

**Ministry of the Environment,  
Conservation and Parks**

**Ministère de l'Environnement,  
de la Protection de la nature  
et des Parcs**

Environmental Assessment  
Branch

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October 7, 2021

## **MEMORANDUM**

**TO:** Public Distribution List

**RE:** Bradford Bypass Project Regulation

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Dear Sir/Madame:

I am writing to inform you of the Ministry of the Environment, Conservation and Parks' efforts to update our almost 50-year-old Environmental Assessment (EA) program to support building safer and stronger communities, while maintaining environmental protection. This included a proposal to consider exempting critically needed infrastructure projects from duplicative process requirements under the Environmental Assessment Act by better recognizing planning processes requirements already completed.

In summer 2020, the ministry proposed a regulation to exempt several critical transportation infrastructure projects that had received approval to proceed under the Environmental Assessment Act (EAA) but were subject to additional requirements under the Act that must be met before they can be implemented. The additional requirements would likely result in the unnecessary duplication of work, and the time needed to address the requirements would unnecessarily prolong the implementation of much needed improvements to the provincial transportation infrastructure

The projects identified for consideration as part of the proposed regulation included a proposed new freeway linking Highway 400 to Highway 404 in Bradford West Gwillimbury, referred to as the Bradford Bypass, that completed an individual EA process and received approval under the EAA to proceed; and, 38 regional road projects, which involve the creation of new roads, improvements to increase capacity and the rehabilitation of existing transportation infrastructure, that received approval to proceed under the Provincial Transportation Facilities Class Environmental Assessment (MTO Class EA). In consultation with the Ministry of Transportation (MTO) and given the potential for proposed amendments to the MTO Class EA, the 38 regional road projects are no longer being considered for exemption.

I would like to take this opportunity to inform you that the ministry has made a regulation under the EAA that conditionally exempts the Bradford Bypass from duplicative requirements of the EAA, which it has already met through processes it has completed. The exemption is subject to conditions to promote environmental protection and provide for continued consultation with government agencies, Indigenous communities and members of the public. The regulation came into effect on October 1, 2021.

The regulation supports the government's goals for modernizing Ontario's environmental assessment program, which include:

- Ensuring better alignment between the level of assessment and level of environmental risk associated with a project.
- Eliminating duplication between environmental assessment requirements and other processes.
- Using a single process for consultation and evaluation.

On July 8, 2020 our proposal was posted on the Environmental Registry of Ontario (ERO) website for a 45-day review and comment period. The ministry communicated the proposed changes directly to Indigenous communities, government agencies, and interested members of the public. We also held information webinars and organized meetings with specific Indigenous communities to answer questions about the proposal.

All comments and feedback received were considered in making a decision on this proposal. For more information on the government's decision, please see the complete decision notice at <https://ero.ontario.ca/notice/019-1883>.

The regulation will serve to eliminate duplication between EAA requirements and the requirements of other regulatory processes that consider environmental protection that must be met before the Bradford Bypass can be implemented. The regulation will also consolidate the EAA requirements that must be met to advance the Bradford Bypass to implementation into a single regulatory process. By combining these requirements into a single process, by way of regulatory conditions, the regulation will establish a more efficient EA assessment process. This will allow the MTO to advance the implementation of this critically needed transportation infrastructure in a much more efficient and timely manner.

To maintain continued environmental protection, and further opportunities for consultation, the regulation incorporates key EA planning process requirements into regulatory conditions. This will require the MTO to advance the planning and assessment of the Bradford Bypass through a decision-making process that is consistent with the general principles of the EAA.

If you have any questions, please contact Mr. Gavin Battarino, Special Project Officer, with ministry's Environmental Assessment Branch at [gavin.battarino@ontario.ca](mailto:gavin.battarino@ontario.ca) or the ministry's Environmental Assessment Modernization Team at [EAModernization.MECP@ontario.ca](mailto:EAModernization.MECP@ontario.ca).

Sincerely,

A handwritten signature in black ink that reads "A. Cross". The signature is written in a cursive, flowing style.

Annamaria Cross  
Director, Environmental Assessment Modernization