

**SUBMISSION BY THE CANADIAN ENVIRONMENTAL LAW ASSOCIATION TO THE
MINISTRY OF GOVERNMENT AND CONSUMER SERVICES REGARDING
PROPOSED AMENDMENTS TO GENERAL REGULATION 334
UNDER THE *ENVIRONMENTAL ASSESSMENT ACT*
ENVIRONMENTAL REGISTRY NO. 013-4845**

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**Prepared by
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I. INTRODUCTION

This is the submission of the Canadian Environmental Law Association (“CELA”) in relation to the Ministry of Government and Consumer Services’ (“Ministry”) proposed amendment to General Regulation 334 (“General Regulation”) under the *Environmental Assessment Act* (“EAA”).¹

Since the *EAA* and the General Regulation are both administered by the Minister of the Environment, Conservation and Parks (“MECP”), it is unclear to CELA why it is the proponent Ministry – not the MECP – that is now proposing these regulatory changes. We further note that the Ministry has failed to provide the actual text of the exempting provision that it is proposing to insert into Regulation 334. This omission impairs the ability of CELA and other stakeholders to provide substantive feedback on the precise wording and scope of the proposed exemption.

In any event, the Ministry’s vague proposal to amend the General Regulation would wholly exempt from *EAA* coverage any disposition or severance of government property carried out by or for the Ministry as early as July 1, 2019. If the regulatory exemption is made, then the Environmental Registry notice indicates that corresponding changes will be made to the Public Work Class EA approved by the MECP under the *EAA*.

Significantly, neither “disposition” nor “severance” are defined terms in the *EAA* or the General Regulation. However, the Environmental Registry notice provides the following description:

Disposition refers to the sale or lease of all or part of a property, or the granting of an easement. It results in a change of ownership or the granting of an interest in the property from one party to another. Severance refers to the division of a property into more than one lot.²

CELA submits that the wholesale exemption of provincial land disposition and severance undertakings from the *EAA* is contrary to the public interest purpose of the Act, which is the “betterment of people of

¹ Online: <https://ero.ontario.ca/notice/013-4845>

² *Ibid*

the whole or any part of Ontario by providing for the protection, conservation and wise management in Ontario of the environment.”³ For the reasons set out below, CELA does not support the proposed exemption of such undertakings from the *EAA* on the primary grounds that this unjustified rollback:

- removes or constrains the ability to identify and evaluate potential adverse environmental effects early in the decision-making process, and to reconcile the proposed development of disposed/severed lands with the long-term protection of the biophysical, ecological, social, economic and built environments;
- undermines socio-economic and environmental accountability by eliminating public notification requirements, removing governmental decision-making from the public’s purview, and depriving the public of key information and negating the opportunity for public comment; and
- terminates the legal right of Ontarians to request the MECP to order an individual EA (i.e. “bump up”) if their concerns about proposed conveyances of provincial lands have not been satisfactorily addressed following the completion of the Class EA planning process for such undertakings.

Accordingly, CELA submits that the disposition or severance of government-owned lands should remain fully subject to the current requirements and schedules of the Public Work Class EA.

II. ABOUT CELA

CELA is a public interest law group founded in 1970 for the purposes of using and enhancing environmental laws to protect the environment and safeguard human health.⁴ CELA lawyers represent low-income and vulnerable communities in the courts and before tribunals on a wide variety of environmental and public health issues.

In recent decades, CELA has been actively involved in various matters pertaining to the *EAA*, including:

- representing clients in individual EA processes for undertakings caught by Part II of the *EAA*;
- representing clients in Class EA processes, including making requests for “Part II orders” (also known as “elevation” or “bump-up” requests);
- representing clients in judicial review applications, statutory appeals and administrative hearings in relation to the *EAA*;
- filing law reform submissions on the *EAA* and regulations, including new or proposed regulatory exemptions for specific sectors, undertakings or proponents;
- participating in provincial advisory committees considering matters under the *EAA*; and

³ *Environmental Assessment Act*, RSO 1990, c E 18, s 2 [*EAA*]

⁴ Canadian Environmental Law Association, online: www.cela.ca

- conducting public education/outreach, and providing summary advice, to countless individuals, non-governmental organizations, Indigenous communities, and other persons interested in matters arising under the EAA.

On the basis of our decades-long experience under the EAA, CELA has carefully considered the regulatory proposal being advanced by the Ministry. However, CELA recommends that the proposed exemption of provincial land dispositions or severances should not proceed due to outstanding concerns about environmental protection, public participation, transparency and accountability.

III. COMMENTS ON THE PROPOSED REGULATORY EXEMPTION

i. Context: The Checkered History of Provincial Land Dispositions in Ontario

At present, the Government of Ontario owns thousands of provincial buildings, structures and parcels of land located throughout the province. If government-owned lands are to be sold or severed, then the relevant notification and documentation requirements of the current Public Work Class EA must be complied with before the proposed transaction may proceed (see below).

These kinds of realty undertakings involving public properties have been subject to evolving Class EA planning requirements since 1992.⁵ Over the decades, the disposition of provincial lands has often facilitated the subsequent development of large-scale projects by private companies, other public authorities, or “P3” (private-public partnership) proponents.

However, after a large increase in such transactions occurred in the late 1990s, the Environmental Commissioner of Ontario (“ECO”) identified a number of instances where there was non-compliance with the Class EA planning requirements prior to the disposition of provincial lands.⁶ In particular, the ECO found as follows:

In its Statement of Environmental Values, Management Board Secretariat says that among its responsibilities, these “real estate activities have the greatest potential for impact on the natural environment,” and must thus adhere to the requirements of the MBS Class Environmental Assessment... The MBS Class EA requires site-specific research and public consultation on all real estate activities, with the results available to the public upon request. It is through its Class EA, the MBS SEV states, that Management Board Secretariat fulfils the purposes of the Environmental Bill of Rights...

Our review suggests that Management Board Secretariat, through its agency, the Ontario Realty Corporation, has not followed some of the requirements of its Class Environmental Assessment, even though MBS says its Class EA forms the basis of the commitments made in its Statement of Environmental Values...

⁵ Online: <https://www.ontario.ca/page/class-ea-public-works>

⁶ 1998 Annual Report, at 16-22. Online: <http://docs.assets.eco.on.ca/reports/environmental-protection/1998-1999/1998-AR.pdf>

All sales of government lands fall under at least “Category B” status under the Class EA, which requires consultation with directly affected parties, a site analysis, and filing of a consultation and documentation record, which must then be available to the public. In addition, sales of lands involving environmentally significant areas (ESAs) to a non-conservation body are classified as “Category C” projects, requiring detailed Environmental Study Reports, including several stages of public notice and opportunities for public comment...

ORC files and other material examined by the ECO suggest that several land sales in the past few years should have required Environmental Study Reports and a comprehensive public consultation program. A few ORC consultation and documentation records examined by the ECO identify ESAs, potential threats to them from the proposed sales, and the fact that the lands will be sold to a “non-conservation body.” All of these conditions are triggers for Category C treatment. In several cases, ORC’s own documentation records state that the project should be halted until the more stringent environmental assessment process in Category C is completed, but ORC has not undertaken that step.

MBS has told the ECO that ORC has consulted with selected agencies and affected parties, and in some cases, carried out Environmental Site Assessments. But this is not equivalent to the requirements of the Class EA for Category C (emphasis added).⁷

Similarly, the Ontario Realty Corporation was convicted under the *EAA* in 2004 for failing to comply with the consultation requirements of the Class EA when it conveyed property containing the site of a Huron village dating back to the 1400s, but failed to adequately consult local Indigenous representatives.⁸

Other questionable provincial dispositions involving land flips have triggered forensic audits, police probes, civil litigation and considerable public controversy.⁹

ii. Exempting undertakings from the EAA is contrary to the Act’s public interest purpose

Environmental assessment is an information-gathering and decision-making process that aims to anticipate and prevent harm arising from proposed undertakings, and to potentially improve societal and ecological conditions. This process includes opportunities for public participation, and requires a range of interrelated socio-economic and biophysical impacts of a project (and its alternatives) to be considered before irreversible decisions are made. The Supreme Court of Canada has recognized EA as an important planning tool and an “integral component of sound decision-making.”¹⁰

Absent the application of the *EAA*, these basic tenets of EA planning do not apply to exempted undertakings, and the broad scope of EA requirements is not replicated in other provincial statutes. In

⁷ *Ibid*, at 16, 20

⁸ *R. v Ontario Realty Corporation*, 2004 CarswellOnt 6604 (Ont CJ).

⁹ Online: <https://www.cbc.ca/news/canada/ontario-realty-corp-under-review-1.225418>;
<https://www.theglobeandmail.com/news/national/orc-documents-allege-fraud/article25463199/>

¹⁰ *Friends of the Oldman River Society v Canada (Minister of Transport)*, [1992] 1 SCR 3 at 71

addition, exempting undertakings from *EAA* coverage deprives the public of key information relating to the proposal, and excludes the public's ability to meaningfully participate in the decision-making process.

Accordingly, CELA submits that the "betterment" of Ontarians – which is the express purpose of the *EAA* – is best achieved by keeping land disposition/severance undertakings subject to the *EAA*, rather than wholly exempting such undertakings from any type of EA planning requirements. On this point, CELA notes that the undertakings to be exempted under the Ministry's proposal are subject to an already streamlined process by virtue of falling within the defined category of projects covered by the Public Works Class EA. In short, projects that are planned in accordance with the Class EA procedure are effectively pre-approved, meaning that the proponent can proceed directly with the project without Ministerial approval or public hearings, provided that there has been compliance with the applicable steps prescribed in the Class EA.¹¹

Within the Public Work Class EA, the process is further streamlined because projects are delineated into four categories, each with varying EA methodologies in response to the level of potentially adverse environmental effects. For example, as current provincial guidance on Public Work Class EA undertakings currently prescribes¹²:

- **Category A** is applied to undertakings that are minor in scale and have minimal or no adverse environmental effects and requires no EA of the undertaking.
- **Category B** (Consultation and Documentation Report) is a screening process applied to undertakings that have some potential for adverse environmental effects. These effects are well understood from a technical perspective, are minor in nature, and mitigation is also well understood.
- **Category C** (Environmental Study Report) is a comprehensive EA process that is applied to undertakings that have the potential for significant environmental effects and must proceed under the full planning and documentation procedures. The environmental effects are assessed and mitigation, monitoring and public consultation are documented in a detailed Environmental Study Report (ESR).
- **Category D** (Individual EA) is applied to those undertakings that have the potential for significant and undetermined environmental effects. Although the Class EA is used to identify the need for an Individual EA, the process for carrying out an Individual EA is beyond the scope of this document.

As a result of the Class EA process and the categorization applied to disposition and land severances, CELA submits the existing process already accomplishes the streamlining envisioned in the Environmental Registry notice. Therefore, the proposed wholesale exemption of these undertakings from the *EAA* is both unnecessary and inappropriate.

¹¹ Lindgren R and Dunn B, "Environmental Assessment in Ontario: Rhetoric vs. Reality" (2010) 21 JELP 279 - 303

¹² Ministry of Infrastructure Public Work, "Class Environmental Assessment" (2012), online:

<https://www.infrastructureontario.ca/WorkArea/DownloadAsset.aspx?id=2147483686>

While the Environmental Registry notice describes the projects to be exempted as “transactional exercises” that “have low potential for adverse effect on the environment” (i.e. Category A), this ignores the nuances among land disposition and severance undertakings currently caught by the Public Work Class EA. For instance, according to provincial guidance, the majority of realty transactions involving the disposition of land are Category B undertakings, while land severances are most often Category A (see Appendix 1 which further details the types of land disposition and severances and their accompanying category).

In addition, it must be recalled that provincial land holdings include greenfield (or brownfield) properties that may be environmentally sensitive, have agricultural, cultural or heritage significance, or involve Indigenous rights or interests. Similarly, severances of large properties into one or more smaller parcels can create adverse effects (i.e. by fragmenting habitat, creating “edge” effects, etc.). In CELA’s view, before such lands are severed or conveyed to third parties, it is imperative to review the potential social, cultural and environmental impacts in an open and accessible EA planning process.

Moreover, the notice’s unpersuasive attempt to classify the disposition and severance of land as projects with “low potential” for adverse effects overlooks the fact that medium- and small-sized projects (or groups of smaller projects in the same geographic area and timeframe) can also create direct, indirect and cumulative effects which are adverse and significant. There is a continuing gap in the current EAA regime in relation to cumulative effects analysis, and this problem is exacerbated by the proposed regulatory exemption for realty undertakings.

iii. Exempting projects from the EAA undermines social and environmental accountability

EA has an important role in ensuring governmental accountability, as it demands openness and transparency in decision-making, and creates a detailed public record. In order to facilitate public involvement in the decision-making process, information must be made publicly available in a timely manner, and the reasons informing the decision (including analysis of anticipated effects and mitigation measures) must also be made publicly available.

In general terms, EA requirements create accountability because they legally mandate public bodies to give an account of, and justification for, their actions in a way that private bodies do not. Conversely, a failure to consult with the public or failing to sufficiently provide opportunities for participation, undermines accountability.¹³

Currently, Class EA documentation is available for public review and comment within specified timeframes.¹⁴ By consulting with a variety of stakeholders, issues are identified and hopefully resolved

¹³ Sheate W, “Purposes, paradigms and pressure groups: Accountability and sustainability in EU environmental assessment, 1985 – 2010” (2012) EIAR 33, 91 – 102 at 99

¹⁴ Infrastructure Ontario, online: <https://www.infrastructureontario.ca/Public-Work-Class-Environmental-Assessment/>

prior to deciding if, when or how the project should proceed.¹⁵ According to current Public Work Class EA guidance:

Public consultation is an essential element when planning Category B and C projects. Consulted parties normally include government ministries and agencies, parties that may be affected by a project (e.g., owners of adjacent properties) and others who may be interested in a project (e.g., community members). These parties are contacted during the planning process for a project, and after an environmental assessment report has been completed for a project.¹⁶

Exempting the disposition and severance of lands from the provincial EA process removes this important accountability mechanism and the opportunity for public review and comment.

CELA further submits that the proposed regulatory amendment may also undermine the local trust in, and social licence of, an undertaking. A social licence - unlike a legal licence to operate which is granted through a statutory procedure - is neither formally granted nor written down. However, to obtain a social licence to proceed with an undertaking, there must be a decision-making process which engenders trust, is transparent, advances meaningful public engagement, and aims to protect human health, safety and the environment.¹⁷ These principles align with the basic tenets of EA law, but would be inapplicable if realty undertakings are fully exempted under the *EAA*.

Lastly, the proposed exemptions remove governmental decision-making from the public's purview. For example, the reports generated for Public Work Class EAs can be viewed online.¹⁸ The report for an undertaking notes the environmental condition of the property (i.e. pre-existing hazards on-site such as asbestos, oil, underground storage tanks, etc.); any distinctive environmental features; its current zoning or designations (i.e. floodplain, vulnerable aquifer area, or significant woodlot); and any site-specific mitigation measures that may be necessary. This reporting obligation provides baseline data which otherwise would not have been collected, nor publicly available and accessible.

iv. Exempting undertakings from EA removes the public opportunity to request an individual EA

Upon the completion of the applicable Class EA planning process, an interested person or stakeholder is entitled to file a "bump up" request if there are outstanding concerns about the proposed undertaking. By order, the Minister may require that the project undergo an individual EA under Part II of the *EAA*, or may impose additional conditions that are appropriate in the circumstances.¹⁹ However, the proposed exemption of all realty undertakings from the *EAA* removes this important safety valve.

¹⁵ *Ibid*

¹⁶ Infrastructure Ontario, online: <https://www.infrastructureontario.ca/Public-Work-Class-EA-Backgrounder/>

¹⁷ Hoeld S, "A social licence for nuclear technologies" (2019) in Black-Branch J and Dieter F (eds.) *Nuclear Non-Proliferation in International Law – Vol IV*, Asser Press, The Hague.

¹⁸ See Class Environmental Assessment Reports, online: <https://www.infrastructureontario.ca/Class-Environmental-Assessment-Reports/>

¹⁹ *EAA*, s 16

IV. CONCLUSION

For the foregoing reasons, CELA submits that the proposed regulatory exemption is contrary to the public interest as it removes the ability to identify and evaluate potential adverse environmental effects early in the decision-making process, and to reconcile proposed development with environmental protection.

Without the application of the *EAA*, there will be an insufficient legislative basis requiring that adverse effects of an undertaking be considered from the outset. Ontario's EA requirements for realty undertakings are neither duplicative nor redundant, as the information gathered, and public comment opportunities provided, are unique to the EA process.

Accordingly, CELA reiterates that land disposition/severance undertakings should not be exempt from the *EAA*. In our view, the proposed exemption is contrary to the public purpose of the Act; undermines social and environmental accountability; removes decision-making from the public's purview; deprives the public an opportunity for public review and comment; and removes the right of concerned persons to request a more detailed individual EA of the proposed undertaking.

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION



Richard Lindgren, Legal Counsel



Kerrie Blaise, Legal Counsel

APPENDIX 1 Category Listing Matrix

Key A - Category A B - Category B C - Category C D - Category D NA - Not applicable (other undertaking or process applies) * - Use EA Category Identification Table (Table 2.1)		Property Management and Development												Realty Transactions and Approvals																
		BUILDING ADDITIONS	BUILDING ALTERATION AND RESTORATION (INT & EXT)	BUILDING MAINTENANCE OR REPAIR (INT & EXT)	CO-DEVELOPMENT AGREEMENTS	CONTAMINANT SEARCH	CONSTRUCTION OF NEW FACILITY	DECOMMISSIONING	DEMOLITION	DESIGN SERVICES	FEASIBILITY STUDIES	GROUPS MAINTENANCE	LANDSCAPING	RECONSTRUCTION	RELOCATION - HERITAGE ONLY	ACQUISITION	DISPOSITION	DISPOSITION W/ESA, TO CONSVN BODY	DISPOSITION W/ESA, TO NON-CONSVN BODY	EASEMENTS	EXPROPRIATIONS	LEASE PURCHASE	LEASING OR LICENSING FROM, NO CHANGE IN USE	LETTING OR LICENSING TO, NO CHANGE IN USE	LEASING OR LICENSING FROM, WITH CHANGE IN USE	LETTING OR LICENSING TO, WITH CHANGE IN USE	PLANNING APPROVALS (LAND DEVELOPMENT)	SALE OF DENSITY OR AIR RIGHTS	SEVERANCE	VOLTAGE RIGHTS (POWER POLES & GUY WIRES)
Facility Groups and Subgroups																														
1. NON-PROGRAMMED PROPERTIES																														
1.1	VACANT LAND	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	C	B	B	B	A	A	B	B	A	B	A	B
1.2	LANDS WITH IMPROVEMENTS	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	C	B	B	B	A	A	B	B	A	B	A	B
1.3	LANDS WITH ENVIRONMENTALLY SIGNIFICANT AREA	C	A	A	A	A	C	B	B	A	A	A	A	B	B	B	NA	B	C	B	B	B	A	A	B	B	A	B	A	B
2. ADMINISTRATIVE FACILITIES																														
2.1	ADMINISTRATIVE BUILDINGS	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	*	B	B	B	A	A	B	B	B	B	*	B
2.2	CHILD CARE CENTRES	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	*	B	B	B	A	A	B	B	B	B	*	B
2.3	EDUCATION CENTRES	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	*	B	B	B	A	A	B	B	B	B	*	B
2.4	HEALTH CLINICS	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	*	B	B	B	A	A	B	B	B	B	*	B
2.5	RECREATION AND TOURISM FACILITIES	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	*	B	B	B	A	A	B	B	B	B	*	B
2.6	CASINOS	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	*	B	B	B	A	A	B	B	B	B	*	B
3. STORAGE FACILITIES																														
3.1	GARAGES	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	C	B	B	B	A	A	B	B	B	*	A	B
3.2	BOAT SLIPS	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	C	B	B	B	A	A	B	B	B	*	A	B
3.3	PATROL YARDS	B	A	A	A	A	C	B	B	A	A	A	A	B	B	B	B	B	C	B	B	B	A	A	B	B	B	*	A	B
3.4	WAREHOUSES	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	B	C	B	B	B	A	A	B	B	B	*	A	B
4. CUSTODIAL FACILITIES																														
4.1	JAILS	B	A	A	*	A	B	B	B	A	A	A	A	B	B	B	B	B	C	*	B	*	*	*	*	*	B	*	A	*
4.2	DETENTION CENTRES	B	A	A	*	A	B	B	B	A	A	A	A	B	B	B	B	B	C	*	B	*	*	*	*	*	B	*	A	*
4.3	CORRECTION CENTRES	B	A	A	*	A	B	B	B	A	A	A	A	B	B	B	B	B	C	*	B	*	*	*	*	*	B	B	A	*
4.4	FORESTRY CAMPS	B	A	A	*	A	B	B	B	A	A	A	A	B	B	B	B	B	C	*	B	*	*	*	*	*	B	*	A	B
4.5	YOUNG OFFENDERS OPEN/ SECURE DETENTION CENTRES	B	A	A	*	A	B	B	B	A	A	A	A	B	B	B	B	B	C	*	B	*	*	*	*	*	B	*	A	*
4.6	TREATMENT CENTRES	B	A	A	*	A	B	B	B	A	A	A	A	B	B	B	B	B	C	*	B	*	*	*	*	*	B	*	A	*
4.7	PSYCHIATRIC HOSPITALS	B	A	A	*	A	B	B	B	A	A	A	A	B	B	B	B	B	C	*	B	*	*	*	*	*	B	*	A	*
4.8	CENTRES FOR DEVELOPMENTALLY HANDICAPPED	B	A	A	*	A	B	B	B	A	A	A	A	B	B	B	B	B	C	*	B	*	*	*	*	*	B	*	A	*
5. TRANSPORTATION FACILITIES																														
5.1	GOVERNMENT AIRCRAFT FACILITIES	*	A	A	*	A	*	*	*	A	A	A	A	*	B	*	*	B	C	*	*	*	*	*	*	*	*	*	A	*
5.2	TRANSIT SERVICE FACILITIES	*	A	A	*	A	*	*	*	A	A	A	A	*	B	*	*	B	C	*	*	*	*	*	*	*	*	*	A	*
5.3	ROAD AND PARKING FACILITIES	*	A	A	*	A	*	*	*	A	A	A	A	*	B	*	*	B	C	*	*	*	*	*	*	*	*	*	A	*
5.4	WATER CROSSINGS	*	A	A	*	A	*	*	*	A	A	A	A	*	B	*	*	B	C	*	*	*	*	*	*	*	*	*	A	*
5.5	PEDESTRIAN ACCESS FACILITIES	*	A	A	*	A	*	*	*	A	A	A	A	*	B	*	*	B	C	*	*	*	*	*	*	*	*	*	A	*
6. RESEARCH FACILITIES																														
6.1	ENVIRONMENTAL MONITORING STATIONS	B	A	A	A	A	B	B	B	A	A	A	A	B	B	*	B	*	*	*	*	*	A	A	*	*	B	*	A	*
6.2	EXPERIMENTAL FARMS	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	*	*	*	*	B	A	A	*	*	B	*	A	*
6.3	AGRICULTURAL EXTENSION STATIONS	B	A	A	A	A	B	B	B	A	A	A	A	B	B	B	B	*	*	*	*	B	A	A	*	*	B	*	A	*
6.4	FISH CULTURE FACILITIES	*	*	*	*	*	*	*	*	*	*	*	*	A	*	B	*	*	*	*	*	*	*	*	*	*	*	*	A	*
6.5	NURSERIES AND ARBORETUMS	*	*	*	*	*	*	*	*	*	*	*	A	*	B	*	*	*	*	*	*	*	*	*	*	*	*	*	A	*
7. COMMUNICATION FACILITIES																														
7.1	COMMUNICATION TOWERS	*	A	A	A	A	*	*	*	A	A	A	A	B	*	*	*	*	*	*	*	*	A	A	*	*	*	*	A	*
8. INFRASTRUCTURE DEVELOPMENTS																														
8.1	SANITARY COLLECTION, TREATMENT AND DISPOSAL SYSTEMS	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
8.2	WATER SUPPLY DISTRIBUTION AND TREATMENT SYSTEMS	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
8.3	DRAINAGE ACT RELATED WORKS	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
8.4	STORMWATER MANAGEMENT FACILITIES	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
8.5	STREAM CHANNELIZATION AND BANK STABILIZATION	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
9. HERITAGE PROPERTIES																														
9.1	CULTURAL HERITAGE PROPERTIES	B	B	A	B	A	B	B	B	B	B	A	B	B	B	B	B	B	C	B	B	B	A	A	B	B	B	B	B	
9.2	HERITAGE SUPPORT PROPERTIES	B	B	A	B	A	B	B	B	B	B	A	B	B	B	B	B	B	C	B	B	B	A	A	B	B	B	B	B	

10. WASTE FACILITIES AND CONTAMINATED PROPERTIES																														
10.1	COMPOSTING FACILITIES	B	A	A	A	A	B	B	B	A	A	A	A	B	*	B	B	*	*	B	B	B	B	B	B	B	B	*	B	B
10.2a	NON-HAZARDOUS SOLID WASTE LANDFILL FACILITIES LIFETIME CAPACITY <40,000 m ³	C	A	A	A	*	C	B	B	A	A	A	A	C	*	B	B	*	*	B	*	*	B	B	C	C	C	*	B	*
10.2b	NON-HAZARDOUS SOLID WASTE LANDFILL FACILITIES LIFETIME CAPACITY >= 40,000 m ³	D	D	D	D	D	D	D	D	D	D	D	D	D	*	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
10.3	HAZARDOUS AND INDUSTRIAL LIQUID WASTE MANAGEMENT FACILITIES	D	D	D	D	D	D	D	D	D	D	D	D	D	*	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
11. TRANSMISSION CORRIDOR LANDS																														
11.1	LANDS FOR SECONDARY USES	NA	NA	NA	A	A	NA	*	*	A	A	NA	NA	NA	B	NA	B	B	C	A	NA	NA	NA	A	NA	B	NA	*	A	B
11.2	TRANSMISSION USE LANDS	NA	NA	NA	A	A	NA	*	*	A	A	NA	NA	NA	NA	B	B	B	C	B	B	NA	NA	NA	NA	NA	NA	*	A	B

Source: Infrastructure Ontario, online: <https://www.infrastructureontario.ca/Public-Work-Class-Environmental-Assessment/>