

Ministry of the Environment
and Climate Change

Ministère de l'Environnement
et de l'Action en matière de
changement climatique



Office of the Minister

Bureau du ministre

77 Wellesley Street West
11th Floor, Ferguson Block
Toronto ON M7A 2T5
Tel.: 416-314-6790
Fax: 416-314-6748

77, rue Wellesley Ouest
11^e étage, édifice Ferguson
Toronto ON M7A 2T5
Tél. : 416-314-6790
Télec.: 416-314-6748

ENV1283MC-2016-2224

MAR 20 2017

Ken VanderWal
Project Engineer
Engineering and Capital Infrastructure Services
Infrastructure, Development and Enterprise, City of Guelph
1 Carden Street
Guelph ON N1H 3A1

Dear Mr. VanderWal:

On March 30, 2016, I received four Part II Order requests asking that the City of Guelph be required to prepare an individual Environmental Assessment for the proposed Niska Road Improvements (Project).

I am taking this opportunity to inform you that I have decided that an individual Environmental Assessment is not required. This decision was made after giving careful consideration to the issues raised in the requests, the Project documentation, the provisions of the Municipal Engineers Association's Municipal Class Environmental Assessment (Class Environmental Assessment), and other relevant matters required to be considered under subsection 16(4) of the Environmental Assessment Act (Act). The reasons for my decision may be found in the attached letters to the requesters.

Despite my not requiring an individual Environmental Assessment be prepared, I am imposing the following conditions on the Project to ensure that a Heritage Impact Assessment is completed prior to detailed design and consultation is conducted for the Heritage Impact Assessment and integration of cycle lanes into the final design:

1. Prior to the Project detailed design stage, the Proponent shall complete the Heritage Impact Assessment in accordance with the Ministry of Tourism, Culture and Sport guidelines and provide the Heritage Impact Assessment to the Ministry of Tourism, Culture and Sport for review. The proponent shall document how it considered any comments received from the Ministry of Tourism, Culture and Sport in the final Heritage Impact Assessment and provide this documentation to the Director, Environmental Approvals Branch prior to the start of construction.
2. As part of its planned public consultation during the detailed design stage, the Proponent shall provide interested persons, including the requesters, with the final Heritage Impact

Assessment. The proponent shall post the final Heritage Impact Assessment on the Project website for awareness. The proponent shall document how public comments on cultural heritage were considered in the detailed design. The Proponent shall provide this documentation to the Director, Environmental Approvals Branch prior to the start of construction.

3. As part of planned consultation during detailed design, the Proponent shall consult on the integration of cycling lanes into the final design.
 - a. The Proponent shall consider designated cycling lanes as part of the final design for the proposed Project.
 - b. The final design of the Project, including the integration of cycling lanes, and rationale for the final design shall be posted on the Proponent's website prior to construction of the Project.
 - c. The Proponent shall submit the final design for the Project, the rationale for the final design and documentation on consultation to the Director of the Environmental Approvals Branch prior to construction of the Project.

With this decision having been made, the City of Guelph can now proceed with the Project. The City of Guelph must ensure the Project is implemented in the manner it was developed and designed, as set out in the Project documentation, and inclusive of all mitigating measures, and environmental and other provisions therein.

Lastly, I would like to ensure that the City of Guelph understands that failure to comply with the act, the provisions of the Class Environmental Assessment, and failure to implement the Project in the manner described in the planning documents, are contraventions of the act and may result in prosecution under section 38 of the Act.

I am confident that the City of Guelph recognizes the importance and value of the Act and will ensure that its requirements and those of the Class Environmental Assessment are satisfied.

Sincerely,



Glen Murray
Minister of the Environment and Climate Change

Attachment

c: Requesters

EA File No. 16049 Niska Road Improvements