



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 15, 2023

Sent by email

Chief Keith Knott
Curve Lake First Nation
Government Services Building – 22 Winookeedaa Road
Curve Lake, ON K0L 1R0
<Email address removed>

Dear Chief Keith Knott:

Subject: Designation Request for the proposed Baldwin East Aerodrome Project under the *Impact Assessment Act* – Please Reply by March 8, 2023

On February 3, 2023, the Minister of Environment and Climate Change (the Minister) received a request to designate the proposed Baldwin East Aerodrome Project (the Project) under subsection 9(1) of the *Impact Assessment Act* (IAA). The designation request from the Pefferlaw Area Ratepayers is enclosed (**Enclosure 1**).

We are writing to invite your community to share with us any concerns or interests you have regarding this project to inform our advice to the Minister.

The Proposed Project

Sutton Airport Development Inc. is proposing to construct and operate a new aerodrome in the Town of Georgina, Ontario, which the Impact Assessment Agency of Canada (the Agency) understands falls within your treaty area. As proposed, the Project would include two paved, all-weather, marked and lighted runways which would have a maximum length of 893 metres and 991 metres, respectively. The Project would also include a clubhouse building, an aircraft hanger and supporting use development lots, and aerodrome access roads.

Further information on the Project can be found in Sutton Airport Development Inc.'s Final Summary Report at: <https://www.newaerodromeontario2021.ca/>

Designation Process

The Project as proposed is not a designated project, as described in the *Physical Activities Regulations*. The impact assessment process under the IAA only applies to designated projects.

Under subsection 9(1) of the IAA the Minister may, by order, designate a physical activity that is not prescribed in the *Physical Activities Regulations*.¹ 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. This discretionary authority enables the Minister to consider **exceptional circumstances**, such as where a project is proposed in an environmentally sensitive location or there is a new or unique type of project that was not contemplated when the Project List was developed. The Minister would consider a number of relevant factors including whether or not:

- standard design features and mitigation would address the anticipated adverse effects;
- the potential adverse effects can be adequately managed through other existing legislative or regulatory mechanisms.

The Agency prepares a recommendation to the Minister on whether the Project should be designated and considers all the information and comments received. The Agency considers comments and input from the public, Indigenous communities, the Ministry of Environment, Conservation and Parks, the Town of Georgina, the Lake Simcoe Region Conservation Authority, and expert advice from federal authorities.

According to subsection 9(4) of IAA, it is expected that the Minister will respond, with reasons, to the request by May 14, 2023. Once the Minister's response is publicly available, the Agency will notify your community of the outcome.

Opportunity to Comment

The Agency understands that Sutton Airport Development Inc. underwent Transport Canada's process under the *Canadian Aviation Regulations 307* for the Project, which included a requirement for Sutton Airport Development Inc. to consult with Indigenous communities. The Agency is aware that the Sutton Airport Development Inc. contacted your community about the Project; however, to support the Agency's analysis of the designation request, we wish to provide your community with an opportunity to provide input.

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¹ 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>.

Given the 90-day legislated timeline for the Minister to make a decision, your response is requested by **March 8, 2023**. For convenience, provide your submissions by email to Spencer Roth, Project Analyst at *DesignationOntario@iaac-aeic.gc.ca*.

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* – will be considered public and may be released. Should you wish to provide any comments or documents that contain confidential or sensitive information that you believe should be protected from release to the public, please contact the Agency before submitting the information. Information marked as confidential will not be accepted without prior contact made with the Agency.

In the coming days, a Registry page for the Project will be available on the Canadian Impact Assessment Registry Internet site at <https://iaac-aeic.gc.ca/050/evaluations>. If you have difficulties accessing the Registry page, please contact Spencer Roth at *DesignationOntario@iaac-aeic.gc.ca* or by telephone at 647-355-7318.

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. Once the Minister's response is publicly available, the Agency will notify your community of the outcome.

Agency Contact

Further questions regarding the federal designation request process can be directed to Spencer Roth.

Sincerely,

<Original signed by>

Susan Tiege
A/Director, Ontario Region

Enclosures (2):

- 1) Designation Request Letter from the Pefferlaw Area Ratepayers
- 2) Location and Site Layout Map

cc.: Julie Kapyrka, Curve Lake First Nation
Kaitlin Hill, Curve Lake First Nation
Spencer Roth, Impact Assessment Agency of Canada