Environmental Assessment Act  
Loi sur les évaluations environnementales

ONTARIO REGULATION 690/93

EXEMPTION — NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY — CU-AA-05

**Consolidation Period:** From November 1, 1993 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

No amendments.

This Regulation is made in English only.

Having received a request from the Niagara College, a public body reporting to the Minister of Education and Training, that an undertaking, namely:

the proposal to establish and operate a permanent college of applied arts and technology on Part of Lot 2, Concession 10 (formerly in the Township of Grantham) in the Town of Niagara-on-the-Lake,

be exempt from the application of the Act pursuant to section 29; and

Having been advised that if the undertaking is subject to the application of the Act, the following injury, damage or interference with the persons and property indicated will occur:

A. The College will be subject to delay which will force the College to accommodate essential activities and academic programs in premises inadequate for those purposes, with the result that students, staff and members of the community will be without adequate academic facilities; and

B. The College will be unable to meet the existing expansion needs of the St. Catharines Campus, since there is insufficient expansion area on the existing Campus, with the result that the Campus area will be congested and improperly used.

Having weighed such injury, damage or interference against the betterment of the people of the whole or any part of Ontario by the protection, conservation and wise management in Ontario of the environment which would result from the undertaking being subject to the application of the Act;

The undersigned is of the opinion that it is in the public interest to order and orders that the undertaking is exempt from the application of the Act for the following reasons:

A. The requirements of the Planning Act and planning process will adequately address environmental concerns and ensure opportunities for adequate public consultation. This process consists of complete public review of development issues of local and provincial scope and interest, as well as potential sources of environmental (natural, social, cultural, economic and technical) impact.

B. The proponent has carried out presubmission consultation with the Ministry of Environment and Energy, and the proposal was circulated to appropriate ministries, agencies and local municipalities for comment.

C. The new Niagara College Campus is viewed as a catalyst to the development of the Glendale Industrial Area. This area has been planned for redevelopment in the past and is supported by The Corporation of the Town of Niagara-on-the-Lake as an appropriate location for such development.

D. Copies of documents related to the foregoing reasons may be found in the Public Record files maintained under section 30 of the Environmental Assessment Act.

This exemption is subject to the following terms and conditions:

1. Where any activity which otherwise would be exempt under this order is being carried out as or is part of an undertaking for which an environmental assessment has been accepted and approval to proceed received, the activity shall be carried out in accordance with any terms or conditions in the approval to proceed as well as the conditions of this order.

2. Where any activity which is the subject of this order is being carried out as or is part of another undertaking which is the subject of an exemption order under the Act, the activity exempt under this order shall be carried out in accordance with any terms or conditions in the other exemption order as well as the conditions in this order.

3. The stormwater management plan to be prepared for this development shall be designed in accordance with the Glendale Industrial Area Stormwater Management Plan covering the subject property and surrounding lands. The stormwater management plan for the new Niagara College Campus must receive the approval of the Niagara Peninsula Conservation Authority and the Ministry of Natural Resources—Niagara Peninsula District before any work commences on site preparation. Copies of the approvals will be provided to the Environmental Assessment Branch of the Ministry of Environment and Energy for placing in the Public Record Files.

4. The proponent will undertake an archaeological assessment of the lands in question. The assessment must be conducted by a consultant licensed by the Ministry of Culture, Tourism and Recreation (MCTR). Prior to the initiation of constructing activity, any impacts to archaeological sites found in the study area will be mitigated to the satisfaction of the Regulatory and Operations Office, Southwestern Region, MCTR. The proponent shall also provide that Office with an opportunity to review the results of these field activities.

5. The proponent shall abide by the commitments which have been made to the agency reviewers, as outlined in the February, 1993 final report, entitled Request Pursuant to Section 29 of the Environmental Assessment Act New Niagara College Campus Background Information. O.Reg. 690/93.

[Back to top](#Top)