

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

Office of the Minister

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

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357-2022-1340

**BY EMAIL ONLY**

December 19, 2022

Angelo Cutaia  
Project Manager  
AC III Group Inc. on behalf of  
Fruitland – Winona Development Group  
3380 South Service Road, Unit 104  
Burlington ON L7N 3J5  
Email: [angelocutaia@ac3group.ca](mailto:angelocutaia@ac3group.ca)

Mir Ahsan Talpur  
Environmental Planner  
Wood PLC  
Email: [mir.talpur@woodplc.com](mailto:mir.talpur@woodplc.com)

Dear Mr. Cutaia and Mr. Talpur:

On January 15, 2021, the ministry received one section 16 order request asking that the Fruitland – Winona Development Group (proponent) be required to comply with Part II of the *Environmental Assessment Act* (Act) and prepare an individual Environmental Assessment (EA) for the proposed Gordon Dean Avenue Class Environmental Assessment (the project), or to impose conditions in addition to those required by the Municipal Class EA.

Having given careful consideration to the factors set out in section 16(5) of the Act, the issues raised in the request, the Fruitland – Winona Development Group's response, the project documentation, and the provisions of the Municipal Class EA, my decision is as follows:

1. I am denying the request for an order requiring that the proponent comply with Part II of the Act before proceeding with the project; and

2. I am granting the request for an order under section 16 (3) imposing additional conditions on the project; specifically, the following conditions:
  - a. The proponent shall invite interested Indigenous communities to participate in any future natural environment field investigations that may be required during the detailed design phase for the project, including the tree inventory reporting and Stage 2 Archaeological Assessment.
  - b. The proponent shall share the draft Environmental Management Plan with interested Indigenous communities for review and comment during the detailed design phase of the project. If comments are received from Indigenous communities, the proponent shall consider and address the comments in the final Environmental Management Plan.
  - c. The proponent shall submit a written report to the Director, Environmental Assessment Branch, on how it has fulfilled conditions a and b for ministry review.

The reasons for my decision are set out in the attached letter to the requester. In the interest of transparency, I encourage you to make my letter to you available to the greater public on the project website.

With this decision having been made, you may now proceed with the detailed design phase class environmental assessment process for the project at your discretion and subject to the conditions I have imposed. As a reminder, appropriate consultation opportunities must be provided for the Indigenous communities with respect to the project during the detailed design phase of the class environmental assessment process. As you have identified in your responses to the Section 16 order requests, as the detailed planning for the project proceeds and the Stage 2 Archaeological Assessment is undertaken, the results and potential impacts should be shared with Indigenous communities.

I am confident that you recognize the importance and value of the Act and will ensure that its requirements and those of the Municipal Class EA for the project is satisfied.

Sincerely,



David Piccini  
Minister of the Environment, Conservation and Parks

Attachment

Angelo Cutaia and Mir Talpur  
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c. Requester

EA File No. 21004 Gordon Dean Avenue