



Sunset over the Heritage Speed River Valleylands

Honourable Minister Glen Murray
Ministry of the Environment and Climate Change
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cc Director, Environmental Approvals Branch
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Without Prejudice

Request for a Part II Order for:
Niska Road Improvements Municipal Class Environment Assessment, Schedule C Study -
Guelph

Dear Hon. Minister Murray:

I am writing to request a Part II order for the Niska Road Improvements Municipal Class Environment Assessment on behalf of the Heritage Speed River Working Group (HSRWG).

The HSRWG is an unincorporated citizen's organization with over 300 members whose purpose is to "protect the Speed River Valley Lands as a Cultural Heritage Landscape and associated green space for ours and for future generations." I have been authorized by the executive of the HSRWG to prepare and submit this appeal.

The HSRWG has identified both technical and procedural flaws with the Niska Road EA. These defects are presented in the attached Report form for the Part II Order request.

We believe that information contained in the Dec. 3, 2015 letter from the GRCA Property Manager, Samantha Lawson, to Don Kudo, City of Guelph supports our concerns. The letter states:

“Overall, the GRCA has a concern with the limited degree of impact assessment completed for the analysis of the alternatives” pg. 1

And from the same page:

“Any additional impacts on the environment could trigger the need for an addendum to the EA”

And from pg. 4 Sec. 16

3. “it is important that the city understand the risk associated with deferring the technical studies to the detailed design. There are policy restrictions (GRCA Policies for the Administration of Ontario Regulation 150/06) that could limit the implementation of the preferred alternative. This has been highlighted in previous comments from the GRCA.”

This letter and its environmental and financial implications were never shared with the public or Guelph City Council in the presentations by RJ Burnside or Guelph City Staff at the Dec. 3 2015 6:00 pm Niska Rd. Special EA Council Meeting.”

Our report includes an extensive set of appended documents and is too large to be sent as an email attachment. I am attempting to find a way to zip the appendices in order to send the appended documents as an email attachment but if this fails I will mail you a flash drive with the appendices.

The HSRWG is asking, in light of the defects that are documented in the sections that follow, that the Minister orders the following:

(1) That the selection process for an alternative be redone but only after two fundamental planning decisions are made by Guelph City Council after consideration of a staff report on each issue. The first decision is whether the City of Guelph remains committed to the establishment of the Hanlon Creek Conservation Area with the former Kortright Waterfowl Park land forming the functional centre of the Conservation Area. The second decision is whether Niska Road is to function as an inter-highway connector or as a collector road for traffic generated within the Kortright Hills Neighbourhood.

(2) That the study area be expanded to include the areas in which natural and social environmental effects will be felt. This will involve a multi-jurisdictional assessment of the affected road segment from Wellington 124 (formerly Highway 124) to Downey road and requires full participation by the Township of Puslinch and of Guelph/Eramosa in a joint study.

(3) That a full range of alternatives be considered including the alternative of closing Niska at Pioneer Trail with the remainder of Niska to and over the Speed River becoming the entrance road to the Hanlon Creek Conservation Area (as outlined in the District 8 Plan that created the road patterns for all development west of the Hanlon Expressway).

(4) That all agency and stakeholder comments on a revised preferred solution be completed and made available for public review before a decision is made on the solution to be adopted. All appropriate provincial agencies, City Advisory committees, and the GRCA as approval agency should be fully and completely engaged in the review. In this review the GRCA must take adequate steps to resolve its conflict of interest as a property owner from its role as commenting agency on environmental impacts.

HSRWG recognizes that the Niska Road Improvement Environmental Assessment has raised a large number of issues, some of them contentious, and that there are complex interactions among the issues that need to be clarified in the process of resolving this appeal. We suggest that it would be very productive for the MOECC, as a first step, to convene a full-day mediated meeting in Guelph at which those requesting an Order and the project team could agree on a list of issues to be resolved and identify, from this list, issues that can be resolved by agreement on the factual description of the current conditions.

We appreciate the efforts made by the MOECC to ensure that the end result of the environmental assessment satisfies the requirements of the EAA and conforms to PPS 2014. We look forward to your response to this request for a Part II Order.

Please acknowledge receipt of this letter and the attached Request Report

Yours truly

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attached: December 3, 2015 GRCA Letter
History of My Involvement

History of My Involvement in the Niska EA

Member of the EA Community Working Group – attended all CWG meetings and submitted extensive comments during the process, attended the 2 PIC's, delegated at RSAC, EAC and Guelph City Council