



January 27, 2021

Sent by email

Request for Provincial Input

- Kathleen O'Neill, Ministry of Environment, Conservation and Parks
- Sharon Rew, Ministry of Natural Resources and Forestry
- Ewa Downarowicz, Ministry of Municipal Affairs and Housing
- James Hamilton, Ministry of Heritage, Sport, Tourism and Culture Industries
- Krista Adams, Ministry of Transportation
- Oana Guido, Infrastructure Ontario
- Chris Phillips, Infrastructure Ontario

Dear Colleague:

Subject: Designation Request for the Proposed Ontario Line Project under the *Impact Assessment Act*

On January 19, 2021, the Minister of Environment and Climate Change (the Minister) received a request to designate the proposed Ontario Line Project (the Project) under subsection 9(1) of the *Impact Assessment Act* (IAA). The designation request is enclosed (Enclosure 1).

The Proposed Project

The Project would be located in Toronto, Ontario. The Ontario Line Project includes a new 16-kilometre transit line in Toronto that would connect the Ontario Science Centre in the northeast to Exhibition/Ontario Place in the southwest. Over half of the route would run through underground tunnels and the remainder would run along elevated and at-grade rail corridor sections. Fifteen stations are proposed, with numerous connections to the broader transit network. The Project also includes ancillary facilities used to support or facilitate the transportation of passengers by rail and ancillary works needed to establish, construct, operate, change or retire those facilities or services¹. 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.

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¹ Sources: Infrastructure Ontario and Ontario Regulation 341/20: Ontario Line Project

Further information on the Project can be found on the Proponent's website (<http://www.metrolinx.com/en/greaterregion/projects/ontario-line.aspx>) including in their Final Environmental Conditions Report (<https://www.metrolinxengage.com/en/content/ontario-line-final-environmental-conditions-report>).

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 April 19, 2021.

The Impact Assessment Agency of Canada (the Agency) will review information about the Project; any concerns expressed from the public and Indigenous groups; and expert advice from federal authorities and input from provincial ministries in order to inform the Minister on whether the Project should be designated. If designated, to proceed with the Project Metrolinx would be required to submit an Initial Project Description, thereby commencing the planning phase of IAA. In that case, the planning phase would include the Agency determining whether a federal 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>.

The purpose of this email is to inform your ministry of the designation request and to seek your input regarding provincial regulatory processes in relation to the Project, and any associated assessment of effects and public and Indigenous consultation.

Seeking Provincial Input

The Agency is requesting that you complete and provide the attached from by **February 11, 2021**.

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>. Please use the *submit a comment* feature on the Project's Registry page to provide the Agency with information regarding this file. Letters can be uploaded using this feature. If you have difficulties with this feature, immediately contact Chiara Calabrese, Project Manager, at chiara.calabrese@canada.ca or 416-476-8915.

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.

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

Sincerely,

<Original signed by>

Anjala Puvananathan
Director, Ontario Region

Enclosures: 1) Designation request letter from Save Jimmie Simpson!
and Lakeshore East Community Advisory Committee
2) Provincial Regulator Advice Record – Designation
Request under IAA – Ontario Line Project

Cc: Laurie Miller, Ministry of Municipal Affairs and Housing
Dawn Irish, Ministry of Transportation

Enclosure 2 - Provincial Regulator Advice Record: Designation Request under IAA
Response requested by February 11, 2021

Ontario Line Project

Ministry	
Lead Contact	
Full Address	
Email	
Telephone	
Alternate Ministry Contact	

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1. In general terms, please confirm and describe your ministry's role (if applicable) in the review of the Project.
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2. Please provide the contact information of the person or persons responsible for managing your ministry's oversight of the Project (if different from lead contact above).
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3. Describe the provincial legislative or regulatory process or approvals administered by your ministry that may assess or manage the potential adverse effects of the Project. For each mechanism or approval, please provide information regarding the following:
 - Name of the process or authorization (e.g. certificate, licence, permit or approval) and the associated legislative framework;
 - Whether (for each) the authorization would set conditions and if yes, what issues would those conditions address;
 - Whether (for each) the authorization would require public and/or Indigenous consultation and if yes, provide information on the approach to be taken; and
 - Whether (for each) your ministry has guidance material that would be helpful to the proponent or the Agency (please provide these as attachments or hyperlinks in your response).
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4. Confirm whether any authorization listed above would contemplate the following matters and if yes, discuss, in general, the benchmarks or standards to which a project of this nature may be held (be specific in relation to each point below that may be applicable to your ministry's mandate):
 - i. Potential impacts to human health, particularly from changes in air quality, and noise and vibration levels, during project construction and operation
 - ii. Potential impacts to public safety and rail safety, particularly for nearby residential areas
 - iii. Potential impacts to aesthetics and local recreation
 - iv. Potential impacts on human health, including mental health, from changes to aesthetics and recreation level

v. Potential adverse socio-economic impacts from loss of greenspace and urban division

5. Have you received public comments/concerns in relation to the Project? If yes, provide an overview of the key issues and the way in which (in general terms) your ministry intends to address (or would normally manage) these matters.

6. Have you received Indigenous community comments/concerns in relation to the Project? If yes, provide an overview of the key issues and the way in which (in general terms) your ministry intends to address (or would normally manage) these matters.

7. Do you have any other information about the Project in relation to potential adverse effects or impacts to the public, or Indigenous peoples and their rights as protected under section 35 of the *Constitution Act, 1982*?

8. Any additional comments on whether the issues raised in the incoming letter (Designation request letter from Save Jimmie Simpson! and Lakeshore East Community Advisory Committee) would be managed through any provincial legislative, regulatory or policy framework.

Name of responder

Title of responder

Date