Building Code; and,

WHEREAS the government of Ontario, in October 1992 amended the Ontario Fire Code Retrofit provisions, for the purpose of providing a minimum level of life safety to buildings classed as low rise residential (9.5); and,

WHEREAS October 2021 marks twenty-nine (29) years since the requirements outlined by Retrofit 9.5 have been substantially updated; and,

WHEREAS this lack of currently appropriate standards for self-closing devices on suite doors and positive latching on exit stairwell doors has led to significant serious injuries, deaths, long term dislodgement of residents, and significant unnecessary insurance loss due to allowed building deficiencies;

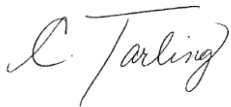
THEREFORE IT BE RESOLVED that the City of Kitchener urges the government of Ontario to direct the Ontario Fire Marshal's Office – Technical Services, to undertake an immediate review of that portion of the Ontario Fire Code known as Retrofit Section 9.5;

THEREFORE IT FURTHER BE RESOLVED that the City of Kitchener urges the Government of Ontario to, as expeditiously as possible, amend the Ontario Fire Code Sentence 9.5.2.8.(1) to require self closing devices on all suite closures (doors) within low rise residential buildings: and,

THEREFORE IT FURTHER BE RESOLVED that the City of Kitchener urges the Government of Ontario to, as expeditiously as possible, amend the Ontario Fire Code Sentence 9.5.3.3.(3) to require that closures (doors) entering exit stairwells be equipped with both self-closing devices and positive latching; and,

THEREFORE IT FINALLY BE RESOLVED that a copy of this resolution be forwarded to the Honourable Premier of Ontario, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario; and, all other Ontario municipalities."

Yours truly,



C. Tarling  
Director of Legislated Services  
& City Clerk

c: Honourable Steve Clark, Minister of Municipal Affairs and Housing  
Monika Turner, Association of Municipalities of Ontario  
Ontario Municipalities



December 1, 2021

The Honourable Doug Ford, M.P.P.  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto, ON M7A 1A1

Sent via email: [premier@ontario.ca](mailto:premier@ontario.ca)

**Re: National Childcare Program  
Our Files:**

Dear Premier Ford,

At its meeting held on November 15, 2021, St. Catharines City Council approved the following motion:

“WHEREAS the province of Ontario has the most expensive childcare in the country, presenting a financial hardship for many families and a barrier for women’s full economic participation; and

WHEREAS the \$34 billion early learning and childcare spending commitment announced this year by the federal government will bring transformative change to childcare by lowering parent fees and expanding the supply of regulated not-for-profit and public childcare in this country; and

WHEREAS the federal government has already reached childcare agreements with BC, Nova Scotia, Manitoba, Saskatchewan, Yukon Territory, PEI, Newfoundland and Labrador and Quebec; and

WHEREAS the provisions of each agreement vary to some degree, but the majority of the jurisdictions have agreed to use the federal funds to:

- (a) lower parent fees by 50 per cent by the end of 2022 and to \$10 a day by 2025-26 or sooner;
- (b) improve the wages and working conditions of early childhood educators, and
- (c) publicly fund the expansion of not-profit and public childcare;

THEREFORE BE IT RESOLVED that the City of St. Catharines request that the provincial government take the necessary steps to work with the federal government on

a bilateral agreement to ensure the new national child care program be made available to Ontarians, and that it focuses on increased access, affordability, quality and responsiveness, all of which are essential to the COVID-19 pandemic response; and

BE IT FURTHER RESOLVED that staff actively monitor federal developments and engage in provincial and regional discussions; and

BE IT FURTHER RESOLVED that City Council request the City Clerk circulate Council's decision to other municipalities in Ontario, the Ontario Municipal Social Services Association and the Association of Municipalities of Ontario.”

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:mb

cc: Niagara Area MPPs  
Ontario Municipal Social Services Association  
Ontario Municipalities  
Association of Municipalities of Ontario, [amo@amo.on.ca](mailto:amo@amo.on.ca)

**Ministry of Infrastructure**

Broadband Strategy Division

777 Bay Street, 4<sup>th</sup> Floor, Suite 425  
Toronto, Ontario M5G 2E5

**Ministère de l'Infrastructure**

Division des stratégies pour l'accès à large  
bande

777, rue Bay, 4 étage, Suite 425  
Toronto (Ontario) M5G 2E5



**MEMORANDUM TO:** Municipal CAOs

**FROM:** Jill Vienneau  
Assistant Deputy Minister  
Broadband Strategy Division

**DATE:** December 1, 2021

**RE:** Building Broadband Faster Act Guideline and Regulations

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As you may be aware, the Ontario government has committed to ensuring that communities across Ontario have access to high-speed internet by 2025 and has committed nearly \$4 billion funding-based opportunities for unserved and underserved communities.

On September 9, 2021, the Government also launched a new innovative and competitive process which will enable qualified ISPs to bid for opportunities to provide high-speed internet access to remaining underserved and unserved communities across the province by the end of 2025. This process is now well underway and is being led by Infrastructure Ontario.

In April 2021, the Government of Ontario enacted the *Building Broadband Faster Act, 2021* (BBFA) along with amendments to the *Ontario Energy Board Act* through the passage of the *Supporting Broadband and Infrastructure Expansion Act, 2021* (SBIEA). The BBFA will help to remove barriers and support a more streamlined approach to the timely deployment of reliable, high-speed broadband infrastructure in unserved and underserved areas throughout Ontario.

On November 30, 2021, the Ministry of Infrastructure and Infrastructure Ontario issued the **Building Broadband Faster Act Guideline (Guideline)**, and two BBFA **regulations (“Prescribed Loss or Expense” and “Designated Broadband Projects”)**, effective as of that date.

The Guideline and regulations support a new, more coordinated process and set out the collaboration expected of all partners, including municipalities, to reduce barriers and expedite deployment of broadband infrastructure. We will also put in place a Technical Assistance Team to provide implementation support to municipalities and other partners involved in high-speed internet projects.

The government has also proposed future legislative and regulatory amendments, as explained in the **Statement of Intent** (included in the Guideline). The Ministry is actively consulting on the proposed legislative measures, including with the Association of Municipalities of Ontario (AMO), before bringing forward amendments. If passed, these additional measures would provide greater certainty, and ensure the successful implementation of broadband projects.

The Ministry will be hosting a webinar in early 2022 on the Statement of Intent and Guideline. Further information will be provided in the coming weeks, including an invitation to you and/or your representative to participate.

Thank you for your support and should you have any questions, please do not hesitate to contact the Ministry.

Yours sincerely,

*Original signed by*

Jill Vienneau

*Attachment: Building Broadband Faster in Ontario Guideline*

