

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

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January 31, 2019

File No.: EA 01-06-05

Mario Goolsarran, P.Eng., PMP
Senior Project Engineer
City of Brampton
1975 Williams Parkway
Brampton, ON L6S 6E5
mario.goolsarran@brampton.ca

BY EMAIL ONLY

**Re: Clark Boulevard Extension and Eastern Avenue Improvements from Rutherford Road to Kennedy Road
City of Brampton
Schedule C Municipal Class EA
Response to Notice of Commencement**

Dear Mr. Goolsarran,

This letter is in response to the Notice of Commencement for the above noted project. The Ministry of the Environment, Conservation and Parks (MECP) acknowledges that the City of Brampton has indicated that this study is following the approved environmental planning process for a Schedule C project under the Municipal Engineers Association's Municipal Class Environmental Assessment (Class EA).

The attached "Areas of Interest" document provides guidance regarding the Ministry's interests with respect to the Class EA process. Please identify the areas of interest which are applicable to the project and ensure they are addressed. Proponents who address all of the applicable areas of interest can minimize potential delays to the project schedule.

The Crown has a legal duty to consult Aboriginal communities when it has knowledge, real or constructive, of the existence or potential existence of an Aboriginal or treaty right and contemplates conduct that may adversely impact that right. Before authorizing this project, the Crown must ensure that its duty to consult has been fulfilled, where such a duty is triggered. Although the duty to consult with Aboriginal peoples is a duty of the Crown, the Crown may delegate procedural aspects of this duty to project proponents while retaining oversight of the consultation process.

The proposed project may have the potential to affect Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act* 1982. Where the Crown's duty to consult is triggered in relation to the proposed project, **the MOECC is delegating the procedural aspects of rights-based consultation to the proponent through this letter.** The Crown intends to rely on the delegated consultation process in discharging its duty to consult and maintains the right to participate in the consultation process as it sees fit.

Based on information provided to date and the Crown`s preliminary assessment the proponent is required to consult with the following communities who have been identified as potentially affected by the proposed project:

- Six Nations of the Grand River;
- Haudenosaunee Confederacy Chiefs Council;
- Mississaugas of the Credit First Nation; and
- Huron-Wendat Nation (if there is potential to impact archeological resources).

Steps that the proponent may need to take in relation to Aboriginal consultation for the proposed project are outlined in the “Code of Practice for Consultation in Ontario’s Environmental Assessment Process” which can be found at the following link: <https://www.ontario.ca/document/consultation-ontarios-environmental-assessment-process>

Additional information related to Ontario’s Environmental Assessment Act is available online at: www.ontario.ca/environmentalassessments

Please also refer to the attached document “A Proponent’s Introduction to the Delegation of Procedural Aspects of consultation with Aboriginal Communities” for further information.

The proponent must contact the Director of Environmental Assessment and Permissions Branch under the following circumstances subsequent to initial discussions with the communities identified by MOECC:

- Aboriginal or treaty rights impacts are identified to the proponent by the communities
- The proponent has reason to believe that the proposed project may adversely affect an Aboriginal or treaty right
- Consultation has reached an impasse
- A Part II Order request or elevation request is expected

The Director of the Environmental Assessment and Permissions Branch can be notified either by email with the subject line “Potential Duty to Consult” to enviopermissions@ontario.ca or by mail or fax at the address provided below:

Email:	enviopermissions@ontario.ca Subject: Potential Duty to Consult
Fax:	416-314-8452
Address:	Environmental Assessment and Permissions Branch 135 St. Clair Avenue West, 1 st Floor Toronto, ON, M4V 1P5

The MOECC will then assess the extent of any Crown duty to consult for the circumstances and will consider whether additional steps should be taken, including what role the proponent will be asked to play in them.

A draft copy of the Environmental Study Report (ESR) should be sent to this office prior to the filing of the final report, allowing a minimum of 30 days for the ministry’s technical reviewers to provide comments. Please also forward the Notice of Completion and final ESR to me when completed.

Should you or any members of your project team have any questions regarding the material above, please contact me at trevor.bell@ontario.ca or 416-326-3577.

Sincerely,



Trevor Bell, B.Sc., M.Env.
Regional Environmental Assessment Coordinator
Air, Pesticides and Environmental Planning

cc: Paul Martin, Supervisor, Technical Support Section, MECP
Tina Dufresne, Manager, Halton Peel District Office, MECP
Tara Erwin, Consultant Project Manager, HDR
Central Region EA File
A & P File

Attach: Areas of Interest
A Proponent's Introduction to the Delegation of Procedural Aspects of consultation with
Aboriginal Communities

AREAS OF INTEREST

It is suggested that you check off each applicable area after you have considered / addressed it.

□ **Source Water Protection (all projects)**

The Clean Water Act, 2006 (CWA) aims to protect existing and future sources of drinking water. To achieve this, several types of vulnerable areas have been delineated around surface water intakes and wellheads for every municipal residential drinking water system that is located in a source protection area. These vulnerable areas are known as a Wellhead Protection Areas (WHPAs) and surface water Intake Protection Zones (IPZs). Other vulnerable areas that have been delineated under the CWA include Highly Vulnerable Aquifers (HVAs), Significant Groundwater Recharge Areas (SGRAs), Event-based modelling areas (EBAs), and Issues Contributing Areas (ICAs). Source protection plans have been developed that include policies to address existing and future risks to sources of municipal drinking water within these vulnerable areas.

Projects that are subject to the Environmental Assessment Act that fall under a Class EA, or one of the Regulations, have the potential to impact sources of drinking water if they occur in designated vulnerable areas or in the vicinity of other at-risk drinking water systems (i.e. systems that are not municipal residential systems). MEA Class EA projects may include activities that, if located in a vulnerable area, could be a threat to sources of drinking water (i.e. have the potential to adversely affect the quality or quantity of drinking water sources) and the activity could therefore be subject to policies in a source protection plan. Where an activity poses a risk to drinking water, policies in the local source protection plan may impact how or where that activity is undertaken. Policies may prohibit certain activities, or they may require risk management measures for these activities. Municipal Official Plans, planning decisions, Class EA projects (where the project includes an activity that is a threat to drinking water) and prescribed instruments must conform with policies that address significant risks to drinking water and must have regard for policies that address moderate or low risks.

- As you may be aware, in October 2015, the MEA Parent Class EA document was amended to include reference to the Clean Water Act (Section A.2.10.6) and indicates that proponents undertaking a Municipal Class EA project must identify early in their process whether a project is or could potentially be occurring with a vulnerable area. **Given this requirement, please include a section in the ESR on source water protection.**
 - The proponent should identify the source protection area and should clearly document how the proximity of the project to sources of drinking water (municipal or other) and any delineated vulnerable areas was considered and assessed. Specifically the report should discuss whether or not the project is located in a vulnerable area and provide applicable details about the area. If located in a vulnerable area, proponents should document whether any project activities are prescribed drinking water threats and thus pose a risk to drinking water (this should be consulted on with the appropriate Source Protection Authority). Where an activity poses a risk to drinking water, the proponent must document and discuss in the ESR how the project adheres to or has regard to applicable policies in the local source protection plan. This section should then be used to inform and be reflected in other sections of the report, such as the identification of net positive/negative effects of alternatives, mitigation measures, evaluation of alternatives etc.
- While most source protection plans focused on including policies for significant drinking water threats in the WHPAs and IPZs it should be noted that even though source protection plan policies may not apply in HVAs, these are areas where aquifers are sensitive and at risk to impacts and within these areas, activities may impact the quality of sources of drinking water for systems other than municipal residential systems.
- In order to determine if this project is occurring within a vulnerable area, proponents can use this mapping tool: <http://www.applications.ene.gov.on.ca/swp/en/index.php>. The mapping tool will also

provide a link to the appropriate source protection plan in order to identify what policies may be applicable in the vulnerable area.

- For further information on the maps or source protection plan policies which may relate to their project, proponents must contact the appropriate source protection authority. **Please consult with the local source protection authority to discuss potential impacts on drinking water. The contact for this project is Jennifer Stephens at 416-661-6600 ext. 5568 or jstephens@trca.on.ca. Please document the results of that consultation within the Report and include all communication documents/correspondence.**

More Information

For more information on the Clean Water Act, source protection areas and plans, including specific information on the vulnerable areas and drinking water threats, please refer to Conservation Ontario's website where you will also find links to the local source protection plan/assessment report.

A list of the prescribed drinking water threats can be found in section 1.1 of Ontario Regulation 287/07 made under the Clean Water Act. In addition to prescribed drinking water threats, some source protection plans may include policies to address additional "local" threat activities, as approved by the MECP.

□ **Climate Change**

Ontario is leading the fight against climate change through the Climate Change Action Plan. Recently released, the plan lays out the specific actions Ontario will take in the next five years to meet its 2020 greenhouse gas reduction targets and establishes the framework necessary to meet its long-term targets. As a commitment of the action plan, **the province has now finalized a guide, "Considering Climate Change in the Environmental Assessment Process" (Guide), which is found online at: www.ontario.ca/page/considering-climate-change-environmental-assessment-process**

The Guide is now a part of the Environmental Assessment program's Guides and Codes of Practice. The Guide sets out the MECP's expectation for considering climate change in the preparation, execution and documentation of environmental assessment studies and processes. The guide provides examples, approaches, resources, and references to assist proponents with consideration of climate change in EA. **Proponents should review this Guide in detail.**

- The MECP expects proponents to:
 1. Take into account during the assessment of alternative solutions and alternative designs, the following:
 - a. the project's expected production of greenhouse gas emissions and impacts on carbon sinks (climate change mitigation); and
 - b. resilience or vulnerability of the undertaking to changing climatic conditions (climate change adaptation).
 2. Include a discrete section in the ESR detailing how climate change was considered in the EA.

How climate change is considered can be qualitative or quantitative in nature, and should be scaled to the project's level of environmental effect. In all instances, both a project's impacts on climate change (mitigation) and impacts of climate change on a project (adaptation) should be considered. Please ensure climate change is considered in the report.

- The MECP has also prepared another guide to support provincial land use planning direction related to the completion of energy and emission plans. The "[Community Emissions Reduction Planning: A Guide for Municipalities](#)" document is designed to educate stakeholders on the municipal opportunities to reduce energy and greenhouse gas emissions, and to provide guidance on methods and techniques to incorporate consideration of energy and greenhouse gas emissions into municipal activities of all types. We encourage you to review the Guide for information.

□ Planning and Policy

- Parts of the study area may be subject to the Oak Ridges Moraine Conservation Plan, Niagara Escarpment Plan, Greenbelt Plan, Lake Simcoe Protection Plan, or Growth Plan for the Greater Golden Horseshoe. Applicable policies should be referenced in the ESR, and the proponent should describe how the proposed study adheres to the relevant policies in these plans. **The new 2017 provincial plans are now in effect.**
- The Provincial Policy Statement (2014) contains policies that protect Ontario's natural heritage and water resources. Applicable policies should be referenced in the ESR, and the proponent should describe how this proposed project is consistent with these policies.

□ Air Quality, Dust and Noise

- If there are sensitive receptors in the surrounding area of this project, an air quality/odour impact assessment will be useful to evaluate alternatives, determine impacts and identify appropriate mitigation measures. The scope of the assessment can be determined based on the potential effects of the proposed alternatives, and typically includes source and receptor characterization and a quantification of local air quality impacts on the sensitive receptors and the environment in the study area. The assessment will compare to all applicable standards or guidelines for all contaminants of concern. **Please contact this office for further consultation on the level of Air Quality Impact Assessment required for this project if not already advised.**
- **If a full Air Quality Impact Assessment is not required for the project, the ESR should still contain:**
 - A discussion of local air quality including existing activities/sources that significantly impact local air quality and how the project may impact existing conditions;
 - A discussion of the nearby sensitive receptors and the project's potential air quality impacts on present and future sensitive receptors;
 - A discussion of local air quality impacts that could arise from this project during both construction and operation; and
 - A discussion of potential mitigation measures.
- As a common practice, "air quality" should be used an evaluation criterion for all road projects.
- Dust and noise control measures should be addressed and included in the construction plans to ensure that nearby residential and other sensitive land uses within the study area are not adversely affected during construction activities.
- The MECP recommends that non-chloride dust-suppressants be applied. For a comprehensive list of fugitive dust prevention and control measures that could be applied, refer to *Cheminfo Services Inc. Best Practices for the Reduction of Air Emissions from Construction and Demolition Activities*. Report prepared for Environment Canada. March 2005. <http://www.bv.transports.gouv.qc.ca/mono/1173259.pdf>
- The ESR should consider the potential impacts of increased noise levels during the operation of the completed project. The proponent should explore all potential measures to mitigate significant noise impacts during the assessment of alternatives.

□ Ecosystem Protection and Restoration

- Any impacts to ecosystem form and function must be avoided where possible. The ESR should describe any proposed mitigation measures and how project planning will protect and enhance the local ecosystem.
- All natural heritage features should be identified and described in detail to assess potential impacts and to develop appropriate mitigation measures. The following sensitive environmental features may be

located within or adjacent to the study area:

- Areas of Natural and Scientific Interest (ANSIs)
- Rare Species of flora or fauna
- Watercourses
- Wetlands
- Woodlots

We recommend consulting with the Ministry of Natural Resources and Forestry (MNRF), Fisheries and Oceans Canada (DFO) and your local conservation authority to determine if special measures or additional studies will be necessary to preserve and protect these sensitive features. In addition, you may consider the provisions of the Rouge Park Management Plan if applicable.

□ **Surface Water**

- The ESR must include a sufficient level of information to demonstrate that there will be no negative impacts on the natural features or ecological functions of any watercourses within the study area. Measures should be included in the planning and design process to ensure that any impacts to watercourses from construction or operational activities (e.g. spills, erosion, pollution) are mitigated as part of the proposed undertaking.
- Additional stormwater runoff from new pavement can impact receiving watercourses and flood conditions. Quality and quantity control measures to treat stormwater runoff should be considered for all new impervious areas and, where possible, existing surfaces. The ministry's [Stormwater Management Planning and Design Manual \(2003\)](#) should be referenced in the ESR and utilized when designing stormwater control methods. **A Stormwater Management Plan should be prepared as part of the Class EA process** that includes:
 - Strategies to address potential water quantity and erosion impacts related to stormwater draining into streams or other sensitive environmental features, and to ensure that adequate (enhanced) water quality is maintained
 - Watershed information, drainage conditions, and other relevant background information
 - Future drainage conditions, stormwater management options, information on erosion and sediment control during construction, and other details of the proposed works
 - Information on maintenance and monitoring commitments.
- Ontario Regulation 60/08 under the Ontario Water Resources Act (OWRA) applies to the Lake Simcoe Basin, which encompasses Lake Simcoe and the lands from which surface water drains into Lake Simcoe. If the proposed sewage treatment plant is listed in Table 1 of the regulation, the ESR should describe how the proposed project and its mitigation measures are consistent with the requirements of this regulation and the OWRA.
- Any potential approval requirements for surface water taking or discharge should be identified in the ESR. In particular, a Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 L/day, with the exception of certain water taking activities that have been prescribed by the Water Taking EASR Regulation – *O. Reg. 63/16*. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please review the [Water Taking User Guide for EASR](#) for more information. Additionally, an Environmental Compliance Approval under the OWRA is required for municipal stormwater management works.

□ **Groundwater**

- The status of, and potential impacts to any well water supplies should be addressed. If the project involves groundwater takings or changes to drainage patterns, the quantity and quality of groundwater may be affected due to drawdown effects or the redirection of existing contamination flows. In addition, project activities may infringe on existing wells such that they must be reconstructed or sealed and abandoned. Appropriate information to define existing groundwater conditions should be included in the ESR.

- If the potential construction or decommissioning of water wells is identified as an issue, the ESR should refer to Ontario Regulation 903, Wells, under the OWRA.
- Potential impacts to groundwater-dependent natural features should be addressed. Any changes to groundwater flow or quality from groundwater taking may interfere with the ecological processes of streams, wetlands or other surficial features. In addition, discharging contaminated or high volumes of groundwater to these features may have direct impacts on their function. Any potential effects should be identified, and appropriate mitigation measures should be recommended. The level of detail required will be dependent on the significance of the potential impacts.
- Any potential approval requirements for groundwater taking or discharge should be identified in the ESR. In particular, a Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 L/day, with the exception of certain water taking activities that have been prescribed by the Water Taking EASR Regulation – *O. Reg. 63/16*. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please review the [Water Taking User Guide for EASR](#) for more information.

□ **Contaminated Soils**

- Since the removal or movement of soils may be required, appropriate tests to determine contaminant levels from previous land uses or dumping should be undertaken. If the soils are contaminated, you must determine how and where they are to be disposed of, consistent with *Part XV.1 of the Environmental Protection Act (EPA)* and Ontario Regulation 153/04, Records of Site Condition, which details the new requirements related to site assessment and clean up. Please contact the ministry's District Offices for further consultation if contaminated sites are present.
- Any current or historical waste disposal sites should be identified in the ESR. The status of these sites should be determined to confirm whether approval pursuant to Section 46 of the EPA may be required for land uses on former disposal sites.
- The location of any underground storage tanks should be investigated in the ESR. Measures should be identified to ensure the integrity of these tanks and to ensure an appropriate response in the event of a spill. The ministry's Spills Action Centre must be contacted in such an event.
- The ESR should identify any underground transmission lines in the study area. The owners should be consulted to avoid impacts to this infrastructure, including potential spills.

□ **Excess Materials Management**

- Activities involving the management of excess soil should be completed in accordance with the MECP's current guidance document titled "Management of Excess Soil – A Guide for Best Management Practices" (2014) available online (<http://www.ontario.ca/document/management-excess-soil-guide-best-management-practices>).
- All waste generated during construction must be disposed of in accordance with ministry requirements.

□ **Servicing and Facilities**

- Any facility that releases emissions to the atmosphere, discharges contaminants to ground or surface water, provides potable water supplies, or stores, transports or disposes of waste must have an Environmental Compliance Approval (ECA) before it can operate lawfully. Please consult with the Environmental Approvals Access and Service Integration Branch (EAASIB) to determine whether a new or amended ECA will be required for any proposed infrastructure.
- We recommend referring to the ministry's "D-Series" guidelines – Land Use Compatibility to ensure that any potential land use conflicts are considered when planning for any infrastructure or facilities

related to wastewater, pipelines, landfills or industrial uses.

□ **Mitigation and Monitoring**

Contractors must be made aware of all environmental considerations so that all environmental standards and commitments for both construction and operation are met. Mitigation measures should be clearly referenced in the ESR and regularly monitored during the construction stage of the project. In addition, we encourage proponents to conduct post-construction monitoring to ensure all mitigation measures have been effective and are functioning properly.

- Design and construction reports and plans should be based on a best management approach that centres on the prevention of impacts, protection of the existing environment, and opportunities for rehabilitation and enhancement of any impacted areas.
- The proponent's construction and post-construction monitoring plans must be documented in the ESR, as outlined in Section A.2.5 and A.4.1 of the MEA Class EA parent document.

□ **Consultation**

- The ESR must demonstrate how the consultation provisions of the Class EA have been fulfilled, including documentation of all stakeholder consultation efforts undertaken during the planning process. This includes a discussion in the ESR that identifies concerns that were raised and **describes how they have been addressed by the proponent** throughout the planning process. The Class EA also directs proponents to include copies of comments submitted on the project by interested stakeholders, and the proponent's responses to these comments.

□ **Class EA Process**

- The ESR should provide clear and complete documentation of the planning process in order to allow for transparency in decision-making.
- If this project is a Master Plan: there are several different approaches that can be used to conduct a Master Plan, examples of which are outlined in Appendix 4 of the Class EA. The Master Plan should clearly indicate the selected approach for conducting the plan, in particular by identifying whether the levels of assessment, consultation and documentation are sufficient to fulfill the requirements for Schedule B or C projects. Please note that any Schedule B or C projects identified in the plan would be subject to Part II Order Requests under the *Environmental Assessment Act* (EAA), although the plan itself would not be.
- The Class EA requires the consideration of the effects of each alternative on all aspects of the environment. The ESR should include a level of detail (e.g. hydrogeological investigations, terrestrial and aquatic assessments) such that all potential impacts can be identified and appropriate mitigation measures can be developed. Any supporting studies conducted during the Class EA process should be referenced and included as part of the ESR.
- Please include in the ESR a list of all subsequent permits or approvals that may be required for the implementation of the preferred alternative, including but not limited to, MECP's PTTW, EASR Registrations and ECAs, conservation authority permits, species at risk permits, and approvals under the *Canadian Environmental Assessment Act* (CEAA).
- Ministry guidelines and other information related to the issues above are available at <http://www.ontario.ca/environment-and-energy/environment-and-energy>. We encourage you to review all the available guides and to reference any relevant information in the ESR.

A PROPONENT'S INTRODUCTION TO THE DELEGATION OF PROCEDURAL ASPECTS OF CONSULTATION WITH ABORIGINAL COMMUNITIES

DEFINITIONS

The following definitions are specific to this document and may not apply in other contexts:

Aboriginal communities – the First Nation or Métis communities identified by the Crown for the purpose of consultation.

Consultation – the Crown's legal obligation to consult when the Crown has knowledge of an established or asserted Aboriginal or treaty right and contemplates conduct that might adversely impact that right. This is the type of consultation required pursuant to s. 35 of the *Constitution Act, 1982*. Note that this definition does not include consultation with Aboriginal communities for other reasons, such as regulatory requirements.

Crown – the Ontario Crown, acting through a particular ministry or ministries.

Procedural aspects of consultation – those portions of consultation related to the process of consultation, such as notifying an Aboriginal community about a project, providing information about the potential impacts of a project, responding to concerns raised by an Aboriginal community and proposing changes to the project to avoid negative impacts.

Proponent – the person or entity that wants to undertake a project and requires an Ontario Crown decision or approval for the project.

I. PURPOSE

The Crown has a legal duty to consult Aboriginal communities when it has knowledge of an existing or asserted Aboriginal or treaty right and contemplates conduct that may adversely impact that right. In outlining a framework for the duty to consult, the Supreme Court of Canada has stated that the Crown may delegate procedural aspects of consultation to third parties. This document provides general information about the Ontario Crown's approach to delegation of the procedural aspects of consultation to proponents.

This document is not intended to instruct a proponent about an individual project, and it does not constitute legal advice.

II. WHY IS IT NECESSARY TO CONSULT WITH ABORIGINAL COMMUNITIES?

The objective of the modern law of Aboriginal and treaty rights is the *reconciliation* of Aboriginal peoples and non-Aboriginal peoples and their respective rights, claims and interests. Consultation is an important component of the reconciliation process.

The Crown has a legal duty to consult Aboriginal communities when it has knowledge of an existing or asserted Aboriginal or treaty right and contemplates conduct that might adversely impact that right. For example, the Crown's duty to consult is triggered when it considers issuing

a permit, authorization or approval for a project which has the potential to adversely impact an Aboriginal right, such as the right to hunt, fish, or trap in a particular area.

The scope of consultation required in particular circumstances ranges across a spectrum depending on both the nature of the asserted or established right and the seriousness of the potential adverse impacts on that right.

Depending on the particular circumstances, the Crown may also need to take steps to accommodate the potentially impacted Aboriginal or treaty right. For example, the Crown may be required to avoid or minimize the potential adverse impacts of the project.

III. THE CROWN'S ROLE AND RESPONSIBILITIES IN THE DELEGATED CONSULTATION PROCESS

The Crown has the responsibility for ensuring that the duty to consult, and accommodate where appropriate, is met. However, the Crown may delegate the procedural aspects of consultation to a proponent.

There are different ways in which the Crown may delegate the procedural aspects of consultation to a proponent, including through a letter, a memorandum of understanding, legislation, regulation, policy and codes of practice.

If the Crown decides to delegate procedural aspects of consultation, the Crown will generally:

- Ensure that the delegation of procedural aspects of consultation and the responsibilities of the proponent are clearly communicated to the proponent;
- Identify which Aboriginal communities must be consulted;
- Provide contact information for the Aboriginal communities;
- Revise, as necessary, the list of Aboriginal communities to be consulted as new information becomes available and is assessed by the Crown;
- Assess the scope of consultation owed to the Aboriginal communities;
- Maintain appropriate oversight of the actions taken by the proponent in fulfilling the procedural aspects of consultation;
- Assess the adequacy of consultation that is undertaken and any accommodation that may be required;
- Provide a contact within any responsible ministry in case issues arise that require direction from the Crown; and
- Participate in the consultation process as necessary and as determined by the Crown.

IV. THE PROPONENT'S ROLE AND RESPONSIBILITIES IN THE DELEGATED CONSULTATION PROCESS

Where aspects of the consultation process have been delegated to a proponent, the Crown, in meeting its duty to consult, will rely on the proponent's consultation activities and documentation of those activities. The consultation process informs the Crown's decision of whether or not to approve a proposed project or activity.

A proponent's role and responsibilities will vary depending on a variety of factors including the extent of consultation required in the circumstance and the procedural aspects of consultation the

Crown has delegated to it. Proponents are often in a better position than the Crown to discuss a project and its potential impacts with Aboriginal communities and to determine ways to avoid or minimize the adverse impacts of a project.

A proponent can raise issues or questions with the Crown at any time during the consultation process. If issues or concerns arise during the consultation that cannot be addressed by the proponent, the proponent should contact the Crown.

a) What might a proponent be required to do in carrying out the procedural aspects of consultation?

Where the Crown delegates procedural aspects of consultation, it is often the proponent's responsibility to provide notice of the proposed project to the identified Aboriginal communities. The notice should indicate that the Crown has delegated the procedural aspects of consultation to the proponent and should include the following information:

- a description of the proposed project or activity;
- mapping;
- proposed timelines;
- details regarding anticipated environmental and other impacts;
- details regarding opportunities to comment; and
- any changes to the proposed project that have been made for seasonal conditions or other factors, where relevant.

Proponents should provide enough information and time to allow Aboriginal communities to provide meaningful feedback regarding the potential impacts of the project. Depending on the nature of consultation required for a project, a proponent also may be required to:

- provide the Crown with copies of any consultation plans prepared and an opportunity to review and comment;
- ensure that any necessary follow-up discussions with Aboriginal communities take place in a timely manner, including to confirm receipt of information, share and update information and to address questions or concerns that may arise;
- as appropriate, discuss with Aboriginal communities potential mitigation measures and/or changes to the project in response to concerns raised by Aboriginal communities;
- use language that is accessible and not overly technical, and translate material into Aboriginal languages where requested or appropriate;
- bear the reasonable costs associated with the consultation process such as, but not limited to, meeting hall rental, meal costs, document translation(s), or to address technical & capacity issues;
- provide the Crown with all the details about potential impacts on established or asserted Aboriginal or treaty rights, how these concerns have been considered and addressed by the proponent and the Aboriginal communities and any steps taken to mitigate the potential impacts;
- provide the Crown with complete and accurate documentation from these meetings and communications; and
- notify the Crown immediately if an Aboriginal community not identified by the Crown approaches the proponent seeking consultation opportunities.

b) What documentation and reporting does the Crown need from the proponent?

Proponents should keep records of all communications with the Aboriginal communities involved in the consultation process and any information provided to these Aboriginal communities.

As the Crown is required to assess the adequacy of consultation, it needs documentation to satisfy itself that the proponent has fulfilled the procedural aspects of consultation delegated to it. The documentation required would typically include:

- the date of meetings, the agendas, any materials distributed, those in attendance and copies of any minutes prepared;
- the description of the proposed project that was shared at the meeting;
- any and all concerns or other feedback provided by the communities;
- any information that was shared by a community in relation to its asserted or established Aboriginal or treaty rights and any potential adverse impacts of the proposed activity, approval or disposition on such rights;
- any proposed project changes or mitigation measures that were discussed, and feedback from Aboriginal communities about the proposed changes and measures;
- any commitments made by the proponent in response to any concerns raised, and feedback from Aboriginal communities on those commitments;
- copies of correspondence to or from Aboriginal communities, and any materials distributed electronically or by mail;
- information regarding any financial assistance provided by the proponent to enable participation by Aboriginal communities in the consultation;
- periodic consultation progress reports or copies of meeting notes if requested by the Crown;
- a summary of how the delegated aspects of consultation were carried out and the results; and
- a summary of issues raised by the Aboriginal communities, how the issues were addressed and any outstanding issues.

In certain circumstances, the Crown may share and discuss the proponent's consultation record with an Aboriginal community to ensure that it is an accurate reflection of the consultation process.

c) Will the Crown require a proponent to provide information about its commercial arrangements with Aboriginal communities?

The Crown may require a proponent to share information about aspects of commercial arrangements between the proponent and Aboriginal communities where the arrangements:

- include elements that are directed at mitigating or otherwise addressing impacts of the project;
- include securing an Aboriginal community's support for the project; or
- may potentially affect the obligations of the Crown to the Aboriginal communities.

The proponent should make every reasonable effort to exempt the Crown from confidentiality provisions in commercial arrangements with Aboriginal communities to the extent necessary to allow this information to be shared with the Crown.

The Crown cannot guarantee that information shared with the Crown will remain confidential. Confidential commercial information should not be provided to the Crown as part of the consultation record if it is not relevant to the duty to consult or otherwise required to be submitted to the Crown as part of the regulatory process.

V. WHAT ARE THE ROLES AND RESPONSIBILITIES OF ABORIGINAL COMMUNITIES' IN THE CONSULTATION PROCESS?

Like the Crown, Aboriginal communities are expected to engage in consultation in good faith. This includes:

- responding to the consultation notice;
- engaging in the proposed consultation process;
- providing relevant documentation;
- clearly articulating the potential impacts of the proposed project on Aboriginal or treaty rights; and
- discussing ways to mitigate any adverse impacts.

Some Aboriginal communities have developed tools, such as consultation protocols, policies or processes that provide guidance on how they would prefer to be consulted. Although not legally binding, proponents are encouraged to respect these community processes where it is reasonable to do so. Please note that there is no obligation for a proponent to pay a fee to an Aboriginal community in order to enter into a consultation process.

To ensure that the Crown is aware of existing community consultation protocols, proponents should contact the relevant Crown ministry when presented with a consultation protocol by an Aboriginal community or anyone purporting to be a representative of an Aboriginal community.

VI. WHAT IF MORE THAN ONE PROVINCIAL CROWN MINISTRY IS INVOLVED IN APPROVING A PROPONENT'S PROJECT?

Depending on the project and the required permits or approvals, one or more ministries may delegate procedural aspects of the Crown's duty to consult to the proponent. The proponent may contact individual ministries for guidance related to the delegation of procedural aspects of consultation for ministry-specific permits/approvals required for the project in question. Proponents are encouraged to seek input from all involved Crown ministries sooner rather than later.

January 30, 2019

CFN 59377

BY E-MAIL ONLY (Mario.Goolsarran@brampton.ca)

Mario Goolsarran
Senior Project Engineer, Public Works
City of Brampton
1875 Williams Parkway
Brampton, ON L6S 6E5

Dear Mr. Goolsarran:

**Re: Response to Notice of Study Commencement
Clark Boulevard Extension and Eastern Avenue Improvements from Rutherford Road to
Kennedy Road
Municipal Class Environmental Assessment – Schedule C
Etobicoke Creek Watershed; City of Brampton; Regional Municipality of Peel**

Toronto and Region Conservation Authority (TRCA) staff received the Notice of Commencement for the above noted Environmental Assessment (EA) on January 21, 2019. As a recognized commenting agency under the Ontario Environmental Assessment Act, TRCA has interests in this project.

PROJECT OVERVIEW

It is our understanding that this undertaking involves the extension of Clark Boulevard from Rutherford Road to Hansen Street to accommodate a new 4 lane road, and the widening of Eastern Avenue from 2 to 4 lanes from Hansen Road South to Kennedy Road. This Class EA study will evaluate the current and future transportation capacity needs, identify possible improvements to accommodate the needs of pedestrians, cyclists, transit and motorists within the project limits, including safety improvements. Impacts to the social, cultural and natural environment and mitigation measures will also be identified.

We further understand that the 2015 City of Brampton Transportation Master Plan recommended the extension of Clark Boulevard and improvements to Eastern Avenue.

TRCA AREAS OF INTEREST

As detailed in TRCA's 2014 [The Living City Policies](#) (LCP), TRCA has a number of commenting roles relative to its review of this environmental assessment, including:

1. Regulatory Authority
2. Delegated Provincial Interests
3. Public Commenting Body
4. Resources Management Agency
5. Service Provider

These are further detailed in **Appendix A: TRCA Commenting Roles**.

In relation to this application, TRCA staff has identified a number of areas of interest within the study area related to these various commenting roles, including:

1. TRCA Program and Policy Areas
 - A. Natural System Programs and Policies
 - B. Sustainability Programs and Policies
2. Provincial Program Areas
3. Federal Program Areas

Further details are provided in **Appendix B: TRCA Areas of Interest**.

In relation to these areas of interest, please be advised that TRCA has select digital data available through an open data platform on the [TRCA website](#) that should be used to supplement the existing conditions analysis in the development of the environmental assessment. Upon request, TRCA can provide additional data for areas of interest not available on the web. Please contact the undersigned as needed.

ASSESSMENT OF ALTERNATIVES

In developing, evaluating and selecting alternatives, staff require the LCP policies be considered. TRCA staff recommends the preferred alternative meets the policies of Section 7. In particular, impacts to and opportunities for the following should be addressed:

1. Flooding, erosion or slope instability
2. Existing landforms, features and functions
3. Aquatic and terrestrial habitat and functions, including connectivity
4. TRCA property and heritage resources
5. Environmental best management practices that support climate change mitigation and adaptation
6. Community and public realm benefits

TRCA requires that the preferred alternative considers avoiding, minimizing, mitigating, and compensating impacts to the ecosystem, and avoid, mitigate or remediate hazards, in that order. In order to fulfil requirements of Ontario Regulation 166/06 at the detailed design stage, staff also requires that the preferred alternative meets LCP policies in Section 8.

In order to ensure TRCA concerns are addressed early in the review process, it is recommended that the TRCA planner be contacted when key project milestones are reached, as detailed in **Appendix C: Recommended Contact Points**. Please contact the planner to discuss the appropriate time for a site visit, and ensure that the TRCA planner is included in the Technical Advisory Committee (TAC). Please also add TRCA's Etobicoke-Mimico Creek Watershed Specialist, Victoria Kramkowski (vkramkowski@trca.on.ca), to the project mailing list to receive any public information updates.

SUBMISSION REQUIREMENTS

As this project proceeds through the various stages of the environmental assessment process, please ensure the following is provided to TRCA for review and comment as the appropriate time:

Paper Copies

1. One (1) copy of draft technical reports and associated materials, including a covering letter that outlines the project purpose and lists the reports enclosed for review.
2. One (1) copy of draft evaluation criteria and matrices, including a summary that details how the criteria and weighting (if applicable) were established.
3. One (1) copy of the draft EA document, including a covering letter that outlines how previous TRCA comments have been addressed.
4. One (1) hard copy of the Final EA document, including a covering letter that outlines how previous TRCA comments have been addressed

Please note, prior to submitting the technical reports and materials, as well as appendices related to the draft and final EA documents, it is recommended that the project manager be contacted so that review requirements can be scoped to the TRCA areas of interest.

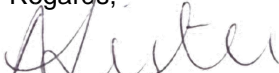
Digital Submissions

1. All TAC meeting agendas, as well as draft and final meeting minutes.
2. All TRCA technical meeting agendas, as well as draft and final meeting minutes.
3. Draft public information boards, prior to public review.
4. Notices of public meetings, including final display material and handouts.
5. Draft Phase 1 and 2 Report, if applicable.
6. Draft technical reports and associated materials, including a covering letter that outlines the project purpose and lists the reports enclosed for review.
7. Draft evaluation criteria and matrices, including a summary that details how the criteria and weighting (if applicable) were established.
8. Draft EA document, including a covering letter that outlines how previous TRCA comments have been addressed.
9. Final EA document, including a covering letter that outlines how previous TRCA comments have been addressed.

Ensure all materials are submitted in PDF format, with drawings pre-scaled to print on 11"x17" pages. Materials submitted through e-mail must be less than 2.5 MB. Materials submitted through a file transfer protocol (FTP) site must be posted a minimum of two weeks.

Should you have any questions or require any additional information please contact me at extension 5266 or at alister@trca.on.ca.

Regards,



Annette Lister

Planner, Environmental Assessment Planning
Planning and Development

Attached: Appendix A: TRCA Commenting Roles
Appendix B: TRCA Areas of Interest
Appendix C: Recommended TRCA Contact Points

BY E-MAIL

cc:

Consultant: Tara Erwin, HDR Inc. (tara.erwin@hdrinc.com)
Tamkin Naghshbandi, HDR Inc. (tamkin.naghshbandi@hdrinc.com)
TRCA: Victoria Kramkowski, Etobicoke-Mimico Creek Watershed Specialist
Alyssa Roth, Coordinator, Source Water Protection

APPENDIX A: TRCA COMMENTING ROLES

TRCA COMMENTING ROLES	
Public Commenting Body	
Planning Act	Pursuant to the Planning Act , conservation authorities are a “public commenting body”, and therefore must be notified of municipal policy documents and planning and development applications under the Planning Act. TRCA comments according to its Board-approved policies as a local resource management agency to the municipality planning approval authority on these documents and applications.
Environmental Assessment Act	Pursuant to the federal and provincial environmental assessment (EA) Acts, conservation authorities are a commenting body. Conservation authorities are also responsible for comments made under environmental assessment (EA) exemption regulations, and the Ontario and National Energy boards. TRCA reviews and comments on environmental assessment that occur within TRCA’s jurisdiction under these various forms of legislation.
Delegated Provincial Interests	
Hazard Lands	As outlined in the Conservation Ontario/ Ministry of Natural Resources and Forestry/ Ministry of Municipal Affairs and Housing Memorandum of Understanding on CA Delegated Responsibilities, CAs have been delegated the responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the PPS 2014.
Conservation Authorities Act	
Regulatory Authority	
Ontario Regulation 166/06, Development, Interference with Wetlands and Alterations to Shorelines and Watercourses	<p>In accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), a permit is required from the TRCA prior to any development (e.g. construction) if, in the opinion of TRCA, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected. The Regulation Limit defines the greater of the natural hazards associated with Ontario Regulation 166/06 (listed below).</p> <p>NOTE: The Regulation Limit provides a geographical screening tool for determining if Ontario Regulation 166/06 will apply to a given proposal. Through site assessment or other investigation, it may be determined that areas outside of the defined Regulation Limit require permits under Ontario Regulation 166/06. In these instances, it is the text of the regulation that will prevail; modifications to the regulation line may be required.</p> <p>Any development within the Regulation Limit must comply with the applicable sections of The Living City Policies (2014).</p>
Resources Management Agency	
TRCA Programs	<p>In accordance with Section 20 and 21 of the Conservation Authorities Act, CAs are local watershed-based natural resource management agencies that develop programs that reflect local resource management needs within their jurisdiction. TRCA has developed programs and policies related to our role as a resource management agency that include, but are not limited to, watershed plans, fisheries management plans, land management plans, ecosystem restoration programs, and The Living City Policy (2014), which are approved by the TRCA Board.</p> <p>Please confirm that the preferred alternative design for this project addresses TRCA concerns related to its program areas. These will be further defined through the EA review process.</p>

Service Provider	
Service Agreements and Memorandum of Understandings	<p>Service Level Agreements: TRCA has service level agreements to provide EA Review services to various partners within specific service delivery timelines. Fees are charged as per agreement stipulations; review fees are not charged for individual files.</p> <p>Memorandum of Understandings: The provision of planning advisory services to municipalities is implemented through a Memorandum of Understandings (MOU) with participating municipalities or as part of a CA's approved program activity. In this respect, the CA is essentially acting as a technical advisor to municipalities. The agreements cover the CA's areas of technical expertise such as water management, natural hazards, and natural heritage.</p>
Restoration Opportunities	<p>TRCA requires that the preferred alternative considers avoiding, minimizing, mitigating, and compensating impacts to ecosystems in that order. In areas where impacts are unavoidable, mitigation or compensation will be required. It is recommended that the costs associated with these impacts be factored into decisions made during the EA.</p> <p>TRCA has identified opportunities for habitat restoration and enhancement on TRCA property and some privately owned lands, targeted to improve natural form and function based on goals in the watershed strategies. Should ecosystem restoration or compensation be required for this project, TRCA may be able to provide both restoration opportunities and restoration field services on a project specific basis. This will be further discussed through the EA review process.</p>
Community and Public Realm Benefits	<p>TRCA understands that the purpose of providing project-based community benefits is to provide measurable economic benefits to the local community, and that the purpose of providing public realm benefits is to support local opportunities for social and environmental improvements.</p> <p>As part of the 2013 TRCA Strategic Plan, TRCA has identified the need to achieve measurable positive impacts on the health of our watersheds and has developed a number of programs that actively engage with local communities to support a green, local economy. These programs include but are not limited to, Sustainable Neighbourhood Retrofit Action Plans, TRCA Conservation Land Care Program, TRCA Trails Program, TRCA Community Transformation Program and Partners in Project Green.</p> <p>It is recommended that commitment be made to work with TRCA and other partners to develop a Community and Public Realm Benefits Strategy for this project. This will be further discussed through the EA review process.</p>

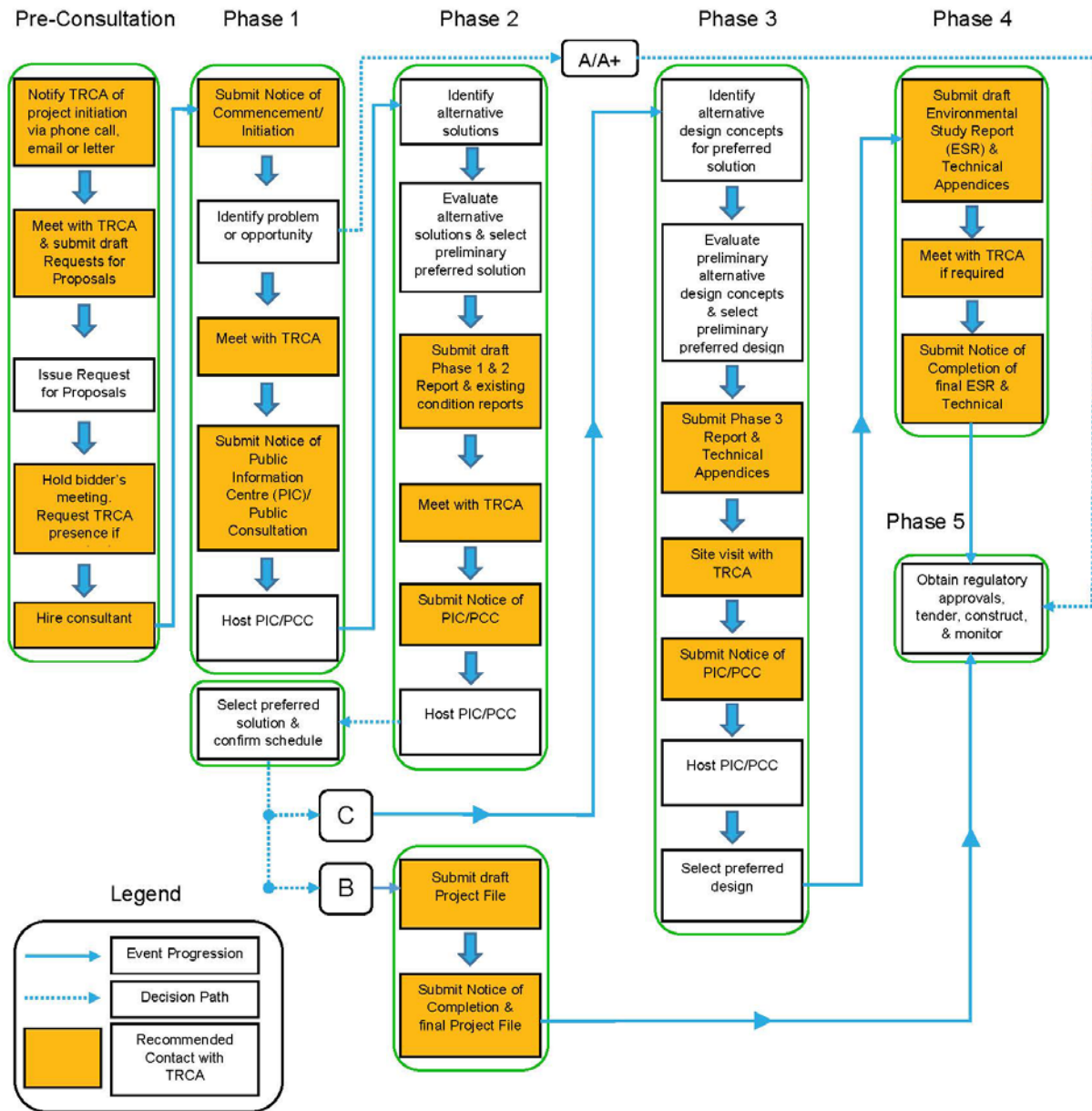
APPENDIX B: TRCA AREAS OF INTEREST

TRCA PROGRAM AND POLICY AREAS	
<i>Note: Additional program and policy information may be available at www.trca.on.ca, or by request.</i>	
Natural System Programs and Policies	
Systems Approach	<p>TRCA follows a systems approach in which the natural features and water resources are considered in relation to each other and the broader landscape in which they occur. The systems approach recognizes the role that linkages and connectivity within the natural system has in supporting ecological and hydrologic processes and functions that are vital to maintaining a healthy and robust natural system that is resilient against the impacts of urbanization and climate change.</p> <p>TRCA may require an assessment of the existing systems, together with an evaluation as to how the proposal may impact the systems.</p>
Aquatic Systems, Species and Habitat	<p>The aquatic system includes watercourses, wetlands, and flora and fauna species. Aquatic species and habitat should be assessed based on their conservation status according to sensitivity to disturbance and specialized ecological needs, as well as rarity.</p> <p>TRCA has prepared watershed plans or strategies, as well as fisheries management plans for some watersheds. The proposal must prevent negative impacts to the aquatic system, and as such, TRCA may require an assessment of the existing aquatic system, an evaluation as to how the proposal will meet the objectives articulated in the watershed plan or strategy, and/or an evaluation as to how the proposal will meet the objectives of the fisheries management plan.</p>
Terrestrial System, Species and Habitat	<p>The terrestrial system includes landscape features, vegetation communities, and flora and fauna species. Terrestrial species and habitat should be assessed based on their conservation status according to sensitivity to disturbance and specialized ecological needs, as well as rarity.</p> <p>TRCA has identified the need to improve both the quality and quantity of terrestrial habitat. TRCA's Terrestrial Natural Heritage System Strategy sets measurable targets for attaining a healthier natural system by creating an expanded and targeted land base. It includes strategic directions for stewardship and securement of the land base, a land use policy framework to help achieve the target system, and other implementation mechanisms.</p> <p>TRCA may require an assessment of the existing terrestrial species and habitat, together with an evaluation as to how the proposal will meet the objectives articulated in the watershed plan or terrestrial natural heritage strategy, as well as prevent negative impacts to the terrestrial system.</p>
Groundwater Systems	
Aquifers and Hydrogeological Features and Functions	<p>Groundwater systems include aquifers and their functional connections to surface water. The extraction and discharge of groundwater has the potential to negatively impact surrounding natural features and their functions. Even small amounts of groundwater extraction may reduce contributions to groundwater dependent features such as wetlands, springs, or fish spawning habitat. In addition, the discharge of groundwater must be controlled to avoid impacts to watercourses and fish habitat from temperature, erosion and sedimentation, as well other water quantity and quality issues.</p> <p>TRCA may require geotechnical or hydrogeological investigations to confirm dewatering and discharge requirements, and to identify appropriate</p>

	mitigation measures with respect to potential impacts to natural features and functions.
Surface Water Systems	
Watercourses	<p>Typically, watercourses are associated with aquatic species, and direct or indirect habitat. Any alteration or interference to a watercourse (e.g., straightening, diverting, realigning, altering baseflow) has the potential to impact fish communities, but may also affect the Regulatory Flood Plain, erosion or other natural channel processes.</p> <p>TRCA may require an environmental study or site confirmation of watercourse locations.</p>
Meander Belt	<p>Channel migration has a significant impact on infrastructure, structures and property located near river systems. Determining channel stability is important to ensure that damage from erosion, down-cutting or other natural channel processes is avoided.</p> <p>TRCA may require a meander belt delineation study or fluvial geomorphology analysis to confirm that any development does not conflict with natural channel processes.</p>
Regulatory Flood Plain	<p>The Regulatory Flood Plain is the approved standard used in a particular watershed to define the limit of the flood plain for regulatory purposes. Within TRCA's jurisdiction, the Regulatory Flood Plain is based on the greater of the regional storm, Hurricane Hazel, and the 100-year flood. TRCA's framework for Flood Plain Management is the LCP.</p> <p>TRCA may require a flood study or hydraulic update to confirm that there will be no impacts to the storage or conveyance of flood waters.</p>
Storm Water Management, including Green Infrastructure	<p>Stormwater management is integral to the health of streams, rivers, lakes, fisheries and terrestrial habitats, and source water protection is integral for managing the quality and quantity of drinking water at its source.</p> <p>TRCA requires all development, infrastructure and site alteration meet the criteria in the TRCA 2012 Stormwater Management Criteria document for water quantity, water quality, erosion control, discharge water temperature, and water balance for groundwater recharge and natural features.</p> <p>Green Infrastructure techniques, including Low Impact Development (LID) measures should be used to address issues related to stormwater management, as well as maximize ecosystem services and mitigate the impacts of urbanization and climate change.</p> <p>For further information, please refer to the TRCA Introduction to Green Infrastructure, the Sustainable Technologies Evaluation Program (STEP) - Urban Runoff Green Infrastructure and the STEP 2010 Low Impact Development Stormwater Management Planning and Design Guide.</p>
Sustainability Programs and Policies	
Climate Change	<p>In October 2017, MOECP released a guideline under the Ontario environmental assessment legislation directing that all projects going through the EA process, including IEAs, Class EAs, and those governed by EA regulations, must consider impacts to and opportunities for climate change mitigation and adaptation, and consider the vulnerability of projects to climate change. It was further recommended that applicable policies in the 2014 Provincial Policy Statement be addressed, including but not limited to encouraging green infrastructure and strengthening stormwater management requirements; requiring consideration of energy conservation and efficiency, reduced greenhouse gas emissions and climate change adaptation (e.g. tree cover); and consideration of the potential impacts of</p>

	<p>climate change that may increase the risk associated with natural hazards (e.g. flooding due to severe weather).</p> <p>The climate change section of the EA should include recommendations for Green Infrastructure and Sustainable Construction Practices, as further described below. It is recommended that a completed Sustainable Technologies for Green Building, Green Infrastructure, and Sustainable Energy Design in Evaluation Matrix be included in the EA document.</p>
PROVINCIAL PROGRAM AREAS	
<p>Clean Water Act and Credit Valley - Toronto & Region - Central Lake Ontario (CTC) Source Protection Plan</p>	<p>The Clean Water Act ensures communities protect their drinking water supplies through prevention by developing collaborative, watershed-based source protection plans that are locally driven and based on science. Please be advised that the subject property appears to fall within the Highly Vulnerable Aquifers (HVA) vulnerable area under the Credit Valley - Toronto and Region - Central Lake Ontario Source Protection Plan (CTC SPP). For further information and the CTC Source Protection Plan, please refer to www.ctcswp.ca.</p> <p>Please confirm that the preferred alternative design for this project conforms with the CTC SPP.</p>
PROVINCIAL PROGRAM AREAS	
<p>Please contact the Ministry of Natural Resources and Forestry (MNR) to confirm if there are program interests related to this project for:</p> <ul style="list-style-type: none"> • Provincially Endangered Species under the Endangered Species Act (ESA) <p>Please be advised that this list is not inclusive and the onus is on the proponent and its consultants to consult with other provincial agencies, as required, to ensure that requirements of their respective legislation is met.</p>	
FEDERAL PROGRAM AREAS	
<p>Please contact the relevant federal agency to confirm if there are issues related to:</p> <ul style="list-style-type: none"> • Federally Endangered Species under the Species at Risk Act (SARA) • The Fisheries Act <p>Please be advised that this list is not inclusive and the onus is on the proponent and its consultants to consult with other provincial agencies, as required, to ensure that requirements of their respective legislation is met.</p>	

Appendix C: Recommended TRCA Contact Points in the Municipal Class EA Process



Ministry of Heritage, Sport, Tourism, Culture
Industries

Archaeology Program Unit
Programs and Services Branch
Culture Division
401 Bay Street, Suite 1700
Toronto ON M7A 0A7
Archaeology@ontario.ca

Ministère des Industries du patrimoine, du sport, du
tourisme et de la culture

Unité des programme d'archéologie
Direction des programmes et des services
Division de culture
401, rue Bay, bureau 1700
Toronto ON M7A 0A7
Archaeology@ontario.ca



Dec 19, 2019

Jessica Lytle (P1066)
ASI Archaeological and Cultural Heritage Services
200 - 2321 Fairview Burlington ON L7R 2E3

RE: Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "STAGE 1 ARCHAEOLOGICAL ASSESSMENT CLARK BOULEVARD EXTENSION AND EASTERN AVENUE IMPROVEMENTS PART OF LOT 5, CONCESSIONS 1-2 ECR (FORMER CHINGUACOUSY TOWNSHIP, COUNTY OF PEEL) CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL, ONTARIO", Dated Aug 6, 2019, Filed with MTCS Toronto Office on N/A, MTCS Project Information Form Number P1066-0115-2019, MTCS File Number 21RD135

Dear Ms. Lytle:

The above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18, has been entered into the Ontario Public Register of Archaeological Reports without technical review.¹

Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require further information, please do not hesitate to send your inquiry to Archaeology@Ontario.ca

cc. Archaeology Licensing Officer
Michelle Mascarenhas, HDR Inc.
Soheil Nejatian, City of Brampton

¹In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.

Meeting Minutes

Project:	Clark Blvd / Eastern Avenue EA
Subject:	TRCA Site Visit
Date:	Friday, May 10, 2019
Time:	2:00 pm
Location:	Clark Blvd / Rutherford Road and Clark Blvd / Hansen Road at Upstream and Downstream Crossing of the Watercourse
Attendees:	Sharon Lingertat – TRCA Jairo Morelli – TRCA Zack Carlan – TRCA Catalina Herrera – TRCA Mario Goolsarran, Senior Project Engineer – City of Brampton Soheil Nejatian, Project Engineer – City of Brampton Bryce Molder – GeoMorphix Joseph Lance – NSRI Michelle Mascarenhas – HDR
Meeting Overview:	To introduce the study to TRCA on-site. Meeting attendees were unable to access the watercourse due to the steep embankment at the Rutherford Road access point and fencing at the Hansen Road access point.

Topic	Action
<p>1 Key Discussion</p> <ul style="list-style-type: none"> The City is undertaking a Schedule 'C' Class Environmental Assessment Study of the Clark Blvd / Eastern Avenue Extension between Rutherford Road and Kennedy Road. There is a missing link in the road network between Rutherford Road and Hansen Road. Potential road alignment alternatives will result in impacts to the existing watercourse either from a new crossing over the watercourse or a new road link adjacent to it. The watercourse falls within the City of Brampton's property. The watercourse is situated in a concrete channel bottom. TRCA noted a development in the area has brought enhancements / revitalization to Eastern Avenue. TRCA to provide information on this revitalization if available. <i>Post meeting note: TRCA staff confirmed that the Queen Street Corridor Land Use Study is currently underway within the project area. This is to be coordinated internally with Brampton staff.</i> <i>Post meeting note: TRCA staff note that 253 Queen Street is proposed for redevelopment. If the City is considering the full potential for this area, then enhancements to the creek may need to take place within the areas of flood plain. However this will need to be confirmed through the previously noted on-going studies. This is to be coordinated internally with City staff (i.e., Maggie Liu).</i> 	<p>TRCA</p> <p>City of Brampton</p> <p>City of Brampton</p>
<p>2 Field Program / Studies</p> <ul style="list-style-type: none"> The EA study was recently initiated (January 2019) and field programs will commence soon. A desktop review of available data is underway. 	

- **TRCA will review previous data collection and re-send to the project team as needed, including information on hydraulics, updated flood mapping, etc.** TRCA
 - *Post meeting note: The hydraulic model has not been changed. Therefore, the regulatory floodplain mapping remains the same. TRCA staff sent this information in May, 2018 (Floodplain Mapping) and February, 2019 (Hydraulic Model).*
- **HDR (in consultation with NRSI and GeoMorphix) will submit a data request for any missing information from TRCA.** HDR
 - *Post meeting note: Project team to advise if additional data beyond this is requested and TRCA staff can put in a data request with GIS staff.*
- **HDR (in consultation with NRSI and GeoMorphix) will provide the City of Brampton with dates for field visits that require access to the watercourse.** This will allow the City to coordinate with staff to provide access on-site. The dates of the field visits should not be delayed as this can impact the ability to complete field surveys during the appropriate timing windows. HDR

3 Fire Hall Design and Road Alternatives

- The City of Brampton is undertaking the design of a new Fire Hall separate from the Clark Blvd / Eastern Ave EA study. Design options for the Fire Hall are supplemented with alternative road alignment options for Clark Blvd / Eastern Avenue extension as there is desire to have direct access to the Fire Hall on the extension of Clark Blvd. The Fire Hall will have direct access to Rutherford Road.
- The road design options from the Fire Hall design were shared with TRCA for discussion purposes only. It was clarified that the road alternatives presented in the Fire Hall design are not based on input from the Class EA study as the EA study has just commenced. Input from TRCA on these options however will assist the EA project team in the development of alternatives and provide an understanding of options to screen out at a high level versus options that require more detailed investigation.
 - All feasible options are to be considered and decision making rationale documented in the EA. The EA study is undertaking technical studies and required field programs to inform the development of the design options, evaluations and recommendations.
- TRCA staff noted that review of the firehall should be submitted for separate planning review and permitting to TRCA. **Plans for the firehall and future road extension should be coordinated internally with City staff.**

City of
Brampton

4 Preliminary Feedback from TRCA

- Based on the road alignment options presented from the Fire Hall design, TRCA provided the following preliminary high-level comments:
 - TRCA is not supportive of a full enclosure of the watercourse.
 - TRCA is not supportive of constructing a new road, parallel to the watercourse as this is contrary to TRCA policy.
 - In general, channel re-alignment of watercourses is not preferred.
 - The project team noted the watercourse at this location appears to be encased in a concrete channel bottom. The project team may investigate opportunities to re-align the channel to provide a more perpendicular crossing of the

watercourse and naturalize the channel bottom. Any re-alignment of the watercourse should not lose channel length. There may be opportunities to re-align the channel if the preferred road alignment through the private property is recommended, as impacts to the private property will likely require acquisition of the full property based on existing site operations.

- TRCA staff noted that given the nature of the existing watercourse that some realignment may be acceptable, as long as the form and function of the channel is not lost.
- TRCA staff noted that this would be an opportunity to further enhance the natural system through removal of the concrete channel, widening of the valley system, and restoring and/or naturalizing the valley corridor.
- It is understood that during the EA study, the road alignment options will be discussed in further detail with TRCA and supported by the appropriate technical studies.

5 Next Steps

- Project team to consult with TRCA as the study progresses and share findings from the field programs and technical studies.

If there are any errors or omissions in these notes, please contact **Tamkin Naghshbandi** at Tamkin.Naghshbandi@hdrinc.com within five business days.

Site Photos



West boulevard at Hansen Road looking west upstream of crossing location



West boulevard at Hansen Road looking east at culvert



West boulevard at Hansen Road looking east downstream of crossing



West boulevard at Hansen Road looking west at culvert



Watercourse

March 18, 2020

EMAIL ONLY

Mario Goolsarran, P.Eng., PMP
Senior Project Engineer
Public Works
City of Brampton
1875 Williams Parkway
Brampton, ON L6S 6E5
Mario.Goolsarran@Brampton.ca

MHSTCI File : 0011110
Proponent : City of Brampton
Subject : Notice of Commencement and Cultural Heritage Resource Assessment
Project : Clark Boulevard Extension and Eastern Avenue Improvements from
Rutherford Road to Kennedy Road
Location : Brampton, Ontario

Dear Mr. Gooslerran:

Thank you for providing the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) with the Cultural Heritage Resource Assessment (CHRA) for the above-referenced project. MHSTCI's interest in this Environmental Assessment (EA) project relates to its mandate of conserving Ontario's cultural heritage, which includes:

- Archaeological resources, including land and marine;
- Built heritage resources, including bridges and monuments; and,
- Cultural heritage landscapes.

Under the EA process, the proponent is required to determine a project's potential impact on cultural heritage resources. The recommendations below are for a Schedule C Municipal Class EA project, as described in the notice of study commencement. If any municipal bridges may be impacted by this project, we can provide additional screening documentation as formulated by the Municipal Engineers Association in consultation with MHSTCI.

Project Summary

We understand that this Schedule C Municipal Class EA Study will consider extending Clark Boulevard west from its existing terminus to connect with Eastern Avenue at Hansen Road, and widening the existing Eastern Avenue east of Kennedy Road to four lanes.

Identifying Cultural Heritage Resources

While some cultural heritage resources may have already been formally identified, others may be identified through screening and evaluation. Indigenous communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Indigenous communities includes a discussion about known or potential cultural heritage resources that are of value to these communities. Municipal Heritage Committees, historical societies and other local heritage organizations may also have knowledge that contributes to the identification of cultural heritage resources.

Archaeological Resources

This EA project may impact archaeological resources and should be screened using the MHSTCI [Criteria for Evaluating Archaeological Potential](#) to determine if an archaeological assessment is needed. MHSTCI archaeological sites data are available at archaeology@ontario.ca. If the EA project area exhibits archaeological potential, then an archaeological assessment (AA) should be undertaken by an

archaeologist licenced under the *OHA*, who is responsible for submitting the report directly to MHSTCI for review.

Built Heritage and Cultural Heritage Landscapes

We have received and reviewed the CHRA dated July 2019, prepared by ASI, which concludes that there are no known or potential built heritage resources or cultural heritage landscapes. We offer the following comments on this report:

- The report should have some discussion of the screening criteria and methods used in the field review to determine that no potential cultural heritage resources existed in the study area. While there is a description of assessment criteria beginning in the third paragraph of Section 2.2, it lacks a clear distinction between the methods used for screening out properties as potential cultural heritage resources and the methods that would have been used for evaluating any potential cultural heritage resources for cultural heritage value or interest had any been identified through screening.
- Section 3.3.2 should contain additional detail about the land use along the study corridor, the type and approximate age of buildings and structures, etc.

Environmental Assessment Reporting

All technical cultural heritage studies and their recommendations are to be addressed and incorporated into EA projects. If screening has identified no archaeological potential please include the completed checklists and supporting documentation in the EA report or file.

Thank you for consulting MHSTCI on this project and please continue to do so throughout the EA process. If you have any questions or require clarification, do not hesitate to contact me.

Sincerely,

Dan Minkin
Heritage Planner
Dan.Minkin@Ontario.ca

Copied to: Tara Erwin, HDR

It is the sole responsibility of proponents to ensure that any information and documentation submitted as part of their EA report or file is accurate. MHSTCI makes no representation or warranty as to the completeness, accuracy or quality of the any checklists, reports or supporting documentation submitted as part of the EA process, and in no way shall MHSTCI be liable for any harm, damages, costs, expenses, losses, claims or actions that may result if any checklists, reports or supporting documents are discovered to be inaccurate, incomplete, misleading or fraudulent.

Please notify MHSTCI if archaeological resources are impacted by EA project work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the *Ontario Heritage Act* and the *Standards and Guidelines for Consultant Archaeologists*.

If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.



Meeting Minutes

Project:	Environmental Assessment for Clark Boulevard Extension (Rutherford Road to Hansen Road) and Improvements to Eastern Avenue (Hansen Road to Kennedy Road)	
Subject:	Technical Advisory Committee Meeting 1	
Date:	Thursday, August 20, 2020	
Location:	WebEx Meeting	
Attendees:	Michael Vallins (CN Rail) Caroline Mugo (TRCA) Mike Faye (Region of Peel) Tamara Alexander (Region of Peel) Syeda Banuri (Region of Peel) Hashim Amdani (Region of Peel) Sharon Mannie (Region of Peel) Steven Kovach (Region of Peel) Wali Memon (Region of Peel) Alex Sepe (Region of Peel)	Soheil Nejatian (City of Brampton) Mario Goolsarran (City of Brampton) Tara Erwin (HDR) Michelle Mascarenhas (HDR) Charlotte Yuen (HDR)
Regrets	Kamal Adhikary (Peel Region), Asha Saddi (Peel Region), Annette Lister (TRCA)	
Meeting Purpose:	To introduce the study to the Technical Advisory Committee (TAC), present the existing and future conditions of the study corridor, problem and opportunity statement, alternative solutions, and evaluation and identification of the preferred solution prior to the first Public Information Centre (PIC) to be held virtually in September.	

	<i>Topic</i>	<i>Action By</i>
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1	Introductions	
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2	Presentation by HDR (see attached slides)	
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3	Key Discussions	
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Wastewater Infrastructure

The Region of Peel (M.Faye) made note of a proposed feeder main that is to be implemented from Hansen Road to Rutherford Road. For future utility requests (GIS and as-builts) it was noted to contact the Region of Peel at pmi@peelregion.ca.

Region of Peel (M.Faye) will provide information regarding the proposed feeder main to coordinate with the Project Team.

Region of Peel (M.Faye)

Etobicoke Creek Drop Structure

TRCA (C.Mugo) inquired if the drop structure along the Tributary to Etobicoke Creek located just north of the Study Area will be impacted by the proposed improvements. The project team clarified the current phase of the EA study focuses on determining the preferred solution (road extension and widening, dedicated AT facilities and safety considerations) based on the identified problem and opportunity statement. Following the Public Information Centre #1 the project team will review, refine and confirm the Preferred Solution based on feedback received and proceed with Phase 3 – Alternative Design Concepts. At that time design alternatives will be developed and assessed, and impacts identified (for ex.

if the Drop Structure upstream of the study area will be affected by the proposed design).

Stormwater Management

The Region of Peel (S.Banuri) inquired if a drainage and stormwater management (SWM) assessment will be conducted for the EA. The project team confirmed that there will be a drainage and stormwater management study undertaken in the next phase of the study. The Region of Peel is interested in understanding if the proposed works will tie into their drainage infrastructure at Kennedy Road. If there are impacts to Regional Road infrastructure the Region of Peel would like consideration of their stormwater management design criteria and to review the SWM Report once prepared.

Region of Peel (S.Banuri) to provide Region's Stormwater Design Criteria. *[Post-meeting note: Sent following the meeting]*

Region of Peel (S.Banuri)

Project Team to follow-up with Region of Peel once the SWM Report is prepared.

Project Team

2012 Clark Boulevard EA (Rutherford Road to Dixie Road)

Inquiry regarding how improvements to Clark Blvd / Eastern Ave corridor between Kennedy Road and Rutherford Road in this EA study will tie into the proposed improvements east of the study corridor from the previous EA study. It was confirmed that a separate Municipal Class Environmental Assessment Study for Clark Boulevard from Rutherford Road to Dixie Road was completed by the City in 2012 that recommended the widening of Clark Boulevard and active transportation improvements. At this time, the City of Brampton is currently revisiting the recommendations from the completed 2012 EA study east of Rutherford Road and the detailed design is on hold.

Following the first PIC, in the next phase of the study the project team will develop alternative designs. Consideration for transitions of Clark Boulevard improvements at the Rutherford Road intersection will take into consideration the planned improvements for Clark Boulevard east of Rutherford Road from the 2012 EA study.

Timing of Construction

The EA study is anticipated to be completed in 2021. Implementation of the improvements to Clark Boulevard and Eastern Avenue are anticipated for 2027 per the Capital Work Plan.

4

Next Steps

- The project team will be meeting with the Stakeholder Group (SHG) in the upcoming weeks.
- **Attendees of the TAC Meeting** to provide comments of significance to be addressed prior to the PIC by September 1, 2020 on the TAC Meeting slides. Additional comments can follow and will be considered following the PIC.
- The Public Information Centre (PIC) displays will be posted online starting September 10th for a four week period on the City's project website. Attendees of the TAC meeting are welcome to provide comments on the PIC material using the project website. A Notice of PIC will be distributed which will direct participants to the materials.

ALL

Please advise Charlotte Yuen (Charlotte.Yuen@hdrinc.com) of any errors, omissions or comments on these meeting minutes in 5 business days.



Meeting Minutes

Project:	Environmental Assessment for Clark Boulevard Extension (Rutherford Road to Hansen Road) and Improvements to Eastern Avenue (Hansen Road to Kennedy Road)	
Subject:	Region of Peel Meeting – Kennedy Road and Eastern Ave intersection	
Date:	Wednesday, June 30, 2021	
Location:	WebEx Meeting	
Attendees:	Sandy Lovisotto (Region of Peel) Kyle Van Boxmeer (Region of Peel) Michael Yap (Region of Peel) Bishnu Parajuli (City of Brampton) Mohammad Ghazanfar (City of Brampton)	Michelle Mascarenhas (HDR) Charlotte Yuen (HDR) Juan Rodriguez (HDR)
Meeting Purpose:	To discuss design requirements to accommodate improvements at the Kennedy Road and Eastern Avenue intersection. Under existing conditions, there is a 7.12 degrees deflection between approach alignments along Eastern Avenue that doesn't meet current standards. Draft design concept was circulated to the Region in advance of the meeting.	

	<i>Topic</i>	<i>Action By</i>
1	Introductions (All)	
2	Key Discussion	
	<u>Intersection Deflection Angle</u>	
	<ul style="list-style-type: none"> - Under existing conditions, there is a 7.12 degrees deflection between approach alignments along Eastern Ave. that does not meet standards - TAC design guidelines state that typical maximum deflection angles are 3 to 5 degrees. The existing deflection angle exceeds TAC standards. - The Region of Peel noted preference to eliminate the deflection angle, and at a minimum to reduce it to 5 degrees to meet TAC standards. - Consider opportunities to minimize property impacts when revising the deflection angle which may include reducing the median width to avoid reverse curves and superelevation - The project team will refine the intersection design to reduce the deflection angle to meet TAC standards. 	HDR
	<u>Lane Configuration</u>	
	<ul style="list-style-type: none"> - The City of Brampton suggested to revise the lane configuration for eastbound traffic at the intersection to provide an exclusive left turn lane instead of the proposed through-left as per the EA study's Transportation / Traffic Report recommendations. The Region of Peel commented that at major intersections, a separate left-turn lane is desirable. It was noted that as an exclusive westbound left-turn lane was provided the proposed eastbound shadow lane can be revised to an exclusive eastbound left-turn lane. The project team will update the intersection layout to incorporate the exclusive left-turn lane. - Discussion regarding opportunities to reduce the EB through lanes from two to one, to minimize property taking at the SW corner of the intersection. HDR to review through lane requirements and 	HDR HDR

projected turning volumes and include updated lane configuration and supporting data with the revised design.

Other Items:

- Kennedy Road is a Regional Road. The proposed signalization of the Kennedy Road / Eastern Avenue intersection will therefore be a regional intersection.
- Kennedy Road is anticipated to be downloaded from Peel Region to the City of Brampton but the timing is not known

3 **Next Steps**

- **Project team to submit updated design for Region of Peel review** HDR

4 **[Post-Meeting Note]:** HDR / City

- Previous comment from PIC#1 from the Region of Peel indicated that Kennedy Road will be resurfaced within the next five years and inquired about the timing of Eastern Ave / Clark Blvd construction in order to coordinate work and minimize reconstruction. **Project team to review and provide a response regarding the timing of construction**

If there are any omissions or errors within these minutes, please contact Juan Rodriguez within 5 business days at Juan.Rodriguez@hdrinc.com.



Meeting Minutes

Project:	Environmental Assessment for Clark Boulevard Extension (Rutherford Road to Hansen Road) and Improvements to Eastern Avenue (Hansen Road to Kennedy Road)	
Subject:	Technical Advisory Committee Meeting 2	
Date:	Friday, September 24, 2021	
Location:	WebEx Meeting	
Attendees:	Asha Saddi (Region of Peel) Sally Rook (Region of Peel) Sandy Lovisotto (Region of Peel) Waliullah Memon (Region of Peel) Saiyeed Sabbir (Region of Peel) Syeda Banuri (Region of Peel) Bob Nieuwenhuysen (Region of Peel) Anna Lee (Region of Peel) Grace Mulcahy (Region of Peel) Brett Barnes (Region of Peel) Damian Jamroz (Region of Peel)	Caroline Mugo (TRCA) Suzanne Bevan (TRCA) Emma Benko (TRCA) Soheil Nejatian (City of Brampton) Bishnu Parajuli (City of Brampton) Michelle Mascarenhas (HDR) Juan Rodriguez (HDR) Charlotte Yuen (HDR)

Meeting Purpose: To present to the Technical Advisory Committee the evaluation of the preferred alternative designs for Active Transportation (AT) facilities, widening, and alignment of the Clark Boulevard extension from Hansen Road to Rutherford Road, and preliminary preferred design of the study corridor in advance of the second Public Information Centre (PIC).

	Topic	Action By
1	Introductions	
2	Presentation by HDR (see attached slides and roll plots)	
3	Key Discussions	

Impact to 5 Rutherford Road

The Region of Peel (B. Barnes) noted that the Region has acquired a property at 5 Rutherford Road that will be converted to affordable rental housing. There were concerns that Alignment Alternative 3 for the Clark Boulevard Extension from Hansen Road to Rutherford Road, which runs north of the Tributary to Etobicoke Creek and 35 Rutherford Road, would require property impacts from 5 Rutherford Road. The Project Team confirmed that Alternative 3 is not recommended. Thus, no property requirements are identified to 5 Rutherford Road from this EA study. The City noted that property requirements to this site may have been identified from a separate City project unrelated to the EA study.

Curb Radii and Crossrides

The Region of Peel noted that the study corridor has the potential to attract cyclists, but the proposed curb radii (18 metres) is much larger than the existing curb radii. They noted this may raise potential safety concerns. The Region inquired on whether it would be possible to reduce the curb radii and push back the crossrides slightly inwards. The Project Team clarified that the proposed radii is per City of Brampton Standards.

The project team will review opportunities to reduce the curb radii by running Auto-turn with the appropriate design vehicle.

Project Team



The Project team will include a future commitment in the Environmental Study Report (ESR) to review placement of the crossrides during the Detailed Design phase of the project at the Kennedy Road and Eastern Avenue intersection as a future commitment in the ESR.

Project Team

Crosswalks

Inquiries were made regarding the location of crosswalks on the inside closer to the travel lanes versus on the outside of crossride at the intersection. The Region inquired on whether Region of Peel Standards for crosswalks could be incorporated into the design drawings.

Project Team to review placement of crosswalks against Region's Standard drawings and update the Kennedy Road / Eastern Avenue intersection as appropriate.

Project Team

Lane Configuration at Kennedy Road

The Region of Peel (D. Jamroz) inquired if the Project Team reviewed carrying two lanes instead of four lanes East and West of the Kennedy Road and Eastern Ave intersection, as the additional two lanes did not seem warranted by traffic volumes.

Project Team will provide follow-up response to Peel Region regarding justification for the lane expansion for the west leg of the intersection at Kennedy Road / Eastern Avenue.

Project Team

Lane Line Extension through Kennedy Road

The Region of Peel (B. Nieuwenhuysen) noted that pavement markings (skip lines) through the Kennedy Road and Eastern Avenue intersection must be provided to guide cars through due to the skew angle of the intersection. **Project team to review** and update as required.

Project Team

Truck Restrictions

The Region of Peel (B. Nieuwenhuysen) noted that to the west of the Kennedy Road intersection is residential land use, and the road west of Kennedy Road is a tight street that is not friendly to trucks. The Region inquired on whether it would be possible to restrict trucks on the west side of Kennedy Road and Eastern Avenue, and to consider having one through lane only.

The project team noted that the two through lanes are required based on traffic volumes and will provide a follow-up response regarding the justification as noted above. Post Meeting Note: Identification of truck restrictions along Eastern Avenue west of Kennedy Road are beyond the scope of the EA..

Stormwater Management

The Region of Peel (C. Mugo) inquired over the timing of a drainage and stormwater management (SWM) assessments for the EA. The project team confirmed that there will be a drainage and stormwater management study completed following PIC 2 as it will be based on the preferred alignment that will be confirmed following the PIC. The drainage and stormwater management report will also address proposed recommendations for the potential channel realignment..

Project Team will circulate the Drainage and SWM reports with TRCA and Peel Region.

Project Team

4 **Other Items**
Traffic Re-assessment Study - Acceleration Lane at the West Leg of Dixie Road
The acceleration lane at the west leg of Dixie Road is owned by the Region of Peel. **Region of Peel (D. Jamroz) to investigate** the possibility of removing the lane and advise the City. **Region of Peel**

5 **Next Steps**

- The project team will be meeting with the Stakeholder Group (SHG) in the upcoming weeks.
- **Attendees of the TAC Meeting** to provide comments of significance to be addressed prior to the PIC by October 1, 2021 on the TAC Meeting slides and design plans. Additional comments can follow and will be considered and incorporated as required following the PIC. **ALL**
- The Public Information Centre (PIC) displays will be posted online starting October 7th, 2021 for a four week period on the City's project website until November 5th, 2021. Attendees of the TAC meeting are welcome to provide comments on the PIC material using the project website. A Notice of PIC will be distributed which will direct participants to the materials.

Please advise Charlotte Yuen (Charlotte.Yuen@hdrinc.com) of any errors, omissions, or comments on these meeting minutes in 5 business days.

July 6, 2022

CFN 59377

BY E-MAIL ONLY (Soheil.Nejatian@brampton.ca)

Soheil Nejatian
City of Brampton
1875 Williams Parkway
Brampton, ON L6S 6E5

Dear Soheil Nejatian,

**Re: Response to Draft Technical Studies and Detailed Design Drawings
Clark Boulevard Extension and Eastern Avenue Improvements from Rutherford Road to Kennedy Road
Municipal Class Environmental Assessment – Schedule C
Etobicoke Creek Watershed; City of Brampton; Regional Municipality of Peel**

Toronto and Region Conservation Authority (TRCA) staff received the detailed design drawing and supporting technical comments for the above noted project on May 30, 2022.

PROJECT OVERVIEW

It is our understanding that this undertaking involves the extension of Clark Boulevard from Rutherford Road to Hansen Street to accommodate a new 4 lane road, and the widening of Eastern Avenue from 2 to 4 lanes from Hansen Road South to Kennedy Road. This Class EA study will evaluate the current and future transportation capacity needs, identify possible improvements to accommodate the needs of pedestrians, cyclists, transit and motorists within the project limits, including safety improvements. Impacts to the social, cultural and natural environment and mitigation measures will also be identified.

We further understand that the 2015 City of Brampton Transportation Master Plan recommended the extension of Clark Boulevard and improvements to Eastern Avenue.

Staff understands the Drainage and Stormwater Management Report recommended a new 8.535 x 2.44m conspan arch culvert crossing with channel realignment and widening. While staff has no objection in principle to the preferred alternative solution, the following concerns must be addressed in the draft EA document. Additional detailed comments are provided in Appendix A.

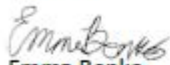
RESUBMISSION REQUIREMENTS

Please ensure TRCA receives a digital copy of the draft Environmental Study Report (ESR) The draft EA document should be accompanied by a covering letter which uses the numbering scheme provided in this letter and

identifies how these comments have been addressed. Digital materials must be submitted in PDF format, with drawings pre-scaled to print on 11"x17" pages. Materials may be submitted on discs, via e-mail (if less than 5 MB), or through file transfer protocol (FTP) sites (if posted for a minimum of two weeks).

Should you have any questions or require any additional information please contact me at 437-880-2422 or at emma.benko@trca.ca.

Regards,



Emma Benko

Planner, Infrastructure Planning and Permits
Development and Engineering Services

Attached: Appendix A TRCA COMMENTS AND PROPONENT RESPONSES

BY E-MAIL

cc: Consultant: Charlotte Yuen, (Charlotte.Yuen@hdrinc.com)
TRCA: Victoria Kramkowski, Etobicoke-Mimico Creek Watershed Specialist

APPENDIX A: TRCA COMMENTS AND PROPONENT RESPONSES

ITEM	TRCA COMMENTS (July 6, 2022)	PROponent/CONSULTANT RESPONSE (INSERT DATE)
Water Resources		
1.	TRCA staff defer review and approval of the proposed quantity control strategy and the location of the potential superpipes to be located along the ROW to the City of Brampton (Areas A2 and A3) and the Region of Peel (Areas A1 and A5).	
2.	It appears that the proposed Bioretention cells would be able to provide the required level of water quality and water balance control. Typically, the TRCA requires water quality control for additional pavement where the existing areas are currently getting adequate treatment. Otherwise, staff recommends providing quality control for the entire road consistent with the Authority's SWM criteria. Please confirm and provide supporting calculations to demonstrate that adequate water quality treatment will be provided for the entire road in post-development conditions.	
3.	The submitted hydraulic assessment is acceptable. A full 2D modelling for the preferred alternative should be provided at the detailed design stage. The proposed new crossing and channel improvement should be incorporated within the TRCA-approved hydraulic model for Spring creek including the 1D and 2D components for consistency. Please contact Jairo Morelli at Jairo.Morelli@trca.ca if a digital copy of the TRCA-approved model is required.	
Geotechnical		
4.	Please provide the culvert design and all engineering drawings for the culvert at the detailed design stage	
5.	Please ensure the culvert is designed with appropriate protections against scouring. Please show the details on the engineering drawings for the proposed culvert.	
6.	At the detailed design stage, please provide the drawings for the channel realignment as reviewed and approved by a fluvial geomorphologist showing all necessary details, dimensions and specifications.	
7.	At the detailed design stage, please provide all engineering drawings for the proposed grading and earthworks at appropriate intervals showing the proposed grade vs. existing grade as well as the side slopes for the earth works. Please ensure the side slopes for the earthwork are not too steep to ensure the stability of the proposed earthworks.	
Hydrogeology		
8.	The final hydrogeology report should provide the sub surface geology in a cross sectional view with groundwater levels and respective borehole/monitoring well plotted on the cross section.	
9.	TRCA staff recommends that as proposed extension will occur through an area where manufacturing plant exist additional groundwater quality sampling will be required at the detailed design if the dewatering effluent is to be discharged to natural environment. Dewatering discharge must meet	

	Provincial Water Quality Objectives.	
10.	The laboratory water quality testing results do not indicate type of the water sample tested. It simply indicates 'water.' The chain of custody document sample matrix column is also blank. Please clarify and correct the sample matrix information.	
Planning Ecology		
11.	The Natural Environment Assessment Report does not appear to have considered the preferred option. While the preferred option would appear to provide significant opportunities for valley corridor enhancements, it's unclear what those opportunities may be or how they would be implemented. Allowances should be given for trees and shrubs where it will not impact flooding through increased roughness. Should trees and shrubs not be suitable under the current design, a larger corridor, better able to accommodate habitat should be considered. Please provide recommendations for ecological habitat enhancements within the realigned valley corridor.	
12.	Please clarify how fish passage will be accommodated with the realigned channel. New barriers should be avoided.	
13.	Please provide a 10 metre buffer in public ownership from the proposed top of bank of the new valley corridor to ensure greater consistency and efficiency with any future land use development adjacent to the new valley corridor.	

APPENDIX A: TRCA COMMENTS AND PROPONENT RESPONSES

ITEM	TRCA COMMENTS (July 6, 2022)	PROponent/CONSULTANT RESPONSE (September 20, 2022)
Water Resources		
1.	TRCA staff defer review and approval of the proposed quantity control strategy and the location of the potential superpipes to be located along the ROW to the City of Brampton (Areas A2 and A3) and the Region of Peel (Areas A1 and A5).	Noted.
2.	It appears that the proposed Bioretention cells would be able to provide the required level of water quality and water balance control. Typically, the TRCA requires water quality control for additional pavement where the existing areas are currently getting adequate treatment. Otherwise, staff recommends providing quality control for the entire road consistent with the Authority's SWM criteria. Please confirm and provide supporting calculations to demonstrate that adequate water quality treatment will be provided for the entire road in post-development conditions.	The SWM strategy meets the MECP requirement of providing treatment to the new pavement areas (Response to Notice of Commencement Letter dated Jan. 31, 2019). However, the total of 858 m ³ quality storage volume provided within the proposed bioretention cells exceeds the total required 112 m ³ quality storage volume for the entire proposed pavement areas. Calculations are provided in Table 02 in Appendix C of the Stormwater and Drainage Report. Oil-grit separator units will be recommended for the runoff that is not directly treated by the bioretention facilities as an additional quality control measure.
3.	The submitted hydraulic assessment is acceptable. A full 2D modelling for the preferred alternative should be provided at the detailed design stage. The proposed new crossing and channel improvement should be incorporated within the TRCA-approved hydraulic model for Spring creek including the 1D and 2D components for consistency. Please contact Jairo Morelli at Jairo.Morelli@trca.ca if a digital copy of the TRCA-approved model is required.	Noted.
Geotechnical		

4.	Please provide the culvert design and all engineering drawings for the culvert at the detailed design stage	Noted.
5.	Please ensure the culvert is designed with appropriate protections against scouring. Please show the details on the engineering drawings for the proposed culvert.	Comment noted. To be updated in the Structural Design in the Draft ESR.
6.	At the detailed design stage, please provide the drawings for the channel realignment as reviewed and approved by a fluvial geomorphologist showing all necessary details, dimensions and specifications.	Noted.
7.	At the detailed design stage, please provide all engineering drawings for the proposed grading and earthworks at appropriate intervals showing the proposed grade vs. existing grade as well as the side slopes for the earth works. Please ensure the side slopes for the earthwork are not too steep to ensure the stability of the proposed earthworks.	Noted.
Hydrogeology		
8.	The final hydrogeology report should provide the sub surface geology in a cross sectional view with groundwater levels and respective borehole/monitoring well plotted on the cross section.	A cross section will be prepared during the detailed design phase based on the final design.
9.	TRCA staff recommends that as proposed extension will occur through an area where manufacturing plant exist additional groundwater quality sampling will be required at the detailed design if the dewatering effluent is to be discharged to natural environment. Dewatering discharge must meet Provincial Water Quality Objectives.	Added paragraph to section 6 of the Hydrogeology Report – Impacts to surface water and natural environment “Considering that the proposed extension will occur through an area where manufacturing plants exist, additional groundwater quality sampling will be required at the detailed design phase if the dewatering effluent is to be discharged to the natural environment as per TRCA requirements. The groundwater discharge must meet PWQO if it will be discharged to the natural environment.

10.	The laboratory water quality testing results do not indicate type of the water sample tested. It simply indicates 'water.' The chain of custody document sample matrix column is also blank. Please clarify and correct the sample matrix information.	The sample matrix of the water quality sample is groundwater. AGAT laboratories reports all water samples regardless of source as simply 'water'.
Planning Ecology		
11.	The Natural Environment Assessment Report does not appear to have considered the preferred option. While the preferred option would appear to provide significant opportunities for valley corridor enhancements, it's unclear what those opportunities may be or how they would be implemented. Allowances should be given for trees and shrubs where it will not impact flooding through increased roughness. Should trees and shrubs not be suitable under the current design, a larger corridor, better able to accommodate habitat should be considered. Please provide recommendations for ecological habitat enhancements within the realigned valley corridor.	NRSI's updated report includes a description and assessment of the preferred alternative design. The updated report also includes a high-level Ecological Habitat Enhancement Plan, which includes the restoration of 0.72ha of Fresh - Moist Lowland Deciduous Forest (FOD7) in the upland areas on either side of the re-aligned watercourse, restoration of the 0.09ha of Forb Mineral Meadow Marsh (MAM2-10) in the sloped area directly adjacent to the re-aligned watercourse channel, and the creation of a 0.09ha Dry - Fresh Poplar Deciduous Forest (FOD3-1) on the lands southwest of the intersection of Clark Boulevard and Rutherford Road South. Altogether, 655 Regionally-suitable native trees are proposed to be planted in these areas.
12.	Please clarify how fish passage will be accommodated with the realigned channel. New barriers should be avoided.	As there are potential barriers to fish within the watercourse, as well as very poor conditions within the existing channel, it has been recommended that the realignment design incorporate

		natural channel design to avoid new barriers and work to improve the longitudinal connectivity within the system. This will provide an improvement over current conditions.
13.	Please provide a 10 metre buffer in public ownership from the proposed top of bank of the new valley corridor to ensure greater consistency and efficiency with any future land use development adjacent to the new valley corridor.	Added to preliminary design plan. To be circulated with Draft ESR.

ID	Name	Organization	Title / Position	Comment Date	Comment Format	Received By	Project Phase	Comment / Request	Response Date	Response By	Response / Action	Status
1	Ted Lagakos	Ministry of Transport	Senior Project Manager, Highway Corridor Management Section- Central Region	1/22/2019	E-mail	T. Naghshbandi	Phase 1 (response to notice of commencement)	Morning, The subject project is outside the ministry's permit control limit. As a result, we have no further comments and you can remove us from the project contact list. Please do not hesitate to contact me if you have any further questions. Take care,	1/23/2019	T. Naghshbandi	Hello Thank you for your response. We will remove you from the project contact list. Kindly,	Complete
2	n/a	Transport Canada	n/a (general delivery)	1/28/2019	E-mail	T. Naghshbandi	Phase 1 (response to notice of commencement)	Greetings, Thank you for your correspondence. Please note Transport Canada does not require receipt of all individual or Class EA related notifications. We are requesting project proponents to self-assess if their project: 1. Will interact with a federal property and/or waterway by reviewing the Directory of Federal Real Property, available at www.tbs-sct.gc.ca/dfrp-rbif/ ; and 2. Will require approval and/or authorization under any Acts administered by Transport Canada* available at http://www.tc.gc.ca/eng/acts-regulations/menu.htm . Projects that will occur on federal property prior to exercising a power, performing a function or duty in relation to that project, will be subject to a determination of the likelihood of significant adverse environmental effects, per Section 67 of the Canadian Environmental Assessment Act, 2012. If the aforementioned does not apply, the Environmental Assessment program should not be included in any further correspondence and future notifications will not receive a response. If there is a role under the program, correspondence should be forwarded electronically to: EnviroOnt@tc.gc.ca with a brief description of Transport Canada's expected role. *Below is a summary of the most common Acts that have applied to projects in an Environmental Assessment context: • Navigation Protection Act (NPA) – the Act applies primarily to works constructed or placed in, on, over, under, through, or across scheduled navigable waters set out under the Act. The Navigation Protection Program administers the NPA through the review and authorization of works affecting scheduled navigable waters. Information about the Program, NPA and approval process is available at: http://www.tc.gc.ca/eng/programs-621.html . Enquiries can be directed to NPPONT-PPNONT@tc.gc.ca or by calling (519) 383-1863. • Railway Safety Act (RSA) – the Act provides the regulatory framework for railway safety, security, and some of the environmental impacts of railway operations in Canada. The Rail Safety Program develops and enforces regulations, rules, standards and procedures governing safe railway operations. Additional information about the Program is available at: https://www.tc.gc.ca/eng/railsafety/menu.htm . Enquiries can be directed to RailSafety@tc.gc.ca or by calling (613) 998-2985. • Transportation of Dangerous Goods Act (TDGA) – the transportation of dangerous goods by air, marine, rail and road is regulated under the TDGA. Transport Canada, based on risks, develops safety standards and regulations, provides oversight and gives expert advice on dangerous goods to promote public safety. Additional information about the transportation of dangerous goods is available at: https://www.tc.gc.ca/eng/tdg/safety-menu.htm . Enquiries can be directed to TDG-TMDOntario@tc.gc.ca or by calling (416) 973-1868. • Aeronautics Act – Transport Canada has sole jurisdiction over aeronautics, which includes aerodromes and all related buildings or services used for aviation purposes. Aviation safety in Canada is regulated under this Act and the Canadian Aviation Regulations (CARs). Elevated Structures, such as wind turbines and communication towers, would be examples of projects that must be assessed for lighting and marking requirements in accordance with the CARs. Transport Canada also has an interest in projects that have the potential to cause interference between wildlife and	n/a	n/a	Self-assessment undertaken- no need to notify TC at this time	Complete
3		Department of Fisheries and Oceans Canada		1/29/2019	E-mail	T. Naghshbandi		This e-mail is a confirmation of receipt for your submission. Thank you for contacting Fisheries and Oceans Canada, Fisheries Protection Program. ----- Le présent courriel est un accusé de réception de votre soumission. Merci d'avoir communiqué avec le Programme de protection des pêches de Pêches et Océans Canada.	n/a	n/a	Commented noted.	Complete
4	Annette Lister	TRCA	Planner Environmental Assessment Planning Planning and Development	1/30/2019	E-mail	T. Naghshbandi	Phase 1 (response to notice of commencement)	Hello, TRCA staff received the Notice of Commencement for the above-named EA on January 21, 2019. Please see the attached letter for TRCA staff response. Should you have any questions, please do not hesitate to contact me. Thank you,	1/30/2019	T. Erwin	Thanks for your response. We have added TRCA to the TAC and look forward to working with you on this study. Best regards,	Complete
5	Michael Bennington	Peel Public Health	Analyst, Research and Policy	1/30/2019	E-mail	T. Erwin and M. Goolsarran	Phase 1 (response to notice of commencement)	Good afternoon Tara and Mario, Attached you will find a completed Response Form from Peel Public Health regarding the Clark Boulevard EA. Regards,	1/30/2019	T. Erwin	Thanks for your response Michael. We have added Peel Public Health to the TAC. We look forward to your input on this study. Best regards, Tara	Complete
6	Susanne Glenn Rigny	CN Rail	Senior Officer, Community Planning and Development	1/30/2019	E-mail	T. Erwin and M. Goolsarran	Phase 1 (response to notice of commencement)	Good morning Mario and Tara, Thank you for circulating CN Rail on the proposed extension of Clark Boulevard from Rutherford to Hansen. Future notices about this project can be sent electronically to Michael Vallins (Michael.Vallins@cn.ca). Regards	1/30/2019	T. Erwin	Thanks Susanne. We will update our contact list and send future notices to Michael. Have a great day. Tara	Complete
7	Michelle Mascarenhas	HDR	Project Manager	2/18/2020	E-mail	Registrar (MHSTCI)	Phase 1	Hello, Please see attached the Final Cultural Heritage Resource Assessment Report submitted on behalf of the City of Brampton. It was prepared as part of the City's Clark Boulevard Extension and Eastern Avenue Improvements Schedule "C" Municipal Class Environmental Assessment (EA) Study. The study area is located in the City of Brampton in the Regional Municipality of Peel. Can you kindly confirm receipt of the attached report?	2/19/2020	Karla Barboza	Hi Michelle, Thanks for submitting the Cultural Heritage Resource Assessment Report for the Clark Blvd Extension and Eastern Avenue Improvements to the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). Dan Minkin, MHSTCI Heritage Planner, has been assigned to this file and will provide comments by mid-April. In the meantime, if you have any questions, please do not hesitate to contact either Dan or myself.	Complete
8	Dan Minkin	MHSTCI	Heritage Planner	3/18/2020	E-mail	T. Erwin and M. Goolsarran	Phase 1	Good evening, Please see attached. Attachment: Comments to the Final Cultural Heritage Resource Assessment Report	5/4/2020	C.Yuen	Good Morning Karla, HDR has reviewed and updated the Cultural Heritage Report for the Clark Blvd and Eastern Ave Municipal Class EA based on the comments provided by the Ministry. The revisions based on MHSTCI comments can be noted in Section 2.2 on page 12 and in Section 3.3.2 on page 25. Please let me know if you have any questions.	Complete
9	Michelle Mascarenhas	HDR	Project Manager	4/20/2020	E-mail	MHSTCI	Phase 1	Hi Dan and Karla, Hope you are well and staying safe. We wanted to follow-up on the email below and understand if there were any comments they would be provided around this time. Can you kindly let us know if you have any comments or if the review is still underway?	4/22/2020	Karla Barboza	Hi Michelle, I am well, thank you, and I hope it is the same with you and your loved ones. Dan submitted comments on the notice of commencement and the Cultural Heritage Resource Assessment on March 18 – see attached. Please let us know if you have any questions or would like clarification about our comments.	Complete
10	Asha Sadi	Region of Peel	Technical Analyst, Infrastructure Programming & Studies	08/27/2020 and 08/28/2020	E-mail	C.Yuen	Phase 2 (Pre PIC 1)	Hi, Our teams have the following comments: Infrastructure Programming Planning (Anna Lee) We have an overlapping corridor improvement project programmed for 2022 which will include resurfacing, Sustainable Transportation and other asset needs. The limits along Kennedy Road are from Steeles Avenue to Queen St. Design should start in 2022 with construction in 2023. At this moment we are gathering needs from other Peel groups (i.e. Traffic, STS, etc.). In the fall, a feasibility review will take place once all the needs are known. We would want to know what intersection improvements are proposed at the intersection of Kennedy/Eastern so that we can coordinate the works and/or include any necessary contributions in our Capital budget. Also as the Sustainable Transportation group will be including AT improvements, we want to coordinate with Brampton so the necessary connections are made at the Kennedy/Eastern intersection. Stormwater Management (Syeda Banuri) Please see the attached email above from Syeda, sent to you on August 20. As I receive further comments from our teams I will let you know. Some of our teams are waiting to review the TAC meeting notes and will likely have comments at that point. Hi,	9/16/2020	C.Yuen	Good morning, Please see below our responses to the comments provided by the Region of Peel following TAC Meeting 1. We will also be following up this e-mail with a link to One Drive, which will contain our Transportation Analysis report. Comments from Region of Peel: We have an overlapping corridor improvement project programmed for 2022 which will include resurfacing, Sustainable Transportation and other asset needs. The limits along Kennedy Road are from Steeles Avenue to Queen St. Design should start in 2022 with construction in 2023. At this moment we are gathering needs from other Peel groups (i.e. Traffic, STS, etc.). In the fall, a feasibility review will take place once all the needs are known. We would want to know what intersection improvements are proposed at the intersection of Kennedy/Eastern so that we can coordinate the works and/or include any necessary contributions in our Capital budget. Also as the Sustainable Transportation group will be including AT improvements, we want to coordinate with Brampton so the necessary connections are made at the Kennedy/Eastern intersection. Project Team Response: Comment noted. The Project Team will consult with Peel Region to identify the preliminary recommendations at Kennedy Rd / Eastern Ave intersection. Signalized intersection is recommended at the Eastern Avenue and Kennedy Road intersection. Additional storage length configuration is recommended for Eastern Avenue and Kennedy Road (SBL). Further information can be found in the Transportation Analysis report, which will be sent through One Drive. Water and Wastewater Program Planning Comments from Region of Peel: There is a future watermain through the Clark BLVD extension area scheduled for design in 2020, and construction in 2022. Coordination with the City's Clarke BVD project is required. Attached are the as-builts and GIS information. Project Team Response: Data has been received and the Project Team will review the data to inform the existing utility data.	Complete

11	Caroline Mugo	TRCA	Planner, Infrastructure Planning and Permits Development and Engineering Services Division	#####	E-mail	C.Yuen	Phase 3 (Post PIC 2)	<p>Hi,</p> <p>TRCA staff understands that the City of Brampton's Transportation Master Plan identified the need to improve Eastern Avenue and extend Clark Boulevard from Rutherford Road to Hansen Road. The City of Brampton is therefore undertaking a Schedule C Municipal Class Environmental Assessment for the Extension of Clark Blvd from Rutherford Road to Hansen Road to accommodate a new four lane road, and the widening of Eastern Avenue from 2 to four lanes from Hansen Road South to Kennedy Road. The EA is assessing improvements along the study corridor to accommodate current and future transportation needs of pedestrians, cyclists, transit and motorists, and a structure is proposed to cross the concrete defined Etobicoke Creek. Staff has reviewed the PIC #1 Boards for the above project and provides the comments below:</p> <ol style="list-style-type: none"> With regard to the Natural Environmental Assessment (NEA), TRCA staff is happy to work with the City in order to scope the TOR for the NEA, should this be required. Please ensure that the studies in support of the proposal are submitted for staffs review in conjunction with the alternative design concepts in phase 3 or earlier as the aim is for the studies to inform and support the preferred alternative. The summary of evaluation for alternative solutions, displayed as part of PIC#1, determines option 6 and 7 as "most preferred" from a Natural Environment perspective. Please clarify how this was evaluated and/or determined. Staff recommends consultation with MECP regarding SAR (Species at Risk) requirements associated with the proposal. <p>Should you have any questions, please do contact me. Thanks,</p>	10/15/2020	C.Yuen	<p>Thank you for your email and review of the PIC#1 materials. We offer the following responses to your comments:</p> <ol style="list-style-type: none"> The Draft Natural Environment Assessment Report was completed for this EA study in September 2019 and was prepared based on the RFP for this EA study. It is our understanding that TRCA reviewed and provided input on the draft terms of reference for this RFP, prior to study commencement. Some technical studies have been completed for this study and some are in progress / not yet started. <p>The following technical reports have been prepared that may be of interest to you. The following reports have been made available to you via a One Drive link that you will receive shortly:</p> <ol style="list-style-type: none"> Draft Natural Environment Assessment Report, September 2019 Will be updated to inform Phases 3 and 4 of the study Draft Geomorphological Report, August 2019 Will be updated to inform Phases 3 and 4 of the study Final Stage 1 Archaeological Assessment, August 2019 Final Cultural Heritage Resource Assessment, July 2019 <p>The following technical reports will be underway but have not yet been prepared:</p> <ul style="list-style-type: none"> Geotechnical Investigations Report Hydro-geological Investigations Report Phase 1 Environment Site Assessment Drainage and Stormwater Management Report 	Complete
12	Asha Saddi	Region of Peel	Technical Analyst, Infrastructure Programming & Studies	10/23/2020 and 10/26/2020	E-mail	C.Yuen	Phase 3 (Post PIC 2)	<p>Traffic Signals</p> <ul style="list-style-type: none"> Will there be a proposal for a signal installation at Kennedy Road and Eastern Blvd? <p>Traffic Operations</p> <ul style="list-style-type: none"> At what stage would detailed Traffic Engineering plans be submitted for comments for the intersection of Kennedy Road and Clark Blvd? <p>We will forward any comments from our Sustainable transportation team early next week as staff is away.</p> <hr/> <p>Good Morning,</p> <p>Our Roads Operations and Maintenance team had some comments to add:</p> <p>Within the 5 year Resurfacing plan for the Region of Peel, Kennedy Road (b/w Steeles Avenue and Queen Street) has been identified as a roadways that will be resurfaced. We look for good coordination with the City on the timing of repairs to avoid duplication of work at the intersection of Kennedy Road and Eastern Avenue</p>	11/25/2020	C.Yuen	<p>Thank you again for providing the project team with comments regarding the Clark Boulevard/Eastern Ave EA Study. You can find our responses below. Should you have any questions, feel free to contact me and I would be happy to clarify.</p> <p>Comment from Region of Peel: During the next phase when the City develops the design alternatives, stormwater management has to integrate with the Region of Peel's Kennedy Road and avoid any negative impacts to Region's stormwater system. Comment Response: Comment noted. The Project Team will consult with Peel Region to identify the preliminary stormwater recommendations at Kennedy Rd / Eastern Ave intersection.</p> <p>Comment from Region of Peel: The Storm Design Criteria from Region of Peel was received by the Project Team on September 16, 2020. The Project Team will consult with Peel Region during Phase 3 of the study. Public Health We are interested in hearing from the project team about the TDM solution that is included in these slides. Are there any materials or reports from this EA that can provide more detail on what is included in the TDM solution? Comment Response: TDM Solutions identified for the overall network that can be considered by the City for this Alternative Solution include: -Encouraging working from home -Encouraging carpool -Paid parking to discourage driving -Rewards (cash, points, gift cards) for individuals who use sustainable transportation</p> <p>Comment from Region of Peel: Will there be a proposal for a signal installation at Kennedy Road and Eastern Blvd? Comment Response: Yes a signalized intersection is recommended at the Eastern Avenue and Kennedy Road intersection. The Transportation Analysis Report sent on September 16, 2020 identifies the recommendation for signalization, lane configuration and consideration of storage requirements including for the southbound left-turn. The design of the intersection will be reviewed and developed in next stage of the study (Phase 3- Alternative Designs).</p> <p>Comment from Region of Peel: At what stage would detailed Traffic Engineering plans be submitted for comments for the intersection of Kennedy Road and Clark Blvd? Comment Response: The EA study is currently in Phase 3 - Alternative Designs. Design drawings and assessments of the alternatives are being developed and a preliminary preferred design will be identified. The City will consult and coordinate with the Region for comments on the preliminary recommendations during this Phase.</p> <p>Comment from Region of Peel: Within the 5 year Resurfacing plan for the Region of Peel, Kennedy Road (b/w Steeles Avenue and Queen Street) has been identified as a roadways that will be resurfaced. Hope you are doing well. You will find below the project team's response to the comments outlined in your e-mail from the end of November:</p> <ol style="list-style-type: none"> Comment noted. The project team will coordinate with TRCA to identify the preferred crossing solution of Etobicoke Creek. Comment noted. It is clarified that the project is currently in Phase 3 - Alternative Designs of the EA process. The project team is currently developing and evaluating Alternative Design Concepts, which will include an assessment of impacts to the natural environment. As the study progresses and a preferred design is selected, an impact assessment and mitigation measures will be identified. The project team will follow-up with TRCA to review the evaluations, and subsequent impact assessment and mitigation measures for review and comment as they are completed. Comment noted. Comment noted. It is clarified that the project is currently in Phase 3 - Alternative Designs of the EA process. The project team is currently developing and evaluating Alternative Design Concepts, which will include an assessment of the crossing. A Drainage and Stormwater Management and hydraulic assessment will be prepared for the Preferred Design and circulated to TRCA for review and comment. If channel realignment is recommended the impact assessment and mitigation measures will be identified and shared with TRCA. Future commitments for monitoring will also be identified in the Draft Environmental Study Report if identified. Comment noted. The project team will provide the Drainage and Stormwater Management and Hydraulic assessment proposed for the Clark Boulevard extension once available. Comment noted. Future commitments for Detailed Design will also be identified in the Draft Environmental Study Report as identified. <p>Should you have any additional questions or comments, do not hesitate to reach out to us. Thanks,</p>	Complete
13	Caroline Mugo	TRCA	Planner, Infrastructure Planning and Permits Development and Engineering Services Division	#####	E-mail	C.Yuen	Phase 3 (Post PIC 2)	<p>Hi,</p> <p>Staff received the Geomorphological Report and the Natural Environment Assessment Report for the Clark Blvd Extension EA on October 15, 2020.</p> <p>It is our understanding that the City of Brampton's Transportation Master Plan has identified the need to improve Eastern Avenue and extend Clark Boulevard from Rutherford Road to Hanson Road. The City of Brampton is therefore undertaking a Schedule C Municipal Class Environmental Assessment for the Extension of Clark Blvd from Rutherford Road to Hansen Road to accommodate a new four lane Road, and the widening of Eastern Avenue from 2 to four lanes from Hansen Road South to Kennedy Road. The EA is assessing improvements along the study corridor to accommodate current and future transportation needs of pedestrians, cyclists, transit and motorists, and a structure is proposed to cross concrete defined Etobicoke Creek. Staff further understand that the Drainage and Stormwater Management Report is still underway.</p> <p>Staff has completed the review of the Geomorphological Report and the Natural Environment Assessment Report and has the following comments to offer:</p> <ol style="list-style-type: none"> Please be advised that TRCA staff does not support enclosure of entire watercourses, however, staff understands the need to cross the watercourse to accommodate Clark Boulevard extension. TRCA staff will work the City of Brampton to find an appropriate preferred solution. The Natural Environmental Assessment (NEA) report examined the existing conditions of the study area, however, it did not consider any proposed alternatives in the assessment, nor does it evaluate the risk and potential impacts of the proposed alternative to the natural heritage system. Please update the NEA to consider proposed alternatives in order to inform the preferred solution. While they may be limited, please ensure that opportunities for improvement to the NHS are also considered as a part of the analysis. Section 5.1 of The Geomorphological Report, Tributary of Etobicoke Creek identified design alternatives: a.Piping of Channel: Please note that TRCA staff would not be supportive of this alternative. b.Valley-spanning structure: TRCA staff would not oppose the consideration of this alternative, however, staff are conscious of the cost-benefit analysis. c.Channel Realignment: TRCA staff will work with the municipality to find an appropriate preferred solution, however, additional details are required. Staff are supportive of using a combination of soft and hard engineering solutions. Also, clarify if a crossing structure is being proposed. If so, culvert sizing should provide reasonable passage for wildlife and does not impair fisheries. Please demonstrate that no property upstream or downstream of the proposed study limits will be impacted by the proposed channel realignment. Please provide a digital copy of the post-development-conditions hydraulic model along with that of the existing one, in separate files for staff's review. Further, a post-construction monitoring program consistent with the consultant's recommendations should be implemented. 	12/9/2021	C.Yuen	<p>Hope you are doing well. You will find below the project team's response to the comments outlined in your e-mail from the end of November:</p> <ol style="list-style-type: none"> Comment noted. The project team will coordinate with TRCA to identify the preferred crossing solution of Etobicoke Creek. Comment noted. It is clarified that the project is currently in Phase 3 - Alternative Designs of the EA process. The project team is currently developing and evaluating Alternative Design Concepts, which will include an assessment of impacts to the natural environment. As the study progresses and a preferred design is selected, an impact assessment and mitigation measures will be identified. The project team will follow-up with TRCA to review the evaluations, and subsequent impact assessment and mitigation measures for review and comment as they are completed. Comment noted. Comment noted. It is clarified that the project is currently in Phase 3 - Alternative Designs of the EA process. The project team is currently developing and evaluating Alternative Design Concepts, which will include an assessment of the crossing. A Drainage and Stormwater Management and hydraulic assessment will be prepared for the Preferred Design and circulated to TRCA for review and comment. If channel realignment is recommended the impact assessment and mitigation measures will be identified and shared with TRCA. Future commitments for monitoring will also be identified in the Draft Environmental Study Report if identified. Comment noted. The project team will provide the Drainage and Stormwater Management and Hydraulic assessment proposed for the Clark Boulevard extension once available. Comment noted. Future commitments for Detailed Design will also be identified in the Draft Environmental Study Report as identified. <p>Should you have any additional questions or comments, do not hesitate to reach out to us. Thanks,</p>	Complete
14	Asha Saddi	Peel Region	Technical Analyst, Infrastructure Programming & Studies	#####	E-mail	C.Yuen	Phase 3 (Post PIC 2)	<p>Our Traffic Engineering and Active Transportation teams have the following comments on the PIC 2 materials:</p> <p>Traffic Operations</p> <p>Comments – Clark Blvd at Kennedy Road</p> <ul style="list-style-type: none"> 2041 Projected Volumes – Westbound Left Turn during the PM peak has a LOS 'F' and V/C of 1.38. Revisions to the signal time plan and/or the implementation of a dual left turn lane is required to alleviate traffic congestion. Make crosswalks perpendicular to the approaching roadway (seem to be angled) Staggered stop bars for approaches that have a proposed crossride to improve driver visibility of pedestrians/cyclists within the crossing. <p>Traffic Signals & Streetlighting</p> <p>Comments to Kennedy only:</p> <ul style="list-style-type: none"> Min. median should be 1.5m from curb to curb (for east and west leg) to allow for traffic poles with median streetlights Request smaller radius if possible to make curbs tighter West leg crosswalk seems to be skewed in relation to Kennedy Rd <p>a. Earlier iterations had less skew (PDF attached "SK-01-Plan Roll plot 2021-07-15")</p> <ul style="list-style-type: none"> E-W skew may require skip guidelines thru the intersection <p>b. I thought they were able to reduce this deflection further in our initial emails.</p> <ul style="list-style-type: none"> Will crossrides at the bi-directional? Can they explore alternative wayfinding and transition at the boulevards especially at the NEC for cyclists and pedestrians. <p>Traffic Safety</p> <ul style="list-style-type: none"> Include Region of Peel Road Safety Strategic Plan (RSSP) from 2017 - 2022 as reference document. Alternative 4 - Lighting for pedestrians and cyclists being considered? Alternative 4 - Ensure driver visibility of both cyclists and pedestrians. At Kennedy and Eastern Ave, cyclist crossrides should be installed on the outside of the intersection and ladder crosswalks on the inside. Ensure Kennedy/Eastern AODA compliant with use of tactile plates, etc. <p>Sustainable Transportation – Intersection of Clark Blvd at Kennedy Road:</p>			<p>Response to be given during submission of draft ESR.</p>	Incomplete

ID #	Agency	Reviewer	Comment Section	Comment	Comment Response	Status
1	City of Brampton	John Allison	ES-3	Preferred Solution Image. Show sodded blvds. Current image could be misinterpreted as a hard surface treatment.	Revised	Complete
2	City of Brampton	John Allison	ES-4	Typical Cross-Section – Clark Boulevard / Eastern Avenue. Relocate 'Proposed Greenway' on north side beyond the ROW and not within it.	Updated	Complete
3	City of Brampton	John Allison	Figure 5-1	Summary of Improvements - Preferred Solution. Show sodded blvds. Current image could be misinterpreted as a hard surface treatment.	Revised	Complete
4	City of Brampton	John Allison	6.3 Overall Recommended Design- Figure 61	Conceptual Typical Section of the Study Corridor. Relocate 'Proposed Greenway' on north side beyond the ROW and not within it.	Updated	Complete
5	City of Brampton	John Allison	Exhibit 71: Typical Cross-Section.	Relocate 'Proposed Greenway' on north side beyond the ROW and not within it.	Updated	Complete
6	City of Brampton	John Allison	7.1.6. Streetscaping and Landscaping	There is no reference on the Preliminary Design Drawings (Appendix R) that identifies areas as opportunities for street tree planting. Amend.	Updated	Complete
7	City of Brampton	R Fazlull	PDF Page 33	Shallow soil remediation was completed at a section of the property to support an RSC. RSC# 229849	The Record of Site Conditions (RSC) for 25 Rutherford Road South identified by the City was filed on November 16, 2021, after the date of the Phase 1 ESA report. ESR updated in section 3.12 and future commitment added to Section 9.2	Complete
8	City of Brampton	R Fazlull	PDF Page 56	The Phase Two Investigation at the 25 Rutherford property should take into consideration the recent remediation completed at a portion of the property and the plan accordingly to investigate remaining portions of the property, as required	The Record of Site Conditions (RSC) for 25 Rutherford Road South identified by the City was filed on November 16, 2021, after the date of the Phase 1 ESA report. ESR updated in section 3.12 and future commitment added to Section 9.2	Complete
9	Region of Peel	Traffic Safety	Table 5-2 of Appendix E	Poor V/C ratios for the intersection at Eastern Avenue and Kennedy Road in Alternative 3 (Outlined in Table 5-2 of Appendix E) can lead to driver frustration, aggressive driving and other poor driving behaviours – not ideal from a Traffic Safety perspective and should be avoided.	Comment noted. Proposed improvements to vehicular traffic (additional travel lanes, traffic signals etc) to address vehicular demand and operations, need to be balanced within a limited right-of-way while also accommodating space to provide safe and comfortable pedestrian and cyclist facilities and passage at intersections. Education campaign to support drivers to employ safe driving behaviours and to promote sustainable modes such as transit, walking, or cycling are encouraged.	Complete
10	Region of Peel	Traffic Safety	Appendix E	Queue length for both 2041 AM and PM traffic for Kennedy Road SBL exceeds the storage length. Not ideal for traffic safety – similar comment as above, delays lead to aggressive driving and other poor driving behaviours. What can be done to mitigate this issue?		Complete
11	Region of Peel	Traffic Safety	Section 7 and Section 9	Please consider implementing AODA enhancements at the intersection of Kennedy/Eastern such as tactile plates, etc.	Added as a future commitment to Section 9.2 as previously documented in Section 7.1.6	Complete
12	Region of Peel	Traffic Safety	Section 7 and Section 9	Are there plans to have public transit available along this corridor?	There are no existing transit stops in the corridor and at the time of writing of this report no planned transit routes. During Detailed Design, transit stop locations and transit infrastructure requirements will be reviewed, identified and confirmed in consultation with the City and the respective transit authority. If transit infrastructure is envisioned, at locations where the cycle track and sidewalk intersect with bus pads it is recommended that passenger standing areas with shelters be placed behind the cycle track and sidewalk. Refer to section 7.1.4 as previously documented.	No Change
13	TRCA	Emma Benko	Draft ESR	TRCA staff had the chance to review the draft technical studies received September 26, 2022 and Draft Environmental Study Report received October 12, 2022. Staff note that all comments have been addressed and have no further comments to offer. We look forward to receiving the Final ESR and Notice of Completion.	No Response Required	No Change
14	MECP	Trevor Bell	Draft ESR	I have reviewed the draft report and I have no major concerns	No Response Required	No Change
15	MECP	Trevor Bell	Draft ESR	I can report that we have no technical concerns with respect to surface water and groundwater. The proposed stormwater management plan is adequate and appropriate.	No Response Required	No Change