

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

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



Office of the Minister

Bureau du ministre

777 Bay Street, 5th Floor
Toronto ON M7A 2J3
Tel.: 416-314-6790

777, rue Bay, 5^e étage
Toronto ON M7A 2J3
Tél. : 416-314-6790

May 21, 2020

357-2019-3046

Justin Armstrong, P.Eng.
Senior Project Manager
Regional Municipality of Waterloo
150 Fredrick Street, 6th Floor
Kitchener ON N2G 4J3
Email: JuArmstrong@regionofwaterloo.ca

Dear Mr. Armstrong:

On June 17, 2019, the ministry received one Part II Order request asking that Waterloo Region be required to prepare an individual environmental assessment for the proposed East Boundary Road Corridor.

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 request, the project documentation, the provisions of the Municipal Class Environmental Assessment, and other relevant matters required to be considered under subsection 16(4) of the Environmental Assessment Act.

The reasons for my decision may be found in the attached table. In the interest of transparency, I encourage you to make this letter available to the greater public on Waterloo Region's website.

With this decision having been made, Waterloo Region can now proceed with the project, subject to any other permits or approvals required. Waterloo Region 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, commitments and environmental and other provisions therein.

Mr. Justin Armstrong, P.Eng.
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Lastly, I would like to ensure that Waterloo Region understands that failure to comply with the Act, the provisions of the Municipal 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 Waterloo Region recognizes the importance and value of the Act and will ensure that its requirements and those of the Municipal Class Environmental Assessment are satisfied.

Sincerely,



Jeff Yurek
Minister of the Environment, Conservation and Parks

Attachment

c: Requester
Dave Hallman, P.Eng., Senior Project Manager/Advisor, MTE Consultants Inc.
EA File No. 19026 – East Boundary Road Corridor

**East Boundary Road Corridor
Waterloo Region
Class Environmental Assessment**

Minister's Review of Issues Raised by the Requester

Issue	Response and Analysis
<p>Concerns about increased noise from traffic along Townline Road.</p>	<p>Waterloo Region completed a Preliminary Noise Study during the Class Environmental Assessment. Noise levels from traffic are predicted to be less than 5 decibels over the existing ambient levels and less than 65 decibels from the maximum threshold requiring mitigation measures.</p> <p>One property within the project study area (980 Avenue Road) is projected to have a daytime noise level higher than Regional noise guidelines and policies. Waterloo Region commits to constructing a noise attenuation barrier for that property when East Boundary Road is constructed. No other noise mitigation measures are required within the study area.</p> <p>The ministry is satisfied that potential noise impacts were considered.</p>
<p>Concern that the project will negatively impact source water protection.</p>	<p>The project is located within the Grand River Source Protection Area. The project is not within the vicinity of any intake protection zones or vulnerable aquifer areas. The project will cross sections of Wellhead Protection Areas, where salt runoff can have impacts to drinking water sources.</p> <p>The project includes the construction of road drainage ditches and storm sewers which will drain into stormwater management facilities.</p> <p>As per the requirements of the Clean Water Act, a Risk Management Plan for the application of road salt on new roads to identify mitigation and monitoring features to protect drinking water sources will be prepared.</p> <p>Grand River Conservation Authority provided technical guidance throughout the planning of the project. Waterloo Region will continue to consult with the Grand River Conservation Authority during detailed design to</p>

	<p>ensure that mitigation measures are in place according to policies under the Grand River Source Protection Plan and the Clean Water Act.</p> <p>The ministry is satisfied that impacts to source water protection were considered.</p>
<p>Concern that the preferred road alignment will negatively impact the environment by crossing Mill Creek at its widest point.</p>	<p>Five road alignments were evaluated as part of the proposed Project. The preferred alignment includes a 95 metre long bridge over Mill Creek with two piers constructed on shore.</p> <p>Mill Creek is one of two significant wetland corridors that traverse the project study area. It is a coldwater stream supporting brook trout and brown trout, and flows to Shade’s Mills reservoir, a 32 hectare flood control facility owned and operated by the Grand River Conservation Authority. Approximately 400 metres of the roadway crosses wetland areas that will require peat removal and/or strengthened road base.</p> <p>When compared to the alternative alignment to cross Mill Creek at the existing Shellard Road crossing, the preferred new bridge crossing will have less overall environmental impact due to a shorter and more direct route for East Boundary Road.</p> <p>Throughout the class environmental assessment process, Waterloo Region, in collaboration with the Ministry of Natural Resources and Forestry and the Grand River Conservation Authority came to a consensus on the preferred road alignment, including necessary approvals and permits required to construct the Mill Street bridge crossing.</p> <p>The following permits for construction within or nearby Mill Creek or Moffatt Creek will be required during detailed design, prior to construction. Permits include:</p> <ul style="list-style-type: none"> • Grand River Conservation Authority’s Fill, Construction and Alteration to Waterways Permit; • Department of Fisheries and Ocean’s Authorization for Works or Undertakings Affecting Fish Habitat; and, • the Ministry of Natural Resources and Forestry’s Work Permit.

	<p>The ministry is satisfied that this concern has been addressed.</p>
<p>Concern that the preferred alignment will generate commercial traffic on Townline Road when it narrows from four lanes to two lanes.</p> <p>The requester prefers an alternative that would direct East Boundary Road traffic further north of Avenue Road/Gore Road to where Townline Road becomes four lanes at Saginaw Parkway.</p>	<p>Five road alignments were evaluated as part of the proposed Project. From a traffic perspective, the preferred alignment (Route B4) was chosen as the shortest and most direct alignment that meets Waterloo Region’s roadway capacity needs to 2031.</p> <p>Currently, there is an existing heavy truck ban on Townline Road between Can-Amera Parkway and Avenue Road, where the requester resides. Waterloo Region has authority over municipal by-laws to amend or maintain this restriction in the future.</p> <p>An alternative alignment (Route A) included a connection to Townline Road at Saginaw Parkway in the north, and was evaluated in congruence with the preferred alignment. Route A was assessed across evaluation criteria which included impacts to the natural environment, social environment, cultural assets, traffic and safety, and cost. Route A was determined to be the most impactful on natural environment features and wildlife habitat.</p> <p>The requester presented a hybrid alternative to Waterloo Region staff that proposed utilizing the majority of the B4 route alignment before connecting with the north section of Route A. Waterloo Region responded to the requester’s proposal in a June 25, 2019 email explaining that the hybrid alternative would not be feasible because of its indirectness, impacts to property, impacts to natural environment features, and significant cost. Additionally, the north section of Route A crosses into Wellington County, outside of the proponent’s jurisdiction.</p> <p>Route B4, the preferred alternative, is anticipated to provide the required capacity for traffic and will include sidewalks, cycling, and transit facilities as required by municipal planning policies to lessen automobile dependency.</p> <p>The ministry is satisfied that Waterloo Region evaluated all road alignment alternatives, in accordance with the Municipal Class Environmental Assessment.</p>