

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

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

Environmental Assessment Branch

Direction des évaluations  
environnementales

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October 4, 2021

His Worship Doug Measures  
Mayor of Clearview Township  
Clearview ON  
Email: [dmeasures@clearview.ca](mailto:dmeasures@clearview.ca)

Dear Mayor Measures:

I am reaching out to you regarding the Township of Clearview's (Clearview) proposed reconstruction of Sideroad 26/27 (Project) and Clearview's classification of the Project as Schedule A+ pursuant to the Municipal Class Environmental Assessment (Class EA).

In our May 2020 correspondence to Clearview, we advised that the ministry would not be considering the Part II Order request (now referred to as section 16 order requests) on the basis that the Project was classified as Schedule A+ and therefore exempt from the requirements of the *Environmental Assessment Act* (Act) pursuant to section 15.3(4) of the Act.

Ministry staff were subsequently provided additional information regarding the Project which may indicate that the Project is not properly classified as a Schedule A+ and therefore not exempt from the Act. Section 15.1.1 of the Act allows a proponent to proceed with an undertaking as long as they do so in accordance with the Class EA. Failure to meet the requirements set out in the Class EA would result in non-compliance with the Act. If the Project has been misclassified as Schedule A+ rather than as Schedule B or C, the Project would not be exempt from the requirements of the Act.

To facilitate the ministry's review of the classification of the Project and compliance with Class EA requirements, the ministry requests the following information from Clearview:

### **Estimated Project Costs**

Please provide the estimated total cost of the Project. Under the Class EA certain projects are classified based in part on the projected "cost" of the proposed undertaking.

“Cost” in the Class EA is defined as, “the most up-to-date estimate prepared by the proponent of the cost of a project, which has been accepted by the proponent as the basis on which the project is to proceed”. The estimate does not need to include costs for:

- Acquisition of land
- Feasibility studies and engineering design for the project
- Operation of the project

The ministry has received new information indicating cost for the reconstruction of Side Road 26/27 may be over \$4,000,000, which would indicate that the Project should be subject to a higher level of assessment under the Class EA schedules.

The ministry is requesting an estimate which shall include the capital costs of all components of a project required to address the intent of the project, or problem statement.

### **Traffic Study**

Road projects of this type that are classified as Schedule A+ are described in the Class EA as a reconstruction where the reconstructed road or other linear paved facilities (e.g., HOV lanes) will be for the same purpose, use, capacity and at the same location.

The Project documents provided to the ministry, such as the Environmental Impact Study submitted as part of the Niagara Escarpment Plan Amendment, indicate that the road will be widened to accommodate increased vehicular traffic volumes. In addition, the route has been identified as the alternative route for local traffic given the closure of County Road 91 due to the Walker Quarry Expansion.

The ministry has since received new information on historical traffic levels on County Road 91 that indicates a potential significant increase in traffic for the proposed Project once County Road 91 is closed.

The ministry is requesting further information from Clearview on expected traffic data, that would occur once the Project is completed.

Please provide the above information to the ministry by **November 5, 2021**. Once the ministry has reviewed the information, we will advise Clearview of the outcome of our review or if additional information is required.

If you would like to schedule a meeting with my office to go over the requested information please contact Josephine Yumbla at [Josephine.Yumbla@ontario.ca](mailto:Josephine.Yumbla@ontario.ca).

If you have additional questions please contact Simon Zhao, Project Evaluator directly at [simon.zhao@ontario.ca](mailto:simon.zhao@ontario.ca).

Yours Sincerely,

*Kathleen O'Neill*

Kathleen O'Neill  
Director  
Environmental Assessment Branch  
Ministry of the Environment, Conservation and Parks

c: Jennifer Cain-Percy, Administrative Assistant to the Mayor and CAO, Township of Clearview  
John Ferguson, Chief Administrative Officer, Township of Clearview  
Mayor Alar Soever, Town of Blue Mountains  
George Powell, Blue Mountain Watershed Trust Foundation  
Nancy Mott, Senior Strategic Advisor, Niagara Escarpment Commission

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