



Impact Assessment
Agency of Canada

Agence d'évaluation
d'impact du Canada

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

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

February 12, 2021

Sent by email

Chief Emily Whetung-Macinnnes
Curve Lake First Nation
Government Services Building
22 Winookeedaa Road
Curve Lake ON K0L 1R0
<Email address removed>

Dear Chief Whetung-Macinnnes:

**Subject: Designation Request for the Proposed GTA West Project under
the *Impact Assessment Act* – Invitation for Input by March 5, 2021**

On February 3, 2021, the Minister of Environment and Climate Change received a request to designate the proposed GTA West Project under subsection 9(1) of the *Impact Assessment Act* (IAA). The designation request from Ecojustice, on behalf of Environmental Defense, is enclosed (Enclosure 1).

The Proposed Project

The Ontario Ministry of Transportation is proposing the construction and operation, including maintenance, of a new 59-kilometre all-season public highway in the northwest Greater Toronto Area. The proposed new highway, which would be named Highway 413, would connect highway 400 between Kirby Road and King-Vaughan Road in the east, to the highway 401/407 interchange area, near the northern end of highway 403, in the west. The highway would stretch through the municipalities of Vaughan, Caledon, Brampton and Halton Hills in the regions of York, Peel and Halton. The Project as proposed is not a designated project as described in the *Physical Activities Regulations*. The impact assessment process under IAA only applies to designated projects.

Further information on the Project including a project map can be found on the proponent's website at www.gta-west.com.

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Designation Process

Under subsection 9(1) of IAA the Minister may, by order, designate a physical activity that is not prescribed in the *Physical Activities Regulations*.

The Minister may do this, if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects (resulting from federal decisions), or public concerns related to those effects warrant the designation. In accordance with subsection 9(4) of IAA, it is expected that the Minister will respond, with reasons, to the request by May 4, 2021.

The Agency will review information about the Project; any concerns expressed by your community, from the public and other Indigenous groups; and technical advice from relevant federal authorities and provincial ministries in order to prepare a recommendation to the Minister on whether the Project should be designated. If the Project were designated by the Minister, the Ontario Ministry of Transportation (the proponent) would be prohibited from carrying out the Project and would be required to submit an Initial Project Description, thereby commencing the planning phase of IAA. During the planning phase, the Agency would determine whether an impact assessment is required.

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

Provincial Process

The Government of Ontario is proposing to create a new streamlined process for assessing potential environmental impacts of the Project, as well as consulting on it. More information on this is available at ero.ontario.ca/notice/019-1882

Invitation for Input

To support the Agency's analysis of the designation request, we wish to provide your community with an opportunity to provide input. For example, the Agency would be interested in hearing whether your community provided comments on the Project and whether the proponent is addressing those. The Agency would also be pleased to receive any other comments of interest to your community.

Given the 90-day legislated timeline for the Minister to make a decision, your response is requested by **March 5, 2021**. Submissions should be made via the Registry, or for convenience by email to the Project Manager.

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

A Registry page for the Project will be available in the coming days on the Canadian Impact Assessment Registry Internet site at iaac-aeic.gc.ca/050/evaluations. Please use the *submit a comment* feature on the Project's Registry page if you wish provide the Agency with information regarding this file. Letters can also be uploaded using this feature. If you have difficulties using this feature, please contact the Project Manager immediately.

COVID-19 Constraints on Participation

The Agency recognizes the circumstances surrounding the COVID-19 pandemic and the challenges they may present. The Agency will work to adapt where possible to support your community within the legislated 90-day timeline.

Next Steps

The Minister's determination on whether the Project is to be designated, with reasons, will be posted to the Canadian Impact Assessment Registry Internet site. Should the Project be designated, the Agency will contact you to discuss further steps under IAA.

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

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

Agency Contact

Further questions regarding the federal designation request process can be directed to Owais Khurshid, Project Manager by email at Owais.Khurshid@canada.ca or by telephone at 647-262-8046.

Sincerely,

<Original signed by>

Anjala Puvananathan
Director, Ontario Region

Enclosure: Designation request letter from Ecojustice on behalf of
Environmental Defence

c.c.: Julie Kapyrka, Lands Resource Consultation Liaison,
Curve Lake First Nation
Kaitlin Hill, Lands Resource Consultation Liaison, Curve Lake First Nation