



Impact Assessment
Agency of Canada

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

Agence d'évaluation
d'impact du Canada

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

February 12, 2021

Sent by email

Request for Federal Expert Advice

Jennifer McKay, Environment and Climate Change Canada
Thomas Hoggarth, Fisheries and Oceans Canada
Chantal Roberge, Health Canada
John Clarke, Natural Resources Canada
Vera Haslett, Transport Canada

Dear Colleagues:

Subject:

Designation Request for the Proposed GTA West Project under the *Impact Assessment Act*

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 can be found on the proponent's website at www.gta-west.com.

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

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Designation Request

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

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

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

Seeking Federal Authority Advice

Given the legislated timeline to respond to the designation request, the Agency requests that you provide the following information:

Request 1: Please submit a lead contact for the Project to the Agency by **Wednesday, February 17, 2021**.

Request 2: Complete and submit the attached form by **Wednesday, March 3, 2021**. To facilitate your review of the information beyond the original letter from the requestor (Enclosure 1) and information from the proponent that is publicly available, the Agency has asked the proponent to provide any recent, relevant documents regarding the Project by February 17, 2021. The Agency will provide you these documents as soon as they are available.

In the coming days, a Registry page for the Project will be available on the Canadian Impact Assessment Registry Internet site at [iaac-aeic.gc.ca/050/evaluations](https://www.iaac-aeic.gc.ca/050/evaluations). Please use the *Submit a Comment* feature on the Project's Registry page to provide the Agency with information regarding this file. Letters can be uploaded using this feature. If you have difficulties using this feature, please immediately contact Owais Khurshid, Project Manager, at owais.khurshid@canada.ca or 647-262-8046.

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*¹ – are considered public and may be released. The Agency's Submission Policy 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 Notice².

If you have any questions regarding the designation process or the response sheet, please do not hesitate to contact Owais Khurshid by telephone or email.

Sincerely,

<Original signed by>

Anjala Puvananathan
Director, Ontario Region

Enclosures: 1) Designation request letter from Ecojustice on behalf of
Environmental Defence
2) Federal Authority Advice Record – Designation request under
IAA – GTA West Project

c.c.: Wesley Plant, Environment and Climate Change Canada
Sara Eddy, Fisheries and Oceans Canada
Jennifer Thomas, Fisheries and Oceans Canada
Kitty Ma, Health Canada
Marie-Eve Lenghan, Natural Resources Canada
David Zeit, Transport Canada

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

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