

ENVIRONMENTAL ASSESSMENT ACT

NOTICE OF AMENDMENTS

Government Property Class Environmental Assessment

RE: Amendments to the Government Property Class Environmental Assessment

EA File No.: EA-02-04-02-02

The Ministry of the Environment, Conservation and Parks (ministry) as part of its environmental assessment modernization initiative to move to a project list approach, proposed amendments to the Government Property Class Environmental Assessment (the Class EA) to facilitate this move. A class environmental assessment sets out the undertakings (projects) to which it applies and the streamlined process to be followed to proceed with the projects.

Section 15.4 of the *Environmental Assessment Act* (EAA) establishes the authority and process for making amendments to a class environmental assessment, including amendments made on the Minister's own initiative. To amend a class environmental assessment, the Minister must be satisfied that the amendments are consistent with the purpose of the EAA and the public interest. The Minister must ensure that adequate public notice of a proposed amendment is provided and that members of the public have an opportunity to comment on it.

As part of its proposals to move toward a project-list approach for projects that will require a comprehensive environmental assessment under the EAA, the ministry consulted on the proposed amendments with Indigenous communities, members of the public, government agencies, and stakeholders, including proponents. Consultation was carried out during the original and revised proposals regarding the move toward a project-list approach. Information on the original and revised proposals was posted on the Environmental Registry of Ontario (ERO) and Ontario.ca for 60-day comment periods from November 26, 2021 to January 26, 2022 (original proposal) and March 10, 2023 to May 9, 2023 (revised proposal). Indigenous communities, government agencies and stakeholders were directly notified and provided with information on the proposed amendments.

Having considered the consultation and feedback received, the ministry is recommending amendments to the Class EA to facilitate the move to a project list approach, including:

- Making it clear that the Class EA does not apply to projects subject to a comprehensive EA (e.g. waterfront projects)
- Clarifying the project types that the Class EA does not apply to
- Updating some of the transition provisions in the Class EA so that these refer to the comprehensive EA process rather than the individual EA process.

- Updating other terminology and references to align these with the provisions of Part II.3 of the Act and the new regulation under to Act, and making other changes to the Class EA to provide clarity, consistency and coherence in the environmental assessment regime.

Having considered the comments and submissions received on the proposed amendments, consultation with Indigenous communities and organizations, the amending procedures set out in section 15.4 of the EAA, and the recommended amendments to the Class EA, I am satisfied that the amendments are consistent with the purpose of the EAA and the public interest and have decided to amend the Class EA. The amendments are incorporated in the February 2024 Government Property Class Environmental Assessment, to which this notice is attached.

REASONS

My reasons for amending the Government Property Class Environmental Assessment are as follows:

- (1) Adequate public notice of the amendments has been provided and members of the public have had an opportunity to comment. on the proposed amendments. Public notice and opportunities to comment were provided through the ERO and Ontario.ca postings described above.
- (2) Adequate consultation with proponents of projects that will proceed in accordance with the amended Class EA, has occurred, with appropriate opportunity provided to proponents to review the proposed amendments and to provide their comments.
- (3) Adequate consultation with Indigenous communities and organizations has occurred. The ministry has engaged Indigenous communities and organizations on the original fall 2021 and on the revised proposal in 2023 that, among other matters stated that amendments to all Class EAs were proposed to align with the regulatory proposal. Consultation also included providing communities and organizations with opportunities to attend webinar sessions or individual meetings with the ministry to comment on and raise any concerns about the proposed amendments. No comments were received from Indigenous communities or organizations about the proposed amendments to the Class EA.
- (4) The amendments that facilitate the move to a project-list approach are necessary to provide clarity, consistency and coherency within the environmental assessment regime.
- (5) Certain amendments are administrative in nature and are editorial, update outdated information, and/or improve clarity in the Class EA. It is important that the class environmental assessments be accurate, consistent with applicable legislation and regulations and clear and understandable for all.

For the foregoing reasons, I am satisfied that the amendments are consistent with the purpose of the EAA and the public interest.

Notice of my decision to amend the class environmental assessment will be posted in the ERO to bring the amendments into effect, as required by the EAA, and to provide public notice of the changes made to the Class EA.

Dated the 16 day of February 2024 at TORONTO.

A handwritten signature in blue ink, appearing to read "A. Khan" or similar, with a stylized flourish at the end.

Minister of the Environment, Conservation and
Parks
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