

# Ontario Place Redevelopment: Therme Facility and Tenant-led Public Realm Development ('Spa Complex') Project

## Provincial Advice Record – Designation Request under the IAA Ministry of Infrastructure Response Response requested by October 18, 2023

*On October 13, 2023, the Supreme Court of Canada found the designated project provisions of the federal Impact Assessment Act to be unconstitutional. Accordingly, there is no constitutional basis for the Minister to designate the Project. Even if there were, the project should not be designated because of the reasons outlined in our submission.*

Ministry	Ministry of Infrastructure
Lead Contact	Michael Robertson, Assistant Deputy Minister, Ontario Place Redevelopment Secretariat
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Email	<a href="mailto:Michael.Robertson@ontario.ca">Michael.Robertson@ontario.ca</a>
Telephone	(647) 823-9695
Alternate Ministry Contact	Elaine Shin, Director, Project Delivery, Ontario Place Redevelopment Secretariat 777 Bay St, 2nd Floor, Toronto, ON M7A 2J3 <a href="mailto:elaine.shin@ontario.ca">elaine.shin@ontario.ca</a> (647) 802-6035

1. In general terms, please confirm and describe your ministry's role (if applicable) in the review of the Project.

### ***Ministry of Infrastructure Response***

The Ministry of Infrastructure (MOI, “the Ministry” throughout this document) is the project owner of the Ontario Place redevelopment. The Province has under its control the Site Preparation work across the Ontario Place site, inclusive of the East Island, West Island and Mainland, as well as a proposed shared underground parking structure on the central portion of the Mainland.

Infrastructure Ontario (IO) is leading the preparation of the Ontario Place site and is acting as the development proponent and project manager on behalf of the MOI and their private sector tenants.

The Ontario Place Redevelopment Secretariat (OPRS) is responsible for providing dedicated support and strategic leadership related to Ontario Place redevelopment.

A key role of the OPRS is to provide oversight to ensure that project planning, decision-making and implementation aligns with government priorities, directives and objectives. OPRS also is responsible for obtaining Cabinet direction and approvals for the project.

In addition, OPRS also plays a key role in engaging key stakeholders including partner provincial ministries, the City of Toronto, and Indigenous communities including engagement in conformance with the Province’s Duty to Consult.

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- 2. Please provide the contact information of the person or persons responsible for managing your ministry’s oversight of the Project (if different from lead contact above).**

***Ministry of Infrastructure Response***

N/A

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- 3. Describe the provincial legislative or regulatory process or approvals administered by your ministry that may assess or manage the potential adverse effects of the Project. For each mechanism or approval, please provide information regarding the following:**
- **Name of the process or authorization (e.g. certificate, licence, permit or approval) and the associated legislative framework;**
  - **Whether (for each) the authorization would set conditions and if yes, what issues would those conditions address;**
  - **Whether (for each) the authorization would require public and/or Indigenous consultation and if yes, provide information on the approach to be taken; and**

- **Whether (for each) your ministry has guidance material that would be helpful to the Proponent or the Agency (please provide these as attachments or hyperlinks in your response).**

### ***Ministry of Infrastructure Response***

The Ministry has no legislative, regulatory processes or approval authority for any permits or approvals in scope relating to this project.

It is recommended that the Impact Assessment Agency of Canada refer to the documentation provided to the Agency by both Therme Canada Inc. and our public sector delivery partners at Infrastructure Ontario as their submissions reflect the efforts of the Ministry of Infrastructure.

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- 4. Confirm whether any authorization listed above would contemplate the following matters and if yes, discuss, in general, the benchmarks or standards to which a project of this nature may be held (be specific in relation to each point below that may be applicable to your ministry's mandate):**
- **fish and fish habitat, including matters related to surface and groundwater,**
  - **migratory birds, including matters related to vegetation and habitat,**
  - **federally listed species at risk,**
  - **effects on Indigenous people of Canada, including on physical and cultural heritage, the current use of lands and resources for traditional purposes, or any structure, site or thing that is of historical, archaeological, paleontological or architectural significance, or on communities' health, social or economic conditions,**
  - **adverse changes to the environment that would occur on federal lands, including federal water-lots, and lands outside Ontario or Canada, including transboundary effects of greenhouse gas emissions as well as air emissions.**

### ***Ministry of Infrastructure Response***

It is recommended that the Impact Assessment Agency of Canada refer to the documentation provided to the Agency by both Therme Canada Inc. and our public sector delivery partners at Infrastructure Ontario as their submissions reflect the efforts of the Ministry of Infrastructure.

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- 5. Have you received public comments/concerns in relation to the Project? If yes, provide an overview of the key issues and the way in which (in general terms) your ministry intends to address (or would normally manage) these matters.**

***Ministry of Infrastructure Response***

It is recommended that the Impact Assessment Agency of Canada refer to the documentation provided to the Agency by both Therme Canada Inc. and our public sector delivery partners at Infrastructure Ontario as their submissions reflect the efforts of the Ministry of Infrastructure.

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- 6. Have you received Indigenous community comments/concerns in relation to the Project? If yes, provide an overview of the key issues and the way in which (in general terms) your ministry intends to address (or would normally manage) these matters.**

***Ministry of Infrastructure Response***

It is recommended that the Impact Assessment Agency of Canada refer to the documentation provided to the Agency by both Therme Canada Inc. and our public sector delivery partners at Infrastructure Ontario as their submissions reflect the efforts of the Ministry of Infrastructure.

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- 7. Do you have any other information about the Project in relation to potential adverse effects or impacts to the public, or Indigenous peoples and their rights as protected under section 35 of the Constitution Act, 1982?**

***Ministry of Infrastructure Response***

N/A