



HERITAGE ROAD LAYOVER ENVIRONMENTAL PROJECT REPORT



PROJECT NO.: IM21405045
DATE: OCTOBER 2022

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“Effective September 21, 2022, Wood Environment & Infrastructure Solutions Canada Limited is now operating as WSP E&I Canada Limited. No other aspects of our legal entity, contractual terms or capabilities have changed in relation to this report submission.”

Heritage Road Layover Environmental Project Report - Errata to Environmental Project Report

Project # IM21405045

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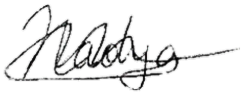


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Document Revision History

Version	Date	Description
Rev 0	September 19, 2022	DRAFT Errata for Metrolinx Review
Rev 1	October 21, 2022	Final Errata to the EPR

Prepared by:	Nadya Mrochkovskaia, BES Junior Environmental Planner		Date: October 21, 2022
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- B Noise and Vibration Baseline Conditions and Impact Assessment Report
- D Natural Environment Report Field Studies Addendum
- E Socio-Economic and Land Use Baseline Conditions and Impact Assessment Report
- G Revised Report: Stage 1 Archaeological Assessment Report
- I Consultation Record

Errata Introduction

This Errata documents revisions to the Heritage Road Layover Environmental Project Report (EPR) (August 2022); the specific additions have been identified in **yellow** and removals have been identified in ~~striketrough~~ in the sections that follow.

This Errata was prepared to incorporate comments made on the EPR during the 30-day public review period which commenced August 19, 2022 and ended September 19, 2022. The final version of the EPR will be updated to include these additions/revisions for use during the future stages of the design/project.

Errata note: All references to Wood Environment & Infrastructure Solutions Canada Limited (Wood) have been modified to WSP E&I Canada Limited (WSP) in the EPR.

Executive Summary

Table ES-1: Impact Assessment (Potential Effects, Mitigation Measures and Monitoring)

Environmental Component	Project Phase		Potential Effect	Mitigation Measure(s)	Monitoring
	Construction	Operations			
....					
Archaeological Resources	•	- <ul style="list-style-type: none"> All Archaeological Assessment findings will be shared with Indigenous communities and Nations, as per Metrolinx’s <i>Guide to Engaging with Indigenous Communities</i> (2020).
....					

“Time Out” Process

On July 18, 2022, the TPAP was paused to engage further with Indigenous communities and Nations to provide additional context to the Project and describe in detail the technical studies undertaken, such that an Indigenous **community or** Nation can share with Metrolinx the potential and scope for adverse impacts to Indigenous and Treaty Rights resulting from the Project.

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List of Appendices

- A Air Quality Baseline Conditions and Impact Assessment Report
- B Noise and Vibration Baseline Conditions and Impact Assessment Report
- C Natural Environment Existing Conditions and Impact Assessment Report
- D Natural Environment Report Field Studies Addendum (~~Currently Under Review~~)
- E Socio-Economic and Land Use Baseline Conditions and Impact Assessment Report
- F Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment
- G Stage 1 Archaeological Assessment Report
- H Traffic Impact Assessment
- I Consultation Record

List of Abbreviations and Definitions

No changes made to List of Abbreviations and Definitions.

1.0 Introduction and Study Process

1.6 EPR Report Structure

The following lists the studies completed to support the Project TPAP that are appended to this EPR:

....

- Natural Environment Report Field Studies Addendum (~~Currently Under Review~~).

.....

2.0 Project Description

No changes made to Section 2.0 Project Description.

3.0 Existing Conditions

3.3 Natural Environment

3.3.1 Methodology

A Natural Environment Report (Appendix C) was completed for the Study Area, which consists of the Project Site and 120 m radius of the surrounding area, to describe aquatic species occurrences and habitat conditions and existing wildlife and terrestrial natural habitat features and functions. The natural environment assessment was completed through a desktop review of secondary sources, including previous studies, provincial policies, and species databases. Field surveys of Ecological Land Classification and Vascular Plants, Species at Risk (SAR), and aquatic environment were completed in June and July 2022. Appendix D (~~Currently Under Review~~) of the EPR summarizes the findings from the summer 2022 field surveys. As the watercourses on the Project Site are seasonal intermittent watercourses, a spring freshet survey will be completed in spring 2023 to further assess conditions prior to construction.

3.3.2 Description of Existing Conditions

No SAR fish or other aquatic species, or critical habitat were identified through the background review **or field investigations in summer 2022.**

Terrestrial Environment

The current terrestrial environment of the Study Area is entirely rural, dominated by agricultural land with row crop fields (Figure 3-1). The area around the Project Site is slated for low-density urban development under the Heritage Heights Secondary Plan. In the Town of Halton Hills, west of Winston Churchill Boulevard the 23 lot Churchill Valley Estates subdivision is under development. ~~Vegetation communities are generally limited within the Study Area and are associated with watercourse crossings, the Kitchener Corridor, and a residential property at the western limit of the Study Area. An isolated bluff of woodland is also present on the southwest edge of the Study Area, along the watercourse drainage in the field.~~

According to the Physiography of Southern Ontario by Chapman and Putnam (1984), the Study Area falls in the southern slope of the Oak Ridges Moraine. The area is morainic with mostly red and grey shale. Currently, the Study Area is near urbanized areas within the GTHA but remains rural and agricultural. Areas of the site that present the greatest opportunities for wildlife habitat based on in-season observations of breeding activity include the pond and the densest thicket areas along the Kitchener Corridor.

Vegetation communities are generally limited within the Study Area and are associated with watercourse crossings, the Kitchener Corridor, and a residential property at the western limit of the Study Area. An isolated bluff of woodland is also present on the southwest edge of the Study Area, along the watercourse drainage in the field. The Project Site is mainly surrounded by agricultural lands with some nearby rural residential properties.

The descriptions detailed below present the predominant species and attributes of each of the vegetation communities observed during the 2022 field investigations. Additional species occurrences and vegetation community mapping are noted within Appendix D.

AG- Agricultural

The Agricultural areas surrounding the Project Site within the Study Area consisted of cultivated crops such as corn, as well as plowed field.

CUW1 – Mineral Cultural Woodland

There are two Cultural Woodland communities within the Study Area. The community on the west side of the Study Area that was located primarily on a residential property had a canopy that was dominated largely by Black Walnut and Manitoba Maple along the outer edges. The interior appeared to be largely by represented by planted Eastern White Pine and Red Pine; however, access was limited as there was no permission to enter the residential property. The sub-canopy and the understory consisted primarily of Manitoba Maple and invasive European Buckthorn. Groundcover species included Garlic Mustard, Smooth Brome and Virginia Creeper. The small Cultural Woodland on the north side of the tracks consisted of Large Hawthorn species and old Common Apple trees over a groundcover of grasses and herbaceous plants such as Canada Goldenrod.

CUM1 – Mineral Cultural Meadow

The Cultural Meadow was the primary habitat within the Project Site which existed along both sides of the railway line. A sparse row of trees was present along the sides of the railway which included mainly Bur Oak along with the occasional American Elm. Several European Buckthorn shrubs also lined the railway line between the trees. The ground cover consisted of a mix of Smooth Brome, Canada Goldenrod, and invasive plants such as Dog-strangling vine and Reed Canary grass. The sloped sides of the railway were also often covered with patches of Poison Ivy.

MAM2-2 – Reed-canary Grass Mineral Meadow Marsh

The Meadow Marsh vegetation community exists within and along the sides of a shallow valley that intersects the middle of the Study Area. It is dominated by invasive Reed Canary grass but also includes Smooth Brome along with small patches of herbaceous plants such as Elecampane and Broad-leaf Cattail. Several large Hawthorn species also lined the sloped sides of the feature.

CVI_1 – Transportation

This area includes the railway and associated storage yard.

OAQ – Open Aquatic

A small open pond was identified on the residential property on the west side of the Study Area. The area was not accessible.

CVR – Residential

The Residential area identified consists of one property on the west side of the study area. The area was not accessible.

Wildlife

Background review was conducted only for species which had the potential to occur within the Study Area, such as those which have adapted to human-made structures and agricultural environments. Background reports suggest that a total of 33 wildlife species were documented, of which, 31 were birds, one amphibian, and one mammal. The majority of the species observed are considered common and typical to the community types found within the Study Area and a full list of fauna and flora SAR, Species of Conservation Concern, provincially rare species, and locally rare species which have habitat in the Study Area is provided in Appendix C and Appendix D.

Significant Wildlife Habitat

Significant Wildlife Habitat (SWH) is defined as areas where plants, animals, and other organisms live and can find adequate amounts of food, water, shelter, and space needed to sustain their populations. Under the PPS, wildlife habitat is considered “significant” if it is deemed ecologically important in terms of feature, function, representation, or amount, and contributing to the quality and diversity of an identifiable geographic area or Natural Heritage System. According to the Significant Wildlife Habitat Ecoregion Criteria Schedules for Ecoregion 6E, under which the Project Site and Study Area fall under, significant wildlife habitat (SWH) may consist of:

- Seasonal Concentration Areas of Animals;
- Rare Vegetation Communities and Specialized Habitat for Wildlife;
- Habitat for Species of Conservation Concern (excluding Endangered or Threatened species); and
- Animal Movement Corridors.

SWH is defined when appropriate ecosites exist, and indicator wildlife species occur, or where conditions are otherwise acceptable and can be classified. Further information regarding SWH is available in Appendix D.

Seasonal Concentration Areas

Seasonal Concentration Areas for animals are habitats where large numbers of a single species or many species congregate at one (or several) times a year. The SWH Criterion Schedules for Ecoregion 6E outlines 16 wildlife habitats associated with Seasonal Concentration Areas.

Based on a review of habitats and Ecosites documented during field investigations, the CUM1 – Mineral Cultural Woodland habitat and agricultural fields may provide potential Waterfowl Stopover and Staging Areas (Terrestrial). Additionally, the narrow strip of CUM1 on the north end of the Project Site may not be suitable size for this SWH.

Rare Vegetated Communities and Specialized Habitat for Wildlife

Rare Vegetation Communities are habitats that contain provincially rare vegetation communities, or those which are rare to the area. The SWH Criterion Schedules for Ecoregion 6E outlines seven rare vegetation communities.

Based on a review of habitats and Ecosites documented during field investigations, no candidate SWH rare vegetation communities are present within the Project Site.

Specialized habitats for wildlife are those which support wildlife that have highly specific habitat requirements (e.g., nesting habitat – vernal pools), those areas that contain high species and community diversity and those which provide habitat that can greatly enhance species survival. The SWH Criterion Schedules for Ecoregion 6E outlines eight specialized habitats.

Based on a review of habitats and Ecosites documented during the field investigations, a potential Amphibian Breeding Habitat (Wetlands) is present. A small pond (<500 m²) is present on the adjacent (west) residential property, approximately 10 m from the southwest limit of the Project Site. There was no access to this property during the field investigations and no portion of this pond extends into the Project Site. No other candidate rare, vegetated communities and specialized habitat for wildlife was identified of the Project Site or Study Area.

Habitat for Species of Conservation Concern (Not including Endangered or Threatened Species)

Habitats for Species of Conservation Concern are habitats for wildlife species classified as rare or substantially declining in Ontario or have a high percentage of their global population in Ontario, as well as several other rare habitats. The SWH Criterion Schedule for Ecoregion 6E outlines five Habitats for Species of Conservation Concern.

Based on a review of habitats and Ecosites documented during field investigations, there may be potential for two SWH habitats: Terrestrial Crayfish, Special Concern and Rare Wildlife Species within the Study Area. Although special concern and rare wildlife species were not observed during field investigations, several special concern and rare species were noted during the secondary source review to have element occurrences within the 1 km² and 10 km² databases encompassing the Study Area. Additionally, Milkweed were identified within the CUM1 – Mineral Cultural Woodland, though low in abundance.

Animal Movement Corridors

Animal Movement Corridors are habitats that link two or more other wildlife habitats that are critical to the maintenance of a population of a particular species or group of species, particularly in highly fragmented landscapes. The key ecological function of

wildlife movement corridors is to enable wildlife to move between areas of significant habitat or core natural areas with minimum mortality. Wildlife movement corridors can provide critical links between shelter, feeding, watering, growing, and nesting locations. Wildlife and/or habitat corridors can help increase genetic diversity and aid in the re-establishment of populations after random events such as fires or disease outbreaks. These corridors can help to increase biodiversity and population stabilization. The SWH Criterion Schedules for Ecoregion 6E outline two animal movement corridors.

Based on a review of habitats and Ecosites documented during field investigations, there are no candidate SWH habitats for Animal Movement Corridors.

3.4.1 Methodology

An inventory of trees and vegetative cover was carried out within the Project Site and the Kitchener Corridor embankments. The results are available in Appendix D (~~Currently Under Review~~).

3.5.2 Methodology

Recent preliminary forecasts prepared for the Region of Peel by ~~Hemson Consulting Ltd.~~ (September 2021) show a population for Ward 6 of 163,957 persons by 2031 (a 114.8% increase compared to 2016) (City of Brampton, 2021). This is projected to grow to 227,747 persons by 2051 (a 198.3% increase compared to 2016). Employment in Ward 6 (14,499 jobs in 2016) is projected to grow to 30,077 by 2031 and to 63,630 by 2051. Employment rates are expected to increase by approximately 13% between 2021 and 2041 in Brampton (~~Hemson Consulting Ltd., 2021~~) (Region of Peel, 2021b).

The Town of Halton Hills (Halton Hills), within the Region of Halton, is made up by two (2) urban areas, Georgetown and Acton, and historic hamlets, Glen Williams, Norval, Limehouse and Hornby (Town of Halton Hills, n.d.). Halton Hills has four (4) wards and had a total population of 62,951 in 2021 (Statistics Canada, 2022). In 2016, the population of Halton Hills at 12,700 was less than Brampton Ward 6 (Region of Peel, 2021a) (Region of Peel, 2021e^d). Data were not available for the 2006 population of Halton Hills Ward 2 (Ashby, 2018).

3.6.2 Methodology

McNichol Cemetery (CHL1)

McNichol Cemetery is a small familial burial plot located on the east side of the Study Area outside the ROW and west of Heritage Road. The land on which the cemetery is situated was first owned and farmed by a Scottish pioneer named Archibald McNichol and the McNichol family used the cemetery during the mid-19th century (Wood, 2021b) (~~City of Brampton, 2021e~~).

4.0 Impact Assessment of the Preferred Design

4.4 Natural Environment

4.4.1 Construction

Significant Wildlife Habitat

From a review of previous studies, no Significant Wildlife Habitat has been delineated within the Project Site. As outlined in Section 3.3.2. under the Significant Wildlife Habitat subsection, there are four main SWH categories identified in the Significant Wildlife Habitat Ecoregion Criteria Schedules for Ecoregion 6E. Most of the confirmed and candidate SWH is located outside the Project Site (see Figure 3-1). Overall, impacts on SWH as a result of construction are anticipated to be low.

Seasonal Concentration Areas

During field investigations in June 2022, the CUM1 – Mineral Cultural Woodland habitat and agricultural lands within the Project Site were identified as areas which may provide potential Waterfowl Stopover and Staging Areas (Terrestrial). However, no water was present at the time of field investigations and impacts on potential SWH as a result of construction are anticipated to be low.

Rare Vegetated Communities and Specialized Habitat for Wildlife

There were no candidate SWH rare vegetation communities identified within the Project Site.

A small pond (<500 m²) present on the adjacent (west) residential property, approximately 10 m from the southwest limit of the Project Site, was identified as a potential Amphibian Breeding Habitat (Wetlands). As no portion of this pond extends into the Project Site, the impacts due to construction are anticipated to be low.

Habitat for Species of Conservation Concern (Not including Endangered for Threatened Species)

No special concern and rare wildlife species were observed during field investigations, however Milkweed was identified within the CUM1 – Mineral Cultural Woodland though low in abundance. Impacts to Milkweed as a result of construction are anticipated to be low.

Animal Movement Corridors

There were no candidate SWH habitats for Animal Movement Corridors identified within the Project Site.

4.4.2 Operations and Maintenance

Significant Wildlife Habitat

From a review of previous studies, no Significant Wildlife Habitat has been delineated within the Project Site. It is not anticipated that any potential SWH will be affected by

post-construction activities. ~~If following field investigations these findings change, an addendum will be appended to the EPR to address impacts, mitigation and monitoring.~~

4.13 Impact Assessment, Mitigation Measures and Monitoring Summary

Table 4.13-1: Impact Assessment (Potential Effects, Mitigation Measures and Monitoring)

Environmental Component	Project Phase		Potential Effect	Mitigation Measure(s)	Monitoring
	Construction	Operations			
....					
Archaeological Resources	•	- <ul style="list-style-type: none"> All Archaeological Assessment findings will be shared with Indigenous communities and Nations, as per Metrolinx's <i>Guide to Engaging with Indigenous Communities</i> (2020).
....					

5.0 Climate Change Considerations

No changes made to Section 5.0.

6.0 Consultation

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Appendix I is divided into five~~six~~(5~~6~~) separate appendices:

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- I-5: Notice of Completion Correspondence Record: Technical and Community Stakeholders
- I-6: Correspondence with Indigenous Communities and Nations

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Appendix I-5 contains the records of correspondence with agencies, municipal and community stakeholders, and elected officials during the 30-day Public Review Period.

Appendix I-6 contains the record of correspondence with Indigenous communities and Nations throughout the pre-planning, TPAP, and “TPAP pause” process.

All comments received from the public have been redacted to protect personal information.

Engagement with Indigenous communities and Nations is outlined separately in Section 4.4.2.8.

6.4.1 Notice of Commencement

In accordance with Section 7 of O.Reg.231/08, A Notice of Commencement was first issued on March 24, 2022. Due to timing, a combined Notice of Commencement and Public Information Centre #2 was circulated. The notice was published in English and French, delivered to local property owners (see Table 6.2-1 above), and circulated to Indigenous communities and Nations, the GRT, EeOs, and any stakeholders who had requested to be included. Additionally, information was posted to the GO Expansion Twitter page and the Peel and Halton newsletters. The Notice of Commencement included information about the Project and TPAP as well as how to provide comments. A copy of the Notice of Commencement is provided in Appendix I-1.

6.5 Notice of Issue

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Metrolinx is committed to working with Indigenous communities and Nations outside of the Heritage Road Layover project regarding broader issues that extend beyond the Heritage Road Layover scope of work. A summary of the workshop held with Six Nations of the Grand River is included in Appendix I-5~~6~~. A very high level summary of

the meetings with the Haudenosaunee Confederacy Chiefs Council is also provided in Appendix I-56.

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Consultation

Table 6.7-1 outlines the consultation that occurred during the public review period and the changes that were made to the EPR in response. Any commitments beyond the TPAP timeframe are captured within Section 7. All correspondence can be found in Appendix I-5.

Table 4.13-1 Summary of Agency Communication Following Notice of Completion

Agency	Date	Summary	Change to the EPR
Federal – Department of Fisheries and Oceans	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	N/A
Federal – Environment and Climate Change Canada	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	N/A
Provincial – Ministry of Municipal Affairs and Housing	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	N/A
Provincial – Ministry of Natural Resources and Forestry	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	N/A
Provincial – Ministry of Tourism, Culture, and Sport	August 27, 2022	<ul style="list-style-type: none"> MTCS provided comments based on their review of the Stage 1 Archaeological Assessment report and requested edits 	Revisions to Appendix G
Provincial – Ministry of Tourism, Culture, and Sport	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	N/A
Provincial – Ministry of Tourism, Culture, and Sport	September 2, 2022	<ul style="list-style-type: none"> Metrolinx provided the requested edits to the Stage 1 Archaeological Assessment Report 	N/A
Provincial – Ministry of Tourism, Culture, and Sport	September 15, 2022	<ul style="list-style-type: none"> MTCS acknowledged the requested changes and noted some additional required revisions MTCS noted their preference to have an approved Stage 1 Archaeological Assessment Report prior to the completion of the Public Review Period Metrolinx confirmed the requested edits would be completed by September 16 	Revisions to Appendix G
Provincial – Ministry of Tourism, Culture, and Sport	September 16, 2022	<ul style="list-style-type: none"> MTCS confirmed that the Stage 1 Archaeological Assessment Report has been accepted and has been entered into the register 	N/A
Provincial – Ministry of Transportation	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	N/A
Municipal – City of Brampton	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	N/A
Municipal – City of Brampton	September 6, 2022	<ul style="list-style-type: none"> Metrolinx responded to additional comments and noted that they will continue to work with the City of Brampton and CVC as the Heritage Heights Secondary Plan progresses 	None – a commitment is already noted in section 7.1.3
Municipal – Credit Valley Conservation	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	N/A
Municipal – Credit Valley Conservation	September 6, 2022	<ul style="list-style-type: none"> Metrolinx responded to CVC’s additional comments acknowledging that discussions regarding stormwater management would extend passed the TPAP period into further detailed design 	None
Municipal – Credit Valley Conservation	September 9, 2022	<ul style="list-style-type: none"> CVC noted that after their review of the Final EPR they had no further comments and looked forward to coordinating with Metrolinx and the City of Brampton to address outstanding stormwater issues related to the heritage heights subwatershed study. 	A commitment has been added to section 7.1.4
Municipal – Region of Peel	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	N/A
Municipal – Region of Peel	September 15, 2022	<ul style="list-style-type: none"> The Region of Peel noted they are in the process of preparing comments to the Final EPR 	None
Municipal – Region of Peel	September 16, 2022	<ul style="list-style-type: none"> The Region of Peel shared additional comments on the Final EPR 	A reference within the document was updated. A commitment to continued engagement is already noted in section 7.1.3
Municipal – Region of Peel	October 11, 2022	<ul style="list-style-type: none"> The Region of Peel requested clarification regarding the response to a comment and if further information was required. 	None

Municipal – Region of Peel	October 13, 2022	<ul style="list-style-type: none"> Metrolinx clarified the comment response and confirmed no further information was required. The Region of Peel provided comments regarding the documents being referenced as part of the SELUC Report and requested a revision. 	A revision to the requested references was made to Appendix E.
Municipal – Region of Peel	October 18, 2022	<ul style="list-style-type: none"> Metrolinx confirmed that the references had been revised within Appendix E. The Region of Peel confirmed that there were no further comments from staff on the EPR. 	None
Municipal – Town of Halton Hills	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	None
Other Technical Stakeholders – Canadian National Railway	September 1, 2022	<ul style="list-style-type: none"> Metrolinx provided a revised (signed) version of the Noise and Vibration report with minor edits 	None

Table 6.7-2 Summary of Public Communication Following Notice of Completion

Date Received	Issue Category	Comment Summary	Response Summary	Change to the EPR
August 22, 2022	Natural Environment and Infrastructure	Requested information regarding the possibility of adding green roofs to buildings. Also requested information regarding planting in unused areas of the site to be used for pollinators.	<p>The buildings that serve the layover facility are small, prefabricated structures that meet design specifications for energy efficiency. Green roofs have not been specified.</p> <p>While the City of Brampton does have green standards that offer guidance, in this instance the applicable design standards are those set out in Table 5.3 2: of the EPR for Sustainability Considerations and Climate Change Mitigation Measures, including the use of green construction materials such as those with recycled content or certified sustainable.</p> <p>During detailed design, a plan will be developed for landscape plantings that:</p> <ul style="list-style-type: none"> Use native and non-native species that are: hardy, drought and salt-tolerant, and resistant to exposure and soil compaction; Enhance biodiversity and ecosystem value; and, <p>Support and align with the Ontario Pollinator Health Action Plan in areas where practicable and feasible.</p>	None
September 19, 2022	Noise and Vibration	Request for information regarding the process that would be followed to determine the noise and vibration impacts for potential future changes to the project. Also requested the information gathered from the baseline noise and vibration monitoring.	If in future changes are made than the addendum procedures under O.Reg. 231-08 Transit Projects and Metrolinx Undertakings would be followed. The baseline monitoring is currently underway after having been delayed due to property access constraints.	None

6.8.1 Background

In 2018, Metrolinx made a commitment to build positive and meaningful relationships with Indigenous Peoples **communities and Nations**, in alignment with its strategic objectives.

6.8.3 Formal Notices, Reports and Field Invitations

The IRO shared the following project notices, reports and field invitations with the identified Indigenous communities and Nations:

- Project Introduction and Notice of Public Information Centre #1 - January 7, 2022
- Draft Stage 1 Archaeological Assessment Report for review – February 8, 2022 and followed up on April 21, 2022
- Draft Cultural Heritage Report for review - March 7, 2022
- Notice of Commencement and Notice of Public Information Centre #2 - March 23, 2022
- Draft Environmental Project Report and supporting technical studies including, but not limited to, Air Quality, Noise and Vibration, Natural Environment and Socio-Economic Land Use for review - April 5, 2022
- Invitation to participate in upcoming fieldwork for Stage 3 Archaeological Assessment, Noise Vibration Baseline Monitoring, Phase II Environmental Site Assessment and Natural Environment surveys including Confirmation Ecological Land Classification and Plant List Collection, Significant Wildlife Habitat and Species at Risk Habitat assessment, Tree Inventory and Fish and Fish Habitat assessments (see studies and fieldwork dates in Appendix I-6 Table 1)- May 19 2022.
- Notice of Completion – August 18, 2022

...

Invitation to participate in upcoming fieldwork for Stage 3 Archaeological Assessment, Noise Vibration Baseline Monitoring, Phase II Environmental Site Assessment and Natural Environment surveys including Confirmation Ecological Land Classification and Plant List Collection, Significant Wildlife Habitat and Species at Risk Habitat assessment, Tree Inventory and Fish and Fish Habitat assessments (see studies and fieldwork dates in Appendix I-56 Table 1)- May 19 2022.

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The Notice of Issue (July 18, 2022) and subsequent Notice of Resumption (August 15, 2022) were also shared with Indigenous communities and Nations.

The correspondence and feedback from received from the project notices, reports and field invitations can be found in Appendix I-56.

6.8.4 Meetings

...

Metrolinx also met with the Haudenosaunee Confederacy Chiefs Council by way of the Haudenosaunee Development Institute to further discuss with the Nation since late July in order to facilitate their meaningful engagement moving forward.

Further details of the meetings held are provided in Appendix I-56.

6.8.5 Formal Feedback

A summary of feedback received from Indigenous communities and Nations regarding the Project is included in Appendix I-56.

7.0 Commitments to Future Work

7.1.4 Conservation Authorities

Communication and engagement with CVC will continue as design and construction planning progress to address matters related to their mandate, including stormwater management issues relating to the HHSWS.

8.0 References

~~Hemson Consulting Ltd.~~ **City of Brampton**. (2021). Ward Boundaries and Population Projections. Retrieved from <https://pub-brampton.escribemeetings.com/filestream.ashx?DocumentId=33396>

~~Hemson Consulting Ltd.~~ **Region of Peel**. (2021**b**). 2051 Land Needs Assessment Report. Retrieved from <https://www.peelregion.ca/officialplan/review/pdf/Peel-2051-LNA-Report-Appendices-attachment2.pdf>

~~Hemson Consulting Ltd.~~ (2011). *Mid-Year Employment Forecasts 2011 to 2031*. Retrieved from <https://www.peelregion.ca/planning/pdc/data/forecasts/employment-2006-2031.htm>

Region of Peel. (2021**b****c**). Mid-Year population Forecasts 2011 to 2031. Retrieved from Region of Peel: <https://www.peelregion.ca/planning/pdc/data/forecasts/population-2006-2031.htm>

Region of Peel. (2021**e****d**). Ward Profiles. Retrieved from Region of Peel: <https://www.peelregion.ca/scripts/wardprofiles/ward-fin.pl?ward=b06>

Appendix B

Noise and Vibration Baseline Conditions and Impact Assessment Report – Heritage Road Layover

Appendix B – Noise and Vibration Baseline Conditions and Impact Assessment Report

Executive Summary

No changes made to Executive Summary.

Table of Contents

No changes made to the Table of Contents.

List of Figures

No changes made to the List of Figures.

List of Tables

No changes made to the List of Tables.

List of Appendices

No changes made to the List of Appendices.

List of Acronyms and Abbreviations

...

Wood	Wood Environment & Infrastructure Solutions Canada Limited a Division of Wood Canada Limited
------	---

...

1 Introduction

Metrolinx retained Wood Environment & Infrastructure Solutions, ~~a Division of Wood Canada Limited~~ (Wood) to complete the construction design and Transit Project Assessment Process (TPAP) for the proposed facility.

1.1 Project Description

No changes made to Section 1.1 Project Description.

1.2 Noise and Vibration Assessment

No changes made to Section 1.2 Noise and Vibration Assessment.

2 Baseline Conditions

No changes made to Section 2.0 Baseline Conditions.

3 Assessment of Construction Activities

3.1 Construction Phasing Assessment

No changes made to Section 3.1 Construction Phasing Assessment.

3.2 Construction Noise

No changes made to Section 3.2 Construction Noise.

3.2.1 Applicable Criteria

No changes made to Section 3.2.1 Applicable Criteria.

3.2.2 Construction Noise Zone of Influence

The strictest limit in **Table 3-2** ~~Table 3-4-2~~ is 70 dBA (Leq-14h) during daytime (09:00 – 23:00 hours) and 60 dBA (Leq-10h) during night-time (23:00 – 09:00) on the weekend in a residential setting. The weekday limits are identified as 75 dBA (Leq-16hr) during daytime (07:00 – 23:00 hours) and 65 dBA (Leq-8h) during night-time (23:00 – 07:00). It is typical to set zone of influence criteria 5 dBA below that which would cause an exceedance of noise criteria. Since the construction is anticipated to occur all seven (7) days a week, it is reasonable to utilize the weekend noise criteria, 70 dBA during daytime and 60 dBA during night-time, to establish the NZOI for all seven (7) days in the week. The RCNM noise model outputs average emissions identical for any given period in a 24-hr day and thus, utilizing the weekend limits throughout the week represents a conservative approach to the assessment. If baseline noise levels are identified to be above the established limits, a relative criterion of baseline + 5 dBA will be used to recalculate the NZOI.

3.3 Construction Vibration

No changes made to Section 3.3 Construction Vibration.

4 Representative Sensitive Receptors

No changes made to Section 4.0 Representative Sensitive Receptors.

5 Impact Assessment

No changes made to Section 5.0 Impact Assessment.

6 Construction Noise and Vibration Monitoring, Mitigation and Compliance Verification

6.1 Construction Noise and Vibration Mitigation

In addition to the general mitigation measures identified, construction noise can also be controlled through implementation of source specific measures. Source specific measures includes ensuring all equipment levels are compliant with the most stringent sound level contained in MECP guidelines NPC-115 and NPC-118. Equipment maximum sound level, with all control measures identified by the manufacturer that the

equipment relevant to the construction of the Facility needs to conform to, are presented in Table 6-1.

....

Table 6-1: Equipment Emission Limits

Type of Unit	Maximum Sound Level [dBA] ^[1]	Distance [m]	Power Rating [kW]
Excavation Equipment ^[2]	83	15	Less than 75
	85	15	75 or greater
Pneumatic Equipment ^[3]	85	7	-
Portable Compressors	76	7	-
Tracked Drills	100	15	-

6.2 Construction Noise and Vibration Monitoring

No changes made to Section 6.2 Construction Noise and Vibration Monitoring.

6.3 Compliance Verification

No changes made to Section 6.3 Compliance Verification.

6.4 Best Management Practices

No changes made to Section 6.4 Best Management Practices.

7 Assessment of Layover Options

7.1 Noise Modelling Methodology and Criteria

The operational assessment of the Facility included all noise sources associated with layover operation such as idling of trains, train heating and ventilation equipment, electrical equipment, or hot air track blowers. The Facility's operational noise is predicted to be dominated by the four (4) idling trains. Therefore, the stationary noise sources associated with the Facility's infrastructure, including but not limited to air compressors, transformers, and HVAC equipment, were not considered in the operational assessment of Facility. Modelling parameters provided in the Metrolinx Environmental Guide (Metrolinx, 2021) and shown in Table 7-1 were used to model operational noise from the Facility.

The layover facility will be designed with four (4) tracks with capacity to accommodate one (1) train consist of two (2) locomotives and 12 coaches or two (2) train consists of one (1) locomotive and six (6) coaches on each track. The proposed Facility can accommodate a total of four (4) trains that can be parked overnight. The operation of the Facility considers idling of trains for 60 minutes during peak morning hours (05:00-

06:00) and for fifteen minutes during the peak afternoon hours (15:30-15:45). Based on the layout of the Facility, incoming trains will have the ability to go both eastbound (EB) and westbound (WB).

7.2 Noise Modelling Results

No changes made to Section 7.2 Noise Modelling Results.

7.3 Vibration

There are no criteria limits to assess operational vibration from a layover facility. Existing operations at the proposed location of the Facility consists of fast moving fast-moving trains along the rail corridor. The vibration impact from these existing operations is expected to dominate at the nearest identified RSRs. Since the impact is assessed on a pass-by basis irrespective of the volume of trains, evaluation of vibration impact from slow moving trains is not deemed necessary at the identified RSRs. In addition, the nearest RSR is at least 100 metres away from the Facility tracks. Vibration levels from slow moving trains is not typically a concern at this distance.

8 Conclusions

No changes made to Section 8.0 Conclusions.

9 Closing

No changes made to Section 9.0 Closing.

Appendix D

**Natural Environment Report
Field Studies Addendum**



Appendix D – Natural Environment Report Field Studies Addendum

Errata note: Appendix D has been added in its entirety.



HERITAGE ROAD LAYOVER NATURAL ENVIRONMENT REPORT FIELD STUDIES ADDENDUM



PROJECT NO.: IM21405045
DATE: OCTOBER 2022

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Burlington, Ontario L7N 3W5
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WSP.com

“Effective September 21, 2022, Wood Environment & Infrastructure Solutions Canada Limited is now operating as WSP E&I Canada Limited. No other aspects of our legal entity, contractual terms or capabilities have changed in relation to this report submission.”



Heritage Road Layover Natural Environment Report Field Studies Addendum

Project # IM21405045

Prepared for:

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October 31, 2022

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Document Revision History

Version	Date	Description
0	August 18, 2022	DRAFT for Metrolinx Review
1	September 8, 2022	DRAFT for Review
2	September 15, 2022	DRAFT for Review
3	October 31, 2022	Revised DRAFT for Review

Prepared by:	Roxanne Dibley, B.Sc. Biologist	DRAFT	October 31, 2022
Prepared by:	David Dunn Terrestrial Ecologist	DRAFT	October 31, 2022
Reviewed by:	Michael Godard, B.Sc. Senior Fisheries Biologist	DRAFT	October 31, 2022

Executive summary

WSP E&I Canada Limited (“WSP”) (formerly Wood Environment & Infrastructure Solutions Canada Limited), was retained by Metrolinx to conduct the Heritage Road Layover Project Transit Project Assessment Process (TPAP) and Detailed Layover Facility Design Project (the Project).

Metrolinx is proposing to expand its facilities along the Kitchener Corridor, which runs from Union GO Station to Kitchener GO Station. A new layover is required to provide additional storage capacity which is required to achieve the proposed level of service (two-way all-day service from Union GO Station to Bramalea GO Station and 15-minute peak service and 30-minute off peak and counterpeak service for stations between Bramalea GO and Mount Pleasant GO stations, with an opportunity to expand to two-way all-day service to Georgetown GO Station) and consolidate the operational needs associated with frequent inner service to optimize operations planning for start and end of service. The site of the layover facility is proposed on the Halton Subdivision portion of the Kitchener Corridor between Heritage Road (Mile 20.14) and Winston Churchill Boulevard (Mile 21.15) in the City of Brampton, Regional Municipality of Peel.

WSP completed a Natural Environment Report (NER) for the proposed works; however, at the time of its preparation, permission to enter (PTE) was not available for the subject lands, and the NER was written based on a desktop review of secondary source information. Field investigations were scheduled for spring 2022 (i.e., confirmation of ecological land classification, plant and tree inventory, species at risk, significant wildlife habitat assessment, and fish and fish habitat assessments) were unable to be completed due to site access constraints during the preparation of the EPR addendum.

The purpose of this addendum is to provide the descriptions of the natural environment field investigations and update any changes to the analysis based on the results of the investigations. The field investigations completed as part of this addendum include the following:

- Confirmation of Ecological Land Classification (ELC) and Vascular Plant Survey;
- Tree Inventory;
- Significant Wildlife Habitat Assessment;
- Fish community survey and Fish Habitat Assessment; and,
- Species at Risk (SAR) Habitat Assessment.

To augment the secondary source and background information identified within the NER, field investigations were performed within the Study Area which included ELC delineation, inventory of botanical species, documentation of incidental wildlife observations, and inventory of trees directly adjacent to or that are likely to be impacted by the proposed works. Surveys to assess the aquatic habitat and potential for fish presence also occurred.

A summary of existing conditions is provided for terrestrial and aquatic species and habitat, features and ecological functions.

Field Study Findings

The following is a summary of the findings from the field studies undertaken for the Heritage Road Layover Project Site and adjacent lands:

- The Project Site is mainly surrounded by agricultural lands with some nearby rural residential properties. ELC classifications include, MAM2-2 – Reed-canary Grass, Mineral Meadow Marsh CUM1 – Mineral Cultural Meadow, and CUW1 – Mineral Cultural Woodland;
- Tree Inventory;
 - A total of 134 trees were counted in a targeted inventory of the Project Site and adjacent lands. Twenty different tree species are represented, with all species either apparently secure / secure, or non-native based on provincial ranking (S4, S5 and SNA) which refers to the trees' natural occurrences.
- Significant Wildlife Habitat Assessment;
 - Seasonal Concentration Areas of Animals - the CUM1 habitat and agricultural fields may provide potential Waterfowl Stopover and Staging Areas (Terrestrial). A spring survey will confirm if evidence of annual spring flooding from melt water or run-off is present that may facilitate this activity;
 - no candidate SWH rare vegetation communities are present within the Project Site.
 - Habitat for Species of Conservation Concern (excluding Endangered or Threatened species) - Although special concern and rare wildlife species were not observed during field investigations, several special concern and rare species were noted during the secondary source review to have element occurrences within the 1 km² and 10 km² databases encompassing the Study Area. Additionally, Milkweed were identified within the CUM1, though low in abundance
 - Based on a review of habitats and Ecosites documented during field investigations, there are no candidate SWH habitats for Animal Movement Corridors
- The Fish community survey and Fish Habitat Assessment could not be completed due to the dry conditions at the time of survey. A freshet survey is to be completed next Spring to obtain data under improved conditions that previous studies have indicated support seasonal
- Species at Risk (SAR) Habitat Assessment.
 - No Butternut were observed within the Project Site or accessible portion of the broader study area.
 - Suitable habitat for Barn Swallow may be present in the broader study area, within the neighbouring residential buildings.

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Appendix C	Aquatic Field Sheets
Appendix D	Compiled Plant List
Appendix E	Tree Inventory

List of Acronyms and Abbreviations

AOI	Area of Investigation
cm	centimeters
CSP	Corrugated Steel Pipe
COSSARO	Committee on the Status of Species at Risk in Ontario
DBH	Diameter at Breast Height
ELC	Ecological Land Classification
ESA	Endangered Species Act
km	Kilometres
m	metres
MECP	Ministry of Environment, Conservation, and Parks
MTO	Ministry of Transportation
NER	Natural Environment Report
O.Reg	Ontario Regulation
PPS	Provincial Policy Statement
PTE	Permission to Enter
SAR	Species at Risk
SARA	Species at Risk Act
SARO	Species at Risk in Ontario
SWCHS	Significant Wildlife Habitat Criteria Schedules
SWH	Significant Wildlife Habitat
The Project	Heritage Road Layover
TPAP	Transit Project Assessment Process
WSP	WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions Canada Limited)

1.0 Introduction

Metrolinx is proposing to expand its facilities along the Kitchener Corridor, which runs from Union GO Station to Kitchener GO Station. A new layover is required to provide additional storage capacity which is required to achieve the proposed level of service (two-way all-day service from Union GO Station to Bramalea GO Station and 15-minute peak service and 30-minute off peak and counterpeak service for stations between Bramalea GO and Mount Pleasant GO stations, with an opportunity to expand to two-way all-day service at Georgetown GO Station) and consolidate the operational needs associated with frequent inner service to optimize operations planning for start and end of service.

Metrolinx retained WSP E&I Canada Limited (WSP) (formerly Wood Environment & Infrastructure Solutions Canada Limited (Wood)) to complete the construction design and Transit Project Assessment Process (TPAP) for the proposed facility.

The layover facility will be designed with four (4) tracks with capacity to accommodate one (1) train consist of two (2) locomotives and 12 coaches or two (2) train consists of one (1) locomotive and six (6) coaches on each track.

1.1 Project Description

Metrolinx is completing a TPAP under Ontario Regulation (O.Reg.) 231/08, Transit Project and Metrolinx Undertakings for the proposed Heritage Road Layover. Metrolinx is expanding its services as part of the GO Expansion Program, which will provide both increased train frequency and availability across its seven rail corridors.

The purpose of the Heritage Road Layover (the Project) is to install a new layover to accommodate increased service and support the need for additional train storage and maintenance associated with the planned growth and service improvements on the Kitchener Corridor that are being planned and implemented as part of Metrolinx's commitment to GO Expansion. The site of the layover facility is proposed on the Halton Subdivision portion of the Kitchener Corridor between Heritage Road (Mile 20.14) and Winston Churchill Boulevard (Mile 21.15) in the City of Brampton, Regional Municipality of Peel (See Figure 1-1).

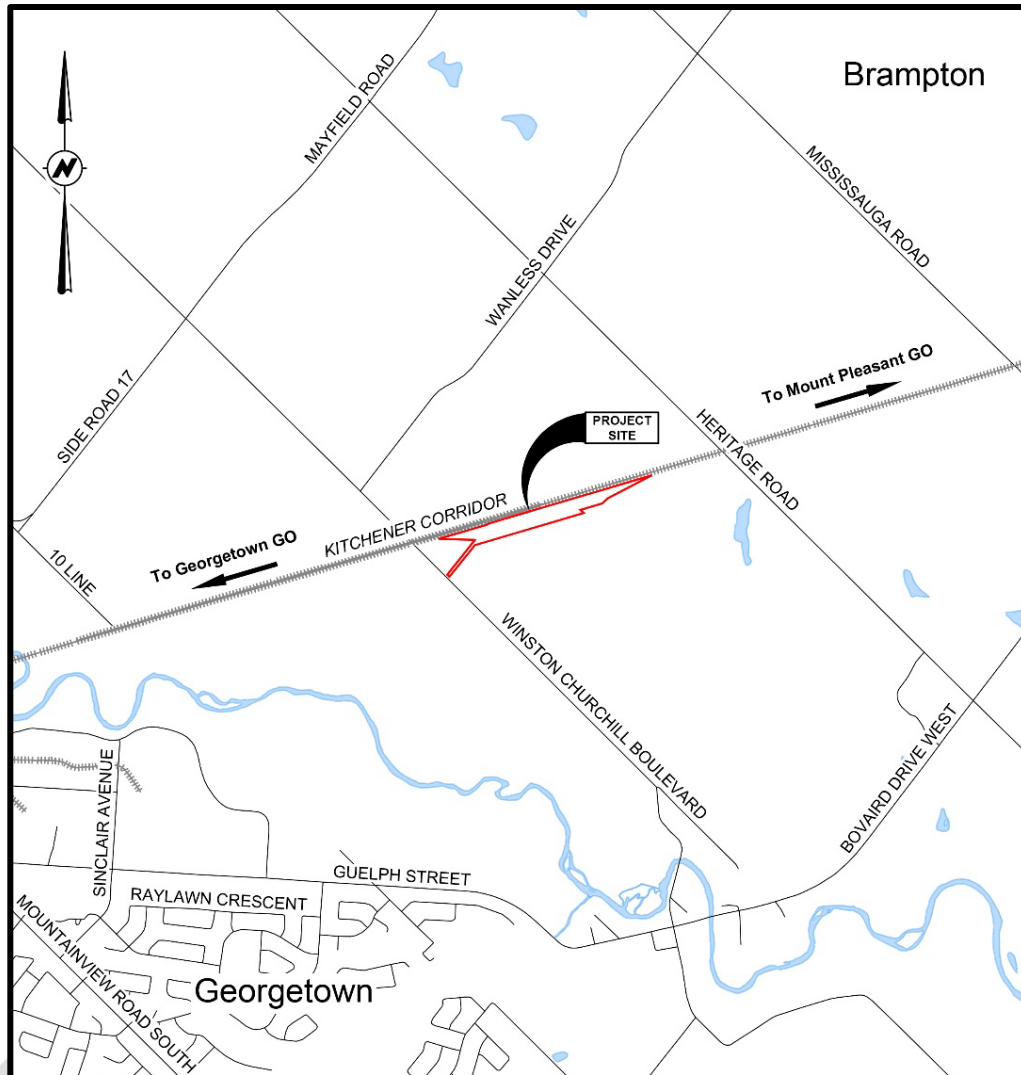


Figure 1-1: Project Site Location

1.2 Scope of Work

WSP completed a Natural Environment Report (NER) for the proposed works; however, at the time of its preparation, permission to enter (PTE) was not available for the subject lands, and the NER was written based on a desktop review of secondary source information. Field investigations scheduled for spring 2022 (i.e. confirmation of ecological land classification, plant and tree inventory, species at risk, significant wildlife habitat assessment, and fish and fish habitat assessments) were unable to be completed due to site access constraints during the preparation of the EPR addendum. Field investigations were completed in June and July 2022 once PTE was obtained to access properties within the proposed Project Site. PTE was not obtained to all properties within the Study Area (120 m surrounding the Project Site); thus the field investigations were limited to the Project Site itself.

The purpose of this addendum is to provide the descriptions of the natural environment field investigations carried out in June and July 2022 and update any changes to the analysis based on the results of the investigations. The field investigations completed as part of this addendum include the following:

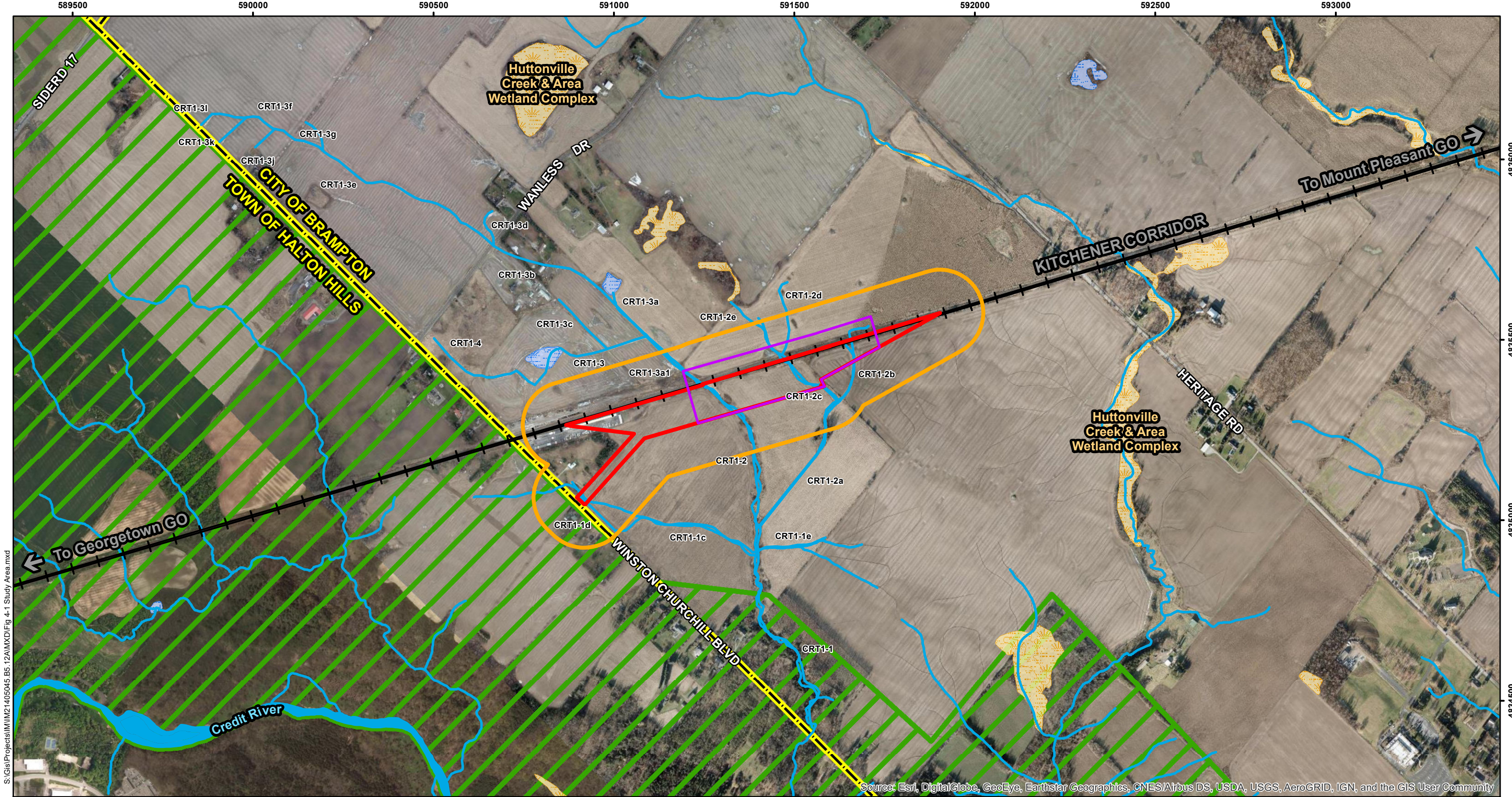
- Confirmation of Ecological Land Classification (ELC) and Vascular Plant Survey;
- Tree Inventory;
- Significant Wildlife Habitat Assessment;
- Fish community survey and Fish Habitat Assessment; and,
- Species at Risk (SAR) Habitat Assessment.

2.0 Methodology

To augment the secondary source and background information identified within the NER, field investigations were performed within the Study Area which included ELC delineation, inventory of botanical species, documentation of incidental wildlife observations, and inventory of trees directly adjacent to or that are likely to be impacted by the proposed works. Surveys to assess the aquatic habitat and potential for fish presence also occurred. A summary of dates, weather, and surveyors is provided in Table 1. The Study Area, identifying where terrestrial and aquatic surveys occurred, is illustrated on Figure 2-1. Points of interest (wildlife sightings, bird calls, etc.) observed during the field investigations are also identified on Figure 2-1.

Table 1: Summary of Surveys

Field Survey (s) Completed	Date	Weather	Surveyor
Tree Inventory	9 June 2022	Overcast, 18°C, wind 22 km/h NW, no precipitation	David Dunn
ELC	9 June 2022	Overcast, 18°C, wind 22 km/h NW, no precipitation	David Dunn
Aquatic Habitat Assessment	4 July 2022	Mostly sunny, 26°C, 8 km/h, no precipitation	Roxanne Dibley Michael Godard



S:\Gis\Projects\IM21405045_B5_12AMXD\Fig 4-1 Study Area.mxd

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

LEGEND

- Project Site
- Aquatic Habitat Study Area
- Study Area (Project Site, 120m buffer)
- Municipal Boundary
- Protected Countryside (Greenbelt Plan Designation)
- Provincially Significant Wetland
- Non-Evaluated Wetland
- Waterbody
- Watercourse

NOTES:
 - Aerial Imagery extracted from ESRI Basemaps, 2018 & 2019
 - Waterbody, Watercourse, Wetland, Railway, and Greenbelt Plan Designation Information retrieved from Land Information Ontario (LIO)
 - Aquatic Resources Features - SAVANTA Heritage Heights Subwatershed Study



HERITAGE ROAD LAYOVER

Aquatic and Terrestrial Study Area

Datum: NAD83
 Projection: UTM Zone 17N



PROJECT N°: IM21405045

FIGURE: 2-1

SCALE: 1:10,000

DATE: September 2022



2.1 Vegetation Communities

Initial ELC and vegetation community (ecosite) delineation was undertaken through the review of satellite imagery. One field investigation was undertaken to delineate confirm and update the vegetation community boundaries and classification from the aerial imagery, converting the community delineations into Ecological Land Classifications (ELC, Lee et al. 1998; Lee et al. 2008). The First Approximation of ELC (Lee et al. 1998) was applied for the determination of ecosite type; however, the 2008 catalogue of ecosite types (Lee et al. 2008) was applied where ecosites could not be determined through the application of the First Approximation or were better matched with the updated catalogue.

The occurrence of ELC communities were cross-referenced with provincially significant vegetation communities as identified in the Significant Wildlife Habitat Criteria Schedules (SWCHS) for Ecoregion 6E (MNR 2015) to determine whether these communities exist within the Project Site.

The botanical inventory included documenting all visible species observed in the ELC communities within the Project Site. Plant species occurrences were cross-referenced with the NHIC database to identify rare and locally classified species within the Project Site. Common names are used throughout this document, scientific names are provided in the data summary in Appendix D. Common and scientific names of plant species are based on the current nomenclature as listed in the NHIC database.

2.2 Tree Inventory

A desktop review of the proposed Project footprint and proposed limits of disturbance to facilitate future construction activities was undertaken. The footprint was used for the purposes of completing a targeted tree inventory for the Project Site.

Although the Metrolinx (2020) Vegetation Guideline suggests trees greater than 10 centimetres (cm) diameter at breast height (DBH) within the limit of disturbance be assessed, due to potentially different requirements from other municipalities, Indigenous communities and Nations and conservation authorities, a survey of all trees greater than 5 cm DBH was undertaken. A tree tag with a unique identifier (ID Number) was attached to trees within the work areas that may be impacted by the proposed works to ensure ease of future identification. Methods implemented as part of the tree inventory field investigations included noting the tree tag identifier, the tree location, tree species, DBH and providing an assessment on general tree health.

2.3 Significant Wildlife Habitat

Significant wildlife habitat (SWH) is defined as ecologically important in terms of features, functions, representation, or amount, and contributing to the quality and diversity of an identifiable geographic area or Natural Heritage System (MNR 2000). SWH is divided into four main categories:

- Seasonal Concentration Areas of Animals;
- Rare Vegetation Communities and Specialized Habitat for Wildlife;

- Habitat for Species of Conservation Concern (excluding Endangered or Threatened species); and
- Animal Movement Corridors.

To determine the existence of SWH within the Natural Heritage System, the MNRF has developed SWHCS for identifying ecosites and/or natural features suitable for wildlife to carry our critical life processes (listed within the four main categories as described above). The Project Site falls within Ontario Ecoregion 6E (Lake Simcoe-Rideau Ecoregion); accordingly, the SWHCS for Ecoregion 6E (MNRF 2015) were applied to document the occurrence of candidate SWH within the Project Site. Section 3.3.1 provides a summary of field investigation findings in reference to the SWCHS for Ecoregion 6E.

2.3.1 Species at Risk

In Ontario, SAR are those species whose individuals or populations are considered Extirpated, Endangered, Threatened, or Special Concern, as determined by the provincial Committee on the Status of Species at Risk in Ontario (COSSARO), and are regulated by the provincial *Endangered Species Act, 2007* (ESA). Species listed as Special Concern are not afforded protection under the ESA; however, they are included in this report. The federal *Species at Risk Act, 2002* (SARA) applies to SAR in Ontario when projects are located on federally owned land and/or watercourses and waterbodies (conditions apply), otherwise the responsibility of SAR typically falls under the provincial ESA.

The potential for SAR and rare species to occur within the Study Area was determined based on a review of background information, agency consultation and field investigations. The background information included a review of the NHIC online database of significant floral and faunal species near the Study Area. The background information noted above in Section 2 (i.e., wildlife atlases) were also used to develop a complete list of SAR and rare species occurrences that may overlap the Study Area for the purpose of evaluating the potential for SAR occurrence based on habitat preferences for each species (see Table 2 in Section 3.3).

2.3.2 Aquatic Habitat Surveys

A summer aquatic ecosystem field survey program was undertaken, following protocols as described in the Ministry of Transportation (MTO) Environmental Guide for Fish and Fish Habitat (2020). Aquatic habitat characterization included substrate characterization, evidence of embankment erosion and instability, in-water habitat features and barriers to fish passage.

As per the MTO protocol, detailed aquatic habitat surveys were completed for CRT1-3a1, CRT1-2, CRT1-2e, CRT1-2d, CRT1-2c approximately 20 m upstream (north) and within the Project Site. Due to a lack of PTE the area approximately 200 m downstream (south) was not reviewed. A general habitat survey was also completed approximately 20 to 50 m upstream of the railroad tracks. The location of aquatic habitat characterization is illustrated in Figure 2-2 and Figure 4-1.

For CRT1-1d a high-level reconnaissance was completed for the approximately 14 m extent within the Project Site only due to a lack of PTE for both upstream and downstream (CRT1-1c) extents.

Aerial interpretation and background mapping indicated a potential watercourse CR1-2b; however, no culvert or watercourse was present at the location and as such, is not discussed further in this Addendum.

A fish community survey was proposed for all watercourses in the Project Site; however, as all watercourses were dry at the time of assessment, this was not completed and is not discussed further in this Addendum.

DRAFT

591000

591500

592000

WANLESS DR

Huttonville Creek & Area Wetland Complex

CITY OF BRAMPTON

TOWN OF HALTON HILLS

WINSTON-CHURCHILL BLVD

KITCHENER CORRIDOR

CRT1-2a1

CRT1-2a

CRT1-2b

1

2

3

4

5

P:\2021\Projects_Other\IM21405045_MX_Heritage_Layover\GIS\MXD\TerrestrialMapping\TerrestrialStudyArea_4-1.mxd

4835000

4835000

LEGEND

- Project Location
- Terrestrial Study Area (Project Location + 120 m buffer)
- Municipal Boundary
- Point of Interest (wood PLC., 2022)
- Provincially Significant Wetland
- Non-Evaluated Wetland
- Aquatic Zone of Detailed Assessment (20 m upstream)
- Aquatic Zone of General Assessment (20 m to 50 m upstream)
- Watercourse
- Flow Direction

Point ID	Comments
1	Willow Flycatcher, Red-winged Blackbird, Yellow Warbler, Common Yellowthroat (vocal calls)
2	Killdeer (vocal call)
3	Savannah Sparrow, Brown Thrasher (vocal calls)
4	Large dead Ash tree species with several holes and peeling bark in the upper branches (potential roosting bat habitat)
5	White-tailed Deer tracks

NOTES:
 - Aerial Imagery extracted from ESRI Basemaps, 2018 & 2019
 - Waterbody, Watercourse, Wetland, and Railway Information retrieved from Land Information Ontario (LIO)

Datum: NAD83
 Projection: UTM Zone 17N

HERITAGE ROAD LAYOVER

Terrestrial and Aquatic Features and Points of Interest

PROJECT N ^o : IM21405045	FIGURE: 2-2
SCALE: 1:4,000	DATE: August 2022



3.0 Existing Conditions

Conditions based on background review and field investigations are provided below. Field investigation photographs are included in Appendix A, data summaries are included in Appendix B and aquatic field sheets are included in Appendix C.

3.1 Terrestrial Summary

A summary of existing terrestrial conditions is provided in the following sections. ELC and Tree Inventory figures were prepared for the Study Area (Figures 3-1, and 3-2).

3.1.1 Vegetation Communities

The Project Site is mainly surrounded by agricultural lands with some nearby rural residential properties.

Characterization of the vegetation observed was undertaken by compiling a generalized botanical inventory then using that information to classify and characterize the vegetation communities according to the ELC protocol (Lee et al. 1998). The First Approximation of ELC (Lee et al. 1998) was applied for the determination of ecosite type; however, the 2008 catalogue of ecosite types (Lee 2008) was applied where ecosites could not be determined through the application of the First Approximation. It is important to note that vegetation communities often have variations within their boundaries. These variations have not been mapped except where necessary to depict a significant vegetation community or feature.

The descriptions detailed below present the predominant species and attributes of each of the vegetation communities observed during the 2022 field investigations and identified on Figure 3-1. Additional species occurrences are noted in a compiled plant list within Appendix D.

AG- Agricultural

The Agricultural areas surrounding the Project Site within the Study Area consisted of cultivated crops such as corn, as well as plowed field.

CUW1 – Mineral Cultural Woodland

There are two Cultural Woodland communities within the Study Area. The community on the west side of the study area that was located primarily on a residential property had a canopy that was dominated largely by Black Walnut and Manitoba Maple along the outer edges. The interior appeared to be largely represented by planted Eastern White Pine and Red Pine; however, access was limited as there was no permission to enter the residential property. The sub-canopy and the understory consisted primarily of Manitoba Maple and invasive European Buckthorn. Groundcover species included Garlic Mustard, Smooth Brome and Virginia Creeper. The small Cultural Woodland on the north side of the tracks consisted of Large Hawthorn species and old Common Apple trees over a groundcover of grasses and herbaceous plants such as Canada Goldenrod.

CUM1 – Mineral Cultural Meadow

The Cultural Meadow was the primary habitat within the Project Site which existed along both sides of the railway line. A sparse row of trees was present along the sides of the railway which included mainly Bur Oak along with the occasional American Elm. Several European Buckthorn shrubs also lined the railway line between the trees. The ground cover consisted of a mix of Smooth Brome, Canada Goldenrod, and invasive plants such as Dog-strangling vine and Reed Canary grass. The sloped sides of the railway were also often covered with patches of Poison Ivy.

MAM2-2 – Reed-canary Grass Mineral Meadow Marsh

The Meadow Marsh vegetation community exists within and along the sides of a shallow valley that intersects the middle of the Study Area. It is dominated by invasive Reed Canary grass but also includes Smooth Brome along with small patches of herbaceous plants such as Elecampane and Broad-leaf Cattail. Several large Hawthorn species also lined the sloped sides of the feature.

CVI_1 – Transportation

This area includes the railway and associated storage yard.

OAO – Open Aquatic

A small open pond was identified on the residential property on the west side of the Study Area. The area was not accessible.

CVR – Residential

The Residential area identified consists of one property on the west side of the study area. The area was not accessible.

3.1.2 Tree Inventory

The trees inventoried at each of the Project Sites represented 20 different tree species, with all species are either apparently secure / secure, or non-native based on provincial ranking (S4, S5 and SNA) which refers to the trees' natural occurrences.

A total of 134 trees were inventoried within the Project Site and are illustrated on Figure 3-2. A full summary of the tree inventory is provided in Appendix E.

3.1.3 Wildlife Summary

Inventories of wildlife were compiled from available literature, resource atlases, databases and incidental observations and provided within the NER. Incidental observations during the 2022 field investigations included:

- Willow Flycatcher (*Empidonax traillii*)
- Red-winged Blackbird (*Agelaius phoeniceus*)
- Yellow Warbler (*Setophaga petechia*)
- Common Yellowthroat (*Geothlypis trichas*)
- Killdeer (*Charadrius vociferus*)

- Savannah Sparrow (*Passerculus sandwichensis*)
- Brown Thrasher (*Toxostoma rufum*)
- White-tailed Deer (*Odocoileus virginianus*)

3.2 Aquatic Habitat

A summary of existing aquatic conditions is provided in the following sections. The watercourses generally run north to south; however, no water was present at the time of the survey. Agriculture is present north and south of the tracks within the Study Area (See Figure 3-3).

3.2.1 CRT1-3a1/CRT1-2

The dry channel runs north/south, upstream of the tracks within the Study Area and through the corrugated steel pipe (CSP) culvert under the railroad tracks. The channel continues parallel to the south side of the tracks, for an approximately 25 m length, east of the CSP, then turns south, with this section also dry at the time of assessment. The bankfull width and depth were 55 to 130 cm and 13 to 30 cm, respectively. Gravel, cobble and boulder were not observed within the channel. Dense reed canary grass surrounded the channel and was within the channel in some locations.

The channel runs through a small Mineral Cultural Woodland upland of the tracks and a narrow Reed Canary Grass Mineral Meadow Marsh downstream of the tracks, surrounded by agricultural field.

3.2.2 CRT1-2c (downstream), d and e (upstream)

No defined channel was present within the location of the identified watercourse and agricultural fields were present. South of the CSP, it appeared as though overland runoff runs parallel to the tracks, due to a narrow strip of decreased vegetation indicating possible water during periods of high water.

3.2.3 CRT1-1d

Within the Project Site CRT1-1d is a roadside drainage ditch within the right of way for Winston Churchill Boulevard that was dry at the time of the field investigation.

3.2.4 Fish and Fish Habitat

The only defined channel was recorded at CRT1-3a/CRT1-2 which was dry with vegetation growing in parts of it at the time of assessment. It is assumed that this agricultural swale receives flows part of the year (during periods of high flow); however, is lacking in fish habitat features. The lack of substrate, other than bare soil, limits suitability for fish.

WANLESS DR

Huttonville
Creek & Area
Wetland Complex

CITY OF
BRAMPTON








TOWN OF
HALTON HILLS

KITCHENER CORRIDOR

WINSTON-CHURCHILL BLVD

P:\2021\Projects_Other\IM21405045_MX_Heritage_Layover\GIS\MXD\TerrestrialMapping\ELC_5-1.mxd

LEGEND

-  Project Location
-  Terrestrial Study Area (Project Location + 120 m buffer)
-  Ecological Land Classification (Wood PLC, 2022)
-  Municipal Boundary
-  Provincially Significant Wetland
-  Non-Evaluated Wetland
-  Watercourse

Heritage Road Layover ELC Mapping

ELC Code	Description
AG	Agriculture
CVI_1	Transportation
CVR	Residential
CUW1	Mineral Cultural Woodland
CUM1	Mineral Cultural Meadow
MAM2-2	Reed-canary Grass Mineral Meadow Marsh
OAO	Open Aquatic

NOTES:
 - Aerial Imagery extracted from ESRI Basemaps, 2018 & 2019
 - Waterbody, Watercourse, Wetland, and Railway Information retrieved from Land Information Ontario (LIO)

Datum: NAD83
 Projection: UTM Zone 17N



HERITAGE ROAD LAYOVER

Ecological Land Classification

PROJECT N°: IM21405045 **FIGURE: 3-1**

SCALE: 1:4,000 DATE: August 2022



591000

591500

592000

WANLESS DR

Huttonville Creek & Area Wetland Complex

P:\2021\Projects_Other\IM21405045_MX_Heritage_Layover\GIS\MXD\TerrestrialMapping\TreeInventory_5-2.mxd



4835000

4835000

LEGEND

- Project Site
- Study Area (Project Site, 120m buffer)
- Municipal Boundary
- Tree Location
- Provincially Significant Wetland
- Non-Evaluated Wetland
- ~ Watercourse

NOTES:
 - Aerial Imagery extracted from ESRI Basemaps, 2018 & 2019
 - Waterbody, Watercourse, Wetland, and Railway Information retrieved from Land Information Ontario (LIO)



HERITAGE ROAD LAYOVER

Tree Inventory

Datum: NAD83
 Projection: UTM Zone 17N

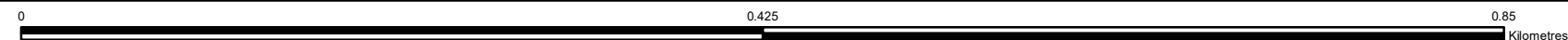


PROJECT N^o: IM21405045

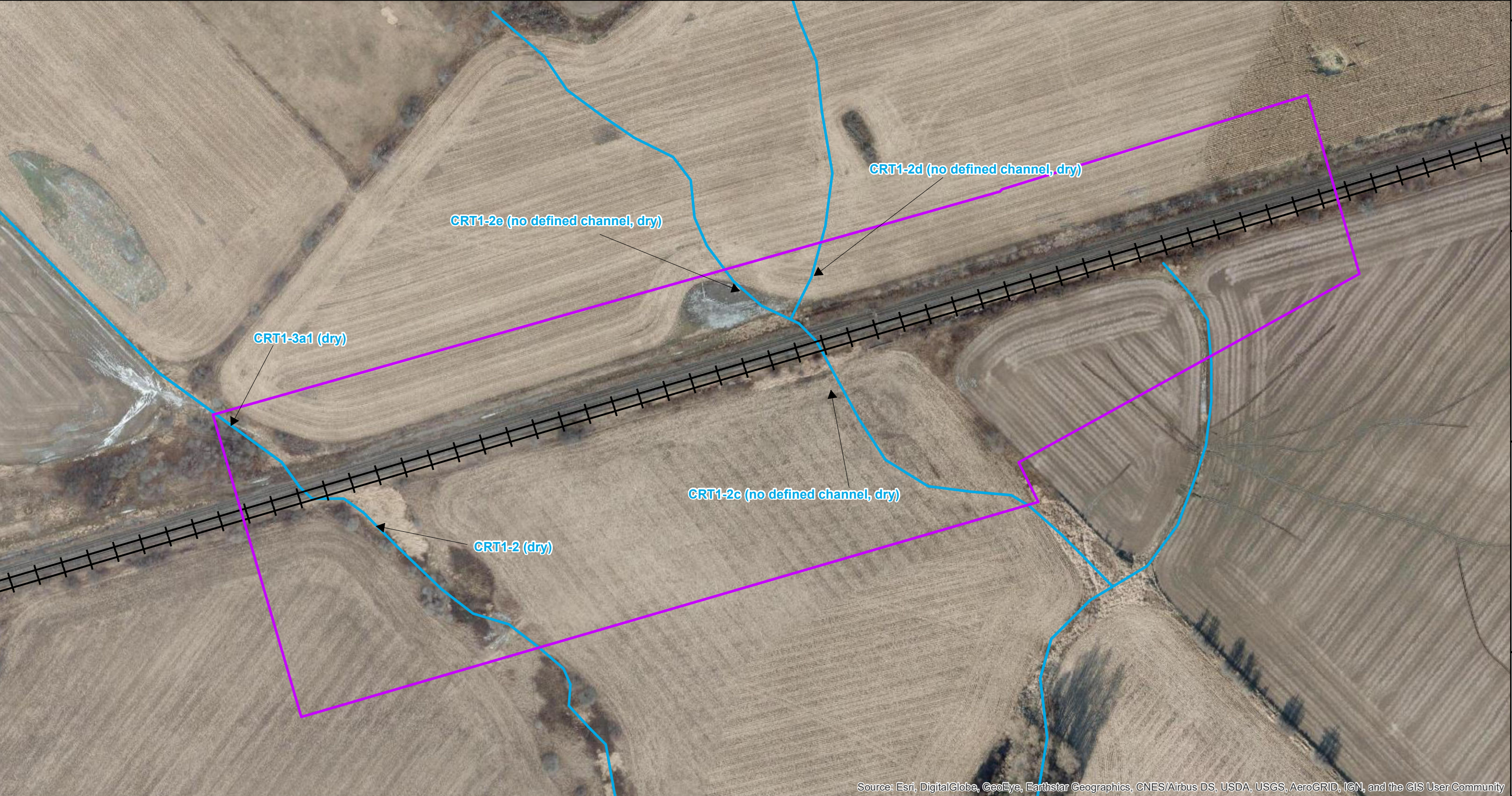
FIGURE: 3-2

SCALE: 1:4,000

DATE: August 2022



591100 591200 591300 591400 591500 591600 591700 591800



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

S:\Gis\Projects\IM21405045.B5.12\AMXD\Fig 5-1 Aquatic Habitat.mxd

LEGEND

- Aquatic Habitat Study Area
- Watercourse

NOTES:

- Aerial Imagery extracted from ESRI Basemaps, 2018 & 2019
- Waterbody, Watercourse, Wetland, Railway, and Greenbelt Plan Designation Information retrieved from Land Information Ontario (LIO)
- Aquatic Resources Features - SAVANTA Heritage Heights Subwatershed Study



HERITAGE ROAD LAYOVER

Aquatic Habitat Study

Datum: NAD83
Projection: UTM Zone 17N



PROJECT N^o: IM21405045

FIGURE: 3-3

SCALE: 1:1,750

DATE: September 2022



3.3 Species at Risk

The OBBA lists species breeding within a square as possible, probable, or confirmed based on observed behaviour and/or nesting evidence. Species confirmed breeding in the appropriate OBBA square are included in this section, other OBBA records are not included. Records from other databases are included; however, they do not identify breeding evidence for birds. While the NHIC utilizes provincial wide 1 km x 1 km (1 km²) square grid system, the OBBA, AMO and ORAA utilize a 10 km x 10 km (100 km²) square grid system. It is important to note that due to the large spatial extent (100 km²), and the fact that the exact locations of species occurrences are not available from most of these resources, they do not necessarily confirm species presence and/or absence. Consequently, it is likely that many of these species do not occur within the Project Sites given the vegetative characteristics and lack of habitat suitability. Special Concern species are included though they are not protected under the ESA.

A summary of the SAR identified through background information review and field investigations is provided in Table 2: Species at Risk Screening. The probabilities provided in Table 2 are based on an assessment of each species' habitat preferences/needs in conjunction with existing conditions observed during the field investigations and background information and potential for SWH. Additional SAR may come into the areas or species already occurring in the areas may be up-listed at any time. For this reason, ongoing communication with the Ministry of Environment, Conservation, and Parks (MECP) is recommended to ensure compliance with the ESA. The probabilities of occurrence are defined as 'High', 'Moderate', 'Low', and 'None' and are based on the following definitions:

High: Those species recorded in the vicinity of the project (typically within 10 km and recorded in the past 20 years, where year is provided (NHIC does not provide the year and OBBA data is from 2001-2005)) and whose preferred habitat is abundant within the Project Site. Species with high probability of occurrence would be expected to breed within or frequently use the habitats available within the Project Site and would be known to have a high relative abundance within the region (i.e., compared to other regions in Ontario).

Moderate: Those species in the vicinity of the project but have limited suitable habitat within the Project Site. Species with moderate probabilities of occurrence may not occur within the Project Site frequently, but may intermittently use it for foraging, migration, or movement to other parts of their home-range.

Low: Those species recorded in the vicinity of the Project Site, but whose preferred habitat does not occur or is extremely limited within the Project Site. These species may intermittently move through the Project Site but are unlikely to become permanent residents.

None: Those species whose preferred habitat is completely absent from the Project.

Table 2: Species at Risk Screening

Species Name, Status, and Data Source	Preferred Habitat	Potential for SAR Habitat/Occurrence within the Project Site
Plants		
Butternut <i>(Juglans cinerea)</i> SARA: Endangered ESA: Endangered S-Rank: S3? Source: NHIC	Butternut usually grows alone or in small groups in deciduous forests. It prefers moist, well-drained soil and is often found along streams. It is also found on well-drained gravel sites and rarely on dry rocky soil. This species does not do well in the shade, and often grows in sunny openings and near forest edges (MNR 2016). Generally, grows in rich, moist, and well-drained soils often found along streams. It may also be found on well-drained gravel sites, especially those made up of limestone. It is also found, though seldomly, on dry, rocky, and sterile soils. In Ontario, the Butternut generally grows alone or in small groups in deciduous forests as well as in hedgerows (MNR 2013).	Low – No Butternut observed within the Project Site or accessible portion of the broader study area. Documented as an element occurrence in NHIC 1 km ² grid encompassing the Project Site.
Birds		
Bald Eagle (<i>Haliaeetus leucocephalus</i>) SARA: No Status ESA: Special Concern S-Rank: S4 Source: eBird	Eagles require large, stout-limbed, open-crowned trees to support their large bulky nests of sticks and provide perch and roost sites. Supercanopy trees are typically used because they are easily accessed. Trees near water, in forested areas are generally used for nesting (Armstrong 2014). Bald Eagles tend to nest in areas with low levels of human disturbance but have high levels of fidelity and typically use the same nest over successive years (Armstrong 2014).	None – Suitable nesting habitat is not present in the Project Site.
Bank Swallow (<i>Riparia riparia</i>) SARA: Threatened ESA: Threatened S-Rank: S4B Source: NHIC, OBBA, eBird	Bank Swallows nest in burrows in natural and human-made settings where there are vertical faces in silt and sand deposits. Many nests are on banks of rivers and lakes, but they are also found in active sand and gravel pits or former ones where the banks remain suitable (COSEWIC 2013a).	None – Suitable nesting habitat is not present in Project Site.
Barn Swallow (<i>Hirundo rustica</i>) SARA: Threatened ESA: Threatened S-Rank: S4B Source: OBBA	Often found feeding in a range of open habitats including fields, marshes, meadows, and ponds. They primarily use man-made structures such as building, bridges, and culverts for nesting (COSEWIC 2011a). Barn Swallows have shifted largely to nesting in and on artificial structures, including buildings, bridges, and road culverts, and prefer various open habitats for foraging including grassy fields, pastures, agricultural crops and over open water (COSEWIC 2011a).	Moderate – Nesting is very common on buildings and structures. Structures within the Project Site are mostly sea cans which do not provide sufficient overhead coverage for nesting unless left open. Suitable habitat may be present in the broader study area, within the neighbouring residential buildings
Bobolink (<i>Dolichonyx oryzivorus</i>) SARA: Threatened ESA: Threatened S-Rank: S4B Source: NHIC, OBBA, eBird	Bobolink nest primarily in forage crops, hayfields and associated pastures are their preferred habitat. Bobolink also occur in wet prairie, graminoid peatlands and abandoned fields dominated by tall grasses, no-till cropland, small-grain fields, reed beds and irrigated fields in arid regions. The species does not generally occupy fields of row crops such as corn, soybean and wheat, pastures in valleys which high shrub density or intensively grazed pastures (COSEWIC 2010a).	Low: The land surrounding the Project Site is predominantly agricultural crops but some marginal habitat may be available along the edges of the fields within the small portions of the CUM1 that is not within the ditch line.
Canada Warbler (<i>Cardellina canadensis</i>) SARA: Threatened ESA: Special Concern S-Rank: S4 Source: eBird	Found in a variety of upland and wetland forest types, but it is most abundant in wet, mixed deciduous-coniferous forests with a well-developed shrub layer. Nests are typically located on or near the ground on mossy logs or roots, along stream banks or on hummocks (COSEWIC 2008a). Its primary breeding range is in the Boreal Shield, extending north into the Hudson Plains and south into the Mixedwood Plains. Although the Canada Warbler breeds at low densities across its range, in Ontario, it is most abundant along the Southern Shield (MECP 2021a).	None – Suitable nesting habitat is not present within the Project Site.

Species Name, Status, and Data Source	Preferred Habitat	Potential for SAR Habitat/Occurrence within the Project Site
<p>Chimney Swift (<i>Chaetura pelagica</i>) SARA: Threatened ESA: Threatened S-Rank: S4B, S4N Source: eBird</p>	<p>Chimney swifts forage aerially over virtually any habitat. Nesting and roosting take place in a dark sheltered spot with vertical surfaces to cling to. This may include large hollow trees, chimneys, and other structures. Mainly associated with areas where the birds can find chimneys to use as nesting and resting sites; however, it is likely that a small portion of the population continues to use hollow trees (COSEWIC 2007a).</p>	<p>None – Suitable nesting habitat is not present within the Project Site.</p>
<p>Eastern Meadowlark (<i>Sturnella magna</i>) SARA: Threatened ESA: Threatened S-Rank: S4B Source: NHIC, OBBA</p>	<p>A bird most common in native grasslands, pastures and savannas. It also uses a wide variety of other anthropogenic grassland habitats. As with other grassland bird species, the suitability of grassland habitat for this species involves a combination of landscape and patch characteristics (COSEWIC 2011b). Eastern Meadowlarks nest in a variety of open grassy habitats, preferring native grasslands, pastures and savannas. Larger tracts of grassland are preferred (COSEWIC 2011b).</p>	<p>Low: The land surrounding the Project Site is predominantly agricultural crops but some marginal habitat may be available along the edges of the fields within the small portions of the CUM1 that is not within the ditch line.</p>
<p>Eastern Wood-Pewee (<i>Contopus virens</i>) SARA: Special Concern ESA: Special Concern S-Rank: S4B Source: eBird</p>	<p>Usually found in clearings and forest edges, this species breeds in nearly any type of wooded habitat including mature woodlands, urban shade trees, roadsides and orchards, but typically prefers deciduous forest and to a lesser extent, open pine woodlands of the south and mixed hardwood-conifer forest of the north (McCarty 1996). Migrants may occur in a wide variety of habitats (COSEWIC 2012a).</p>	<p>None – No woodlands (hedgerows present) present within the Project Site.</p>
<p>Golden-winged Warbler (<i>Vermivora chrysoptera</i>) SARA: Threatened ESA: Special Concern S-Rank: S4B Source: eBird</p>	<p>Prefers to nest in areas with young shrubs surrounded by mature forest, in recently disturbed locations, such as field edges, hydro or utility right-of-ways, or logged areas. Nests are built on the ground. Diet includes only insects during the breeding season. Breeding has been recorded in central-eastern Ontario, with the species generally spending mid-May to late August/early September in Ontario. The Golden-winged Warbler inhabits warmer climates the rest of the year (MECP 2021b).</p>	<p>None – No mature forest present within the Project Site.</p>
<p>Red-headed Woodpecker (<i>Melanerpes erythrocephalus</i>) SARA: Threatened ESA: Endangered S-Rank: S4B Source: OBBA</p>	<p>Generally, inhabits open woodland and woodland edges and is often found in parks, golf courses and cemeteries. Typically found in areas with many dead trees, which are used by the Woodpecker for nesting and perching. Food includes plants, insects, and even small vertebrates. Most overwinter in the United States, some may overwinter in woodlands in southern Ontario if there are adequate supplies of nuts (MECP 2022).</p>	<p>None – The small Cultural Woodland (CUW1) that is present on the west side of the Study Area on the residential property is less than half a hectare in size and does not contain enough dead trees to provide sufficient foraging opportunities.</p>
<p>Whip-poor-will (<i>Antrostomus vociferus</i>) SARA: Threatened ESA: Threatened S-Rank: S4B Source: OBBA</p>	<p>Generally inhabits areas with a mix of open and forested areas, including savannas, open woodlands or openings in more mature, deciduous, coniferous and mixed forests. Foraging occurs in the open areas while roosting and nesting occur in the forested areas. Eggs are laid directly on the forest floor. Winters are spent in warmer climates to the south (MECP 2021c).</p>	<p>None – The required combination of habitat features are not present within the Project Site.</p>
<p>Wood Thrush (<i>Hylocichla mustelina</i>) SARA: Threatened ESA: Special Concern S-Rank: S4B Source: NHIC, OBBA</p>	<p>Wood Thrush breed in mature or second growth deciduous and mixed wood forests. They prefer moist forests with dense understory and large continuous areas of forest but are not reliant on this. Habitat fragmentation due to human development and over-grazing by White-tailed Deer are the main threats to this species (COSEWIC 2012b).</p>	<p>None – No mature or second growth deciduous and mixed wood forests present is within the Project Site.</p>

Species Name, Status, and Data Source	Preferred Habitat	Potential for SAR Habitat/Occurrence within the Project Site
Herptiles		
Midland Painted Turtle (<i>Chrysemys picta marginata</i>) SARA: Special Concern ESA: Not Listed S-Rank: S5 Source: NHIC, ORAA	Inhabits waterbodies, such as ponds, marshes, lakes and slow-moving creeks, with a soft bottom and provide abundant basking sites and aquatic vegetation. This species often basks on shorelines or on logs and rocks that protrude from the water. Overwintering occurs on the bottom of waterbodies (Ontario Nature 2022).	Low – Preferred habitat is not within available within the Project Site.
Snapping Turtle (<i>Chelydra serpentina</i>) SARA: Special Concern ESA: Special Concern S-Rank: S3 Source: NHIC, ORAA	Slow-moving water with a soft mud bottom and dense aquatic vegetation usually in ponds, sloughs, shallow bays or river edges and slow streams and wetlands (COSEWIC 2008b). Snapping Turtles prefer slow-moving waters with a soft mud bottom and dense aquatic vegetation. Established populations are most often located in ponds, sloughs, shallow bays or river edges and slow streams and wetlands. Individuals can also exist in developed areas (e.g., golf course ponds, irrigation canals); however, it is unlikely that populations persist in such habitats. Snapping Turtles can occur in highly polluted waterways, but environmental contamination is known to limit reproductive success (COSEWIC 2008b).	Low – nesting habitat is limited in the Greater Toronto Area (GTA) and is well known in agricultural fields. Proximity to the West Branch Credit River could result in turtles travelling north for nesting opportunities.
Mammals		
Eastern Small-footed Myotis (<i>Myotis leibii</i>) ESA: Endangered S-Rank: S2S3 Source: BCI	The species' preference for rocky habitats in summer may limit an individual's home range to those rocky areas which also contain hibernacula. Eastern Small-footed Myotis individuals are typically captured within 35 km from locations where the species is known to hibernate (Humphrey 2017). They generally roost on the ground under rocks and in crevices. Caves and mines are wintering habitat (MECP 2021d).	Low - closest caves are a part of the Niagara escarpment. While may be found in crack of bridges or other human-made structures it is unlikely they migrate through the area.
Little Brown Myotis (<i>Myotis lucifugus</i>) ESA: Endangered S-Rank: S4 Source: BCI	Roosts in tree cavities, including small spaces or crevices found in loose bark, hollow trees, rock faces and human structures such as attics, walls, and bat boxes. Hibernates in caves and abandoned mines during the winter months. Typically forages over water (COSEWIC 2013b). Maternity roosts are primarily live deciduous trees and males, juveniles, and non-reproductive females can be found in dead trees, on average all trees are over 20 cm DBH (Humphrey and Fotherby 2019). Maternity sites typically have sufficient protection from predators, an abundance of roosting locations, and adequate solar exposure (Humphrey and Fotherby 2019).	Moderate - Live large DBH deciduous trees may be found on site in hedgerows but the small and fragmented hedgerows likely do not support roosting. A dead Ash tree with holes and peeling bark identified in Figure 2-2 on the residential property.
Northern Myotis (<i>Myotis septentrionalis</i>) ESA: Endangered S-Rank: S3 Source: BCI	Roosts in canopies of deciduous trees, including small spaces or crevices found in loose bark, hollow trees. Rock faces and human structures can also be used. Hibernates in caves and abandoned mines during the winter months. Typically forages over water (COSEWIC 2013b, Humphrey and Fotherby 2019). Maternity sites typically have sufficient protection from predators, an abundance of roosting locations, and adequate solar exposure (Humphrey and Fotherb, 2019).	Low - Live large DBH deciduous trees may be found on site in hedgerows but the small and fragmented hedgerows likely do not support roosting.
Tri-colored Bat (<i>Perimyotis subflavus</i>) ESA: Endangered S-Rank: S3? Source: BCI	Roosts in dead leaf clusters in the shape of an umbrella, dense clusters of live foliage, Arboreal lichens or epiphytes, and buildings (Humphrey and Fotherby 2019). Maternity sites typically have sufficient protection from predators, an abundance of roosting locations, and adequate solar exposure (Humphrey and Fotherby 2019).	Low - Live large DBH deciduous trees may be found on site in hedgerows but the small and fragmented hedgerows likely do not support roosting.

Species Name, Status, and Data Source	Preferred Habitat	Potential for SAR Habitat/Occurrence within the Project Site
Insects		
Monarch <i>(Danaus plexippus)</i> SARA: Special Concern ESA: Special Concern S-Rank: S3 Source: OBA, iNaturalist	Monarch is very widely distributed across North America and found in a wide variety of habitats. Populations fluctuate dramatically but have been generally declining likely due to habitat destruction on the hibernation grounds in Mexico, as well as pesticide use and other factors on the vast breeding grounds. Monarchs require Milkweeds to lay their eggs and will use a variety of other flowers for adult food. Different milkweed species grow in a variety of environments which include fields, roadsides, open areas, wet areas, and urban gardens (COSEWIC 2010b).	Moderate – There is some potential for Monarch to be present within the Cultural Meadow (CUM1) habitat. Common Milkweed was identified but noted as rare in abundance.

Notes

S-Rank: The Natural Heritage provincial ranking system (provincial S-rank) is used by the MNDMNR to set protection priorities for rare species and natural communities.

S1 - Extremely rare in Ontario; usually 5 or fewer occurrences in the province or very few remaining individuals; often especially vulnerable to extirpation.

S2 - Very rare in Ontario; usually between 5 and 20 occurrences in the province or with many individuals in fewer occurrences; often susceptible to extirpation.

S3 - Rare to uncommon in Ontario; usually between 20 and 100 occurrences in the province; may have fewer occurrences, but with a large number of individuals in some populations; may be susceptible to large-scale disturbances. Most species with an S3 rank are assigned to the watch list, unless they have a relatively high global rank.

S4 - Common and apparently secure in Ontario; usually with more than 100 occurrences in the province.

S5 - Very common and demonstrably secure in Ontario.

SU - Unrankable. Due to low search effort or the cryptic nature of some species, there is not enough information to assign status ranks to some species. More data is needed before status ranks can be assigned to such species.

SNA - Not Applicable. A conservation status rank is not applicable because the species is not a suitable target for conservation activities.

B - Breeding—Conservation status refers to the breeding population of the species in the nation or state/province.

N - Nonbreeding—Conservation status refers to the non-breeding population of the species in the nation or state/province.

? - Inexact or Uncertain—Denotes inexact or uncertain numeric rank. (The ? qualifies the character immediately preceding it in the S-rank.)

3.3.1 Significant Wildlife Habitat

Wildlife habitat is defined as areas where plants, animals and other organisms live and can find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitat of concern may include areas where species concentrate at a point in their annual life cycle, and those areas which are important to migratory and non-migratory species.

Under the Provincial Policy Statement (PPS), wildlife habitat is considered “significant” if it is deemed ecologically important in terms of feature, function, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or Natural Heritage System (MNDMNR 2020). According to the Significant Wildlife Habitat Ecoregion Criteria Schedules for Ecoregion 6E (MNR 2015), significant wildlife habitat (SWH) may consist of:

- Seasonal Concentration Areas of Animals;
- Rare Vegetation Communities and Specialized Habitat for Wildlife;
- Habitat for Species of Conservation Concern (excluding Endangered or Threatened species); and
- Animal Movement Corridors.

Seasonal Concentration Areas

Seasonal Concentration Areas for animals are habitats where large numbers of a single species or many species congregate at one (or several) times a year. The SWH Criterion Schedules for Ecoregion 6E outlines 16 wildlife habitats associated with Seasonal Concentration Areas including Waterfowl Stopover and Staging Areas (Terrestrial and Aquatic), Shorebird Migratory Stopover Areas, Raptor Wintering Area, Bat Hibernacula, Bat Maternity Colonies, Bat Migratory Stopover Areas, Turtle Wintering Areas, Reptile Hibernaculum, Colonially Nesting Bird Breeding Habitat (Bank and Cliff, Tree/Shrubs and Ground), Migratory Butterfly Stopover Areas, Landbird Migratory Stopover Areas, Deer Yarding Areas and Deer Winter Congregation Areas.

Based on a review of habitats and Ecosites documented during field investigations, the CUM1 habitat and agricultural fields may provide potential Waterfowl Stopover and Staging Areas (Terrestrial). A spring survey will confirm if evidence of annual spring flooding from melt water or run-off is present, as this is required for this SWH. Additionally, the narrow strip of CUM1 may not be suitable size for this SWH.

Rare Vegetated Communities and Specialized Habitat for Wildlife

Rare Vegetation Communities are habitats that contain provincially rare vegetation communities, or those which are rare to the area. The SWH Criterion Schedules for Ecoregion 6E outlines seven rare vegetation communities including Cliffs and Talus Slopes, Sand Barren, Alvar, Old Growth Forest, Savannah, Tallgrass Prairie and Other Rare Vegetation Communities.

Based on a review of habitats and Ecosites documented during field investigations, no candidate SWH rare vegetation communities are present within the Project Site.

Specialized habitats for wildlife are those which support wildlife that have highly specific habitat requirements (e.g., nesting habitat – vernal pools), those areas that contain high species and community diversity and those which provide habitat that can greatly enhance species survival (MNR 2000). The SWH Criterion Schedules for Ecoregion 6E outlines eight specialized habitats for wildlife including Waterfowl Nesting Area, Bald Eagle and Osprey Nesting, Foraging and Perching Habitat, Woodland Raptor Nesting Habitat, Turtle Nesting Areas, Seeps and Springs, Amphibian Breeding Habitat (Woodland and Wetland) and Woodland Area-sensitive Bird Breeding Habitat.

Based on a review of habitats and Ecosites documented during the field investigations, a potential Amphibian Breeding Habitat (Wetlands) is present. A small pond (<500 m²) is present on the adjacent (west) residential property, approximately 10 m from the southwest limit of the Project Site. There was no access to this property during the field investigations, and no portion of this pond extends into the Project Site. No other candidate rare, vegetated communities and specialized habitat for wildlife was identified of the Project Site or Study Area.

Habitat for Species of Conservation Concern (Not including Endangered for Threatened Species)

Habitats for Species of Conservation Concern are habitats for wildlife species classified as rare or substantially declining in Ontario or have a high percentage of their global population in Ontario, as well as several other rare habitats. The SWH Criterion Schedule for Ecoregion 6E outlines five Habitats for Species of Conservation Concern including Marsh Bird Breeding Habitat, Open Country Bird Breeding Habitat, Shrub/Early Successional Bird Breeding Habitat, Terrestrial Crayfish, Special Concern and Rare (S1-S3) Wildlife Species.

Based on a review of habitats and Ecosites documented during field investigations, there may be potential for two SWH habitats: Terrestrial Crayfish, Special Concern and Rare Wildlife Species within the Study Area. Although special concern and rare wildlife species were not observed during field investigations, several special concern and rare species were noted during the secondary source review to have element occurrences within the 1 km² and 10 km² databases encompassing the Study Area. Additionally, Milkweed were identified within the CUM1, though low in abundance.

Animal Movement Corridors

Animal Movement Corridors are habitats that link two or more other wildlife habitats that are critical to the maintenance of a population of a particular species or group of species, particularly in highly fragmented landscapes (MNR 2000; MNR 2015). The key ecological function of wildlife movement corridors is to enable wildlife to move between areas of significant habitat or core natural areas with minimum mortality. Wildlife movement corridors can provide critical links between shelter, feeding, watering, growing, and nesting locations (Lee et al. 1998). Wildlife and/or habitat corridors can help increase genetic diversity and aid in the re-establishment of populations after random events such as fires or disease outbreaks. These corridors can help to increase biodiversity and population stabilization (Lee et al. 1998). The SWH Criterion Schedules for Ecoregion 6E outline two animal movement corridors, including Amphibian Movement Corridors and Deer Movement Corridors.

Based on a review of habitats and Ecosites documented during field investigations, there are no candidate SWH habitats for Animal Movement Corridors.

4.0 Summary of Changes to the NER and Commitments to Future Work

Data collected during the 2022 field season confirmed that the information presented in the 2022 NER provides an accurate representation of the Study Area and Project Site. It also identified that both Butternut and Barn Swallow have a low likelihood of being present within the Study Area. Due to the lack of 2022 PTE, Metrolinx has committed to spring 2023 surveys including the following:

- Fish and Fish Habitat
 - Fish and Fish Habitat Assessment: Building upon WSP's review of relevant existing studies and background information, fish habitat assessments will be completed on the three watercourses within the study area during the spring freshet as committed to by Metrolinx. Aquatic habitat characterization will be carried out by following guidance as per the Environmental Guide for Fish and Fish Habitat (MTO, 2020). The area of investigation (AOI) will include the upstream and downstream reaches of the watercourses where Permission to Enter (PTE) allows. To update fish community records from the prior Aquatic Ecology fieldwork conducted by Savanta in 2017, WSP also proposes to conduct a single pass electrofishing survey on data deficient watercourses as per the Ontario Stream Assessment Protocol (OSAP; Stanfield 2017) to provide an updated fish species list, as well as a qualitative assessment of species abundance within the AOI. Existing habitat conditions will be documented and mapped with an associated photographic record with information collected will include a description of substrates, in-stream cover, widths, depths and bank vegetation.

5.0 References

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Appendix A

Field Investigation Photos





Dry channel upstream of railroad tracks



Facing upstream, channel through reed canary grass



Upstream end of culvert



Facing downstream of railroad tracks

CRT1-2, 4 July 2022





Downstream end of culvert



Facing east along south side of tracks



Downstream narrow channel parallel to tracks



Downstream narrow channel running north/south



Facing upstream of tracks toward CR1-2b, no channel or culvert



Facing downstream of tracks toward CR1-2b, no channel or culvert

CRT1-2b, 4 July 2022





Facing upstream of tracks toward CRT1-2d and e



Facing upstream of tracks toward CRT1-2d and e



Upstream end of culvert



Upstream end of east culvert

CRT1-2d and e, 4 July 2022





Downstream end of culvert



Agricultural field downstream of tracks, no defined channel



East of culverts, parallel to south side of tracks



Facing west toward culvert outlets

CRT1-2c, 4 July 2022

Appendix B

Field Data Summaries



General Ecological Land Classification (ELC) Polygons

ELC_Code_1	ELC_Code_2	Comment_1	Comment_2	GlobalID	Polygon_ID	SHAPE_Leng	SHAPE_Area	ATT_ID
Ag		Agricultural		{09D44122-7536-4449-9EA0-77ABFCED33E9}	1	1563.3225559000	-138461.5061460000	101
Co		Constructed		{89D7D1FD-197A-41DA-B80A-AA00A33A7DAE}	0	940.75926603600	-11975.97148840000	102
CUW1				{35FEAE99-BA6E-4983-8776-C2C0A97D515}	3	254.50961275100	-3042.32335209000	105
Ag		Agricultural		{4295C614-F54C-4047-8A15-94F8108CC4C7}	4	3870.69735272000	-413036.00322500000	113
CUM1				{2F517BB2-031A-4353-A54F-52CDFAA5D908}	5	2758.63192318000	-42227.22910960000	114
Ag		Agricultural		{E8034261-B645-4B41-9F64-06133098658A}	7	2837.96881015000	-271020.26517800000	119
MAM2-2				{9675F369-F43B-480B-9C3A-8122735CEE11}	6	1510.82671944000	-28408.01437380000	121
Ag		Agricultural		{0699A42B-832B-439F-8A74-85F955F17331}	8	1852.25499864000	-201523.18008900000	126
CUW1				{6125883F-2F7D-472D-9D54-1104F878C437}	9	425.52591635000	-5703.78794459000	127
OAO				{85702BBE-9951-4E59-9330-C4F863089429}	0	82.12607899670	-441.12237582400	131
Co		Constructed		{F4811E72-7878-41D2-AF3E-8E93BDA1C504}	0	638.43084165800	-9843.15601249000	

Incidental Observations

Comments	GlobalID	Date_	ATT_ID	EAST	NORTH	LONG	LAT
Willow flycatcher, Redwing blackbird, yellow warbler, common yellow throat. Male calls	{819D50BA-EEDE-47CE-A72B-E4F1177958B5}	6/9/2022	0	591178.901800000000	4835374.026700000000	-79.86907153460	43.66577840010
Killdeer	{31BDE8F3-97B9-4719-A94E-8010465F8521}	6/9/2022	0	591580.245000000000	4835482.360400000000	-79.86407608380	43.66670429460
Savanna sparrow, Brown thrasher. Vocal	{5C0DB877-D4AB-41E5-BE38-AA47C6488768}	6/9/2022	0	591658.241200000000	4835505.996900000000	-79.86310482200	43.66690745960
Cavity Tree. Large dead Ash with several holes	{86D27815-F7F4-4CA2-8601-CA6DF05E0A36}	6/9/2022	159	590996.480500000000	4835193.766800000000	-79.87136415280	43.66417800950
Deer tracks	{1ECA1F94-A300-460E-89F4-B97796601928}	6/9/2022	160	590990.862200000000	4835163.113200000000	-79.87143899380	43.66390274480

Appendix C

Aquatic Field Sheets



WATERCOURSE FIELD COLLECTION FORM

GENERAL INFORMATION			
Project # <u>Halton Bridges and Culverts</u> I M 21405045 MX Heritage Layer TRAP Phase 2	Project Description: <u>track widening</u>	Date: <u>4 July 2022</u>	
Is Stream Realignment required for this section: <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown			
Collectors: <u>R. Dibley</u> <u>M. Godard</u>	Time Started: <u>10:30</u>	Time Finished: <u>11:00</u>	
Weather Conditions: <u>Sunny</u>			
Air Temp (°C): <u>~ 24</u>	Water Temp (°C): <u>—</u>	Conductivity (µS/cm): <u>—</u>	Velocity (m/s): <u>—</u>
Photos Numbers And Descriptions: <div style="border: 1px solid black; height: 40px; width: 100%; margin-top: 10px;"></div>			
LOCATION			
Name of Waterbody: <u>CR 1-2</u>	Drainage System: <u>Credit River</u>	Crossing #: <u>—</u>	Station #: <u>—</u>
Location Of Crossing: <u>~ 528 m east of Winston Churchill Boulevard</u> <u>along tracks</u>			
GPS Coordinates: <u>17T 591205 4835390(45)</u> <u>591235 4835368(05)</u>		MTO Chainage: <u>—</u>	

Ministry of Transportation

Township: <i>Georgetown</i>		MND MNRP MNRF District: <i>Aurora</i>				
LAND USE AND POLLUTION						
Surrounding Land Use: <i>agriculture north & south of tracks</i>		Sources of Pollution: <i>rail line overland flow</i>				
EXISTING STRUCTURE TYPE						
Bridge <input type="radio"/>	Box Culvert <input type="radio"/>	Open Foot Culvert <input type="radio"/>	CSP <input checked="" type="radio"/>	N/A <input type="radio"/>		
Other <input type="radio"/> (Describe)		Size: (w x h) m ²				
SECTION TYPE AND MORPHOLOGY						
Section (Reach) Identifier: <i>_____</i>		Section Location: (Include On Habitat Map) <i>_____</i>				
Associated Wetland <i>_____</i>						
Stream / River <input type="radio"/>	Channelized <input type="radio"/>	Permanent <input type="radio"/>	Intermittent <input type="radio"/>	Ephemeral <input type="radio"/>		
Total Section (Reach) Length (m): <i>50m US to 10m DS</i>						
Sub-Sections:	Run <input type="radio"/>	Pool <input type="radio"/>	Riffle <input type="radio"/>	Flats <input type="radio"/>	Culvert <input type="radio"/>	Other <input type="radio"/>
Percentage of Area:						
Mean wetted depth (m)		<i>DRY</i>				
Mean wetted width (m)						
Mean bankfull depth (m)						
Mean bankfull width (m)						

*DRY u/s - ww = 22 cm
BF = 13 cm high & 55 cm wide
D/S - ww = 36 cm, BF 15-30 cm high, 130 cm wide*
Access to 30ft downstream (south) of tracks
~10m

Ministry of Transportation

Substrate (type & %) <i>looks like soil, no cobble/gravel/boulder observed</i>								
Bedrock (Br)	Boulder (Bo)	Cobble (Co)	Gravel (Gr)	Sand (Sa)	Silt (Si)	Clay (Cl)	Muck (Mu)	Detritus (D)
BANK STABILITY								
	Stable	Slightly Unstable	Moderately Unstable	Unstable				
Left Bank	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>				
Right Bank	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>				
	Deposition Zone	Protected Bank	Vulnerable Bank	Eroding Bank				
Left Bank	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>				
Right Bank	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>				
HABITAT								
In-Stream Cover (% surface area):								
Undercut banks:	Boulders:	Cobbles:	Organic Debris:	None				
				<input checked="" type="radio"/>				
Vascular Macrophytes:				Woody Debris:				
Instream:				Instream: <i>_____</i>				
Overhanging:				Overhanging: <i>_____</i>				
Shore Cover (% stream shaded):								
100-90% <input checked="" type="radio"/>	89-60% <input type="radio"/>	59-30% <input type="radio"/>	29-1% <input type="radio"/>	None <input type="radio"/>				

CR-1

Vegetation Type:				
Vegetation Type (%)	Submergent:	Floating:	Emergent:	None <input checked="" type="radio"/>
Predominant Species:				
MIGRATORY OBSTRUCTIONS				
Permanent <i>possibly water level</i>	Seasonal <i>DRY</i>	None		
POTENTIAL CRITICAL HABITAT				
Spawning <i>—</i>	Groundwater <i>—</i>	Other <i>None</i>		
POTENTIAL ENHANCEMENT OPPORTUNITIES				

ADDITIONAL COMMENTS	
<p>Dense reed canary grass surrounding and sometimes within channel. Dry.</p> <p>On downstream ^(south) side channel runs east along tracks then turns south.</p> <p>U/S = upstream, D/S = downstream</p>	
Additional Notes Appended? <input type="radio"/> No <input checked="" type="radio"/> Yes	Number of Pages <u>5</u> for crossing to the Port

WATERCOURSE FIELD COLLECTION FORM

GENERAL INFORMATION

Project # M + HL	Project Description: Heritage Layover 7M2140504S	Date: 4 July 2022
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Is Stream Realignment required for this section:
 Yes No Unknown

Collectors: MG + RD	Time Started: 10:00	Time Finished: 10:30
------------------------	------------------------	-------------------------

Weather Conditions:
Sunny ~~27°~~ No cloud

Air Temp (°C): 24	Water Temp (°C): /	Conductivity (µS/cm): /	Velocity (m/s): /
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Photos Numbers And Descriptions:

LOCATION

Name of Waterbody: CRI-2C (OS of tracks) N/A CRI-2E (US of tracks)	Drainage System: Credit River	Crossing #: —	Station #: —
---	----------------------------------	------------------	-----------------

Location Of Crossing:
821m east of Winston Churchill Blvd along tracks

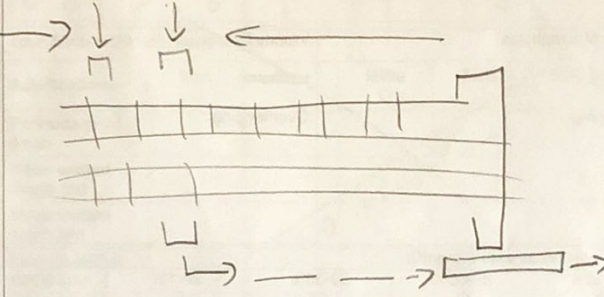
GPS Coordinates: 17T 591473 4835457 (US) 591501 4835443 (OS)	MTO Chainage: /
--	--------------------

Ministry of Transportation

Township: <i>Georgetown</i>			MNRF District: <i>Aurora</i>			
LAND USE AND POLLUTION						
Surrounding Land Use: <i>Agriculture</i>			Sources of Pollution: <i>overland flow / rail line</i>			
EXISTING STRUCTURE TYPE						
Bridge <input type="radio"/>	Box Culvert <input type="radio"/>	Open Foot Culvert <input type="radio"/>	CSP <input checked="" type="radio"/>	N/A <input type="radio"/>		
Other <input type="radio"/> (Describe)			Size: (w x h) m ²			
SECTION TYPE AND MORPHOLOGY						
Section (Reach) Identifier:			Section Location: (Include On Habitat Map)			
Associated Wetland						
Stream / River <input type="radio"/>	Channelized <input type="radio"/>	Permanent <input type="radio"/>	Intermittent <input type="radio"/>	Ephemeral <input checked="" type="radio"/>		
Total Section (Reach) Length (m):						
Sub-Sections:	Run <input type="radio"/>	Pool <input type="radio"/>	Riffle <input type="radio"/>	Flats <input type="radio"/>	Culvert <input type="radio"/>	Other <input type="radio"/>
Percentage of Area:						
Mean wetted depth (m)	<i>NO defined channel</i>					
Mean wetted width (m)						
Mean bankfull depth (m)						
Mean bankfull width (m)						

Ministry of Transportation

Substrate (type & %)									
Bedrock (Br)	Boulder (Bo)	Cobble (Co)	Gravel (Gr)	Sand (Sa)	Silt (Si)	Clay (Cl)	Muck (Mu)	Detritus (D)	
BANK STABILITY									
	Stable	Slightly Unstable	Moderately Unstable	Unstable					
Left Bank	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>					
Right Bank	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>					
	Deposition Zone	Protected Bank	Vulnerable Bank	Eroding Bank					
Left Bank	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>					
Right Bank	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>					
HABITAT									
In-Stream Cover (% surface area):									
Undercut banks:	Boulders:	Cobbles:	Organic Debris:	None <input type="radio"/>					
Vascular Macrophytes:					Woody Debris:				
Instream:					Instream:				
Overhanging:					Overhanging:				
Shore Cover (% stream shaded):									
100-90% <input checked="" type="radio"/>	89-60% <input type="radio"/>	59-30% <input type="radio"/>	29-1% <input type="radio"/>	None <input type="radio"/>					

Vegetation Type:				
Vegetation Type (%)	Submergent:	Floating:	Emergent:	None
			100	0
Predominant Species:	/	/	Reed Cattail grass	
MIGRATORY OBSTRUCTIONS				
Permanent	Seasonal		None	
	X			
POTENTIAL CRITICAL HABITAT				
Spawning	Groundwater		Other	
/	/		/	
POTENTIAL ENHANCEMENT OPPORTUNITIES				
				

ADDITIONAL COMMENTS	
<ul style="list-style-type: none"> - Ephemeral watercourse - no observable channel - appears to collect flow within the ROW only coming under railway - no observable connection to downstream; however, high veg cover made observations difficult - double steel culvert on ds side - two culverts on us side. - no water / no fish 	
Additional Notes Appended? <input checked="" type="radio"/> No <input type="radio"/> Yes	Number of Pages _____
<p>5 pages for crossing to the west</p>	

Appendix D

Compiled Plant List



ObjectID	GlobalID	Plant Species Codes:	Plant Species Names	Canopy	Sub-canopy	Understory	Ground Layer	ParentGlobalID
828	e6bf8bab-8	BROMINE	Bromus inermis / Smooth Brome				Dominant	CUM1
829	f34f6ae9-c	ULMUAME	Ulmus americana / White Elm	Rare				CUM1
830	a68491e0-	DACTGLO	Dactylis glomerata / Orchard Grass				Abundant	CUM1
831	234ab697-	SOLICAN	Solidago canadensis / Canada Goldenrod				Abundant	CUM1
832	3ca58ddd-	PASTSAT	Pastinaca sativa / Wild Parsnip				Occasional	CUM1
833	9205980d-	VICICRA	Vicia cracca / Tufted Vetch				Abundant	CUM1
834	8a803980-	PHALARU	Phalaris arundinacea / Reed Canarygrass				Occasional	CUM1
835	28bf1762-f	SILELAT	Silene latifolia / White Campion				Occasional	CUM1
836	63134cd7-(CONVARV	Convolvulus arvensis / Field Bindweed				Abundant	CUM1
837	9965bdf0-4	MEDISAT	Medicago sativa / Alfalfa				Abundant	CUM1
838	13615123-l	CIRSDIS	Cirsium discolor / Field Thistle				Abundant	CUM1
839	1eb820a7-	LOTUCOR	Lotus corniculatus / Garden Bird's-foot Trefoil				Abundant	CUM1
840	6dac9502-	EQUIARV	Equisetum arvense / Field Horsetail				Occasional	CUM1
841	4feea6be-8	INULHEL	Inula helenium / Elecampane				Occasional	CUM1
842	c5a20332-f	RUBUIDA	Rubus idaeus / Red Raspberry				Occasional	CUM1
843	32f53166-4	PARTQUI	Parthenocissus quinquefolia / Virginia Creeper				Occasional	CUM1
844	8bc9b653-	RANUACR	Ranunculus acris / Common Buttercup				Occasional	CUM1
845	ee2e1ec5-f	GALIAPA	Galium aparine / Common Bedstraw				Occasional	CUM1
846	3133850e-	VITIRIP	Vitis riparia / Riverbank Grape				Occasional	CUM1
847	5502fc06-f	CIRSVUL	Cirsium vulgare / Bull Thistle				Occasional	CUM1
848	be34b7b4-	ATOCARM	Atocion armeria / Sweet William Catchfly				Rare	CUM1
849	5159ed7b-	RUMECRI	Rumex crispus / Curled Dock				Occasional	CUM1
850	f4da4371-e	ARUNDIO	Aruncus dioicus / Common Goatsbeard				Occasional	CUM1
851	6cdba0c5-c	CICHINT	Cichorium intybus / Wild Chicory				Occasional	CUM1
852	74d1af10-c	LEUCVUL	Leucanthemum vulgare / Oxeye Daisy				Occasional	CUM1
853	19e95b7d-l	LEPICAM	Lepidium campestre / Field Peppergrass				Occasional	CUM1
854	38a79361-	DAUCCAR	Daucus carota / Wild Carrot				Abundant	CUM1
855	6686b348-	ASCLSYR	Asclepias syriaca / Common Milkweed				Rare	CUM1
856	6fd1ea43-f	RHAMCAT	Rhamnus cathartica / European Bu	Rare				CUM1
857	54a287a2-	ROSA_SP	Rosa sp. / Rose Species				Rare	CUM1
858	d0d437f8-f	ARTEVUL	Artemisia vulgaris / Common Wormwood				Occasional	CUM1
859	dd21f8ba-f	MALUPUM	Malus pumila / Common Apple	Rare				CUM1
860	5ef660ea-1	CRAT_SP	Crataegus sp. / Hawthorn Species	Rare				CUM1
861	ade09897-	DIPSFUL	Dipsacus fullonum / Common Teasel				Occasional	CUM1
862	3f66dff9-1:	PRUNVIR	Prunus virginiana / Chokecherry	Rare				CUM1
863	fad718e9-f	TRIFPRA	Trifolium pratense / Red Clover				Rare	CUM1
864	c4dcefe0-0	APOCAND	Apocynum androsaemifolium / Spreading Dogbane				Occasional	CUM1
865	2b9a8d4e-	SYMPOCC	Symphoricarpos occidentalis / Western Snowberry				Rare	CUM1
866	6dfac030-d	SYMPNOV	Symphyotrichum novae-angliae / New England Aster				Occasional	CUM1
867	8bb970b0-	CORNSE	Cornus sericea / Red-osier Dogwood				Rare	CUM1
868	fbde95b1-c	FRAGVIR	Fragaria virginiana / Wild Strawberry				Occasional	CUM1
869	1bd656e1-	ARCTMIN	Arctium minus / Common Burdock				Occasional	CUM1
870	61d80ae0-i	PODOPEL	Podophyllum peltatum / May-apple				Rare	CUM1
871	8554d615-	TOXIRAD	Toxicodendron radicans / Poison Ivy				Occasional	CUM1
872	7d4fc371-5	TARAOFF	Taraxacum officinale / Common Dandelion				Occasional	CUM1
873	5219c87c-5	GALIPAL	Galium palustre / Common Marsh Bedstraw				Rare	CUM1
874	df06cc9d-7	POPUEL	Populus deltoides / Eastern Cotton	Rare				CUM1
875	145df42b-e	SALIALB	Salix alba / White Willow	Rare				CUM1
876	5bb93dbc-i	HESPMAT	Hesperis matronalis / Dame's Rocket				Rare	CUM1
877	b5d9107f-e	FRAXAME	Fraxinus americana / White Ash	Rare				CUM1
878	a27845e3-	VINCNIG	Vincetoxicum nigrum / Black Swallowwort				Occasional	CUM1
879	b9cee876-!	TANAVUL	Tanacetum vulgare / Common Tansy				Rare	CUM1
880	d4c9c567-e	SALI_SP	Salix sp. / Willow Species	Rare				CUM1
881	c16226fa-2	QUERMAC	Quercus macrocarpa / Bur Oak	Rare				CUM1
882	ebb7488f-7	TUSSFAR	Tussilago farfara / Coltsfoot				Rare	CUM1
883	a12692aa-t	TYPHLAT	Typha latifolia / Broad-leaved Cattail				Rare	CUM1
884	18ec0605-f	NEPECAT	Nepeta cataria / Catnip				Rare	CUM1
885	247ce46d-	SOLADUL	Solanum dulcamara / Bittersweet Nightshade				Rare	CUM1
886	1124ef91-1	VINCNIG	Vincetoxicum nigrum / Black Swallowwort				Abundant	CUM1
887	1706b72f-e	RHUSTYP	Rhus typhina / Staghorn Sumac	Rare				CUM1
888	40a6299e-	ALLIPET	Alliaria petiolata / Garlic Mustard				Occasional	CUM1
889	10308aac-:	CRATPUN	Crataegus punctata / Dotted Hawth	Dominant				MAM2-2
890	b2412459-	QUERMAC	Quercus macrocarpa / Bur Oak	Rare				MAM2-2
891	da0fd83b-c	PARTQUI	Parthenocissus quinquefolia / Virgi	Occasional				MAM2-2
892	ccaa2319-3	PHALARU	Phalaris arundinacea / Reed Canarygrass				Dominant	MAM2-2
893	140f2009-3	POA__SP	Poa sp. / Bluegrass Species				Abundant	MAM2-2
894	66a4ff76-1	INULHEL	Inula helenium / Elecampane				Abundant	MAM2-2

895	575e88cb-	VICICRA	<i>Vicia cracca</i> / Tufted Vetch			Occasional	MAM2-2
896	c2693d8e-	SOLICAN	<i>Solidago canadensis</i> / Canada Goldenrod			Abundant	MAM2-2
897	628708b7-	CIRSDIS	<i>Cirsium discolor</i> / Field Thistle			Occasional	MAM2-2
898	781673b3-	JUNC_SP	<i>Juncus</i> sp. / Rush Species			Occasional	MAM2-2
899	dabd1a01-	CARE_SP	<i>Carex</i> sp. / Sedge Species			Occasional	MAM2-2
900	2d271d8e-	SOLI_SP	<i>Solidago</i> sp. / Goldenrod Species			Abundant	MAM2-2
901	5e74f49f-	TYPHANG	<i>Typha angustifolia</i> / Narrow-leaved Cattail			Occasional	MAM2-2
902	48b4e02e-	TYPHLAT	<i>Typha latifolia</i> / Broad-leaved Cattail			Occasional	MAM2-2
903	993db689-	SYMPNOV	<i>Symphotrichum novae-angliae</i> / New England Aster			Occasional	MAM2-2
904	48e5959e-	DIPSFUL	<i>Dipsacus fullonum</i> / Common Teasel			Occasional	MAM2-2
905	5ed95368-	ALLIPET	<i>Alliaria petiolata</i> / Garlic Mustard			Occasional	MAM2-2
906	dc16ff2a-	EPIHIR	<i>Epilobium hirsutum</i> / Hairy Willowherb			Rare	MAM2-2
907	4ab31b15-	SOLADUL	<i>Solanum dulcamara</i> / Bittersweet Nightshade			Rare	MAM2-2
908	fb33d8e4-	CARERET	<i>Carex retroflexa</i> / Reflexed Sedge			Rare	MAM2-2
909	dca6fc23-	a VITIRIP	<i>Vitis riparia</i> / Riverbank Grape			Occasional	MAM2-2
910	c0edf9bd-	C JUGLNIG	<i>Juglans nigra</i> / Black Walnut	Abundant	Abundant		CUW1
911	b6412e16-	ACERRUB	<i>Acer rubrum</i> / Red Maple	Rare			CUW1
912	ad26a695-	RHAMCAT	<i>Rhamnus cathartica</i> / European Buckthorn	Abundant	Abundant		CUW1
913	da078885-	PICEPUN	<i>Picea pungens</i> / Blue Spruce	Occasional			CUW1
914	37935184-	BROMINE	<i>Bromus inermis</i> / Smooth Brome			Abundant	CUW1
915	92f9b982-	ROSAMUL	<i>Rosa multiflora</i> / Multiflora Rose			Occasional	CUW1
916	e2248039-	VITIRIP	<i>Vitis riparia</i> / Riverbank Grape			Occasional	CUW1
917	185aabbf-	FRAXAME	<i>Fraxinus americana</i> / White Ash	Rare	Occasional		CUW1
918	adb8d397-	RHUSTYP	<i>Rhus typhina</i> / Staghorn Sumac			Occasional	CUW1
919	4c22df2c-	9 SOLICAN	<i>Solidago canadensis</i> / Canada Goldenrod			Abundant	CUW1
920	b10cd7cd-	z PARTQUI	<i>Parthenocissus quinquefolia</i> / Virginia Creeper			Abundant	CUW1
921	31de1ae7-	4 RUBUIDA	<i>Rubus idaeus</i> / Red Raspberry			Occasional	CUW1
922	3db9a657-	ACERNEG	<i>Acer negundo</i> / Manitoba Maple	Occasional	Occasional	Occasional	CUW1
923	2975adb9-	RUBUOCC	<i>Rubus occidentalis</i> / Black Raspberry			Occasional	CUW1
924	9d5cc585-	1 ROSA_SP	<i>Rosa</i> sp. / Rose Species			Rare	CUW1
925	0da44b23-	LEUCVUL	<i>Leucanthemum vulgare</i> / Oxeye Daisy			Occasional	CUW1
926	27df3549-	e HESPMAT	<i>Hesperis matronalis</i> / Dame's Rocket			Occasional	CUW1
927	277fbb2d-	e LONITAT	<i>Lonicera tatarica</i> / Tatarian Honeysuckle			Occasional	CUW1
928	a377d645-	i GEUMURB	<i>Geum urbanum</i> / Wood Avens			Abundant	CUW1
929	a663edd3-	! ALLIPET	<i>Alliaria petiolata</i> / Garlic Mustard			Abundant	CUW1
930	9cde0d9a-	! ACERPLA	<i>Acer platanoides</i> / Norway Maple	Occasional			CUW1
931	ada2a66b-	! ERIGANN	<i>Erigeron annuus</i> / Annual Fleabane			Occasional	CUW1
932	f947b321-	c PICEGLA	<i>Picea glauca</i> / White Spruce	Occasional			CUW1
933	fda2b6d4-	f PINURES	<i>Pinus resinosa</i> / Red Pine	Occasional			CUW1
934	4e2d2b7e-	PINUSTR	<i>Pinus strobus</i> / Eastern White Pine	Abundant			CUW1

Appendix E

Tree Inventory



Appendix E

Socio-Economic and Land Use Baseline Conditions and Impact Assessment Report – Heritage Road Layover

Appendix E: Socio-Economic and Land Use Baseline Conditions and Impact Assessment Report

Errata note: All references to Wood Environment & Infrastructure Solutions Canada Limited (Wood) have been modified to WSP E&I Canada Limited (WSP) in this Socio-Economic and Land Use Baseline Conditions and Impact Assessment Report.

Executive Summary

No changes made to Executive Summary.

Table of Contents

No changes made to the Table of Contents.

List of Figures

No changes made to the List of Figures.

List of Tables

No changes made to the List of Tables.

List of Appendices

No changes made to the List of Appendices.

List of Acronyms and Abbreviations

No changes made to the List of Acronyms and Abbreviations.

1.0 Introduction

No changes made to Section 1.0 Introduction.

2.0 Description of Existing Conditions

2.1.3.2 City of Brampton's Transportation Master Plan (2015)

....

The TMP Update for 2022 will focus on direction from the Brampton 2040 Vision and emergency Complete Street principles. The 2040 Vision for "Transportation and Connectivity" states that the City of Brampton "will be a mosaic of safe, integrated transportation choices and new modes, contributing to civic sustainability, and emphasizing walking, cycling and transit". The Project directly aligns with improving frequency of GO Transit through Brampton and modifying population shift to multi-modal transportation (City of Brampton, 2021^a).

2.2.2 Current Population

The population of Ward 6 in Brampton was 76,220 in 2016 and 50,820 in 2006, indicating a 50% increase in population growth. In 2016, the population of Halton Hills at 12,700 was less than Brampton Ward 6 (Region of Peel, 2021a) (Region of Peel, 2021ed).

2.2.3 Project Population Growth

Table 2-1: Projected Population Growth in Brampton Ward 6, Halton Hills Ward 2, Halton Hills and Brampton, 2016-2031

....

Source: (Regional Municipality of Halton, 2018), (City of Brampton, 2021b), (Hemson Consulting Ltd., 2021) (Region of Peel, 2021bc)

2.2.7 Employment Projections

Employment projections for Brampton and Halton Hills are provided in Table 2 8. Employment rates are expected to increase by approximately 13% between 2021 and 2041 in Brampton (Region of Peel, 2021b) (Hemson Consulting Ltd., 2021).

....

Table 2 8: Employment Projections from 2021 to 2041 in Brampton and Halton Hills

....

Source: (Region of Peel, 2021b) (Hemson Consulting Ltd., 2021), (Watson & Associates Economists LTD, 2020).

3.0 Effects Assessment, Mitigation, and Monitoring of the Preferred Design

No changes made to Section 3.0 Effects Assessment, Mitigation, and Monitoring of the Preferred Design.

4.0 Summary and Conclusion

No changes made to Section 4.0 Summary and Conclusion.

5.0 References

City of Brampton. (2021a). *Transportation Master Plan Review – Objectives and Principles*. Retrieved from <https://pub-brampton.escribemeetings.com/filestream.ashx?DocumentId=15781>

~~Hemson Consulting Ltd.~~ City of Brampton. (2021b). Ward Boundaries and Population Projections. Retrieved from <https://pub-brampton.escribemeetings.com/filestream.ashx?DocumentId=33396>

~~Hemson Consulting Ltd.~~ Region of Peel. (2021b). 2051 Land Needs Assessment Report. Retrieved from <https://www.peelregion.ca/officialplan/review/pdf/Peel-2051-LNA-Report-Appendicies-attachment2.pdf>

Region of Peel. (2021bc). Mid-Year population Forecasts 2011 to 2031. Retrieved from Region of Peel: <https://www.peelregion.ca/planning/pdc/data/forecasts/population-2006-2031.htm>

Region of Peel. (2021ed). Ward Profiles. Retrieved from Region of Peel: <https://www.peelregion.ca/scripts/wardprofiles/ward-fin.pl?ward=b06>

Appendix G

Stage 1 Archaeological Assessment Report – Heritage Road Layover



Appendix G – Stage 1 Archaeological Assessment

Revised Original Report: Stage 1 Archaeological Assessment

Prepared by: Wood Environment & Infrastructure Solutions, A Division of Wood Canada Limited

Executive summary

Wood Environment & Infrastructure (“Wood”) was retained by Metrolinx to conduct a Stage 1 archaeological assessment as part of the Heritage Road Layover Project Transit Project Assessment Process (TPAP) triggered under the *Environmental Assessment Act* and Detailed Layover Facility Design Project (the Project). The purpose of the Project is to install a new layover to accommodate increased service and support the need for additional train storage and maintenance associated with the planned growth and service improvements on the Kitchener rail corridor that are being planned and implemented as part of Metrolinx’s commitment to GO Expansion. The Project is proposed for the Halton Subdivision portion of the Kitchener Corridor between Heritage Road (Mile 20.14) and Winston Churchill Boulevard (Mile 21.15) in the City of Brampton, Peel Region (the “study area”) (Appendix A: Figures 1, 2 and 3). The study area was historically described as part of Lots 14 and 15, Concession 6 West of Hurontario Street (WHS), Township of Chinguacousy, County of Peel, and is 7.42 hectares (“ha”) in size. A development plan is provided as Appendix A: Figure 4.

....

The Stage 1 background study also determined that the entire study area (100%, 7.42 ha) was previously assessed (Appendix A: Figures Figure 5 and Figure 8). The north portion of the study area was assessed through Stage 1 archaeological assessment in 2006 (Archaeological Services Inc. 2006; PIF # P057-165), and the east portion assessed for Stage 1 archaeological assessment by Archeoworks Inc. (Archeoworks) in 2014 (Archeoworks 2014; PIF#P334-210-2012). In 2017, Archeoworks assessed the central and southwest portion as part of a Stage 1 archaeological assessment (Archeoworks 2017a; PIF# P390-0181-2016).

A Stage 2 property assessment by Archeoworks in 2017 identified site AjGx-267 in the central portion of the study area as a surface scatter of 31 post-contact artifacts covering an area approximately 35 m by 27 m (Archeoworks 2017b:22; PIF # P390-0215-2016) (Supplementary Documentation, Section 1: Figure 9). The Stage 2 property assessment also identified archaeological site AjGx-268 approximately 100 m south of the study area from a surface scatter of 649 post-contact artifacts covering a 60 m by 50 m area (Archeoworks 2017b:22) (Supplementary Documentation, Section 1: Figure 9). The same year, a Stage 3 site-specific assessment by Archeoworks approximately 18 m east of the study area defined the limits of the McNichol’s Cemetery, a small pioneer burial ground with five unmarked graves (Archeoworks 2017c; PIF # P390-0191-2016) (Supplementary Documentation, Section 1: Figure 9). For both AjGx-267 and AjGx-268, Archeoworks (2017b:29-31) determined the sites to have further cultural heritage value or interest and recommended Stage 3 site-specific assessments. For the McNichol’s

Cemetery, Archeoworks (2017c:15) recommended that a buffer zone be established, and the perimeter be fenced.

Based on the results of this Stage 1 archaeological assessment of the study area several recommendations are made in Section 56.0 of this report. A brief summary of these recommendations are as follows:

- 1) The previous recommendations by Archeoworks (2017b:29-30) for Stage 3 site-specific assessment for AjGx-267 remain in effect (see Section 56.0).
- 2)
 - b) If work in in an expanded study area cannot avoid AjGx-268 (Heritage Layover H2) and a 20 m no-go buffer, the previous recommendations by Archeoworks (2017b:30-31) for Stage 3 site-specific assessment remain in effect (see Section 56.0).
- 3) If not already addressed, the previous recommendations by Archeoworks (2017c:15) for Stage 3 site-specific assessment for McNichol’s Cemetery remain in effect (see Section 56.0).

The recommendations listed above are subject to approval review by the Ministry of Heritage, Sport, Tourism, and, Culture Industries and Sport. It is an offence to alter any portion of the study area without concurrence from the Ministry of Heritage, Sport, Tourism and, Culture Industries and Sport.

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List of appendices

No changes made to List of appendices.

Supplementary Documentation

Section 1 Figure

Figure 9: Archaeological Sites with CHVI and Cemeteries within 300 m of the Study Area

Section 2 Locational Information

Section 3 Communication with the Registrar, Funeral, Burial and Cremation Services Act, Bereavement Authority of Ontario, and City of Brampton Regarding the McNichol’s Cemetery

Section 4 Indigenous Engagement Documentation

Acronyms and Abbreviations

BAO	Bereavement Authority of Ontario
CHVI	Cultural Heritage Value or Interest
FBCA	Funeral, Burial and Cremation Services Act
ha	Hectares
m	Metres
MPBSD	Ministry of Public and Business Service Delivery
MHSTCI MHSTCI ¹ MTCS	Ministry of Heritage, Sport, Tourism and Culture Industries and Sport
PIF	Project Information Form
TPAP	Transit Project Assessment Process

¹Errata note: MHSTCI has been modified to MTCS throughout the entire Appendix G – Stage 1 Archaeological Assessment document. Every instance has not been highlighted.

1.0 Section 1 – Project Context

1.1 Introduction

Metrolinx retained Wood Environment & Infrastructure Solutions, a Division of Wood Canada Limited (Wood) to complete the construction design and Transit Project Assessment Process (TPAP) for the proposed facility.

1.2 Project Description

The purpose of the Project is to install a new layover to accommodate increased service and support the need for additional train storage and maintenance associated with the planned growth and service improvements on the Kitchener rail corridor that are being planned and implemented as part of Metrolinx’s commitment to GO Expansion. The site of the layover facility is proposed on the Halton Subdivision portion of the Kitchener Corridor between Heritage Road (Mile 20.14) and Winston Churchill Boulevard (Mile

21.15) in the City of Brampton, Regional Municipality of Peel (the “study area”) (Appendix A: Figure Figures 1-3).

1.3 Development Context

Wood was retained by Metrolinx to conduct a Stage 1 archaeological assessment as part of the Heritage Road Layover Project TPAP and Detailed Layover Facility Design Project (the Project). The study area was historically described as part of Lots 14 and 15, Concession 6 West of Hurontario Street (WHS), former Township of Chinguacousy, County of Peel. The study area is approximately 7.42 hectares (“ha”) in size. A development plan is provided as Appendix A: Figure 4.

This Stage 1 archaeological assessment was initiated by Metrolinx as part of the requirements for the Heritage Road Layover Project TPAP triggered under the *Environmental Assessment Act* and was conducted prior to development. It was carried out in accordance with the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (“MHSTCI”) and Sport (MTCS) 2011 *Standards and Guidelines for Consultant Archaeologists* (MTCS 2011), under an Ontario Professional Licence to Conduct Archaeological Fieldwork (P327) held by Henry Cary, Senior Staff Archaeologist at Wood. The MTCS acknowledged the project information by issuing Project Information Form (PIF) number P327-0021-2021 (Stage 1). An optional Stage 1 property inspection was not conducted as part of this assessment.

1.4 Scope of Work

For this Stage 1 background study, Wood:

- Contacted the MTCS to search the *Ontario Archaeological Sites Database* for all registered archaeological sites within a 1 kilometre (“km”) radius of the study area
- Contacted the MTCS to search the *Ontario Public Register of Archaeological Reports* for reports that detail archaeological assessments conducted within a 50-metre (“m”) radius of the study area

2.0 Stage 1 Background Study

2.1 Archaeological Context

2.1.1 Registered Archaeological Sites

Table 2-1: Registered archaeological sites within 1 km radius of the study area

Borden number	Site name	Cultural affiliation	Site type	Distance from study area	Development review status
...					
AjGx-267	Heritage Layover H1	Post-contact, Euro-Canadian	Homestead	0 m	Further CHVI

Borden number	Site name	Cultural affiliation	Site type	Distance from study area	Development review status
AjGx-268	Heritage Layover H2	Post-contact, Euro-Canadian	Homestead	100 m	Further CHVI
...					
AkGx-11	Andrew Dolson	Post-contact, Euro-Canadian	Homestead/Industrial	285 m	Further CHVI
...					

...

2.1.2 History of Archaeological Investigations

Stage 2 property survey of the remainder of the property, including within the northeast portion of the current study area, evaluated some areas to be permanently wet and exempt from further Stage 2 assessment (Archeoworks 2014b:20) (Appendix A: Figure 8).

...

Following the recommendations of the Stage 1 archaeological assessment for the Heritage Road Layover Facility (Archeoworks 2017a), Archeoworks conducted a Stage 2 property assessment of the areas identified to have archaeological potential, which correspond to the central portion of the study area and south of the study area. Pedestrian survey during this assessment identified a surface scatter of 31 post-contact artifacts in a 27 m by 35 m area in the central portion of the study area (Heritage Layover H1 Site, AjGx-267), a non-diagnostic Indigenous Onondaga chert side-scraper (Heritage Layover P1 Site) and a surface scatter of 649 post-contact artifacts covering a 60 m by 50 m area approximately 100 m south of the central portion of the current study area (Archeoworks 2017b:22-28; Supplementary Documentation), Section 1: Figure 9). All the artifacts were recorded by GPS then collected. The Indigenous find spot (Heritage Layover P1 Site) was determined to have no further CHVI, but the two Euro-Canadian artifact scatters (AjGx-267 and AjGx-268) were recommended for Stage 3 site-specific assessment (Archeoworks 2017b: i).

Field inspection and test pit survey as part of the Stage 2 property assessment also identified areas of extensive and deep land alteration in the west portion of the current study area and permanently wet and steeply sloped sections in the central portion of the current study area (Archeoworks 2017b:20-21). For these areas, no further archaeological assessment was recommended. After test pit in the east and central portion of the current study area, and pedestrian survey of the remaining areas, identified no archaeological resources, Archeoworks determined that no further

archaeological assessment was required (Archeoworks 2017b:21) (Supplementary Documentation, Section 1: Figure 8).

The results of Archeoworks' 2017 Stage 2 archaeological assessment within the current study area are illustrated in Appendix A: Figure 8. On the request of the MTCS, the east and central portions of the study area are indicated to require Stage 3 site-specific assessment since the entire property parcel is considered to have archaeological concern; however, as illustrated in Supplementary Documentation, Section 1: Figure 9, only the 27 m by 35 m area in the central portion of the study area associated with AjGx-267 is recommended for Stage 3 site-specific assessment by Archeoworks (Archeoworks 2017b).

...

2.1.2.2 Archaeological assessments conducted within 50 m of the study area

No changes made to Section 2.1.2.2 Archaeological assessments conducted within 50 m of the study area.

2.1.3 Environmental Context

No changes made to Section 2.1.3 Environmental Context.

2.2 Historical Context

No changes made to Section 2.2 Historical Context.

2.3 Additional Information

2.3.1 Disturbed Areas

No changes made to Section 2.3.1 Disturbed Areas.

2.3.2 McNichol's Cemetery

To collect further information and determine the current status of the McNichol Cemetery, Wood contacted Dr. Crystal Forrest, Registrar, for the *Funeral, Burial and Cremation Services Act (FBCA)* at the Ministry of Government Public and Consumer Services Business Service Delivery (MPBSD) and Michael D'Mello, Deputy Registrar and the Bereavement Authority of Ontario (BAO) on 29 November 2021 and 1 December 2021, respectively. Dr. Forrest reported that there was no information at the Ministry of Government and Consumer Services MPBSD, but Mr. D'Mello reported that the BAO had record of the cemetery, summarized in Table 2-5 (MGCSMPBSD 2021; BAO 2021; Supplementary Documentation, Section 3).

2.4 Potential for Archaeological Resources

The However, the entire study area was previously assessed through Stage 1 and Stage 2 archaeological assessment between 2005 and 2017 (ASI 2005, Archeoworks 2014a, 2014b, 2017a, 2017b, 2017c) (Appendix A: Figure 5). In 2017, a Stage 2 property assessment identified post-contact site AjGx-267 in the central portion of the study area, which was recommended for Stage 3 site-specific assessment (Archeoworks 2017b) (Supplementary Documentation, Section 1: Figure 9). Although only the 27 m by 35 m

area in the central portion of the study area associated with AjGx-267 is recommended for Stage 3 site-specific assessment by Archeoworks (Archeoworks 2017b), on the request of the MTCS, the east and central portions of the study area are indicated in Appendix A: Figure 8 to require Stage 3 site-specific assessment since the entire property parcel is considered to have archaeological concern.

3.0 Stage 1 Property Assessment

No changes made to Section 3 Stage 1 Property Assessment.

3.3 4.0 Stage 1 Analysis and Conclusions

The Stage 1 background study also determined that the entire study area (100%, 7.42 ha) was previously assessed (Appendix A: Figures Figure 5 and Figure 8). The north portion of the study area was assessed through Stage 1 archaeological assessment in 2006 (Archaeological Services Inc. 2006; PIF # P057-165), and the east portion assessed for Stage 1 archaeological assessment by Archeoworks Inc. (Archeoworks) in 2014 (Archeoworks 2014; PIF#P334-210-2012). In 2017, Archeoworks assessed the central and southwest portion as part of a Stage 1 archaeological assessment (Archeoworks 2017a; PIF# P390-0181-2016). All assessments concluded areas within the current study area had archaeological potential and recommended Stage 2 property assessments.

Stage 2 property pedestrian survey by Archeoworks of approximately 1.6 ha in the east portion of the study area in 2014 identified a post-contact artifact scatter (H2) but determined it to have no further CHVI and recommended no further archaeological assessment of. The 2014 survey also evaluated approximately 0.04 ha in the east portion of the study area to be permanently wet and exempt from further Stage 2 assessment (Archeoworks 2014b:20) (Appendix A: Figure 8).

In 2017, Stage 2 pedestrian survey in the central and southwest portions of the current study area conducted by Archeoworks in 2017 identified archaeological site AjGx-267 (Heritage Layover H1) as a surface scatter of 31 post-contact artifacts covering an area approximately 35 m by 27 m (Archeoworks 2017b:22; PIF # P390-0215-2016) (Supplementary Documentation, Section 1: Figure 9). The Stage 2 property assessment also identified approximately 100 m south of the current study area, the Stage 2 pedestrian survey also identified the archaeological site AjGx-268 (Heritage Layover H2), a surface scatter of 649 post-contact artifacts over a 60 m by 50 m area (Archeoworks 2017b:22) (Supplementary Documentation, Section 1: Figure 9). The same year

Archeoworks' pedestrian survey of the approximately 4.2 ha in the remainder of the central and southwest portions of the study area did not identify any other archaeological resources. Similarly, no archaeological resources were found during Archeoworks' test pit survey of approximately 0.3 ha in the east and central portions of the study area. Based on these results, no further archaeological assessment was recommended for these portions of the study area (Archeoworks 2017b:21) (Appendix A: Figure 8). Field inspection of the study area as part of the Stage 2 property assessment also determined that: 1) approximately 0.3 ha in the west portion of the study area was previously disturbed and required no further archaeological assessment,

2) approximately 0.5 ha of central portions of the study area were permanently wet and required no further archaeological assessment, and 3) an approximately 0.1 ha section of the central portion of the study area had steep slopes (greater than 20 degrees) and required no further archaeological assessment (Archeoworks 2017b:20-21).

Most recently, a Stage 3 site-specific assessment by Archeoworks approximately 18 m east of the study area defined the limits of the McNichol's Cemetery, a small pioneer burial ground with five unmarked graves (Archeoworks 2017c; PIF # P390-0191-2016) (Appendix A: Figure 8 and Supplementary Documentation, Section 1: Figure 9). For both AjGx-267 and AjGx-268, Archeoworks determined the sites to have further cultural heritage value or interest and recommended Stage 3 site-specific assessments (2017b:29-31). For the McNichol's Cemetery, Archeoworks recommended that a staked boundary that includes a 5-m buffer zone around the known grave shaft locations be established, and this perimeter be fenced (Archeoworks 2017c:15).

The results and recommendations from previous studies and this Stage 1 archaeological assessment are provided in Section 6.0 and illustrated in Appendix A: Figure 8 and Supplementary Documentation, Section 1: Figure 9. On the request of the MTCS, the east and central portions of the study area are indicated as requiring Stage 3 site-specific assessment since the entire property parcel is considered to have archaeological concern; however, as illustrated in Supplementary Documentation, Section 1: Figure 9, only the 27 m by 35 m area in the central portion of the study area associated with AjGx-267 is recommended for Stage 3 site-specific assessment by Archeoworks (Archeoworks 2017b).

4.0 5.0 Indigenous Engagement

Feedback received from Indigenous Nations is summarized in the Supplementary Documentation: Section 4.5 accompanied by this report. The information provided in the Supplementary Documentation reflects community perspective shared as part of the engagement with Indigenous Nations for this report.

5.0 6.0 Recommendations

Based on the results of this Stage 1 archaeological assessment of the study area, the following recommendations are made, subject to the conditions outlined below and in Section 6.7.0:

The recommendations listed above are subject to approval review by the Ministry of Heritage, Sport, Tourism and Culture Industries and Sport. It is an offence to alter any portion of the study area without concurrence from the Ministry of Heritage, Sport, Tourism and Culture Industries and Sport.

6-0 7.0 Advice on Compliance with Legislation

- a. This report is submitted to the Minister of Heritage, Sport, Tourism and Culture Industries as a condition of licensing in accordance with Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c O.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological fieldwork and report recommendations ensure the conservation, protection and preservation of the cultural heritage of Ontario. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the Ministry of ~~Heritage, Sport, Tourism and, Culture Industries~~ **and Sport**, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.
- d. The *Funeral, Burial and Cremation Services Act*, 2002, S.O. 2002, c.33 requires that any person discovering human remains must notify the local police or coroner and the Registrar of ~~Cemeteries~~, **Funeral, Burial and Cremation Services Act** at the Ministry of ~~Government~~ **Public and Consumer Services** **Business Service Delivery**.

7.0 **8.0** Assessor Qualifications

This report was prepared and reviewed by the undersigned, employees of Wood. Wood is one of North America's leading engineering firms, with more than 50 years of experience in the earth and environmental consulting industry. The qualifications of the assessors involved in the preparation of this report are provided in Appendix **CB**.

Appendix A

Errata note: Figure 8 has been modified, see next page.

PROJECT: STAGE 1 ARCHAEOLOGICAL ASSESSMENT
 PART OF LOTS 14 AND 15, CONCESSION 6
 WEST OF HURONTARIO STREET (WHS)
 FORMER TOWNSHIP OF CHINGUACOUSY, COUNTY OF PEEL
 NOW CITY OF BRAMPTON
 REGIONAL MUNICIPALITY OF PEEL, ONTARIO

TITLE:
 STAGE 1 ARCHAEOLOGICAL ASSESSMENT RESULTS

- LEGEND:
- PROJECT STUDY AREA
 - STAGE 2 ARCHAEOLOGICAL ASSESSMENT (PIF P029-846-2013; ARCHEOWORKS, 2014) - PEDESTRIAN SURVEYED AT 5m INTERVALS: NO FURTHER ASSESSMENT REQUIRED
 - STAGE 1 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0181-2016; ARCHEOWORKS, 2017a) & STAGE 2 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0215-2016; ARCHEOWORKS, 2017b) - PEDESTRIAN SURVEYED AT 2m INTERVALS: RECOMMENDED FOR STAGE 3 ARCHAEOLOGICAL ASSESSMENT (ARCHAEOLOGICAL SITE AJGx-267)
 - STAGE 1 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0181-2016; ARCHEOWORKS, 2017a) & STAGE 2 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0215-2016; ARCHEOWORKS, 2017b) - TEST PIT SURVEYED AT 5m INTERVALS: NO FURTHER ASSESSMENT REQUIRED
 - STAGE 1 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0181-2016; ARCHEOWORKS, 2017a) & STAGE 2 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0215-2016; ARCHEOWORKS, 2017b) - STEEPLY SLOPED TOPOGRAPHY: NO FURTHER ASSESSMENT REQUIRED
 - STAGE 1 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0181-2016; ARCHEOWORKS, 2017a) & STAGE 2 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0215-2016; ARCHEOWORKS, 2017b) - DISTURBED: NO FURTHER ASSESSMENT REQUIRED
 - STAGE 1 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0181-2016; ARCHEOWORKS, 2017a) & STAGE 2 ARCHAEOLOGICAL ASSESSMENT (PIF P390-0215-2016; ARCHEOWORKS, 2017b) - PERMANENTLY WET (TRIBUTAR ES OF CREDIT RIVER): NO FURTHER ASSESSMENT REQUIRED
 - STAKED LIMITS OF McNICHOL CEMETERY (INCLUDES A MINIMUM 5m BUFFER ZONE FROM THE FURTHEST IDENTIFIED GRAVE SHAFTS)

NOTES:
 THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH THE WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS REPORT No. M21405045 B10.9.
 ALL LOCATIONS ARE APPROX MATE.
 ORIGINAL PAPER SIZE 8 1/2 x 11.
 REFERENCES:
 2021 AERIAL PHOTOGRAPHS BY THE TOWN OF HALTON H LLS; CANMAP STREETFILES V2008.4.

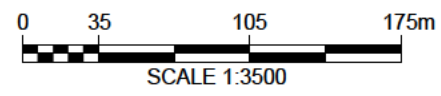
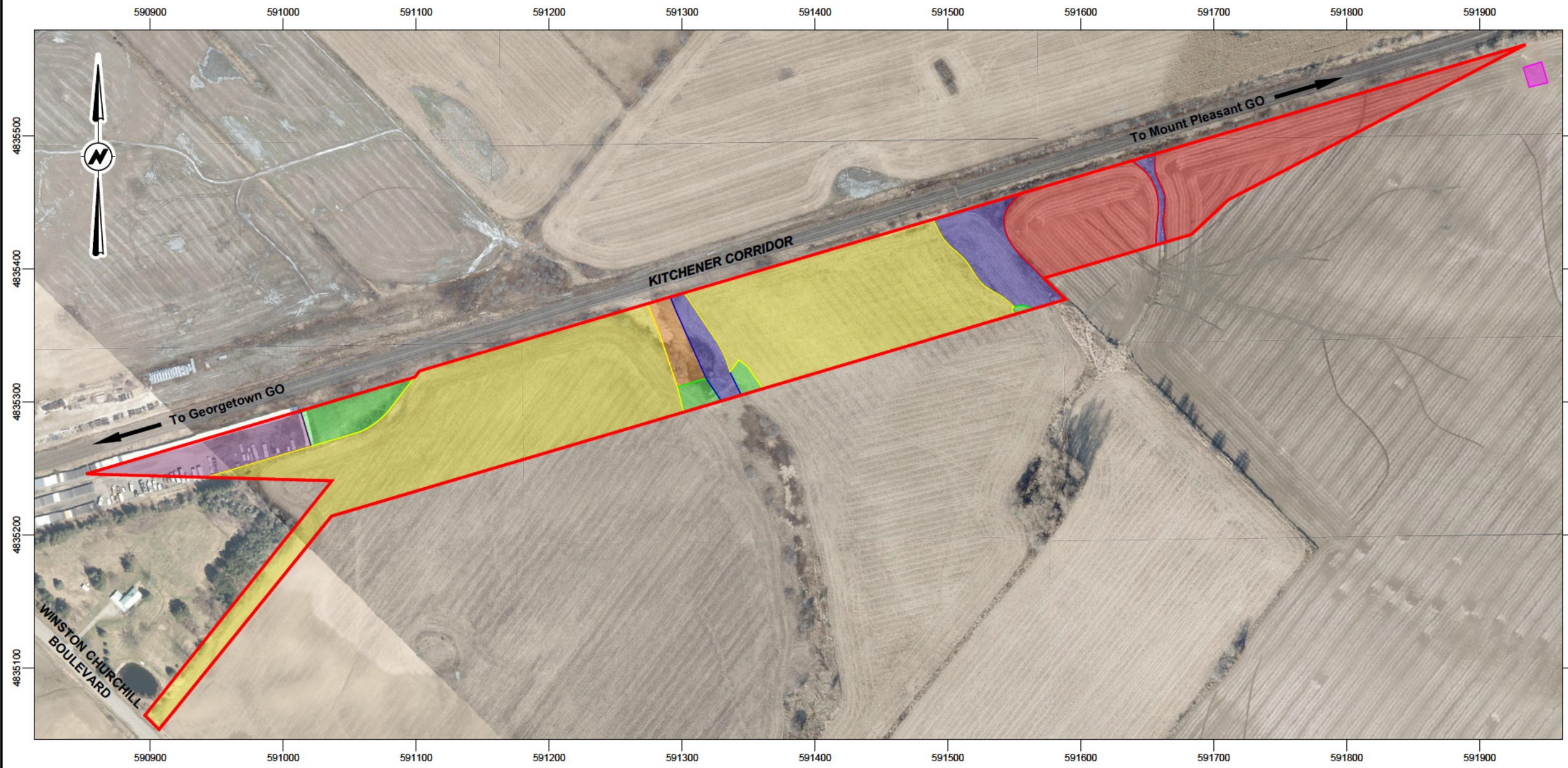
Metrolinx
 277 FRONT STREET WEST, SUITE 400
 TORONTO, ONTARIO, M5V 2X4



Wood
 Environment & Infrastructure Solutions
 3450 HARVESTER ROAD, SUITE 100
 BURLINGTON, ONTARIO, L7N 3W5
 905-335-2353



DWN BY: SJM	CHK'D BY: HC	DATE: SEP. 15, 2022
DATUM: NAD83	PROJECTION: UTM Zone 17	PROJECT No: IM21405045.B10.9
REV No: 1		FIGURE No: 8



DATE PLOTTED: 9/15/2022 4:18:06 PM
 FILE LOCATION: P:\2021\Archaeology\Projects\Other Offices\IM21405045 - Metrolinx - C-H-St. 1 AA, Heritage Layer, Brampton\Drafting\AutoCAD_files\IM21405045.B10.9-R01008.dwg



Errata Note: Appendix I-5 Notice of Completion Correspondence Record: Technical and Community Stakeholders has been added to this document.

Appendix I-5

**Notice of Completion Correspondence Record:
Technical and Community Stakeholders**





Notice of Completion of Environmental Project Report GO Expansion: Heritage Road Layover Project Transit Project Assessment Process

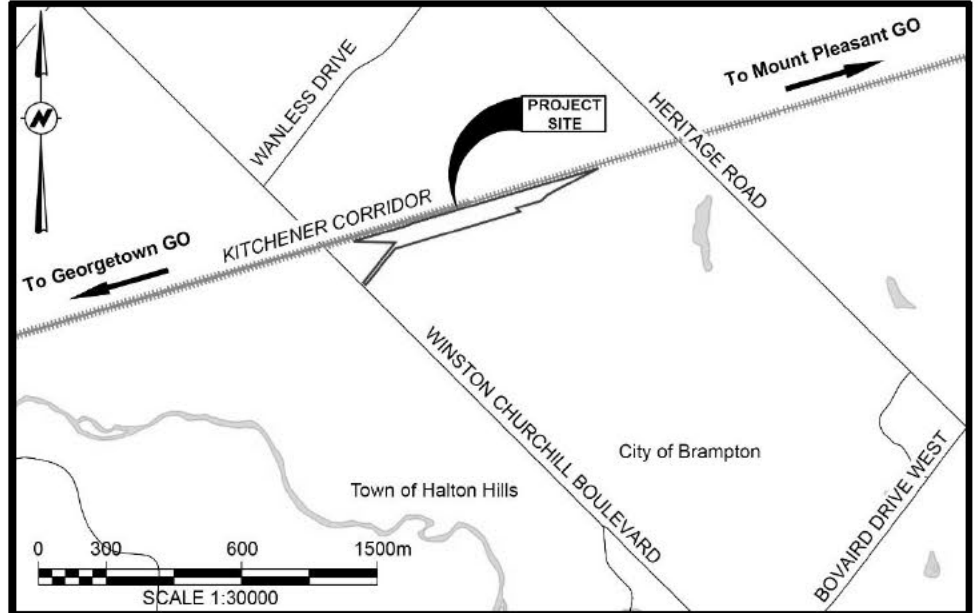
Metrolinx has completed an Environmental Project Report (EPR) in accordance with the Transit Project Assessment Process (TPAP) as prescribed in Ontario Regulation 231/08 for the Heritage Road Layover Project. As part of the GO Expansion Program, Metrolinx is building a transit service that will improve how residents and customers move throughout the region. GO Expansion will offer more service with faster trains, more stations, and seamless connections to a regional rapid transit network to create better, faster, and easier travel within the region and broader Greater Toronto and Hamilton Area.

The Project

Metrolinx is proposing to construct a new layover, Heritage Road Layover (the Project), between Georgetown GO Station and Mount Pleasant GO Station. The layover will provide additional storage capacity to support the planned service expansion to implement two-way, all-day service along the Kitchener Corridor from Union GO Station to Kitchener GO Station.

Project Location

The Project Site is adjacent to the Canadian National Railway (CN) within the Halton Subdivision portion of the Kitchener Corridor. The Project Site is between Heritage Road and Winston Churchill Boulevard in the City of Brampton, Regional Municipality of Peel.



30-Day Public Review: August 19, 2022 to September 19, 2022

The environmental impact of the transit project was assessed and an Environmental Project Report (EPR) was prepared in accordance with the Transit Project Assessment Process (TPAP) as prescribed in Ontario Regulation 231/08 - Transit Projects and Metrolinx Undertakings (made under the Environmental Assessment Act).

The EPR for the Heritage Road Layover project is now available for a 30-day public review period starting **August 19, 2022** on the project website: <https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>. If you have any project-related questions, or would like to provide input, interested persons are encouraged to review the document(s) and provide comments by **September 19, 2022** to:



Attn: Simon Strauss

Manager, Environmental Programs and Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3

Tel: 416-202-7500 (Peel Region); 416-938-9930 (Halton Region)

e-mail: peel@metrolinx.com (Peel Region); haltonregion@metrolinx.com (Halton Region)

There are circumstances where the Minister of the Environment, Conservation and Parks has the authority to require further consideration of the transit project or impose conditions on it. These include if the Minister is of the opinion that:

- The transit project may have a negative impact on a matter of provincial importance that relates to the natural environment or has cultural heritage value or interest; or
- The transit project may have a negative impact on a constitutionally protected Aboriginal or treaty right.

Before exercising the authority referred to above, the Minister is required to consider any written objections to the transit project that he or she may receive within 30 days of first publishing the Notice of Completion. If you have discussed your issues with the proponent(s) and you object to the project, you can provide a written submission to the Minister of the Environment, Conservation and Parks by no later than **September 19, 2022**, to the email provided below.

All submissions must clearly indicate that an objection is being submitted and describe any negative impacts to matters of provincial importance (natural/cultural environment) or Aboriginal rights.

Ministry of the Environment, Conservation & Parks

Environmental Assessment Branch

Attn: Jordan Hughes

Project Officer
135 St. Clair Avenue West, 1st Floor
Toronto, ON M4V 1P5
Tel: 437-770-6953
Email: jordan.hughes@ontario.ca

Comments and information regarding this project are being collected to assist in meeting the requirements of the *Environmental Assessment Act*. All personal information included in a submission, (such as name, address, telephone number and property location) is collected, maintained and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Senior Privacy Officer for Metrolinx at 416-202-5941.

Pour plus de renseignements, veuillez appeler le 416 874-5900 ou le 1 888 GET-ON-GO (438-6646).

This Notice was first issued on August 18, 2022.

TRANSFORMING TRANSIT IN YOUR AREA

Project Update - GO Expansion Program - Kitchener Corridor - Heritage Road Layover

Metrolinx is currently following the Transit Project Assessment Process (TPAP) as prescribed in Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* for the Heritage Road Layover Project located in the City of Brampton. We previously circulated a Notice of Commencement (dated March 24, 2022), initiating the TPAP, a Notice of Issue (dated July 18, 2022) pausing the TPAP, a Notice of Resumption (dated August 16, 2022) resuming the TPAP, along with holding two virtual open houses for this project.

We are writing to inform you that Metrolinx has now completed the Transit Project Assessment Process (TPAP) for the Heritage Road Layover Project, as described in the attached Notice of Completion. The Environmental Project Report (EPR) and associated technical studies for the Heritage Road Layover Project is now available for a 30-day public review period from August 19, 2022 until September 19, 2022.

A copy of this Notice of Completion, the EPR and technical studies are posted on August 18, 2022 on the project's website (<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>).

If you have any questions, or need further information about the project, please do not hesitate to contact me.

Sincerely,



Jackie Czajka
Senior Manager, Community Engagement (Peel Region)
Metrolinx
416-202-7500
peel@metrolinx.com



GO Expansion
@GOExpansion



The Environmental Project Report for the [#HeritageRoadLayover](#) is now available for review on [#Metrolinx Engage](#). Read it here [👉 bddy.me/3CpzAI9](https://bddy.me/3CpzAI9)



3:00 PM · Aug 22, 2022 · Salesforce - Social Studio

4 Retweets 8 Likes



GO Expansion
@GOExpansion



 The public review period for the [#HeritageRoadLayover](#) is ongoing until Sept 19! . Check out the completed Environmental Project Report here: bddy.me/3QT1ryD [#GOExpansion](#)



3:00 PM · Aug 25, 2022 · Salesforce - Social Studio

1 Retweet 5 Likes



Tweet your reply


Reply



Chris Drew @chrisjamesdrew · Aug 25



Replying to [@GOExpansion](#)



Provided two suggestions 





GO Expansion
@GOExpansion



 The 30-day public review period ends Sept 19  for the [#HeritageRoadLayover](#) as part of the Transit Project Assessment Process. Check out the completed Environmental Project Report here: bddy.me/3ezLDCr [#GOExpansion](#)



9:00 AM · Sep 13, 2022 · Salesforce - Social Studio

2 Retweets 5 Likes

Department of Fisheries and Oceans

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:11 PM
To: FPP.CA / PPP.CA (DFO/MPO)
Cc: Dara Corrigan; Simon Strauss; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: Heritage Road Layover TPAP - Updated Noise and Vibration Report
Attachments: Appendix B_ Noise and Vibration Baseline Conditions and Impact Assessment Report FINAL.pdf

CAUTION: External email. Please do not click on links/attachments unless you know the content is genuine and safe.

Hi Kyle,

Please find attached the signed version of the noise and vibration report. The updated copy will also be made to the Metrolinx Engage page and in the dropbox link below.

Two minor changes were made in comparison to the existing report that circulated in the Notice of Completion submittal package:

- Section 7.1 - In the fourth paragraph, we added the following statement was added for context "The Facility's operational noise is predicted to be dominated by the four (4) idling trains. Therefore, the stationary noise sources associated with the Facility's infrastructure, including but not limited to air compressors, transformers, and HVAC equipment, were not considered in the operational assessment of Facility."; and
- Section 7.1 - In the fifth paragraph, "The layover facility will be designed with four (4) tracks with capacity to accommodate one (1) train consist of two (2) locomotives and 12 coaches or two (2) train consists of one (1) locomotive and six (6) coaches on each track." was added.

If you have any questions, please let us know.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

I sometimes send emails outside of working hours. Please do not feel obligated to respond outside of your working hours.



From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: August-18-22 5:15 PM
To: FPP.CA / PPP.CA (DFO/MPO) <fisheriesprotection@dfo-mpo.gc.ca>
Cc: Brian Poole <Brian.Poole@metrolinx.com>; Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (DFO)

Hi Kyle,

In accordance with Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* (made under the *Environmental Assessment Act*), please find attached the Notice of Completion (dated August 18, 2022) for the Heritage Road Layover TPAP.

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

A “TPAP pause” was undertaken to further engage with Indigenous communities and Nations, and the TPAP resumed through a Notice of Resumption issued August 16, 2022. This Notice of Completion is to announce the conclusion of the up to 120-day TPAP period.

The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

Please review the EPR and associated technical reports at the link below, or <https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>

If you have any comments please provide them by September 19, 2022 using the attached comment log.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

I sometimes send emails outside of working hours. Please do not feel obligated to respond outside of your working hours.



From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: August-16-22 1:37 PM
To: FPP.CA / PPP.CA (DFO/MPO) <fisheriesprotection@dfo-mpo.gc.ca>
Cc: Brian Poole <Brian.Poole@metrolinx.com>; Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>
Subject: Heritage Road Layover TPAP - Notice of Resumption Transmittal

Hi Kyle,

As described in the attached Notice of Resumption, Metrolinx has decided to resume the Transit Project Assessment Process (TPAP) for the Heritage Road Layover Project. We have conducted additional engagement with various Indigenous communities and Nations to identify if existing Aboriginal and/or treaty rights, as recognized and affirmed in section 35 of the *Constitution Act, 1982*, are impacted by the Heritage Road Layover Project.

Metrolinx is committed to continued engagement with Indigenous communities and Nations outside of the TPAP. Metrolinx will work with Indigenous communities and Nations to set up field monitors for any field activities they

expressed interest in. We are of the opinion that we have now addressed the concerns which led to the Notice of Issue and have attached our Notice of Resumption.

This Notice of Resumption will be posted on August 16, 2022 on the project's website: (<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>). Following the Notice of Resumption, the Notice of Completion will be formally circulated on August 18, 2022.

Please let us know if you have any questions.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

I sometimes send emails outside of working hours. Please do not feel obligated to respond outside of your working hours.



From: Clara Chan
Sent: July-18-22 4:18 PM
To: FPP.CA / PPP.CA (DFO/MPO) <fisheriesprotection@dfo-mpo.gc.ca>
Subject: Heritage Road Layover TPAP - Notice of Issue

Dear Kyle,

As described in the attached Notice of Issue, Metrolinx has decided to pause the Transit Project Assessment Process (TPAP) for the Heritage Road Layover Project to have additional engagement with Indigenous Nations to better understand the potential and scope for adverse impacts to Aboriginal and Treaty Rights.

This Notice of Issue will be posted today on the project's website (<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>).

We appreciate the comments received from Fisheries and Oceans Canada on the technical studies and EPR to date, and will keep you apprised as to when we restart the TPAP.

Please reach out to me with any questions.

Best regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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This e-mail is intended only for the person or entity to which it is addressed. If you received this in error, please contact the sender and delete all copies of the e-mail together with any attachments.

Environment and Climate Change Canada

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:09 PM
To: wesley.plant@ec.gc.ca
Cc: Simon Strauss; Dara Corrigan; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: Heritage Road Layover TPAP - Updated Noise and Vibration Report (ECCC)
Attachments: Appendix B_ Noise and Vibration Baseline Conditions and Impact Assessment Report FINAL.pdf

CAUTION: External email. Please do not click on links/attachments unless you know the content is genuine and safe.

Dear Mr. Plant,

Please find attached the signed version of the noise and vibration report. The updated copy will also be made to the Metrolinx Engage page and in the dropbox link below.

Two minor changes were made in comparison to the existing report that circulated in the Notice of Completion submittal package:

- Section 7.1 - In the fourth paragraph, we added the following statement was added for context "The Facility's operational noise is predicted to be dominated by the four (4) idling trains. Therefore, the stationary noise sources associated with the Facility's infrastructure, including but not limited to air compressors, transformers, and HVAC equipment, were not considered in the operational assessment of Facility."; and
- Section 7.1 - In the fifth paragraph, "The layover facility will be designed with four (4) tracks with capacity to accommodate one (1) train consist of two (2) locomotives and 12 coaches or two (2) train consists of one (1) locomotive and six (6) coaches on each track." was added.

If you have any questions, please let us know.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

I sometimes send emails outside of working hours. Please do not feel obligated to respond outside of your working hours.



From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: August-18-22 5:15 PM
To: wesley.plant@ec.gc.ca
Cc: Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Dara Corrigan <Dara.Corrigan@metrolinx.com>; Felker, Bob <bob.felker@woodplc.com>; Mcandrew, Louise <louise.mcandrew@woodplc.com>; Mrochkovskaia, Nadya <nadya.mrochkovskaia@woodplc.com>
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (ECCC)

Dear Mr. Plant,

In accordance with Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* (made under the *Environmental Assessment Act*), please find attached the Notice of Completion (dated August 18, 2022) for the Heritage Road Layover TPAP.

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

A “TPAP pause” was undertaken to further engage with Indigenous communities and Nations, and the TPAP resumed through a Notice of Resumption issued August 16, 2022. This Notice of Completion is to announce the conclusion of the up to 120-day TPAP period.

The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

Please review the EPR and associated technical reports at the link below,

<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>

or

If you have any comments please provide them by September 19, 2022 using the attached comment log.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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Ministry of Environment, Conservation and
Parks

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:28 PM
To: Dara Corrigan; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: FW: Heritage Road Layover TPAP - Updated Noise and Vibration Report

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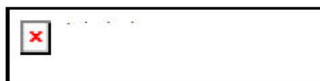
Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: info-attachmail@ontario.ca <info-attachmail@ontario.ca>
Sent: September-01-22 12:06 PM
To: heather.watt@ontario.ca
Subject: Heritage Road Layover TPAP - Updated Noise and Vibration Report

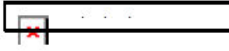
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Hi Heather, Please find attached the signed version of the noise and vibration report. The updated copy will also be made to the Metrolinx E..



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1 PDF

Appendix B Noise and Vibration Baseline Conditions and Impact Assessment Report
FINAL.pdf

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From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:18 PM
To: Clara Chan; jordan.hughes@ontario.ca
Cc: cindy.batista@ontario.ca; Dara Corrigan; Simon Strauss; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: RE: HRL Updated Noise and Vibration Report
Attachments: Appendix B - Noise and Vibration Baseline Conditions and Impact Assessment Report_Final.pdf

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Hi Jordan,

I just wanted to revise my last email sent to you. There were two changes that were completed:

- Section 7.1 - In the fourth paragraph, we added the following statement was added for context "The Facility's operational noise is predicted to be dominated by the four (4) idling trains. Therefore, the stationary noise sources associated with the Facility's infrastructure, including but not limited to air compressors, transformers, and HVAC equipment, were not considered in the operational assessment of Facility."; **and**
- Section 7.1 - In the fifth paragraph, "The layover facility will be designed with four (4) tracks with capacity to accommodate one (1) train consist of two (2) locomotives and 12 coaches or two (2) train consists of one (1) locomotive and six (6) coaches on each track." was added.

Please use the report attached.

If you have any questions, please let us know.

Kind regards,
Clara

Clara Chan
Project Manager, Environmental Programs & Assessment
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T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: info-attachmail@ontario.ca <info-attachmail@ontario.ca>
Sent: September-01-22 11:30 AM
To: jordan.hughes@ontario.ca
Cc: cindy.batista@ontario.ca
Subject: HRL Updated Noise and Vibration Report

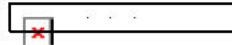
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Access message

Good morning Jordan, Please find attached the signed version of the noise and vibration report. We will be issuing a separate email to the G..



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 1 PDF
Appendix B - Noise and Vibration Baseline Conditions and Impact Assessment
Report_Final.pdf

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From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 11:31 AM
To: Dara Corrigan; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: FW: HRL Updated Noise and Vibration Report

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Hi All,

Please see communication to MECP regarding the updated N&V report.

We'll flag this as an update in our erratum as well to identify what's changed.

Thanks,
Clara

Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: info-attachmail@ontario.ca <info-attachmail@ontario.ca>
Sent: September-01-22 11:30 AM
To: jordan.hughes@ontario.ca
Cc: cindy.batista@ontario.ca
Subject: HRL Updated Noise and Vibration Report

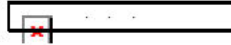
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Access message

Good morning Jordan, Please find attached the signed version of the noise and vibration report. We will be issuing a separate email to the G..



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Appendix B - Noise and Vibration Baseline Conditions and Impact Assessment Report_Final.pdf

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Ministry of Municipal Affairs and Housing

From: info-attachmail@ontario.ca
Sent: Thursday, August 18, 2022 5:04 PM
To: Watt, Heather (MMAH)
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (MMAH)

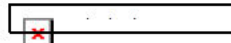
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[Access message](#)

Hi Heather, In accordance with Ontario Regulation 231/08 Transit Projects and Metrolinx Undertakings (made under the Environmental Assessmen..



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2 PDFs

Heritage Road Layover - Environmental Project Report.pdf, 2022-08-18_Heritage Road Layover Notice_Completion - Final.pdf



1 spreadsheet

Comment Log Template_Heritage Road Layover EPR - GRT.xlsx

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<http://attachmail.ontario.ca/>

Ministry of Natural Resources and
Forestry

From: info-attachmail@ontario.ca
Sent: Thursday, August 18, 2022 4:56 PM
To: pauline.capelle@ontario.ca
Cc: amanda.mccloskey@ontario.ca
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (MNRF)

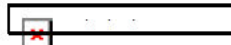
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Hi Pauline, In accordance with Ontario Regulation 231/08 Transit Projects and Metrolinx Undertakings (made under the Environmental Assessmen..



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10 PDFs

Appendix A_ Air Quality Baseline Conditions and Impact Assessment Report.pdf, Appendix D_ Natural Environment Report Field Studies Addendum Flysheet.pdf, Appendix C_ Natural Environment Existing Conditions and Impact Assessment Report.pdf, Appendix E_ Socio-Economic and Land Use Baseline Conditions and Impact Assessment Report.pdf, Appendix G_ Stage 1 Archaeological Assessment Report.pdf, Appendix H Traffic and Transportation Existing Conditions and Impact Assessment.pdf, Appendix F Cultural Heritage Report Existing Conditions and Preliminary Impact Assessment.pdf, Appendix B Draft Noise and Vibration Baseline Conditions and Impact Assessment Report.pdf, Heritage Road Layover - Environmental Project Report.pdf, 2022-08-18_Heritage Road Layover Notice_Completion - Final.pdf

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Ministry of Tourism, Culture and Sport

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:29 PM
To: Dara Corrigan; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: FW: Heritage Road Layover TPAP - Updated Noise and Vibration (MTCS)

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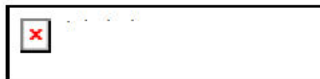
Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: info-attachmail@ontario.ca <info-attachmail@ontario.ca>
Sent: September-01-22 11:48 AM
To: laura.e.hatcher@ontario.ca
Cc: karla.barboza@ontario.ca; jordan.hughes@ontario.ca; james.hamilton@ontario.ca
Subject: Heritage Road Layover TPAP - Updated Noise and Vibration (MTCS)

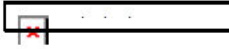
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Hi Laura, Please find attached the signed version of the noise and vibration report. The updated copy will also be made to the Metrolinx Eng..



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Appendix B Noise and Vibration Baseline Conditions and Impact Assessment Report
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From: pastport <pastport@ontario.ca>

Sent: September-16-22 4:45 PM

To: henry.cary@woodplc.com

Cc: shelby.swinfield@brampton.ca; Clara Chan <Clara.Chan@metrolinx.com>; PastPort@ontario.ca

Subject: ENTERED INTO REGISTER: Archaeological Report for P327-0021-2021 / *

You don't often get email from pastport@ontario.ca. [Learn why this is important](#)

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Dear Henry Cary,

The ministry has reviewed the Revised report for PIF P327-0021-2021 submitted by you as a condition of your licence.

This report has been deemed compliant with ministry requirements for archaeological fieldwork and reporting. It has been entered into the *Ontario Public Register of Archaeological Reports*. Please refer to the attached letter to see the result of this review.

Note: the ministry makes no representation or warrant as to the completeness, accuracy or quality of reports in the register.

Development proponents and approval authorities: the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries has copied you on this email as you have been identified by the consultant archaeologist as either the proponent or approval authority for this project.

Please **do not** reply to this e-mail. The message will be undeliverable and we are unable to respond from this address.

If you have any questions about this report email us at: Archaeology@ontario.ca

Thank you,

Shari Prowse

Shari.Prowse@ontario.ca

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Ministry of Tourism, Culture and Sport (MTCS)

Archaeology Program Unit
Programs and Services Branch
Heritage, Tourism and Culture Division
5th Floor, 400 University Ave.
Toronto ON M7A 2R9
Tel.: (519) 671-7742
Email: Shari.Prowse@ontario.ca

Ministère du Tourisme, de la Culture et du Sport (MTCS)

Unité des programme d'archéologie
Direction des programmes et des services
Division du patrimoine, du tourisme et de la culture
5e étage, 400 ave. University
Toronto ON M7A 2R9
Tél. : (519) 671-7742
Email: Shari.Prowse@ontario.ca



Sep 16, 2022

Henry Cary (P327)
Wood Environment & Infrastructure Solutions
PO BOX 0 Burlington ON L7N 3W5

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Heritage Road Layover: Stage 1 Archaeological Assessment Part of Lots 14 and 15, Concession 6 West of Hurontario Street (WHS), former Township of Chinguacousy, County of Peel, now City of Brampton, Regional Municipality of Peel, Ontario", Dated Sep 1, 2022, Filed with MHSTCI Toronto Office on Sep 16, 2022, MHSTCI Project Information Form Number P327-0021-2021, MHSTCI File Number 0004330

Dear Dr. Cary:

This office has reviewed 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 0.18.¹ This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 *Standards and Guidelines for Consultant Archaeologists* set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.

The report documents the Stage 1 assessment of the study area as depicted in Figure 8 of the above titled report and recommends the following:

Based on the results of this Stage 1 archaeological assessment of the study area, the following recommendations are made, subject to the conditions outlined below and in Section 7.0:

1) The previous recommendations by Archeoworks (2017b:29-30) for Stage 3 site-specific assessment for AjGx-267 remain in effect. These are:

a. The Stage 3 AA [archaeological assessment] should be conducted to define the site extent, gather a representative sample of artifacts, and aid in the determination of a Stage 4 mitigation strategy

b. Since the intensified Stage 2 CSP [controlled surface pickup] survey with GPS recording meets the requirements of Section 3.2.1 of the 2011 S&G [Standards and Guidelines for Consultant Archaeologists], a further Stage 3 CSP is not necessary. Therefore, the Stage 3 AA must commence with the establishment of a site datum at the centre of the site (or the centres of any localities or concentrations identified from the

Stage 2 CSP), followed by test unit excavation.

c. The primary goal is to determine any patterning within the site, to ensure that a larger site sample is generated in case of a lack of features, and to determine site extent prior to mechanical topsoil stripping. Given that the level of cultural heritage value or interest is evident that the aforementioned site will result in a recommendation for Stage 4 mitigation of development impacts, the excavation of a series of one metre by one metre test units in a 10 metre grid across the site within the established grid must be pursued, in accordance with the methodology outlined in Section 3.2.3, Table 3.1, Standard 3 of the 2011 S&G (MTCS, 2011), in order to gather larger sample of artifacts and determine the nature and extent of the cultural deposit. Furthermore, additional test units, amounting to 40% of the grid unit total, need to be excavated, focusing on areas of interest within the site extent (Section 3.2.3, Table 3.1, Standard 4 of the 2011 S&G).

d. All test units must be excavated into five centimetres of subsoil, unless cultural features are encountered, and all excavated soil will be screened through six millimetre wire mesh to facilitate artifact recovery. The sterile subsoil must be trowelled and all soil profiles examined for undisturbed cultural deposits. If test unit excavation uncovers a cultural feature, the exposed plan of the feature must be recorded, and geotextile fabric is to be placed over the unit floor prior to backfilling the unit.

e. A thorough photographic record of on-site investigations must be maintained. Finally, a report documenting the methods and results of excavation and laboratory analysis, together with an artifact inventory, all necessary cartographic and photographic documentation must be produced in accordance with the licensing requirements of the MTCS

f. No construction activities shall take place within the study area prior to the MTCS Archaeology Programs Unit confirming in writing that all archaeological licensing and technical review requirements have been satisfied.

2) Archaeological Site AjGx-268 (Heritage Layover H2) is within 300 m the current study area but since it is not anticipated to be impacted by the Project, no further archaeological assessment of Site AjGx-268 is required as part of the Project.

a. However, if the study area boundaries of the Project change and work in an expanded study area will avoid the AjGx-268 (Heritage Layover H2) site area and an additional 20 m no-go buffer—but is between 20 m and 70 m of the site area—the following actions are recommended:

i. Retain a licensed archaeologist to conduct archaeological construction monitoring for work done between 20 m and 70 m from the site area;

ii. Erect a temporary barrier around the site area to be avoided;

iii. Depict the area to be avoided on all applicable contract drawings and provide clear instructions to avoid the area;

iv. Issue “no go” instructions to all on-site construction crews and personnel during construction.

b. If work in an expanded study area cannot avoid AjGx-268 (Heritage Layover H2) and a 20 m no-go buffer, the previous recommendations by Archeoworks (2017b:30-31) for Stage 3 site-specific assessment remain in effect. These are:

i. This site is considered to have significant cultural heritage value and interest; a comprehensive Stage 3 AA must be undertaken, in accordance with the 2011 S&G, prior to any intrusive activity that may result in the destruction or disturbance to the archaeological site documented in this assessment. The Stage 3 AA should be conducted to define the site extent, gather a representative sample of artifacts, and aid in the determination of a Stage 4 mitigation strategy, if required.

ii. Since the intensified Stage 2 CSP survey with GPS recording meets the requirements of Section 3.2.1 of the 2011 S&G, a further Stage 3 CSP is not necessary. Therefore, the Stage 3 AA must commence with the establishment of a site datum at the centre of the site (or the centres of any localities or concentrations identified from the Stage 2 CSP), followed by test unit excavation.

iii. The primary goal is to determine any patterning within the site, to ensure that a larger site sample is generated in case of a lack of features, and to determine site extent prior to mechanical topsoil stripping. The Stage 3 AA must commence with a Stage 3 CSP survey with GPS recordings and meet the requirements of Section 3.2.1 of the 2011 S&G, followed by the establishment of a site datum at the centre of the site (or the centres of any localities or concentrations identified from the Stage 2 findspots and Stage 3 CSP), and then test unit excavation.

iv. Given that the level of cultural heritage value or interest is not evident that the aforementioned site will result in a recommendation for Stage 4 mitigation of development impacts, the excavation of a series of one metre by one metre test units in a five-metre grid across the site within the established grid must be pursued, in accordance with the methodology outlined in Section 3.2.3, Table 3.1, Standard 1 of the 2011 S&G (MTCS, 2011), in order to gather larger sample of artifacts and determine the nature and extent of the cultural deposit. Furthermore, additional test units, amounting to 20% of the grid unit total, need to be excavated, focusing on areas of interest within the site extent (Section 3.2.3, Table 3.1, Standard 2 of the 2011 S&G).

v. Should it become evident during the course of the Stage 3 AA that the level of cultural heritage value or interest will result in a recommendation to proceed to Stage 4, the Stage 3 AA test unit strategy may be amended to the excavation of one metre square test units on a 10 metre grid across the site, in accordance with the methodology outlined in Section 3.2.3, Table 3.1, Standard 3 of the 2011 S&G (MTCS, 2011). Furthermore, additional test units, amounting to 40% of the grid unit total, need to be excavated, focusing on areas of interest within the site extent (Section 3.2.3, Table 3.1, Standard 2 of the 2011 S&G).

vi. All test units must be excavated into five centimetres of subsoil, unless cultural features are encountered, and all excavated soil will be screened through six millimetre wire mesh to facilitate artifact recovery. The sterile subsoil must be trowelled and all soil profiles examined for undisturbed cultural deposits. If test unit excavation uncovers a cultural feature, the exposed plan of the feature must be recorded, and geotextile fabric is to be placed over the unit floor prior to backfilling the unit.

vii. A thorough photographic record of on-site investigations must be maintained. Finally, a report documenting the methods and results of excavation and laboratory analysis, together with an artifact inventory, all necessary cartographic and photographic documentation must be produced in accordance with the licensing requirements of the MTCS.

viii. No construction activities shall take place within the study area [including AjGx-268] prior to the MTCS (Archaeology Programs Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.

3) If not already addressed, the previous recommendations by Archeoworks (2017c:15) for Stage 3 site-specific assessment for McNichol's Cemetery remain in effect. These are:

a. Erect a new fence line around the cemetery using the staked limits as a minimum periphery (a perimeter was staked around the cemetery limits, including a minimum buffer zone of five metres past the furthest identified grave shaft), in order to ensure long-term protection of the cemetery. Long term protection of the cemetery must be ensured, and no development, including any soil disturbing activities, can take place within the cemetery limits.

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 *Standards and Guidelines for*

Consultant Archaeologists and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. 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 any further information regarding this matter, please feel free to contact me.

Sincerely,

Shari Prowse
Archaeology Review Officer

cc. Archaeology Licensing Officer
Clara Chan, Metrolinx
Shelby Swinfield, City of Brampton

¹*In 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.*

From: [Clara Chan](#)
To: [Felker, Bob](#); [Mcandrew, Louise](#); [Mrochkovskaia, Nadya](#)
Cc: [Dara Corrigan](#)
Subject: MTCS - Heritage Road Layover TPAP - Notice of Resumption Transmittal
Date: Monday, September 19, 2022 11:27:27 AM

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Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Hatcher, Laura (MTCS) <Laura.E.Hatcher@ontario.ca>
Sent: September-19-22 11:26 AM
To: Clara Chan <Clara.Chan@metrolinx.com>
Cc: Hamilton, James (MTCS) <James.Hamilton@ontario.ca>; Barboza, Karla (MTCS) <Karla.Barboza@ontario.ca>; Desautels, Solange (MECP) <Solange.Desautels@ontario.ca>; Hughes, Jordan (MECP) <Jordan.Hughes@ontario.ca>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Dara Corrigan <Dara.Corrigan@metrolinx.com>
Subject: RE: Heritage Road Layover TPAP - Notice of Resumption Transmittal

EXTERNAL SENDER: Do not click any links or open any attachments unless you trust the sender and know the content is safe.
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Dear Clara,

Thank you for circulating the Ministry of Tourism, Culture and Sport (MTCS) on the Notice of Completion of Environmental Project Report (EPR) for the Heritage Road Layover project. I have reviewed the revised EPR and the associated Cultural Heritage Report and Metrolinx comment log. I have also reviewed the findings and recommendations of the Stage 1 Archaeological Assessment. I have no concerns with the recommendations in the documents with regard to cultural heritage resources and find that the EPR has appropriately considered cultural heritage, which is a matter of provincial importance under Ontario Regulation 231/08.

Thank you for working with MTCS on this project. We look forward to continuing to work with Metrolinx on transit projects such as this one.

Sincerely,

Laura

Laura Hatcher, MCIP, RPP

Heritage Planner

Heritage Planning Unit | Programs and Services Branch | Heritage, Tourism and Culture Division

Ministry of Tourism, Culture and Sport

Tel. 437-239-3404 **New** | email: laura.e.hatcher@ontario.ca

From: Clara Chan <Clara.Chan@metrolinx.com>

Sent: August 16, 2022 1:41 PM

To: Hatcher, Laura (MTCS) <Laura.E.Hatcher@ontario.ca>

Cc: Hamilton, James (MTCS) <James.Hamilton@ontario.ca>; Barboza, Karla (MTCS) <Karla.Barboza@ontario.ca>; Zirger, Rosi (NDMNRF) <Rosi.Zirger@ontario.ca>; Desautels, Solange (MECP) <Solange.Desautels@ontario.ca>; Hughes, Jordan (MECP) <Jordan.Hughes@ontario.ca>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Dara Corrigan <Dara.Corrigan@metrolinx.com>

Subject: Heritage Road Layover TPAP - Notice of Resumption Transmittal

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Hi Laura,

As described in the attached Notice of Resumption, Metrolinx has decided to resume the Transit Project Assessment Process (TPAP) for the Heritage Road Layover Project. We have conducted additional engagement with various Indigenous communities and Nations to identify if existing Aboriginal and/or treaty rights, as recognized and affirmed in section 35 of the *Constitution Act, 1982*, are impacted by the Heritage Road Layover Project.

Metrolinx is committed to continued engagement with Indigenous communities and Nations outside of the TPAP. Metrolinx will work with Indigenous communities and Nations to set up field monitors for any field activities they expressed interest in. We are of the opinion that we have now addressed the concerns which led to the Notice of Issue and have attached our Notice of Resumption.

This Notice of Resumption will be posted on August 16, 2022 on the project's website:

(<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>).

Following the Notice of Resumption, the Notice of Completion will be formally circulated on August 18, 2022.

Please let us know if you have any questions.

Kind regards,

Clara

Clara Chan

Project Manager, Environmental Programs & Assessment

Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3

T: 416-202-7931 C: 647-262-8958

E: Clara.Chan@metrolinx.com

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From: Hatcher, Laura (MTCS) <Laura.E.Hatcher@ontario.ca>

Sent: July-18-22 4:27 PM

To: Clara Chan <Clara.Chan@metrolinx.com>

Cc: Hamilton, James (MTCS) <James.Hamilton@ontario.ca>; Barboza, Karla (MTCS) <Karla.Barboza@ontario.ca>; Zirger, Rosi (MTCS) <Rosi.Zirger@ontario.ca>; Desautels, Solange (MECP) <Solange.Desautels@ontario.ca>; Hughes, Jordan (MECP) <Jordan.Hughes@ontario.ca>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Dara Corrigan <Dara.Corrigan@metrolinx.com>

Subject: RE: Heritage Road Layover TPAP - Notice of Issue

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Hi Clara,

Thank you for the update.

All the best,

Laura

Laura Hatcher, MCIP, RPP

Heritage Planner

Heritage Planning Unit | Programs and Services Branch | Heritage, Tourism and Culture Division

Ministry of Tourism, Culture and Sport

Tel. 437-239-3404 **New** | email: laura.e.hatcher@ontario.ca

From: Clara Chan <Clara.Chan@metrolinx.com>

Sent: July 18, 2022 4:15 PM

To: Hatcher, Laura (MTCS) <Laura.E.Hatcher@ontario.ca>

Cc: Hamilton, James (MTCS) <James.Hamilton@ontario.ca>; Barboza, Karla (MTCS) <Karla.Barboza@ontario.ca>; Zirger, Rosi (MTCS) <Rosi.Zirger@ontario.ca>; Desautels, Solange (MECP) <Solange.Desautels@ontario.ca>; Hughes, Jordan (MECP) <Jordan.Hughes@ontario.ca>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Dara Corrigan <Dara.Corrigan@metrolinx.com>

Subject: Heritage Road Layover TPAP - Notice of Issue

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Dear Laura,

As described in the attached Notice of Issue, Metrolinx has decided to pause the Transit Project Assessment Process (TPAP) for the Heritage Road Layover Project to have additional engagement with Indigenous Nations to better understand the potential and scope for adverse impacts to Aboriginal and Treaty Rights.

This Notice of Issue will be posted today on the project's website (<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>).

We appreciate the comments received from MHSTCI/MCTS on the technical studies and EPR to date, and will keep you apprised as to when we restart the TPAP.

Please reach out to me with any questions.

Best regards,
Clara

Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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Ministry of Transportation

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:29 PM
To: Dara Corrigan; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: FW: Heritage Road Layover TPAP - Updated Noise and Vibration Report (MTO)

CAUTION: External email. Please do not click on links/attachments unless you know the content is genuine and safe.

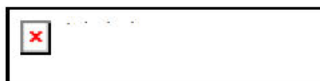
Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: info-attachmail@ontario.ca <info-attachmail@ontario.ca>
Sent: September-01-22 11:45 AM
To: jason.white@ontario.ca
Subject: Heritage Road Layover TPAP - Updated Noise and Vibration Report (MTO)

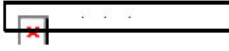
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clara.chan@metrolinx.com sent you a secure message

[Access message](#)

Dear Mr. White, Please find attached the signed version of the noise and vibration report. The updated copy will also be made to the Metroli..



Attachments expire on Sep 06, 2022



1 PDF

Appendix B Noise and Vibration Baseline Conditions and Impact Assessment Report
FINAL.pdf

This message requires that you sign in to access the message and any file attachments.

You have received attachment link(s) within this e-mail message sent via Enterprise Attachment Transfer Service. To retrieve the attachment(s), please click on the link(s). If you have any difficulty accessing the file using the enclosed link, please log into the Application first at the following location <http://attachmail.ontario.ca/>

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City of Brampton

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, August 18, 2022 5:13 PM
To: Lakeman, Brian
Cc: Dara Corrigan; Brian Poole; Simon Strauss; Zbogar, Henrik; Ranjan, Kumar; Padhya, Harsh; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (City of Brampton)
Attachments: Comment Log Template_Heritage Road Layover EPR - GRT.xlsx; 2022-08-18_Heritage Road Layover Notice_Completion - Final.pdf

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Hi Brian,

In accordance with Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* (made under the *Environmental Assessment Act*), please find attached the Notice of Completion (dated August 18, 2022) for the Heritage Road Layover TPAP.

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

A “TPAP pause” was undertaken to further engage with Indigenous communities and Nations, and the TPAP resumed through a Notice of Resumption issued August 16, 2022. This Notice of Completion is to announce the conclusion of the up to 120-day TPAP period.

The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

Please review the EPR and associated technical reports at the link below, <https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover> or

If you have any comments please provide them by September 19, 2022 using the attached comment log. As mentioned in the Notice of Resumption, we will be addressing your Environmental Issues letter within the 30-day review period and hope to share with you shortly.

Kind regards,
Clara

Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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Region of Peel

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:12 PM
To: Kwast, Tamara
Cc: Dara Corrigan; Simon Strauss; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: Heritage Road Layover TPAP - Updated Noise and Vibration Report
Attachments: Appendix B_ Noise and Vibration Baseline Conditions and Impact Assessment Report FINAL.pdf

CAUTION: External email. Please do not click on links/attachments unless you know the content is genuine and safe.

Hi Tamara,

Please find attached the signed version of the noise and vibration report. The updated copy will also be made to the Metrolinx Engage page and in the dropbox link below.

Two minor changes were made in comparison to the existing report that circulated in the Notice of Completion submittal package:

- Section 7.1 - In the fourth paragraph, we added the following statement was added for context "The Facility's operational noise is predicted to be dominated by the four (4) idling trains. Therefore, the stationary noise sources associated with the Facility's infrastructure, including but not limited to air compressors, transformers, and HVAC equipment, were not considered in the operational assessment of Facility."; and
- Section 7.1 - In the fifth paragraph, "The layover facility will be designed with four (4) tracks with capacity to accommodate one (1) train consist of two (2) locomotives and 12 coaches or two (2) train consists of one (1) locomotive and six (6) coaches on each track." was added.

If you have any questions, please let us know.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Kwast, Tamara <tamara.kwast@peelregion.ca>
Sent: August-22-22 11:01 AM
To: Clara Chan <Clara.Chan@metrolinx.com>
Cc: Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Felker, Bob <bob.felker@woodplc.com>; Mcandrew, Louise <louise.mcandrew@woodplc.com>; Mrochkovskaia, Nadya <nadya.mrochkovskaia@woodplc.com>
Subject: RE: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (Region of Peel)

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Thanks Clara for the update and associated links. I have circulated this information to Regional staff for their review and comment.

Regards,

Tamara Kwast, MCIP RPP
Principal Planner
Sustainable Transportation & Strategic Initiatives, Transportation Division
Region of Peel
10 Peel Centre Drive, Suite B, 4th Floor
Mobile: (437)-241-9026



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From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: August 18, 2022 5:11 PM
To: Kwast, Tamara <tamara.kwast@peelregion.ca>
Cc: Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Felker, Bob <bob.felker@woodplc.com>; Mcandrew, Louise <louise.mcandrew@woodplc.com>; Mrochkovskaia, Nadya <nadya.mrochkovskaia@woodplc.com>
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (Region of Peel)

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Hi Tamara,

In accordance with Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* (made under the *Environmental Assessment Act*), please find attached the Notice of Completion (dated August 18, 2022) for the Heritage Road Layover TPAP.

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

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The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

Please review the EPR and associated technical reports at the link below, <https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover> or

If you have any comments please provide them by September 19, 2022 using the attached comment log.

Kind regards,
Clara

Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: [Kwast, Tamara](#)
To: [Clara Chan](#)
Cc: [Dara Corrigan](#); [Simon Strauss](#); [Brian Poole](#); [Felker, Bob](#); [Mcandrew, Louise](#); [Mrochkovskaia, Nadya](#); [Detaramani, Tina](#); [Duque, Erica](#)
Subject: Heritage Road Layover EPR Comments - September 2022
Date: Friday, September 16, 2022 3:08:28 PM
Attachments: [image002.png](#)
[220916 Metrolinx Heritage Road Layover - Draft EPR Comments - September 16, 2022.pdf](#)

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Hi Clara,

Thank you for continuing to include the Region of Peel as a stakeholder on the Heritage Road Layover project. I have attached for your review and response Regional staff comments on the Environment Project Report, dated August 2022.

Please do not hesitate to contact me if you require more information or clarification.

Regards,

Tamara Kwast, MCIP RPP
Principal Planner
Sustainable Transportation & Strategic Initiatives, Transportation Division
Region of Peel
10 Peel Centre Drive, Suite B, 4th Floor
Mobile: (437)-241-9026



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From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: August 18, 2022 5:11 PM
To: Kwast, Tamara <tamara.kwast@peelregion.ca>
Cc: Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Felker, Bob <bob.felker@woodplc.com>; Mcandrew, Louise <louise.mcandrew@woodplc.com>; Mrochkovskaia, Nadya <nadya.mrochkovskaia@woodplc.com>
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (Region of Peel)

CAUTION: EXTERNAL MAIL. DO NOT CLICK ON LINKS OR OPEN ATTACHMENTS YOU DO NOT TRUST.

Hi Tamara,

In accordance with Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* (made under the *Environmental Assessment Act*), please find attached the Notice of Completion (dated August 18, 2022) for the Heritage Road Layover TPAP.

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

A “TPAP pause” was undertaken to further engage with Indigenous communities and Nations, and the TPAP resumed through a Notice of Resumption issued August 16, 2022. This Notice of Completion is to announce the conclusion of the up to 120-day TPAP period. The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

Please review the EPR and associated technical reports at the link below, <https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover> or

[REDACTED]

If you have any comments please provide them by September 19, 2022 using the attached comment log.

Kind regards,
Clara

Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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September 16, 2022

Simon Strauss
Manager, Environmental Programs and Assessment
Metrolinx

**Re: Region of Peel Comments on the Environmental Project Report dated August 2022
for the Heritage Road Layover Project**

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Dear Simon:

Thank you for including the Region of Peel as a stakeholder in the Environmental Project Report for the Heritage Road Layover Project. Regional staff have reviewed the material presented and we offer the following comments:

Heritage Heights Subwatershed Study

Planning and Development Services, Research and Analysis- Marsha Paley

1. Recommend that Metrolinx continue working with the City of Brampton and Credit Valley Conservation staff to implement the recommendations of the Heritage Heights' Subwatershed Study to address appropriate compensation and mitigation of the Greenlands System features and functions impacted by the project.

Population and Employment Growth Forecast

Planning and Development Services, Policy Development- Lina Alhabash

2. The TPAP includes population and employment growth forecast numbers that may be outdated. We note Section 3.5.2 of the TPAP report and Tables 2-5 and 2-8 of Appendix E, Socio-Economic and Land Use Baseline Conditions and Impact Assessment Report.
3. Please note that the Region's final Land Needs Assessment report includes updated population and employment forecast numbers (September 2021), which can be found under Land Needs Assessment 2022 at <https://www.peelregion.ca/officialplan/review/focus-areas/growth-management.asp>. The growth forecasts are subject to further refinement. Please note that forecast numbers by ward are not available at this time.
4. The ward population projection information is based on the City of Brampton's presentation for the Council workshop, dated September 27, 2021. We recommend using the reference "City of Brampton, 2021" instead of "Hemson Consulting Ltd., 2021" for accuracy.

Traffic

Traffic Signal & Systems – Michael Yap

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

5. More clear to use worst case scenario counts (pre-pandemic) from 2018 / 2019.

Traffic Safety – Grace Mulcahy

6. The 2030 NB queue on Winston Churchill Blvd. is potentially extending to the site access – what will be done to mitigate this issue?
7. Recommend an intersection warning sign north of the rail crossing for SB traffic to safely approach the access.
8. Poor LOS and V/C ratios increase driver frustration and promote unsafe driving behaviours such as aggressive driving. With current LOS and V/C ratios, how will construction be planned/structured to mitigate delays?
9. Heavy truck restriction along Winston Churchill Blvd. from Steeles to Mayfield – concerned with 20+ trucks travelling on Winston Churchill Blvd. daily during construction period.
10. Ensure safe access in and out of residential properties along WCB is maintained.
11. What will be the construction hours for this project?
12. Who will provide public notice to residents of construction and how far in advance will they be notified?
13. Please ensure ROP Traffic Safety is provided with a copy of the Traffic Control Plan/s for review.
14. On page 45, for clarity, what is meant by “the site access could be used as a truck queuing lane”? Is this referring to Winston Churchill Blvd. or the site access driveway?

Traffic Operations- Nathan Sinka

15. A traffic signal warrant should be proactively conducted to determine if traffic signals are warranted for the site access
16. Please be advised that Winston Churchill Blvd. is heavy truck restricted from Mayfield Road south.
17. The traffic volumes and LOS shown in table 2-2 are different then what the Region is aware of. The existing LOS at the intersection of Winston Churchill Blvd. and Guelph St/Bovaird Dr is quite a bit better when than what the table in the report shows. How were the traffic volumes derived and what signal timings were used?
18. Traffic volumes for the Bovaird Dr. and Heritage Rd. intersection were assumed. The Region has the turning movement count data for this intersection. Please contact our team for this information.

Traffic Development and Permits – Rani Kol

19. Details pertaining to the impact and access to the heritage features located at 10826 and 10746 Winston Churchill Blvd. are to be provided as it is not mentioned within the TIS.
20. We support the truck route concerns noted by the Traffic Safety group. Further discussions will be needed to understand the proposed traffic to and from the site during construction.

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Engineering Requirements

21. The Region of Peel has the following engineering requirements for this project:
- i. A detailed engineering submission of road works will be required for our review and comment, designed, stamped and signed by a Licensed Ontario Professional Engineer. The engineering submission must include the removals, new construction and grading, typical sections and pavement markings and signing drawings. All works within Region of Peel's right of way must be designed in accordance to the Public Works, "Design Criteria and Development Procedures Manual" and "Material Specifications and Standard Drawings Manual";
 - ii. A detailed cost estimate of the proposed road and access works within the Regional right of way will be required;
 - iii. Securities shall be submitted as either a letter of credit, or certified cheque, in the amount of 100% of the approved estimated cost of road and access works along Regional Road 1 (Winston Churchill Boulevard);
 - iv. 10.8% engineering and inspection fees shall be paid to the Region based on the approved estimated cost of road and access works (minimum \$1,724.40).
 - v. A PUCC circulation will be required once the engineering design is approved (6-8 week process);
 - vi. The Owner will be required to submit the following prior to commencement of works within the Region's right-of-way:
 - a. \$10,000.00 mud tracking securities will be required;
 - b. Completed Road Occupancy Permit and a permit fee as per the Region's user fees and charges By-law;
 - c. Completed Notice to Commence Work ;
 - d. Provide proof of insurance with the Region of Peel added to the certificate as an additional insured with \$5 million minimum from the Contractor;
 - e. Traffic Control Plan is required for our review and approval.
 - vii. All costs associated with the design and construction of road and access works will be 100% paid by the Owner.

Regional staff look forward to the continued engagement with Metrolinx throughout the evaluation process for the Heritage Road Layover Project. Should there be any questions regarding the comments above, please do not hesitate to contact me.

Yours truly,

Tamara Kwast

Principal Planner, Sustainable Transportation & Strategic Initiatives
Transportation Division
Region of Peel

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Monday, October 3, 2022 9:25 AM
To: Kwast, Tamara
Cc: Dara Corrigan; Simon Strauss; Detaramani, Tina; Duque, Erica; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya; Talha Asif
Subject: RE: Heritage Road Layover EPR Comments - September 2022
Attachments: 2022-10-03 Peel_Region Traffic and Eng.xlsx

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Good morning Tamara,

Hope all is well. Please find attached our comments to your responses received during the Public Review period. Please let us know if you have any further comments or if these comments can be considered closed.

Kind regards,
Clara

Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Kwast, Tamara <tamara.kwast@peelregion.ca>
Sent: September-16-22 3:06 PM
To: Clara Chan <Clara.Chan@metrolinx.com>
Cc: Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Felker, Bob <bob.felker@woodplc.com>; Mcandrew, Louise <louise.mcandrew@woodplc.com>; Mrochkovskaia, Nadya <nadya.mrochkovskaia@woodplc.com>; Detaramani, Tina <tina.detaramani@peelregion.ca>; Duque, Erica <erica.duque@peelregion.ca>
Subject: Heritage Road Layover EPR Comments - September 2022

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Hi Clara,

Thank you for continuing to include the Region of Peel as a stakeholder on the Heritage Road Layover project. I have attached for your review and response Regional staff comments on the Environment Project Report, dated August 2022.

Please do not hesitate to contact me if you require more information or clarification.

Regards,

Tamara Kwast, MCIP RPP
Principal Planner
Sustainable Transportation & Strategic Initiatives, Transportation Division
Region of Peel
10 Peel Centre Drive, Suite B, 4th Floor
Mobile: (437)-241-9026



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From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: August 18, 2022 5:11 PM
To: Kwast, Tamara <tamara.kwast@peelregion.ca>
Cc: Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Felker, Bob <bob.felker@woodplc.com>; Mcandrew, Louise <louise.mcandrew@woodplc.com>; Mrochkovskaia, Nadya <nadya.mrochkovskaia@woodplc.com>
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (Region of Peel)

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Hi Tamara,

In accordance with Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* (made under the *Environmental Assessment Act*), please find attached the Notice of Completion (dated August 18, 2022) for the Heritage Road Layover TPAP.

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

A “TPAP pause” was undertaken to further engage with Indigenous communities and Nations, and the TPAP resumed through a Notice of Resumption issued August 16, 2022. This Notice of Completion is to announce the conclusion of the up to 120-day TPAP period.

The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

Please review the EPR and associated technical reports at the link below,
<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>

or

If you have any comments please provide them by September 19, 2022 using the attached comment log.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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PROJECT NAME:	Heritage Road Layover	* Actions:	** Line Item Status:
Submittal Date:	16-Sep-22	1 = Will comply 2 = Discuss, clarification required 3 = Not applicable because	R##@#Rshg/#qrv#uhvroyhg P = Pending incorporation in design C = Closed, implementation complete

Item No.	Reviewer Name	Organization	Report	Drawing No./ Document No. Specification Section/ Page No.	Review Comment (Metrolinx, Third Party Reviewers)	Response and Details (Submitter)	* Action 1 / 2 / 3 (Submitter)	** Line Item Status O / P / C (Reviewer)	Mx/Reviewer Comment
1	Marsha Paley, Planning and Development Services, Research and Analysis	Region of Peel	EPR	HHSWS	Recommend that Metrolinx continue working with the City of Brampton and Credit Valley Conservation staff to implement the recommendations of the Heritage Heights' Subwatershed Study to address appropriate compensation and mitigation of the Greenlands System features and functions impacted by the project.	Metrolinx will continue working with the City of Brampton and CVC to implement the recommendations of the HHSWS as appropriate. This commitment is noted in Section 7.1.4 of the EPR.	1		
2	Lina Alhabash, Planning and Development Services, Policy Development	Region of Peel	EPR	Population and Employment Growth Forecast	The TPAP includes population and employment growth forecast numbers that may be outdated. We note Section 3.5.2 of the TPAP report and Tables 2-5 and 2-8 of Appendix E, Socio-Economic and Land Use Baseline Conditions and Impact Assessment Report.	The population data for Brampton was provided by the City of Brampton. Other population data was from the 2021 Canadian Census results, however when data was unavailable, it was obtained from the 2016 Canadian Census results.	2		
3	Lina Alhabash, Planning and Development Services, Policy Development	Region of Peel	EPR	Population and Employment Growth Forecast	Please note that the Region's final Land Needs Assessment report includes updated population and employment forecast numbers (September 2021), which can be found under Land Needs Assessment 2022 at https://www.peelregion.ca/officialplan/review/focus-areas/growth-management.asp . The growth forecasts are subject to further refinement. Please note that forecast numbers by ward are not available at this time.	Noted.	1		
4	Lina Alhabash, Planning and Development Services, Policy Development	Region of Peel	EPR	Population and Employment Growth Forecast	The ward population projection information is based on the City of Brampton's presentation for the Council workshop, dated September 27, 2021. We recommend using the reference "City of Brampton, 2021" instead of "Hemson Consulting Ltd., 2021" for accuracy.	Reference to be modified and included in the Errata	1		
5	Michael Yap, Traffic Signal and Systems	Region of Peel	EPR	Traffic	More clear to use worst case scenario counts (pre-pandemic) from 2018 / 2019.	As noted in section 2.1, base traffic volumes from 2018, 2019 and 2020 were considered and balanced to match the highest available volumes. Then, 2% per year growth was applied to determine worst case 2022 volumes, and future background volumes for 2025 and 2030. Development anticipated in the Heritage Heights secondary plan areas was further layered onto the 2025 and 2030 forecasts, which yields a conservative forecast.	1		
6	Grace Mulcahy, Traffic Safety	Region of Peel	EPR	Traffic	The 2030 NB queue on Winston Churchill Blvd. is potentially extending to the site access – what will be done to mitigate this issue?	Ingress and egress volumes at the Winston Churchill Blvd./Site Access T-intersection are infrequent and low. As indicated in section 5.2.1, ... the southbound left turn volumes are forecast to be less than 10 vehicles per hour and less than 2% of the approach volumes during the peak periods, and therefore would not meet a left turn lane warrant. As indicated in section 6.1, in Table 6-1, the future forecast is for 2 CN Freight trains during the Peak Hour. It is the CN Freight Trains that have the potential to generate the maximum NB queue lengths. On balance, based on the limited site access inbound and outbound volumes (20 vph AM peak & 18 vph PM peak), and the infrequent potential for maximum queue lengths to extend to the site access T-intersection, mitigation is not required.	1		
7	Grace Mulcahy, Traffic Safety	Region of Peel	EPR	Traffic	Recommend an intersection warning sign north of the rail crossing for SB traffic to safely approach the access.	Noted. The need for traffic signage will be reviewed with the Region of Peel as part of detailed design, and in obtaining permits, such as the Road Occupancy Permit.	1		
8	Grace Mulcahy, Traffic Safety	Region of Peel	EPR	Traffic	Poor LOS and V/C ratios increase driver frustration and promote unsafe driving behaviours such as aggressive driving. With current LOS and V/C ratios, how will construction be planned/structured to mitigate delays?	The mitigation strategies to be applied during construction to minimize traffic delays are outlined in section 7.0. Winston Churchill Boulevard will remain open during all the planned construction stages. Due to the narrow shoulder (approximately 1.2m), short term closures of one lane to move equipment onto the site could take place for one day only as the worst-case scenario, prior the early construction stages (Stage 1 & 2). A Traffic Control Plan will be created for the proposed lane closures and a Road Occupancy Permit will be obtained from the Region of Peel. An alternative solution to avoid any closure include using the farm field entrance located south of the layover site and construction of a temporary road parallel to Winston Churchill Boulevard. The Region of Peel, emergency services and school boards for the City of Brampton and Region of Peel, as well as residents in the surrounding areas will be notified of any short term closures to Winston Churchill Boulevard.	1		
9	Grace Mulcahy, Traffic Safety	Region of Peel	EPR	Traffic	Heavy truck restriction along Winston Churchill Blvd. from Steeles to Mayfield – concerned with 20+ trucks travelling on Winston Churchill Blvd. daily during construction period.	As indicated in section 7.0, ... Anticipated material quantities are not expected to generate high volumes of construction vehicles. The current estimate is no more than 20 heavy vehicles (dump trucks and tractor trailers to deliver railway ties). The daily 20 max truck traffic estimate will not be constant during the estimated 2 year construction period. The majority of truck traffic will occur at off-peak hours during the initial site preparation stage. Prior to construction start a Traffic Control and Management Plan will be prepared that will provide further detail on construction traffic volumes and mitigation measures.	1		
10	Grace Mulcahy, Traffic Safety	Region of Peel	EPR	Traffic	Ensure safe access in and out of residential properties along WCB is maintained.	Noted. The Traffic Control and Management Plan will set out the Ontario Traffic Manual - Book 7 - Temporary Conditions that will be adhered to during the construction process to allow safe accommodation for drivers, pedestrians and cyclists, and for rail traffic.	1		
11	Grace Mulcahy, Traffic Safety	Region of Peel	EPR	Traffic	What will be the construction hours for this project?	The Construction Hours will generally be limited to daylight hours, with very limited night work.	1		
12	Grace Mulcahy, Traffic Safety	Region of Peel	EPR	Traffic	Who will provide public notice to residents of construction and how far in advance will they be notified?	As set out in Table 4.13-1 of the EPR; a Communications Protocol will be developed, which will indicate how and when surrounding property owners and tenants will be informed of anticipated upcoming construction works, including work at night, if any.	1		
13	Grace Mulcahy, Traffic Safety	Region of Peel	EPR	Traffic	Please ensure ROP Traffic Safety is provided with a copy of the Traffic Control Plan/s for review.	Noted.	1		
14	Grace Mulcahy, Traffic Safety	Region of Peel	EPR	Traffic	On page 45, for clarity, what is meant by "the site access could be used as a truck queuing lane"? Is this referring to Winston Churchill Blvd. or the site access driveway?	Recognizing that truck queuing on Winston Churchill Blvd, particularly with the restriction on NB travel, would require temporary lane closures, due to the limited shoulders, one mitigation strategy is to use the site access road, once constructed, as a queuing lane. As a further measure to get truck traffic off Winston Churchill Blvd. a temporary road could be constructed from the farm field access up to the site access road.	1		
15	Nathan Sinka, Traffic Operations	Region of Peel	EPR	Traffic	A traffic signal warrant should be proactively conducted to determine if traffic signals are warranted for the site access	Traffic volumes forecast to and from the site are far too low to warrant a traffic signal. In the weekday morning peak hour, 17 vph inbound and 3 vph outbound are forecast. During the weekday afternoon peak hour, 3 vph inbound and 15 vph outbound are forecast. Absolute minimum outbound volumes required to satisfy a signal warrant would be 50 vph, sustained each hour over 8 hours.	3		
16	Nathan Sinka, Traffic Operations	Region of Peel	EPR	Traffic	Please be advised that Winston Churchill Blvd. is heavy truck restricted from Mayfield Road south.	Noted. We have also had comment from the Town of Halton Hills that construction truck traffic is restricted from travel through Norval at the Guelph St / Winston Churchill Blvd. intersection.	1		
17	Nathan Sinka, Traffic Operations	Region of Peel	EPR	Traffic	The traffic volumes and LOS shown in table 2-2 are different then what the Region is aware of. The existing LOS at the intersection of Winston Churchill Blvd. and Guelph St/Bovaird Dr is quite a bit better when than what the table in the report shows. How were the traffic volumes derived and what signal timings were used?	See item 5 and report section 2.1 for a description of how volumes were derived. Due to the conservative approach to developing these volumes, actual volumes may be lower. Traffic signal timing plans used for analysis are provided in Appendix A. Synchro output files are provided in Appendix B. Note that the operation of the intersection of Winston Churchill Boulevard & Guelph Street/Bovaird Drive did not affect study recommendations.	1		

From: Dara Corrigan <Dara.Corrigan@metrolinx.com>
Sent: Tuesday, October 18, 2022 12:05 PM
To: Mrochkovskaia, Nadya
Cc: Mcandrew, Louise; Felker, Bob; Clara Chan
Subject: FW: Heritage Road Layover EPR - Metrolinx's Response Comment Matrix

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FYI Confirming no further comments from the Region 😊

Thanks,
Dara

From: Kwast, Tamara <tamara.kwast@peelregion.ca>
Sent: October 18, 2022 12:00 PM
To: Dara Corrigan <Dara.Corrigan@metrolinx.com>; Alhabash, Lina <lina.alhabash@peelregion.ca>
Cc: Clara Chan <Clara.Chan@metrolinx.com>
Subject: RE: Heritage Road Layover EPR - Metrolinx's Response Comment Matrix

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That's great! Thank you for confirming. I have received no further comments from staff on the EPR.

From: Dara Corrigan <Dara.Corrigan@metrolinx.com>
Sent: October 18, 2022 11:46 AM
To: Kwast, Tamara <tamara.kwast@peelregion.ca>; Alhabash, Lina <lina.alhabash@peelregion.ca>
Cc: Clara Chan <Clara.Chan@metrolinx.com>
Subject: RE: Heritage Road Layover EPR - Metrolinx's Response Comment Matrix

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Hi Tamara and Lina,

Thank you for your comments. We have made the reference revisions to the Region of Peel report as per your suggestions.

Let me know if there are any further comments or questions.

Thanks,
Dara

Dara Corrigan, M.Env.Sc
Project Coordinator (A), Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
C: 416.357.6123

From: Kwast, Tamara <tamara.kwast@peelregion.ca>
Sent: October 13, 2022 2:17 PM
To: Clara Chan <Clara.Chan@metrolinx.com>; Alhabash, Lina <lina.alhabash@peelregion.ca>
Cc: Dara Corrigan <Dara.Corrigan@metrolinx.com>
Subject: RE: Heritage Road Layover EPR - Metrolinx's Response Comment Matrix

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Hi Clara,

Please see the additional comment from Lina Alhabash below that needs to be addressed by Metrolinx:

- No concerns regarding the information provided by 2016/2021 Census results or by the City of Brampton.
- However, the growth forecast information in Appendix E still seems to be confusing.
 - The information in Tables 2-5, and Table 2-8 of Appendix E is making reference to the 2051 Land Needs Assessment (LNA) report, which was prepared by the Region, and not Hemson. Additionally, the specific numbers in Table 2-8 seem to be taken from the Employment Strategy Discussion Paper – 2051 Addendum (page 4), which was prepared by Cushman and Wakefield. For accuracy purposes, I recommend editing the references to the Region of Peel when referring to the LNA report and Cushman and Wakefield when referring to the Employment Strategy Discussion paper.

Please let me know how Metrolinx will address this comment and revise the EPR to include references to the LNA report (Cushman and Wakefield).

Thank you,

Tamara

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: October 11, 2022 10:29 AM
To: Kwast, Tamara <tamara.kwast@peelregion.ca>; Alhabash, Lina <lina.alhabash@peelregion.ca>
Cc: Dara Corrigan <Dara.Corrigan@metrolinx.com>
Subject: RE: Heritage Road Layover EPR - Metrolinx's Response Comment Matrix

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Hi Tamara and Lina,

Hope you both had a good long weekend!

The item was marked as “2” to confirm whether the information utilized in the TPAP (City of Brampton population information provided by the City), and the 2016/2021 Canadian Census results were in the line with the data that Lina has regarding the growth forecasts. If the information used satisfies, we can consider the comment addressed.

Thanks,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Kwast, Tamara <tamara.kwast@peelregion.ca>
Sent: October-11-22 10:23 AM
To: Clara Chan <Clara.Chan@metrolinx.com>; Alhabash, Lina <lina.alhabash@peelregion.ca>
Subject: FW: Heritage Road Layover EPR - Metrolinx's Response Comment Matrix

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Hi Clara,

Can you provide additional insight on the comment from Lina below?

Thank you,

Tamara

From: Alhabash, Lina <lina.alhabash@peelregion.ca>
Sent: October 6, 2022 11:58 AM
To: Kwast, Tamara <tamara.kwast@peelregion.ca>
Cc: Fang, Bihui April <bihui.fang@peelregion.ca>
Subject: RE: Heritage Road Layover EPR - Metrolinx's Response Comment Matrix

Hi Tamara,

Thank you for forwarding Metrolinx's response. We have no further concerns or comments. However, it seems that comment No. 2 is noted for discussion/clarification. I am not sure if Metrolinx is looking for any specific information. We are happy to chat or meet to further discuss this. Please let me know.

Thanks,

Lina Alhabash MES, RPP
Intermediate Planner, Policy Development
Planning and Development Services, Public Works
10 Peel Centre Drive, Suite B, 4th Floor
T: 905 791-7800 ext. 5287

From: Kwast, Tamara <tamara.kwast@peelregion.ca>

Sent: October 3, 2022 10:54 AM

To: Sinka, Nathan <nathan.sinka@peelregion.ca>; Mulcahy, Grace <grace.mulcahy@peelregion.ca>; Yap, Michael <michael.yap@peelregion.ca>; Alhabash, Lina <lina.alhabash@peelregion.ca>; Paley, Marsha <marsha.paley@peelregion.ca>

Cc: Detaramani, Tina <tina.detaramani@peelregion.ca>

Subject: Heritage Road Layover EPR - Metrolinx's Response Comment Matrix

Good morning,

Thank you for providing comments on the Heritage Road Layover EPR. Please see attached for your review Metrolinx's response to the Region's comments on the EPR.

Please let me know if you have additional comments or outstanding concerns by September 13th.

Regards,

Tamara Kwast, MCIP RPP
Principal Planner
Sustainable Transportation & Strategic Initiatives, Transportation Division
Region of Peel
10 Peel Centre Drive, Suite B, 4th Floor
Mobile: (437)-241-9026

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From: Kwast, Tamara

Sent: August 22, 2022 10:58 AM

To: Tatla, Manvir <Manvir.Tatla@peelregion.ca>; Van Boxmeer, Kyle <Kyle.VanBoxmeer@peelregion.ca>; Jamroz, Damian <Damian.Jamroz@peelregion.ca>; Rook, Sally <Sally.Rook@peelregion.ca>; Gulyas, Ryan <Ryan.Gulyas@peelregion.ca>; Simms, Joy <joy.simms@peelregion.ca>; Fitzpatrick, Sandra <Sandra.Fitzpatrick@peelregion.ca>; Ponce Vanelli, Italia <Italia.Ponce@peelregion.ca>; Dodds, Darrin <Darrin.Dodds@peelregion.ca>; ZZG-PWI <pwi@peelregion.ca>; LeDrew, Lyle <Lyle.LeDrew@peelregion.ca>; Wedderburn, Duran <Duran.Wedderburn@peelregion.ca>; Zia, Solmaz <Solmaz.Zia@peelregion.ca>; Morrison, Chantel <Chantel.Morrison@peelregion.ca>; Aubin, Louise <Louise.Aubin@peelregion.ca>; Toy, William <William.Toy@peelregion.ca>; Carrick, Sean <Sean.Carrick@peelregion.ca>; Ansari, Seema <Seema.Ansari@peelregion.ca>; Schembri, Jeremy <Jeremy.Schembri@peelregion.ca>; Patterson, Adaoma <adaoma.patterson@peelregion.ca>; Head, Mark <Mark.Head@peelregion.ca>; Powell, Sarah <Sarah.Powell@peelregion.ca>; Kuczynski, Roman <Roman.Kuczynski@peelregion.ca>; Saiyed, Sabbir

<Sabbir.Saiyed@peelregion.ca>; Canjar, Neha <Neha.Canjar@peelregion.ca>; Paje, Wilson <Wilson.Paje@peelregion.ca>; Hamdani, Hashim <HashimAli.Hamdani@peelregion.ca>; Banuri, Syeda <Syeda.Banuri@peelregion.ca>; Bubas, Sonya <sonya.bubas@peelregion.ca>; Ahuja, Sidharth <sidharth.ahuja@peelregion.ca>; Sinka, Nathan <Nathan.Sinka@peelregion.ca>; Paley, Marsha <marsha.paley@peelregion.ca>

Cc: Detaramani, Tina <Tina.Detaramani@peelregion.ca>; Dave, Richa <richa.dave@peelregion.ca>

Subject: Heritage Road Layover TPAP Update/Resuming - EPR Comments Requested

Good morning,

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

A “TPAP pause” was undertaken to further engage with Indigenous communities and Nations, and the TPAP resumed through a Notice of Resumption issued August 16, 2022. This Notice of Completion is to announce the conclusion of the up to 120-day TPAP period.

The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

Please review the EPR and associated technical reports at the link below, and provide your comments to me by **September 9, 2022**.

<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>

or

If you have any questions or concerns please feel free to contact me. Please note I will be away from the office on August 29th – September 2nd, during my absence [@Dave, Richa](#) will be the main contact on this project.

Regards,

Tamara Kwast, MCIP RPP
Principal Planner
Sustainable Transportation & Strategic Initiatives, Transportation Division
Region of Peel
10 Peel Centre Drive, Suite B, 4th Floor
Mobile: (437)-241-9026



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Town of Halton Hills

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:13 PM
To: Maureen Van Ravens; Ivan Drewnitski; Jeff Jelsma; Melissa Ricci
Cc: Brian Poole; Dara Corrigan; Simon Strauss; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: Heritage Road Layover TPAP - Updated Noise and Vibration Report (Town of Halton Hills)
Attachments: Appendix B_ Noise and Vibration Baseline Conditions and Impact Assessment Report FINAL.pdf

CAUTION: External email. Please do not click on links/attachments unless you know the content is genuine and safe.

Hi Maureen,

Please find attached the signed version of the noise and vibration report. The updated copy will also be made to the Metrolinx Engage page and in the dropbox link below.

Two minor changes were made in comparison to the existing report that circulated in the Notice of Completion submittal package:

- Section 7.1 - In the fourth paragraph, we added the following statement was added for context "The Facility's operational noise is predicted to be dominated by the four (4) idling trains. Therefore, the stationary noise sources associated with the Facility's infrastructure, including but not limited to air compressors, transformers, and HVAC equipment, were not considered in the operational assessment of Facility."; and
- Section 7.1 - In the fifth paragraph, "The layover facility will be designed with four (4) tracks with capacity to accommodate one (1) train consist of two (2) locomotives and 12 coaches or two (2) train consists of one (1) locomotive and six (6) coaches on each track." was added.

If you have any questions, please let us know.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: August-18-22 5:12 PM
To: Maureen Van Ravens <MaureenV@haltonhills.ca>; Ivan Drewnitski <idrewnitski@haltonhills.ca>; Jeff Jelsma <JeffJ@haltonhills.ca>; Melissa Ricci <mricci@haltonhills.ca>
Cc: Brian Poole <Brian.Poole@metrolinx.com>; Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>; Felker, Bob <bob.felker@woodplc.com>; Mcandrew, Louise <louise.mcandrew@woodplc.com>; Mrochkovskaia, Nadya <nadya.mrochkovskaia@woodplc.com>
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (Town of Halton Hills)

Hi Maureen,

In accordance with Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* (made under the *Environmental Assessment Act*), please find attached the Notice of Completion (dated August 18, 2022) for the Heritage Road Layover TPAP.

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

A "TPAP pause" was undertaken to further engage with Indigenous communities and Nations, and the TPAP resumed through a Notice of Resumption issued August 16, 2022. This Notice of Completion is to announce the conclusion of the up to 120-day TPAP period.

The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

Please review the EPR and associated technical reports at the link below,

<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>

or

If you have any comments please provide them by September 19, 2022 using the attached comment log.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment

Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3

T: 416-202-7931 C: 647-262-8958

E: Clara.Chan@metrolinx.com

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Credit Valley Conservation

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:15 PM
To: 'Kilis, Jakub'
Cc: Dara Corrigan; Simon Strauss; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: Heritage Road Layover TPAP - Updated Noise and Vibration Report (CVC)
Attachments: Appendix B_ Noise and Vibration Baseline Conditions and Impact Assessment Report FINAL.pdf

CAUTION: External email. Please do not click on links/attachments unless you know the content is genuine and safe.

Dear Jakub,

Please find attached the signed version of the noise and vibration report. The updated copy will also be made to the Metrolinx Engage page and in the dropbox link below.

Two minor changes were made in comparison to the existing report that circulated in the Notice of Completion submittal package:

- Section 7.1 - In the fourth paragraph, we added the following statement was added for context "The Facility's operational noise is predicted to be dominated by the four (4) idling trains. Therefore, the stationary noise sources associated with the Facility's infrastructure, including but not limited to air compressors, transformers, and HVAC equipment, were not considered in the operational assessment of Facility."; and
- Section 7.1 - In the fifth paragraph, "The layover facility will be designed with four (4) tracks with capacity to accommodate one (1) train consist of two (2) locomotives and 12 coaches or two (2) train consists of one (1) locomotive and six (6) coaches on each track." was added.

If you have any questions, please let us know.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: August-18-22 5:18 PM
To: 'Kilis, Jakub' <Jakub.Kilis@cvc.ca>
Cc: Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; 'Felker, Bob' <bob.felker@woodplc.com>; 'Mcandrew, Louise' <louise.mcandrew@woodplc.com>; 'Mrochkovskaia, Nadya' <nadya.mrochkovskaia@woodplc.com>
Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (CVC)

Hi Jakub,

In accordance with Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* (made under the *Environmental Assessment Act*), please find attached the Notice of Completion (dated August 18, 2022) for the Heritage Road Layover TPAP.

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

A “TPAP pause” was undertaken to further engage with Indigenous communities and Nations, and the TPAP resumed through a Notice of Resumption issued August 16, 2022. This Notice of Completion is to announce the conclusion of the up to 120-day TPAP period.

The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

Please review the EPR and associated technical reports at the link below, <https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover> or

Thank you for your earlier feedback dated August 16, 2022. We will respond to your additional comments during the public review period.

If you have any comments please provide them by September 19, 2022 using the attached comment log.

Kind regards,
Clara

Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Kilis, Jakub <Jakub.Kilis@cvc.ca>
Sent: Friday, September 9, 2022 2:06 PM
To: Clara Chan
Cc: Dara Corrigan; Simon Strauss; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: CVC Comments - Final EPR and Appendices - Metrolinx Heritage Layover Facility (CVC File No. EA 15/015)

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Hi Clara,

CVC staff has now had the opportunity to review the Final EPR and associated Appendices. We do not have any additional comments at this time beyond what has been provided to date. We acknowledge Metrolinx's recognition and commitment to continue working with CVC to address our feedback that extends beyond the completion of the EPR.

Further, CVC looks forward to working with Metrolinx and the City of Brampton to address recommendation of the Heritage Heights Subwatershed Study to address impacts and appropriate avoidance, mitigation and compensation related to the NHS features and functions that may be impacted by this project. CVC supports the City of Brampton memo prepared by Anand Balram and dated August 10, 2022 which also reflects CVC interest in the ongoing Heritage Heights planning process.

Please do not hesitate to contact me should you have any questions,
Jakub

I'm working remotely. The best way to reach me is by email, mobile phone or Microsoft Teams.

Jakub Kilis | RPP

Senior Manager, Infrastructure and Regulations | Credit Valley Conservation

905-670-1615 ext 287 | M: 647-212-6554

jakub.kilis@cvc.ca | cvc.ca



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From: [Clara Chan](#)
To: [Kilis, Jakub](#)
Cc: [Dara Corrigan](#); [Simon Strauss](#); [Felker, Bob](#); [Mcandrew, Louise](#); [Mrochkovskaia, Nadya](#)
Subject: RE: CVC Comments - Final EPR and Appendices - Metrolinx Heritage Layover Facility (CVC File No. EA 15/015)
Date: Thursday, September 22, 2022 1:35:48 PM
Attachments: [image002.jpg](#)
[image003.jpg](#)

CAUTION: External email. Please do not click on links/attachments unless you know the content is genuine and safe.

Hi Jakub,

Apologies in the delayed response. This email confirms receipt of your reply. We will include this in our consultation record.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

I sometimes send emails outside of working hours. Please do not feel obligated to respond outside of your working hours.



From: Kilis, Jakub <Jakub.Kilis@cvc.ca>
Sent: September-09-22 2:06 PM
To: Clara Chan <Clara.Chan@metrolinx.com>
Cc: Dara Corrigan <Dara.Corrigan@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>; 'Felker, Bob' <bob.felker@woodplc.com>; 'Mcandrew, Louise' <louise.mcandrew@woodplc.com>; 'Mrochkovskaia, Nadya' <nadya.mrochkovskaia@woodplc.com>
Subject: CVC Comments - Final EPR and Appendices - Metrolinx Heritage Layover Facility (CVC File No. EA 15/015)

Some people who received this message don't often get email from jakub.kilis@cvc.ca. [Learn why this is important](#)

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Hi Clara,

CVC staff has now had the opportunity to review the Final EPR and associated Appendices. We do not have any additional comments at this time beyond what has been provided to date. We acknowledge Metrolinx's recognition and commitment to continue working with CVC to address our feedback that extends beyond the completion of the EPR.

Further, CVC looks forward to working with Metrolinx and the City of Brampton to address recommendation of the Heritage Heights Subwatershed Study to address impacts and appropriate avoidance, mitigation and compensation related to the NHS features and functions that may be impacted by this project. CVC supports the City of Brampton memo prepared by Anand Balram and dated August 10, 2022 which also reflects CVC interest in the ongoing Heritage Heights planning process.

Please do not hesitate to contact me should you have any questions,
Jakub

I'm working remotely. The best way to reach me is by email, mobile phone or Microsoft Teams.

Jakub Kilis | RPP
Senior Manager, Infrastructure and Regulations | Credit Valley Conservation
905-670-1615 ext 287 | M: 647-212-6554
jakub.kilis@cvc.ca | cvc.ca



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Canadian National Railway

From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 1, 2022 12:16 PM
To: Mark Bedard; Proximity; Ashkan Matlabi; Saadia Jamil
Cc: James Schick; Talha Asif; Simon Strauss; Brian Poole; Marco Mazzaferro; Rhema Stevenson; Dara Corrigan; Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Subject: Heritage Road Layover TPAP - Updated Noise and Vibration Report (CN)
Attachments: Appendix B_ Noise and Vibration Baseline Conditions and Impact Assessment Report FINAL.pdf

CAUTION: External email. Please do not click on links/attachments unless you know the content is genuine and safe.

Hi CN Team,

Please find attached the signed version of the noise and vibration report. The updated copy will also be made to the Metrolinx Engage page and in the dropbox link below.

Two minor changes were made in comparison to the existing report that circulated in the Notice of Completion submittal package:

- Section 7.1 - In the fourth paragraph, we added the following statement was added for context "The Facility's operational noise is predicted to be dominated by the four (4) idling trains. Therefore, the stationary noise sources associated with the Facility's infrastructure, including but not limited to air compressors, transformers, and HVAC equipment, were not considered in the operational assessment of Facility."; and
- Section 7.1 - In the fifth paragraph, "The layover facility will be designed with four (4) tracks with capacity to accommodate one (1) train consist of two (2) locomotives and 12 coaches or two (2) train consists of one (1) locomotive and six (6) coaches on each track." was added.

If you have any questions, please let us know.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: August-18-22 5:21 PM
To: Mark Bedard <Mark.Bedard@cn.ca>; Proximity <proximity@cn.ca>; Ashkan Matlabi <Ashkan.Matlabi@cn.ca>; Saadia Jamil <Saadia.Jamil@cn.ca>
Cc: Jeff Yee <Jeff.Yee@metrolinx.com>; Talha Asif <Talha.Asif@metrolinx.com>; Simon Strauss <Simon.Strauss@metrolinx.com>; Brian Poole <Brian.Poole@metrolinx.com>; Marco Mazzaferro <Marco.Mazzaferro@cn.ca>; Rhema Stevenson <Rhema.Stevenson@cn.ca>; Dara Corrigan <Dara.Corrigan@metrolinx.com>; 'Felker, Bob' <bob.felker@woodplc.com>; 'Mcandrew, Louise'

<louise.mcandrew@woodplc.com>; 'Mrochkovskaia, Nadya' <nadya.mrochkovskaia@woodplc.com>

Subject: Heritage Road Layover TPAP Notice of Completion - August 18, 2022 (CN)

Hi Mark,

In accordance with Ontario Regulation 231/08 *Transit Projects and Metrolinx Undertakings* (made under the *Environmental Assessment Act*), please find attached the Notice of Completion (dated August 18, 2022) for the Heritage Road Layover TPAP.

As part of the TPAP process, Metrolinx has been engaging with Indigenous communities and Nations, and consulting with stakeholders. Two public meetings were held in early 2022 as part of the pre-planning and formal TPAP period. The official Notice of Commencement which initiated the formal TPAP period was issued March 24, 2022.

A "TPAP pause" was undertaken to further engage with Indigenous communities and Nations, and the TPAP resumed through a Notice of Resumption issued August 16, 2022. This Notice of Completion is to announce the conclusion of the up to 120-day TPAP period.

The EPR is made available for a 30-day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of the Environment, Conservation and Parks review.

The EPR for the Heritage Road Layover is now available for a 30-day public review period starting August 19, 2022 and ending on September 19, 2022.

The draft environmental studies were shared with CN in March of this year. If you are interested in viewing the EPR and associated technical reports, they can be accessed at the link below,

<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover> or

If you have any comments please provide them by September 19, 2022.

Kind regards,
Clara

Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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Public Stakeholders

Heritage Road Layover - Environmental Project Report - Submit Your Comments

Submission Details

Which of the following would you like to comment on? Please select all that apply.

Submit your general comments about the Environmental Project Report below.

E-mail (optional). You can include your email if you would like a reply to your comment.

Serial SID Submitted Time Appendix A - Appendix B - Appendix C - Appendix D - Appendix E - Appendix F - Appendix G - Appendix H - Appendix I - General comment

2 37764 8/22/2022 15:53

X

On Figure 2-2 and 2-4 of the EPR, I see that there are a few buildings. Is it possible to have green roofs on these buildings or would that be outside the budget scope or not feasible based on the advice of the consultant? Does the City of Brampton have any green standards that offer guidance? Between "2" and "3" on Figure 2-4 since the field looks too small to use for farming (I assume) would it be possible to add a few plants or along the roadway that could be used for bees and pollination?



From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 29, 2022 3:08 PM
To: Felker, Bob; Mcandrew, Louise; Mrochkovskaia, Nadya
Cc: Dara Corrigan
Subject: FW: Heritage Layover Engage page query EML:030500124

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Clara Chan

Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Peel <Peel@metrolinx.com>
Sent: September-29-22 3:07 PM
To: [REDACTED]
Subject: Heritage Layover Engage page query EML:030500124

Hello [REDACTED],

I hope all is well. We received your query from the Engage page for the Heritage Layover Project. Thank you for comment. We apologize for the delayed response.

The buildings that serve the layover facility are small, prefabricated structures that meet design specifications for energy efficiency. Green roofs have not been specified.

While the City of Brampton does have green standards that offer guidance, in this instance the applicable design standards are those set out in Table 5.3 2: of the EPR for Sustainability Considerations and Climate Change Mitigation Measures, including the use of green construction materials such as those with recycled content or certified sustainable.

During detailed design, a plan will be developed for landscape plantings that:

- Use native and non-native species that are: hardy, drought and salt-tolerant, and resistant to exposure and soil compaction;
- Enhance biodiversity and ecosystem value; and,
- Support and align with the Ontario Pollinator Health Action Plan in areas where practicable and feasible.

If you have any questions or concerns, please let me know.

RADHIKA SHARMA (She/Her)
Community Engagement & Issues Specialist
Peel Region
E: peel@metrolinx.com

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



From: Halton Region <HaltonRegion@metrolinx.com>
Sent: September-19-22 9:48 AM
To: Clara Chan <Clara.Chan@metrolinx.com>; Peel <Peel@metrolinx.com>
Subject: FW: Written Submission re: Environmental Project Report GO Expansion: Heritage Road Layover Project

Hello,
This morning the Region of Halton shared inbox received a series of inquiries from [REDACTED]
[REDACTED].
The inquiries were shared as a letter, which has been attached for your review.
Can you please help to address their concerns?

Kind Regards,

LINDSAY ARTHURS (She / Her)
Community Engagement & Issues Specialist
South Western Ontario
Metrolinx
10 Bay St, 17th Floor | Toronto | Ontario | M5J 2R8
T: 416.202.5421 C: 416.804.3642



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From: [REDACTED]

Sent: September 19, 2022 9:31 AM

To: Peel <Peel@metrolinx.com>; Halton Region <HaltonRegion@metrolinx.com>; jordan.hughes@ontario.ca

[REDACTED]

Subject: Written Submission re: Environmental Project Report GO Expansion: Heritage Road Layover Project

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Good morning,

Please see the attached Written Submission of [REDACTED] with respect to the above-noted matter.

Kindly confirm receipt of this email at your earliest convenience.

Thank you,

[REDACTED]

[REDACTED]

[REDACTED]


[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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September 19, 2022

Our File No.:

Via Email

Metrolinx
10 Bay Street
Toronto, ON M5J 2W3

Attention: Simon Strauss, Manager, Environmental Programs and Assessment


Ministry of the Environment, Conservation & Parks
Environmental Assessment Branch
135 St. Clair Avenue West, 1st Floor
Toronto, ON M4V 1P5

Attention: Jordan Hughes, Project Officer

Dear Sirs/Mesdames:

**Re: Environmental Project Report GO Expansion: Heritage Road Layover Project
Transit Project Assessment Process**

We are



project-related questions and wish to provide input.


We are writing because we have

Our client's acoustic consultant has reviewed the August 2022 Draft "Environmental Project Report" (the "**draft EPR**") and "Appendix B – Noise and Vibration Baseline Conditions and Impact Assessment Report" (the "**Noise and Vibration Report**") both prepared by Wood.

It appears, based on the distances to the "existing receptors", that impacts from operational noise and vibration on our client's land are limited. The noise contours presented are based on a number of assumptions. We have the following questions:

The Crossover

We note that the draft EPR indicates that there are no crossover tracks currently proposed as all trains that depart from the layover will be travelling eastbound. However, the draft EPR also states that Metrolinx has protected for a crossover to be constructed in the future to permit trains to travel



westbound. There will be new impacts, which are not evaluated in the Noise and Vibration Report, arising from a crossover. What environmental review process will be required if a crossover is proposed?

Blowers

Our acoustic consultant advises that blowers were not included as noise sources in the Noise and Vibration Report. The sound generated by blowers is material to the evaluation of acoustic impacts. Should blowers be required in the future, what environmental evaluation process will be required?


Baseline Measurements

The Noise and Vibration Report indicates that “Baseline measurements are predicted to be completed by the end of April 2022 tentative of suitable weather.” The report is dated August 2022. Have the baseline measurements been completed? If they have been completed, would you please provide the measurements to us? If not, when are they expected to be completed?

Switches

Please provide information regarding the location of switches, if any. If none are currently proposed, will there be any in the future? If so, where would they be located?

Conclusion

We would appreciate receiving answers to our questions as it will assist us in understanding the impact of the layover on  and whether any mitigation, setbacks or other constraints will be imposed as a result.

Yours truly,



From: Clara Chan <Clara.Chan@metrolinx.com>
Sent: Thursday, September 29, 2022 12:24 PM
To: Felker, Bob; Mrochkovskaia, Nadya; Mcandrew, Louise
Cc: Dara Corrigan
Subject: FW: Written Submission re: Environmental Project Report GO Expansion: Heritage Road Layover Project
Attachments: [REDACTED]

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For your records.

Thanks,

Clara Chan
Project Manager, Environmental Programs & Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3
T: 416-202-7931 C: 647-262-8958
E: Clara.Chan@metrolinx.com

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From: Halton Region <HaltonRegion@metrolinx.com>
Sent: September-29-22 12:22 PM
To: [REDACTED]
Cc: [REDACTED]; jordan.hughes@ontario.ca; Peel <Peel@metrolinx.com>
Subject: RE: Written Submission re: Environmental Project Report GO Expansion: Heritage Road Layover Project

[REDACTED],
Please see attached.

Thanks,

Mandeep Jassal
Metrolinx Community Engagement
416-938-9930

From: [REDACTED]
Sent: September 19, 2022 9:31 AM
To: Peel <Peel@metrolinx.com>; Halton Region <HaltonRegion@metrolinx.com>; jordan.hughes@ontario.ca
Cc: [REDACTED]
Subject: Written Submission re: Environmental Project Report GO Expansion: Heritage Road Layover Project

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Good morning,

Please see the attached Written Submission of Bramwest Development Corporation with respect to the above-noted matter.

Kindly confirm receipt of this email at your earliest convenience.

Thank you,

[Redacted signature block]

[Redacted signature block]



September 26, 2022

[REDACTED]

Delivered Via Email [REDACTED]

Dear [REDACTED],

In response to your letter we received in our haltonregion@metrolinx.com email entitled "Environmental Project Report GO Expansion: Heritage Road Layover Project Transit Project Assessment Process", sent September 19, 2022 [REDACTED], the following is a response to your Client's questions:

1) We note that the draft EPR indicates that there are no crossover tracks currently proposed as all trains that depart from the layover will be travelling eastbound. However, the draft EPR also states that Metrolinx has protected for a crossover to be constructed in the future to permit trains to travel westbound. There will be new impacts, which are not evaluated in the Noise and Vibration Report, arising from a crossover. What environmental review process will be required if a crossover is proposed?

Response:

It is correct that no crossover tracks are components of the conceptual design that was assessed through the TPAP. If, in the future, a westbound layover connection to the mainline track is proposed, the addendum procedures under O. Reg. 231_08_TRANSIT PROJECTS AND METROLINX UNDERTAKINGS will be applied and the potential impacts of the proposed changes that vary from the EPR will be assessed. If the TPAP addendum is deemed to be significant then the O. Reg. 231_08 notice and public consultation will be implemented.

2) Our acoustic consultant advises that blowers were not included as noise sources in the Noise and Vibration Report. The sound generated by blowers is material to the evaluation of acoustic impacts. Should blowers be required in the future, what environmental evaluation process will be required?

Response:

As stated in section 7.1 of the Noise and Vibration Report:

The operational assessment of the Facility included noise sources associated with layover operation such as idling of trains, train heating and ventilation equipment,

electrical equipment, or hot air track blowers. The Facility's operational noise is predicted to be dominated by the four (4) idling trains. Therefore, the stationary noise sources associated with the Facility's infrastructure, including but not limited to air compressors, transformers, and HVAC equipment, were not considered in the operational assessment of Facility.

- 3) The Noise and Vibration Report indicates that "Baseline measurements are predicted to be completed by the end of April 2022 tentative of suitable weather." The report is dated August 2022. Have the baseline measurements been completed? If they have been completed, would you please provide the measurements to us? If not, when are they expected to be completed?

Response:

The baseline noise and vibration monitoring activity scheduled for Spring 2022 was delayed due to property access constraints. The baseline noise and vibration monitoring activity was included in the EPR as a commitment for future work. The baseline monitoring activity is in progress and will be completed in early Fall.

- 4) Please provide information regarding the location of switches, if any. If none are currently proposed, will there be any in the future? If so, where would they be located?

Response:

The conceptual design includes a total of 4 switches, each equipped with a switch track heater. Three of the switches serve three of the layover tracks within the Project Site. The fourth switch serves the fourth layover track tie-in eastbound to the GO main line track.

We hope that these responses provide your Client with a better understanding of the Project. If you have any further questions, please let us know.

Yours truly,



Simon Strauss,
Manager,
Environmental Programs and Assessment
Metrolinx

cc: Community Engagement - Halton Region

Project Delivery Team - Heritage Road Layover

Appendix I-56

Correspondence with Indigenous communities
and Nations



Errata Note: The following pages have been appended to the end of Appendix I-6
Correspondence with Indigenous communities and Nations.

From: [Indigenous Relations](#)
To: [Aron Detlor](#)
Cc: [Tracey General](#); [Clara Chan](#); [Brian Poole](#); [Dara Corrigan](#); [EPA.IR](#)
Subject: Heritage Road Layover: Notice of Completion
Date: Thursday, August 18, 2022 4:47:20 PM
Attachments: [image001.png](#)
[2022-08-03_Heritage_Road_Layover_Notice_Completion_-_Final.pdf](#)

Dear Mr. Detlor,

In accordance with the Transit Projects Assessment Process (TPAP), Ontario Regulation 231/08 (Transit Projects and Metrolinx Undertakings) Metrolinx will be issuing the Notice of Completion for the Heritage Road Layover project TPAP on August 18, 2022.

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<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover/>

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If you have any questions or concerns, please do not hesitate to contact our office.

Thank you for your time and assistance,

Marilyn

Marilyn Stoye, M.Ed *(she/her)*
Senior Advisor, Indigenous Relations
10 Bay Street, Suite 600 | Toronto | Ontario | M5J 2W3
C: 437-688-5342





Notice of Completion of Environmental Project Report GO Expansion: Heritage Road Layover Project Transit Project Assessment Process

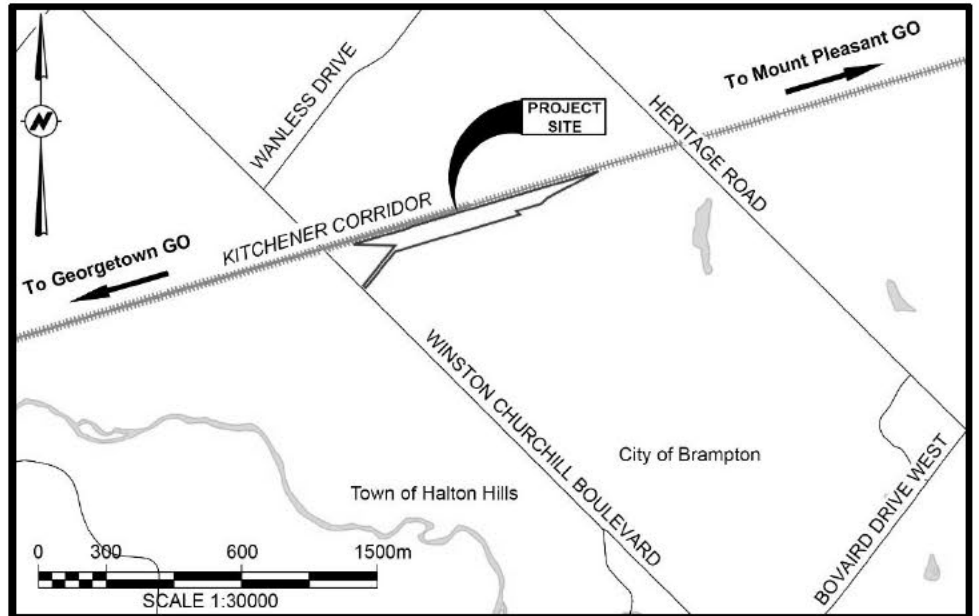
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Project Location

The Project Site is adjacent to the Canadian National Railway (CN) within the Halton Subdivision portion of the Kitchener Corridor. The Project Site is between Heritage Road and Winston Churchill Boulevard in the City of Brampton, Regional Municipality of Peel.



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Attn: Simon Strauss

Manager, Environmental Programs and Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3

Tel: 416-202-7500 (Peel Region); 416-938-9930 (Halton Region)

e-mail: peel@metrolinx.com (Peel Region); haltonregion@metrolinx.com (Halton Region)

There are circumstances where the Minister of the Environment, Conservation and Parks has the authority to require further consideration of the transit project or impose conditions on it. These include if the Minister is of the opinion that:

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Ministry of the Environment, Conservation & Parks

Environmental Assessment Branch

Attn: Jordan Hughes

Project Officer
135 St. Clair Avenue West, 1st Floor
Toronto, ON M4V 1P5
Tel: 437-770-6953
Email: jordan.hughes@ontario.ca

Comments and information regarding this project are being collected to assist in meeting the requirements of the *Environmental Assessment Act*. All personal information included in a submission, (such as name, address, telephone number and property location) is collected, maintained and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Senior Privacy Officer for Metrolinx at 416-202-5941.

Pour plus de renseignements, veuillez appeler le 416 874-5900 ou le 1 888 GET-ON-GO (438-6646).

This Notice was first issued on August 18, 2022.

From: [Indigenous Relations](#)
To: [Dominic Ste-Marie](#); [Lori-Jeanne Bolduc](#)
Cc: [REDACTED]; [Clara Chan](#); [Brian Poole](#); [Dara Corrigan](#); [EPA.IR](#)
Subject: Heritage Road Layover: Notice of Completion
Date: Thursday, August 18, 2022 4:47:26 PM
Attachments: [image001.png](#)
[2022-08-03_Heritage Road Layover Notice Completion - Final.pdf](#)

Dear Dominic and Lori-Jeanne,

In accordance with the Transit Projects Assessment Process (TPAP), Ontario Regulation 231/08 (Transit Projects and Metrolinx Undertakings) Metrolinx will be issuing the Notice of Completion for the Heritage Road Layover project TPAP on August 18, 2022.

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If you have any questions or concerns, please do not hesitate to contact our office.

Thank you for your time and assistance,

Marilyn

Marilyn Stoye, M.Ed (*she/her*)
Senior Advisor, Indigenous Relations
10 Bay Street, Suite 600 | Toronto | Ontario | M5J 2W3
C: 437-688-5342





Notice of Completion of Environmental Project Report GO Expansion: Heritage Road Layover Project Transit Project Assessment Process

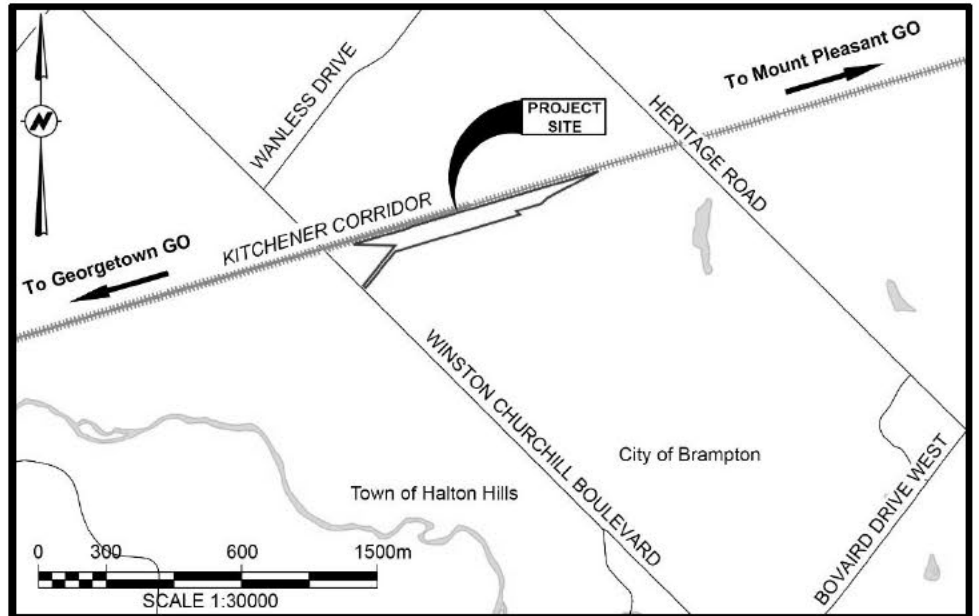
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Attn: Simon Strauss

Manager, Environmental Programs and Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3

Tel: 416-202-7500 (Peel Region); 416-938-9930 (Halton Region)

e-mail: peel@metrolinx.com (Peel Region); haltonregion@metrolinx.com (Halton Region)

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Ministry of the Environment, Conservation & Parks

Environmental Assessment Branch

Attn: Jordan Hughes

Project Officer
135 St. Clair Avenue West, 1st Floor
Toronto, ON M4V 1P5
Tel: 437-770-6953
Email: jordan.hughes@ontario.ca

Comments and information regarding this project are being collected to assist in meeting the requirements of the *Environmental Assessment Act*. All personal information included in a submission, (such as name, address, telephone number and property location) is collected, maintained and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Senior Privacy Officer for Metrolinx at 416-202-5941.

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This Notice was first issued on August 18, 2022.

From: [Indigenous Relations](#)
To: [Mark LaForme](#)
Cc: [Abby LaForme](#); [Clara Chan](#); [Brian Poole](#); [Dara Corrigan](#); [EPA.IR](#)
Subject: Heritage Road Layover: Notice of Completion
Date: Thursday, August 18, 2022 4:47:33 PM
Attachments: [image001.png](#)
[2022-08-03_Heritage_Road_Layover_Notice_Completion_-_Final.pdf](#)

Dear Mark,

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If you have any questions or concerns, please do not hesitate to contact our office.

Thank you for your time and assistance,

Marilyn

Marilyn Stoye, M.Ed *(she/her)*
Senior Advisor, Indigenous Relations
10 Bay Street, Suite 600 | Toronto | Ontario | M5J 2W3
C: 437-688-5342





Notice of Completion of Environmental Project Report GO Expansion: Heritage Road Layover Project Transit Project Assessment Process

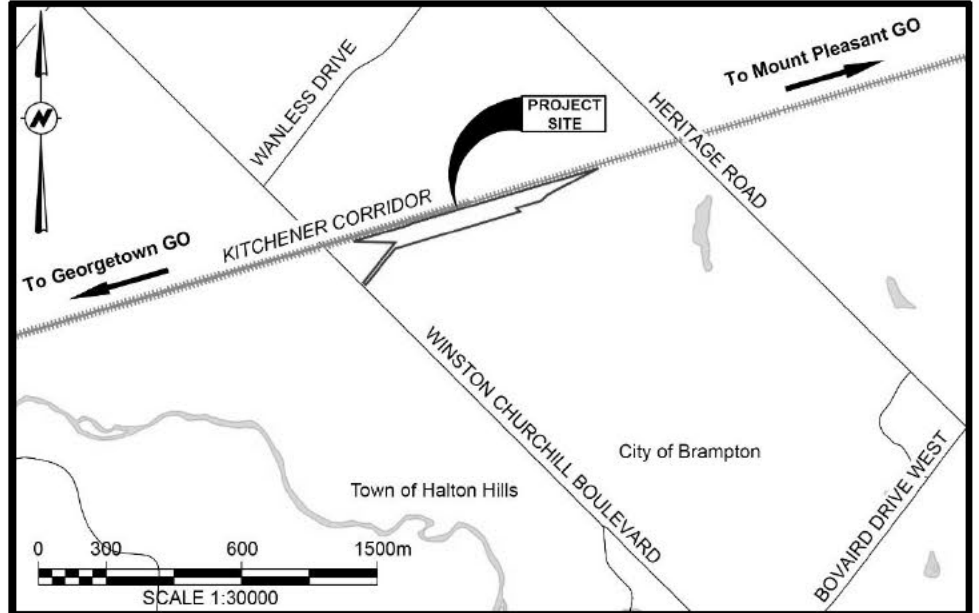
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Attn: Simon Strauss

Manager, Environmental Programs and Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3

Tel: 416-202-7500 (Peel Region); 416-938-9930 (Halton Region)

e-mail: peel@metrolinx.com (Peel Region); haltonregion@metrolinx.com (Halton Region)

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All submissions must clearly indicate that an objection is being submitted and describe any negative impacts to matters of provincial importance (natural/cultural environment) or Aboriginal rights.

Ministry of the Environment, Conservation & Parks

Environmental Assessment Branch

Attn: Jordan Hughes

Project Officer
135 St. Clair Avenue West, 1st Floor
Toronto, ON M4V 1P5
Tel: 437-770-6953
Email: jordan.hughes@ontario.ca

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This Notice was first issued on August 18, 2022.

From: [Indigenous Relations](#)
To: [Lonny Bomberry](#)
Cc: [Clara Chan](#); [Brian Poole](#); [Dara Corrigan](#); [REDACTED]; [dawnrusse](#); [REDACTED]; [REDACTED];
[REDACTED]; [Tanya Hill-Montour](#); [REDACTED]; [EPA.IR](#)
Subject: Heritage Road Layover: Notice of Completion
Date: Thursday, August 18, 2022 4:47:29 PM
Attachments: [image001.png](#)
[2022-08-03_Heritage Road Layover Notice Completion - Final.pdf](#)

Dear Lonny and Team,

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Marilyn Stoye, M.Ed *(she/her)*
Senior Advisor, Indigenous Relations
10 Bay Street, Suite 600 | Toronto | Ontario | M5J 2W3
C: 437-688-5342

[REDACTED]



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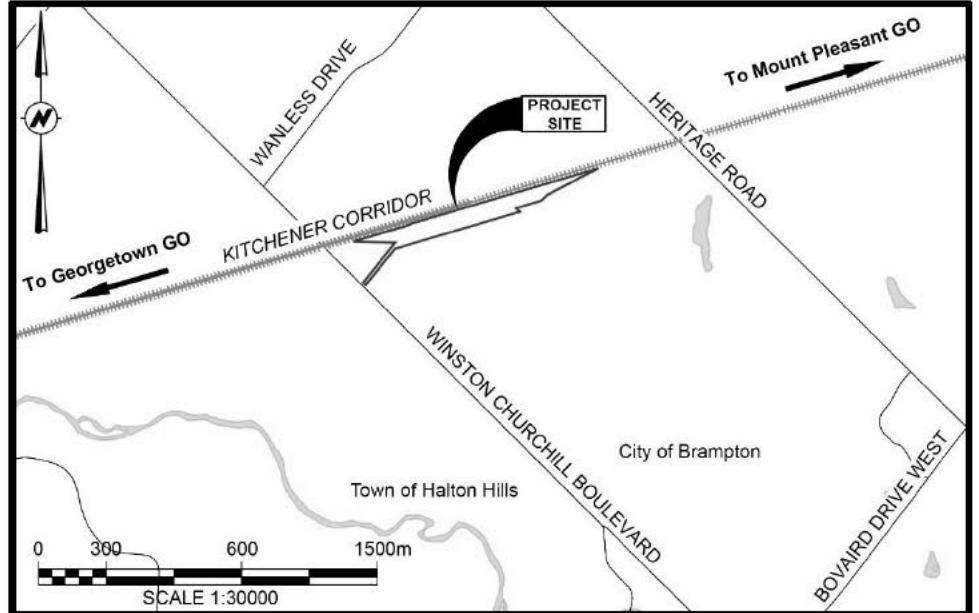
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Attn: Simon Strauss

Manager, Environmental Programs and Assessment
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2W3

Tel: 416-202-7500 (Peel Region); 416-938-9930 (Halton Region)

e-mail: peel@metrolinx.com (Peel Region); haltonregion@metrolinx.com (Halton Region)

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Environmental Assessment Branch

Attn: Jordan Hughes

Project Officer
135 St. Clair Avenue West, 1st Floor
Toronto, ON M4V 1P5
Tel: 437-770-6953
Email: jordan.hughes@ontario.ca

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This Notice was first issued on August 18, 2022.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]



From: Hughes, Jordan (MECP) <Jordan.Hughes@ontario.ca>
Sent: September-19-22 5:26 PM
To: Clara Chan <Clara.Chan@metrolinx.com>
Subject: Heritage Road Layover EPR

EXTERNAL SENDER: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

EXPÉDITEUR EXTERNE: Ne cliquez sur aucun lien et n'ouvrez aucune pièce jointe à moins qu'ils ne proviennent d'un expéditeur fiable, ou que vous ayez l'assurance que le contenu provient d'une source sûre.

Hi Clara,

A heads up that an objection was received for the Heritage Road project.

We can discuss further tomorrow, but it would be greatly appreciated if Metrolinx could provide their objection response to the Ministry by Thursday September 22.

Thanks,

Jordan Hughes | Project Officer

Environmental Assessment Services | Environmental Assessment Branch

Ministry of the Environment, Conservation & Parks

135 St. Clair Avenue West, 1st Floor, Toronto, ON M4V 1P5

☎: 437-770-6953 | ✉: jordan.hughes@ontario.ca

If you have any accommodation needs or require communication supports or alternate formats, please let me know.

Si vous avez des besoins en matière d'adaptation, ou si vous nécessitez des aides à la communication ou des médias substituts, veuillez me le faire savoir.

From: [REDACTED]

Sent: September-19-22 4:34 PM

To: peel@metrolinx.com; haltonregion@metrolinx.com; Hughes, Jordan (MECP)
<Jordan.Hughes@ontario.ca>

Cc: [REDACTED]

Subject: Heritage Road Layover EPR

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Good afternoon,

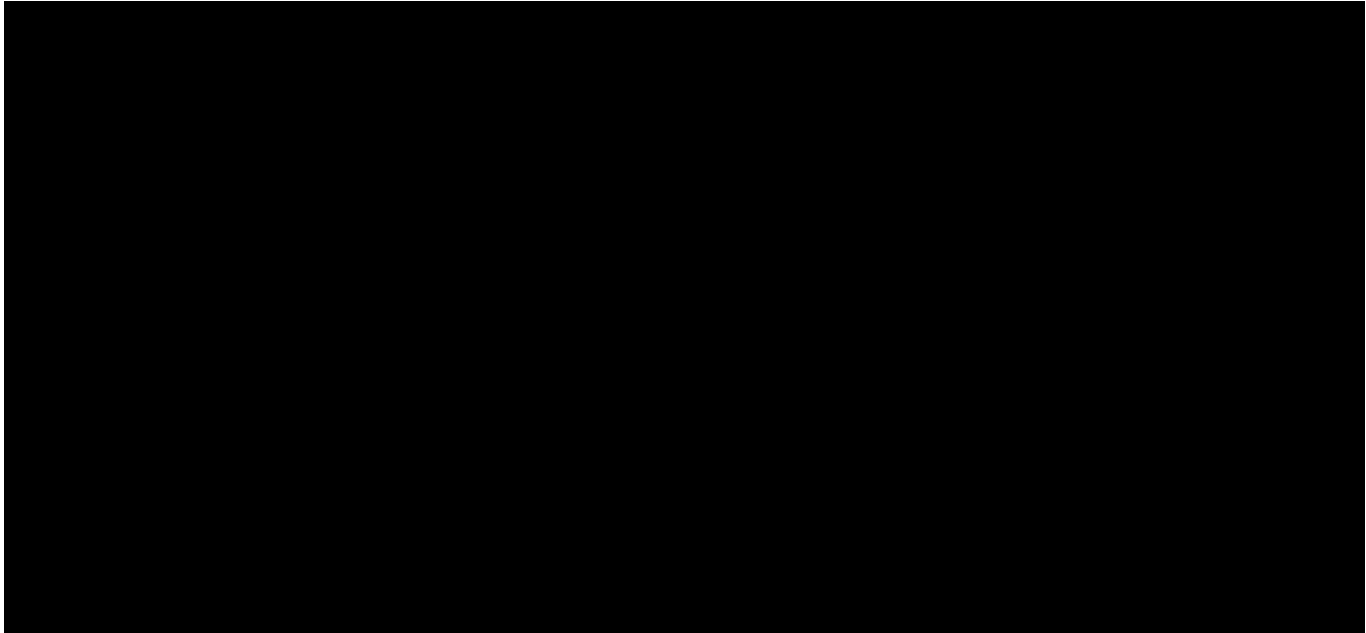
Please see the attached correspondence of [REDACTED]

Best regards,

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



This e-mail is intended only for the person or entity to which it is addressed. If you received this in error, please contact the sender and delete all copies of the e-mail together with any attachments.

September 19, 2022

Delivered By Email (peel@metrolinx.com; haltonregion@metrolinx.com; and jordan.hughes@ontario.ca)

Metrolinx
Attn: Simon Strauss
Manager, Environmental Programs and
Assessment
10 Bay St
Toronto, ON M5J 2W3

**Ministry of the Environment, Conservation &
Parks**
Environmental Assessment Branch
Attn: Jordan Hughes
Project Officer
135 St. Clair Avenue W, 1st Floor
Toronto, ON M4V 1P5

Dear Mr. Strauss and Ms. Hughes:

**Re: Haudenosaunee Development Institute Objection to GO Expansion
Heritage Road Layover Project Transit Project Assessment Process**

We are counsel to the Haudenosaunee Development Institute (the “**HDI**”). The Haudenosaunee Confederacy Chiefs’ Council (“**HCCC**”) has delegated engagement on the above-noted Heritage Road Layover Project (the “**Project**”) to HDI and has tasked HDI with advancing and protecting Haudenosaunee rights and interests in relation thereto.

We write further to the final Environmental Project Report (“**EPR**”) and Notice of Completion of EPR in respect of the Project to advise Metrolinx and the Minister of Environment, Conservation & Parks (“**MECP**” or the “**Minister**”) of HDI’s concerns with and formal objection to the Project.

HDI objects to the Project on the basis that to date, Metrolinx and the Minister have not attempted to obtain the Haudenosaunee’s free, prior and informed consent on the Project; there has been no engagement between the Minister and HDI on this Project; and the Project will otherwise impair or interfere with Haudenosaunee interests and rights.

Specifically, the Project will seriously impair the exercise of established (as opposed to asserted but unproven) Haudenosaunee rights agreed to and recorded by the Haudenosaunee and the Crown, including in the Nanfan Treaty of 1701 (the “**Nanfan Treaty**”). As such, the Crown (*i.e.*,

Metrolinx and the Minister)¹ has a constitutional duty to meaningfully engage and accommodate the Haudenosaunee's rights and interests on the deep end of the engagement spectrum. Given that the Haudenosaunee have established treaty rights in the subject area, the Crown is further required to obtain the Haudenosaunee's consent with respect to the Project or justify any infringements. Engagement must begin from the premise that the Haudenosaunee are entitled to the rights guaranteed by the Nanfan Treaty.

As described further below, the Project will have a negative impact on the existing aboriginal and treaty rights of the Haudenosaunee, as recognized and affirmed in section 35 of the *Constitution Act, 1982*. Therefore, HDI asks that the Minister:

- 1) acknowledge that Metrolinx has failed to adequately discharge its duty to meaningfully engage with the Haudenosaunee in respect of the Project;
- 2) acknowledge that Metrolinx has failed to either obtain consent of the Haudenosaunee to proceed with the Project or justify any infringements on Haudenosaunee rights as a result of the Project;
- 3) find that further consideration of the Project is required; and
- 4) issue a notice under s. 12(1)(b) of Ontario Regulation 231/08 (the "**Transit Regulation**") in respect of the Project, requiring Metrolinx to discharge its duty to engage with the Haudenosaunee in respect of the Project, including obtaining the free, prior and informed consent of the Haudenosaunee before proceeding with the Project (or in the absence of that consent, justifying the infringement of established Haudenosaunee rights when contemplating conduct that might adversely affect those rights).

A. THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE AND ITS PROCESSES

As we believe you are aware, the Haudenosaunee Confederacy is a confederacy of Indigenous Nations formed in time immemorial, long before European contact in North America. It is comprised of, among others, the Mohawk, Oneida, Onondaga, Cayuga, Seneca, and Tuscarora Peoples. The Haudenosaunee Confederacy has for many centuries had a representative government comprised of, *inter alia*, Chiefs and Clan Mothers. References to the "**Haudenosaunee**" herein should be understood to refer to citizens of the Haudenosaunee Confederacy.

¹ For greater clarity, the Minister represents a Crown Ministry responsible for administering, *inter alia*, the *Environmental Assessment Act*, R.S.O. 1990, c. E. 18, and its regulations, including the *Transit Projects and Metrolinx Undertakings*, O. Reg. 231/08 (the "**Transit Regulation**"). Metrolinx is a Crown agency of Ontario established under the *Metrolinx Act, 2006*, S.O. 2006, c. 16 (the "**Metrolinx Act**"). Throughout this letter, unless otherwise indicated, the "**Crown**" should be understood to refer to Metrolinx and/or the Minister.

The HCCC is the council of chiefs of the Haudenosaunee Confederacy that have been continuously holding Council at Ohsweken for over 230 years. The HCCC is empowered by the Haudenosaunee to advance the collective treaty rights and interests of the Haudenosaunee.

The HDI was established in 2007 and acts pursuant to delegated authority from the HCCC to administer and facilitate engagement with the HCCC in respect of Haudenosaunee lands.

The process for proponents of development, including private developers and government institutions, to engage with the HCCC is an open and well-known one. Applications are reviewed by HDI on behalf of the HCCC with a view to facilitating and advancing the goals of reconciliation consistent with the treaty-based relationship between the Crown and the Haudenosaunee.

Engagement is a formal process commenced by application to HDI. The scope of engagement required is ascertained in the execution of a comprehensive engagement agreement between a project proponent and HDI. Upon satisfaction that Haudenosaunee principles, rights, and interests have been properly addressed in the implementation of the project at issue, HDI's engagement process concludes with the granting of consent by the HCCC, which may include conditions such as compensation for infringement of rights or Haudenosaunee employment opportunities.

B. THE HAUDENOSAUNEE INTEREST IN THE PROJECT

As part of its GO Expansion Program, Metrolinx seeks to add a new layover to accommodate increased service by providing additional train storage and maintenance along the Kitchener Corridor. The Project is subject to the Transit Regulation and the Transit Project Assessment Process ("**TPAP**"), as set out therein.

The Project falls within the territory described in the Nanfan Treaty. The Haudenosaunee are a party to, and a beneficiary of, the Nanfan Treaty. Treaty instruments such as the Mitchell Map of 1755 (appended hereto as **Appendix "A"**) demonstrate the Haudenosaunee interest in the Project area.

In accordance with the Nanfan Treaty, the Crown pledged to protect the right of the Haudenosaunee to free and undisturbed use and occupation of the subject lands. While the written record of the Nanfan Treaty explicitly refers to "hunting", the Haudenosaunee perspective is that "hunting" applies to resource management and regulation more generally. In particular, the scope of the land under the Nanfan Treaty required the establishment of numerous autonomous encampments and settlements, which were supported by hunting, fishing, horticulture, and other activities.

C. THE PROJECT TRIGGERS THE DUTY TO MEANINGFULLY ENGAGE AND ACCOMMODATE

The duty to meaningfully engage and accommodate arises where the Crown has knowledge (real or constructive) of the potential existence of rights recognized and affirmed by section 35 of the *Constitution Act, 1867* and contemplates conduct that might adversely affect it.² Crown knowledge of a credible albeit unproven claim is sufficient to trigger the duty.³

The duty to engage with the Haudenosaunee is grounded in the treaty relationship between the Crown and the Haudenosaunee, recognized and affirmed in the Canadian legal context by subsection 35(1) of the *Constitution Act, 1982*.⁴ The Haudenosaunee legal framework, which significantly predates the arrival of the Canadian common law in North America, recognizes and affirms the treaty-based relationship by way of the Haudenosaunee constitution—referred to in Mohawk as the *Kaianere'ko:wa*.

In the context of development projects on Haudenosaunee lands, the duty persists throughout the lifetime of a project. Therefore, each time the Crown makes a decision in respect of a project that may affect Haudenosaunee rights, the Crown must discharge its duty.

In the context of established (as opposed to merely asserted) rights, the Crown is required to justify any infringement of established Haudenosaunee rights (including those affirmed by the Nanfan Treaty) when it contemplates conduct that might adversely affect those rights.⁵ The scope and nature of the duties owed to the Haudenosaunee are also informed by the concepts of honour, reconciliation, and fair dealing underlying treaty agreements and the treaty-based relationship between the Haudenosaunee and the Crown.⁶

D. THE CROWN HAS FAILED TO OBTAIN THE FREE, PRIOR, AND INFORMED CONSENT OF OR OTHERWISE MEANINGFULLY ENGAGE WITH THE HAUDENOSAUNEE IN RESPECT OF THE PROJECT

Neither Metrolinx nor the Minister have meaningfully engaged with the Haudenosaunee in respect of the Heritage Road Layover Project. Given the insufficiency of Crown engagement (discussed below), the Haudenosaunee cannot provide their free, prior and informed consent to the Project. Therefore, the Minister should not allow Metrolinx to proceed with the Project unless and until meaningful engagement has occurred.

As a government ministry, the MECP is bound to uphold the honour of the Crown and fulfill constitutional obligations by justifying any infringements on Haudenosaunee rights.

² *Haida Nation v British Columbia (Minister of Forests)*, 2004 SCC 73 at para 35 [*"Haida Nation"*].

³ *Haida Nation* at para 37.

⁴ See e.g., *Tsilhqot'in Nation v British Columbia*, 2014 SCC 44 at paras 78 *et seq* [*Tsilhqot'in*].

⁵ *Id.*

⁶ See e.g., *Canada (Attorney General) v Long Plain First Nation*, 2015 FCA 177 at para 104.

Further, the United Nations Declaration on the Rights of Indigenous Peoples⁷ (the “**Declaration**” or “**UNDRIP**”) recognizes that “free and informed consent” is required prior to carrying out development on Haudenosaunee lands. Following the coming into force of the *United Nations Declaration on the Rights of Indigenous Peoples Act*⁸ in June 2021, the Declaration now has application in Canadian law. In particular, we draw your attention to Articles 26 and 32 of the Declaration, which provide that:

26. 1. Indigenous peoples have the **right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used** or acquired. 2. Indigenous peoples have the **right to own, use, develop and control the lands, territories and resources that they possess** by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired. 3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned. (*emphasis added*)

32. 1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources. 2. States **shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.** 3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact. (*emphasis added*)

The Project will affect the Haudenosaunee and their treaty rights. The Crown must therefore consult and cooperate with the Haudenosaunee to obtain the Haudenosaunee’s free, prior and informed consent prior to approval.

The Minister is responsible for administering, *inter alia*, the *Environmental Assessment Act*, R.S.O. 1990 c. E. 18, and its regulations, including the Transit Regulation. The Minister exercising executive power authorized by the *Environmental Assessment Act* and the Transit Regulation constitutes Crown action. As such, the Minister is bound by UNDRIP and must take all measures necessary to ensure that the laws of Canada (including Ontario) are consistent with the articles enumerated in UNDRIP. Therefore, the Project cannot proceed unless and until Metrolinx and/or the Minister obtains the free, prior and informed consent of the Haudenosaunee.

The concept of obtaining the free, prior and informed consent of Indigenous peoples did not originate with UNDRIP. In 2014, the Supreme Court of Canada held that once Aboriginal title is established, subsection 35(1) of the *Constitution Act, 1982* permits incursions on it only with the

⁷ *United Nations Declaration on the Rights of Indigenous Peoples*, A/RES/61/295.

⁸ [United Nations Declaration on the Rights of Indigenous Peoples Act](#), SC 2021 c 14.

consent of the Aboriginal group or if they are justified by a compelling and substantial public purpose and are not inconsistent with the Crown's fiduciary duty.⁹ The Courts have also held that treaty rights, like the Haudenosaunee rights at issue in respect of the Project, are akin to Aboriginal rights stemming from Aboriginal title.¹⁰

The onus is on the Crown to justify any infringement of Haudenosaunee rights on the basis of a compelling and substantial purpose and to establish that incursions are consistent with the Crown's fiduciary duty.¹¹ Neither Metrolinx nor the Minister have ever provided the Haudenosaunee with such a justification. As a result, and absent the Haudenosaunee's free, prior and informed consent, the Minister cannot issue a notice allowing Metrolinx to proceed with the Project.

1. Metrolinx's efforts do not constitute meaningful engagement

To date, the only party to engage with HDI has been Metrolinx (albeit not in a particularly meaningful way). Metrolinx has said it welcomes any requests for a meeting to discuss the Project and the potential involvement of HDI. However, these "discussions" have been unproductive, and the Project and environmental assessment (TPAP) process have continued to plow ahead.

To the extent the Minister seeks to rely upon Metrolinx's "efforts" to engage with HDI, those efforts—predominantly consisting of invitations to participate in a process in which HDI never agreed to participate (given its failure to address Haudenosaunee concerns)—fall far short of the bar for engagement repeatedly set forth by the Courts, and even further from the engagement HDI submits is necessary to advance the goals of reconciliation.

HDI's concerns with the Metrolinx's failure to engage are not trivial; the Project (and approval thereof) will have real and lasting impacts on the treaty rights of the Haudenosaunee, including both procedural and substantive rights. Allowing Metrolinx to proceed with the Project absent meaningful engagement will set a dangerous precedent. It may embolden Metrolinx—and the Minister—to disregard the requirement(s) to obtain such consent set out in *UNDRIP* in respect of future projects.

The Project will infringe and otherwise interfere with Haudenosaunee rights and interests. Therefore, the Project may not proceed absent the free, prior and informed consent of the Haudenosaunee. At no point has Metrolinx sought (nor has the HCCC provided) the consent of the Haudenosaunee. There can be no meaningful engagement without this required consent.

2. The Crown breached its duty to engage by not conducting or providing a preliminary assessment

A necessary step in the Crown's fulfilment of its engagement obligations is conducting and disclosing the results of a preliminary assessment of the strength of the case supporting the existence of the rights and the seriousness of the potentially adverse effect upon the rights by a

⁹ [Tsilhqot'in](#) at para 2.

¹⁰ [Tsilhqot'in](#) at para 132; [R v Badger](#), [1996] 1 SCR 771 (SCC) at para 82.

¹¹ [Tsilhqot'in](#) at paras 18 and 77; [R v Sparrow](#) (1990), 1 SCR 1075 (SCC) at paras 59 and 62.

particular development project. This is a requirement of constitutional stature, and informs the content and scope of the Crown's duty to engage.

In respect of the Project, the Haudenosaunee have never been provided the Crown's assessment (or advised if an assessment was carried out). The Crown's failure to conduct or disclose a preliminary assessment demonstrates a failure by the Crown to discharge its duty to meaningfully engage in good faith with the Haudenosaunee. This failure has not been remedied. Unless and until the Crown discloses its preliminary assessment to HDI, its engagement obligations remain outstanding and unfulfilled.

3. *If the Minister is relying on Metrolinx to meaningfully engage, HDI was/is unaware*

If the Minister seeks to rely on any alleged engagement efforts of Metrolinx, then such a delegation was never made known to HDI, and is therefore improper.

While the Minister may rely on a proponent such as Metrolinx to fulfill the procedural aspects of the Crown's duty, such a reliance must be made clear to the affected Indigenous group. The Haudenosaunee have never been informed that Metrolinx is responsible for discharging the Crown's duty in respect of the Project. The failure of Metrolinx and the Minister to inform HDI whether Metrolinx has been delegated aspects of the Crown's engagement obligations precludes meaningful engagement and constitutes a breach of its duties.¹²

4. *The TPAP is inadequate to fulfill the Crown's duty to meaningfully engage*

To the extent the Crown intends to rely on the TPAP to fulfill its constitutional duty to meaningfully engage and accommodate the Haudenosaunee, such process is inadequate.

According to the MECP's website, the TPAP is a "proponent-driven, self-assessment process and does not require that a transit project be approved by the [Minister] before proceeding."¹³ Such a process creates an inherent conflict of interest that fails to uphold the Honour of the Crown or the Crown's treaty relationship with the Haudenosaunee.

Moreover, the requirements to engage with Indigenous groups under the TPAP are minimal. For example, the TPAP provides that the proponent must "consult" with Indigenous Nations who may have an interest in the transit project, but that "consultation shall be conducted in the way the proponent considers appropriate" beyond some minor prescribed requirements.¹⁴ Furthermore, the TPAP makes no provision for the obligation to justify infringements or obtain consent, where established rights are concerned.

¹² *Saugeen* at para 61.

¹³ Accessible online at the following link: <<https://www.ontario.ca/page/guide-environmental-assessment-requirements-transit-projects>>.

¹⁴ Transit Regulation s. 8(3).

5. The Crown has failed to deal with affected Indigenous Nations in an even-handed manner

From the outset, Metrolinx has been or should have been aware that the Project falls within the asserted traditional and treaty territories of multiple Indigenous groups, including the Haudenosaunee. This is clear both from:

- the Heritage Road Layover Project website,¹⁵ where “**Metrolinx acknowledges that it operates on the traditional territory of Indigenous Peoples including the Anishnabeg, the Haudenosaunee and the Wendat peoples.**” [*emphasis added*]; and
- the final EPR, in which Metrolinx acknowledged that the HCCC is an Indigenous community identified as potentially being interested in the Project through consultation with the Special Project Officer, Environmental Assessment Branch of the MECP.¹⁶

However, on the Project website, Metrolinx only acknowledges that “...the Heritage Layover Project is proposed on lands covered by Treaty 19, 1818 with the Mississaugas of the Credit First Nation.” Metrolinx fails to acknowledge that the Project is on lands also covered by the Nanfan Treaty between the Haudenosaunee and the Crown.

As a result, Metrolinx appears to have watered down the Haudenosaunee rights at issue from treaty *and* traditional territorial rights to just traditional territorial rights. Metrolinx fails to correct this in the Final EPR, where it states that “...the Study Area is situated on the **Treaty Lands and Traditional Territory** of the Mississaugas of the Credit First Nation and the **traditional territory** of the Huron-Wendat, **Haudenosaunee**, as well as the Métis.”¹⁷ (*emphasis added*)

This suggests that Metrolinx has failed to take an even-handed approach to Indigenous engagement with respect to the Project. This is especially troublesome given that Metrolinx has explicitly acknowledged that certain other transit projects were occurring within Nanfan Treaty territory.¹⁸

This is contrary to the approach the Courts have endorsed where a proponent is dealing with overlapping indigenous rights. The Courts have held that “[w]here overlap between established and/or asserted Indigenous rights arise, the Crown has a fiduciary duty to deal with the affected Indigenous Nations in an even-handed manner. The Crown cannot run roughshod over one Indigenous Nation’s rights in favour of another.”¹⁹

¹⁵ Accessible online at the following link: <<https://www.metrolinxengage.com/en/content/kitchener-corridor-heritage-road-layover>>.

¹⁶ See [Heritage Road Layover Final EPR](#) at pg 142.

¹⁷ See [Heritage Road Layover Final EPR](#) at pg 39.

¹⁸ For example, [Metrolinx’s website for the Dundas Bus Rapid Transit project](#) indicates that “the Dundas Bus Rapid Transit Project is proposed on lands covered by ... the Fort Albany/Nanfan Treaty of 1701 with the Haudenosaunee.”

¹⁹ [Cook v British Columbia](#), 2007 BCSC 1722 at para 162.

Metrolinx appears to have favoured the asserted rights of the Mississaugas of the Credit First Nation to the exclusion of the established treaty rights and interests of the Haudenosaunee. HDI is in the dark about how the Haudenosaunee's established rights may be further impacted, and potentially derogated, by Metrolinx's consultation with other Indigenous communities (in respect of this Project or others) concerning Haudenosaunee treaty territory.

E. THE PROJECT WILL NEGATIVELY IMPACT THE HAUDENOSAUNEE AND THEIR TREATY RIGHTS

Allowing Metrolinx to proceed with the Project absent the consent of the Haudenosaunee (or any kind of meaningful engagement) will have the direct impact of eroding the Haudenosaunee's treaty rights, which are comprised of procedural rights (e.g., the ability to provide—or withhold—free, prior and informed consent and to be meaningfully engaged in respect of a project) and substantive rights (e.g., hunting, fishing, trapping, and harvesting rights).

The Crown has not complied with its procedural obligations owed to the Haudenosaunee in respect of the Project. As discussed above, the Haudenosaunee have not provided their free, prior and informed consent for the Project. Nor have the Minister or Metrolinx asked for this consent. Both Metrolinx and the Minister have failed at every step to meaningfully engage with the Haudenosaunee regarding the Project.

If the Minister issues a notice allowing Metrolinx to proceed with the Project without the consent of, or any kind of meaningful engagement with, the Haudenosaunee (on a project that will impact the Haudenosaunee and their treaty lands), it will set a dangerous precedent. Metrolinx may be more likely to engage in the same surface-level discussions with the Haudenosaunee in respect of future projects, telling the Minister that they have made efforts, they consider those efforts to have been conducted in a way *they* consider to be appropriate, and then having their projects approved without any further process or meaningful engagement with the Haudenosaunee.

Further, regardless of the required consent and duty to meaningfully engage, the Project stands to directly impact the Haudenosaunee's substantive rights, including but not limited to, hunting, harvesting and trapping in the subject area.

If the Minister allows Metrolinx to proceed with the Project, the Haudenosaunee's opportunity to make use of their treaty land will be lost. The Haudenosaunee also stand to lose the ability to seek further involvement with the Project, given the Minister will have essentially rubber-stamped Metrolinx's course of conduct and failure to engage.

F. NEXT STEPS

In accordance with the Transit Regulation and principles of procedural fairness, HDI expects this letter will be provided in its original form to the Minister (including any and all appendices, attachments, and/or linked documents). For further clarity, this letter in its entirety should be considered HDI's objection to the Heritage Road Layover Project.

Moreover, if the Minister receives a comment on HDI's objection in connection with the TPAP, HDI expects that it will be provided with a copy of the comment and provided an opportunity to respond.

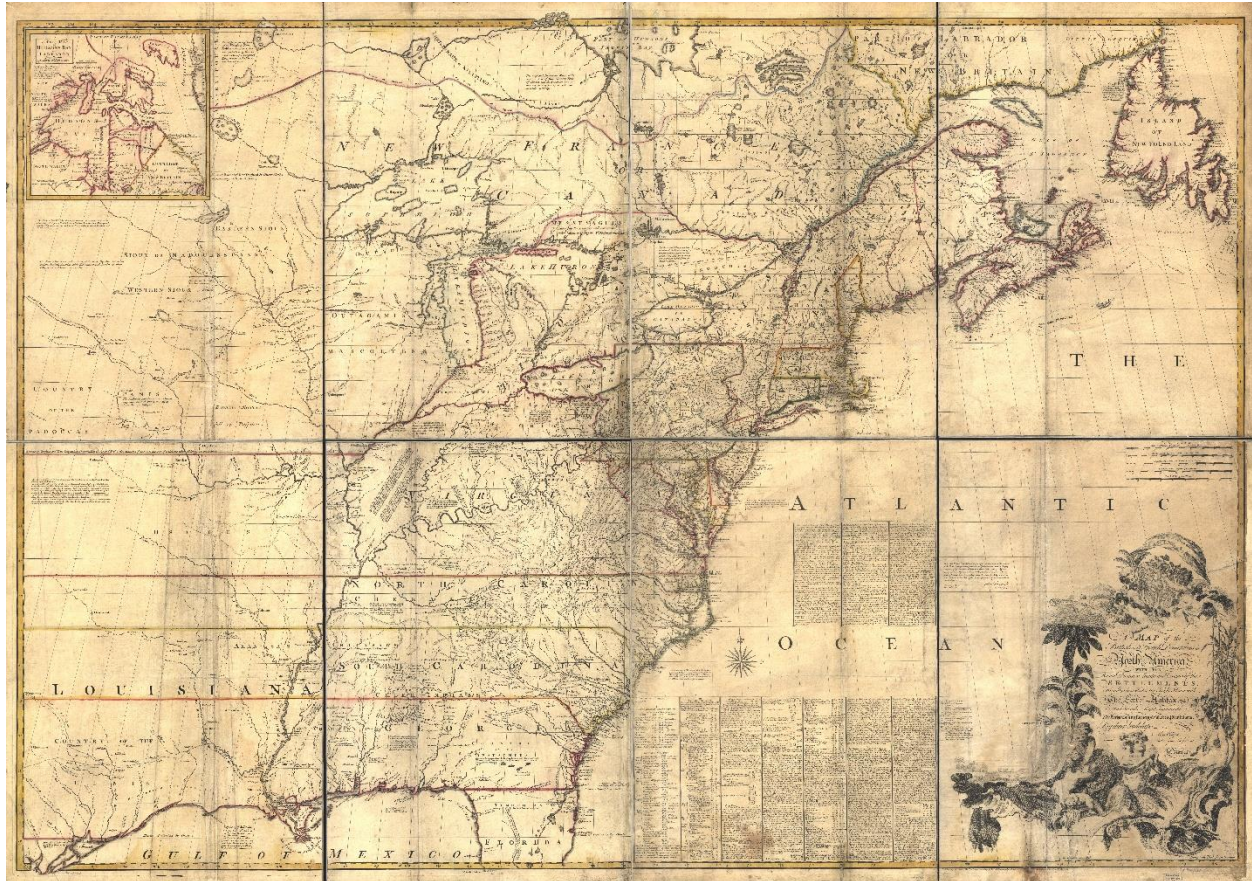
HDI has repeatedly articulated its willingness to engage in a broader meeting to discuss Metrolinx's current approach to meaningful engagement with the Haudenosaunee. To date preliminary conversations have not yielded a comprehensive engagement agreement.

HDI welcomes the opportunity to work together with Metrolinx and the Minister to understand the negative impacts of this Project (and other ongoing and future transit projects in Haudenosaunee treaty territory) on the existing aboriginal and treaty rights of the Haudenosaunee, to accomplish meaningful engagement in respect of this Project (and future transit projects), and to advance the goals of reconciliation.

[REDACTED]

[REDACTED]

Appendix "A" – Mitchell Map of 1755 ([link](#))



Proposal: Heritage Road Layover Project

Proponent: Metrolinx

Indigenous community or Nation	Summary of Comments	Proponent's Response
Haudenosaunee Development Institute	<p>As described further below, the Project will have a negative impact on the existing aboriginal and treaty rights of the Haudenosaunee, as recognized and affirmed in section 35 of the <i>Constitution Act, 1982</i>. Therefore, HDI asks that the Minister:</p> <p>1) acknowledge that Metrolinx has failed to adequately discharge its duty to meaningfully engage with the Haudenosaunee in respect of the Project;</p> <p>2) acknowledge that Metrolinx has failed to either obtain consent of the Haudenosaunee to proceed with the Project or justify any infringements on Haudenosaunee rights as a result of the Project;</p> <p>3) find that further consideration of the Project is required; and</p> <p>4) issue a notice under s. 12(1)(b) of Ontario Regulation 231/08 (the "Transit Regulation") in respect of the Project, requiring Metrolinx to discharge its duty to engage with the Haudenosaunee in respect of the Project, including obtaining the free, prior and informed consent of the Haudenosaunee before proceeding with the Project (or in the absence of that consent, justifying the infringement of established Haudenosaunee rights when contemplating conduct that might adversely affect those rights).</p>	<p>These are the same issues that have been raised by HDI in their Judicial Review material filed with the Court for a hearing scheduled for November 2022. Therefore, it is inappropriate to respond to these specific concerns when the same issues are presently before the Court with the same parties.</p>
	<p>THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE AND ITS PROCESSES</p> <p>Engagement is a formal process commenced by application to HDI. The scope of engagement required is ascertained in the execution of a comprehensive engagement agreement between a project proponent and HDI. Upon satisfaction that Haudenosaunee principles, rights, and interests have been properly addressed in the implementation of the project at issue, HDI's engagement process concludes with the granting of consent by the HCCC, which may include conditions such as compensation for infringement of rights or Haudenosaunee employment opportunities.</p>	<p>These are the same issues that have been raised by HDI in their Judicial Review material filed with the Court for a hearing scheduled for November 2022. Therefore, it is inappropriate to respond to these specific concerns when the same issues are presently before the Court with the same parties.</p>
	<p>THE HAUDENOSAUNEE INTEREST IN THE PROJECT</p> <p>...</p> <p>In accordance with the Nanfan Treaty, the Crown pledged to protect the right of the Haudenosaunee to free and undisturbed use and occupation of the subject lands. While the written record of the Nanfan Treaty explicitly refers to "hunting", the Haudenosaunee perspective is that "hunting" applies to resource management and regulation more generally. In particular, the scope of the land under the Nanfan Treaty required the establishment of numerous autonomous encampments and settlements, which were supported by hunting, fishing, horticulture, and other activities.</p>	<p>These are the same issues that have been raised by HDI in their Judicial Review material filed with the Court for a hearing scheduled for November 2022. Therefore, it is inappropriate to respond to these specific concerns when the same issues are presently before the Court with the same parties.</p>
	<p>THE PROJECT TRIGGERS THE DUTY TO MEANINGFULLY ENGAGE AND ACCOMMODATE</p> <p>...In the context of established (as opposed to merely asserted) rights, the Crown is required to justify any infringement of established Haudenosaunee rights (including those affirmed by the Nanfan Treaty) when it contemplates conduct that might adversely affect those rights.⁵ The scope and nature of the duties owed to the Haudenosaunee are also informed by the concepts</p>	<p>These are the same issues that have been raised by HDI in their Judicial Review material filed with the Court for a hearing scheduled for November 2022. Therefore, it is inappropriate to respond to these specific concerns when the same issues are presently before the Court with the same parties.</p>

Indigenous community or Nation	Summary of Comments	Proponent's Response
	<p>of honour, reconciliation, and fair dealing underlying treaty agreements and the treaty-based relationship between the Haudenosaunee and the Crown.⁶</p> <p>THE CROWN HAS FAILED TO OBTAIN THE FREE, PRIOR, AND INFORMED CONSENT OF OR OTHERWISE MEANINGFULLY ENGAGE WITH THE HAUDENOSAUNEE IN RESPECT OF THE PROJECT</p> <p>Neither Metrolinx nor the Minister have meaningfully engaged with the Haudenosaunee in respect of the Heritage Road Layover Project. Given the insufficiency of Crown engagement (discussed below), the Haudenosaunee cannot provide their free, prior and informed consent to the Project. Therefore, the Minister should not allow Metrolinx to proceed with the Project unless and until meaningful engagement has occurred.</p> <p>As a government ministry, the MECP is bound to uphold the honour of the Crown and fulfill constitutional obligations by justifying any infringements on Haudenosaunee rights.</p> <p>...Further, the United Nations Declaration on the Rights of Indigenous Peoples⁷ (the "Declaration" or "UNDRIP") recognizes that "free and informed consent" is required prior to carrying out development on Haudenosaunee lands. Following the coming into force of the <i>United Nations Declaration on the Rights of Indigenous Peoples Act</i>⁸ in June 2021, the Declaration now has application in Canadian law. In particular, we draw your attention to Articles 26 and 32 of the Declaration, which provide that:</p> <p>26. 1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. 2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired. 3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned. (<i>emphasis added</i>)</p> <p>32. 1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources. 2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources. 3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact. (<i>emphasis added</i>)</p> <p>...</p> <p>The onus is on the Crown to justify any infringement of Haudenosaunee rights on the basis of a compelling and substantial purpose and to establish that incursions are consistent with the Crown's fiduciary duty.¹¹ Neither Metrolinx nor the Minister have ever provided the Haudenosaunee with such a justification. As a result, and absent the Haudenosaunee's free, prior and informed consent,</p>	<p></p> <p>These are the same issues that have been raised by HDI in their Judicial Review material filed with the Court for a hearing scheduled for November 2022. Therefore, it is inappropriate to respond to these specific concerns when the same issues are presently before the Court with the same parties.</p> <p>These are the same issues that have been raised by HDI in their Judicial Review material filed with the Court for a hearing scheduled for November 2022. Therefore, it is inappropriate to respond to these specific concerns when the same issues are presently before the Court with the same parties.</p>

Indigenous community or Nation	Summary of Comments	Proponent's Response
	<p>the Minister cannot issue a notice allowing Metrolinx to proceed with the Project.</p> <p><i>Metrolinx's efforts do not constitute meaningful engagement</i></p> <p>To date, the only party to engage with HDI has been Metrolinx (albeit not in a particularly meaningful way). Metrolinx has said it welcomes any requests for a meeting to discuss the Project and the potential involvement of HDI. However, these "discussions" have been unproductive, and the Project and environmental assessment (TPAP) process have continued to plow ahead.</p> <p>To the extent the Minister seeks to rely upon Metrolinx's "efforts" to engage with HDI, those efforts—predominantly consisting of invitations to participate in a process in which HDI never agreed to participate (given its failure to address Haudenosaunee concerns)—fall far short of the bar for engagement repeatedly set forth by the Courts, and even further from the engagement HDI submits is necessary to advance the goals of reconciliation.</p> <p>...</p> <p>Therefore, the Project may not proceed absent the free, prior and informed consent of the Haudenosaunee. At no point has Metrolinx sought (nor has the HCCC provided) the consent of the Haudenosaunee. There can be no meaningful engagement without this required consent.</p>	<p>Metrolinx is committed to ongoing dialogue and continued engagement with HCCC/HDI with respect to their Rights and interests.</p> <p>Below describes the Project interactions to date:</p> <p>January 7, 2022 - Metrolinx provided an introduction letter to Heritage Road Layover project.</p> <p>February 8, 2022 - Metrolinx provided the draft Stage 1 AA report for review.</p> <p>March 7, 2022 - Metrolinx provided the draft Cultural Heritage Report for review.</p> <p>March 21, 2022, follow-up on May 6, 2022 and June 1, 2022 - Metrolinx shared the positive Duty to Consult notification and requested comments or questions regarding the project.</p> <p>March 23, 2022 - Metrolinx provided a copy of the Notice of Commencement.</p> <p>April 6, 2022 - Metrolinx provided the draft Environmental Project Report and supporting technical studies for review.</p> <p>May 19, 2022 - Metrolinx provided an invitation to participate in Summer 2022 fieldwork between June 9 and August 12, 2022.</p> <p>June 13, 2022 - Metrolinx provided response to Objection notice, dated March 10, 2022, described above. Metrolinx provided details of the communications up to June 13, 2022, and summary of the technical studies with associated recommendations as an outcome of the impact assessment. Metrolinx mentions on-going activities to establish a framework agreement and commitments to continued engagement with HCCC/HDI as the project progresses</p> <p>July 15, 19, 20, 22, 2022, August 3, 22, 2022 - Coordination of field monitors for Stage 3 AA, Phase II ESA (groundwater and sediment sampling) activities</p> <p>July 19, 2022 - Metrolinx provided a copy of the Notice of Issue and the rationale to why the Transit Project Assessment Process (TPAP) for the Project was paused.</p> <p>July 22, 2022 - Re-circulation reports previously shared with HDI/HCCC (EPR and associated technical reports)</p> <p>August 17, 2022 - Metrolinx provided a copy of the Notice of Resumption and the rationale to resume the regulated 120-day period of the Project TPAP.</p> <p>August 18, 2022</p>

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	<p><i>The Crown breached its duty to engage by not conducting or providing a preliminary assessment</i></p> <p>...In respect of the Project, the Haudenosaunee have never been provided the Crown's assessment (or advised if an assessment was carried out). The Crown's failure to conduct or disclose a preliminary assessment demonstrates a failure by the Crown to discharge its duty to meaningfully engage in good faith with the Haudenosaunee. This failure has not been remedied. Unless and until the Crown discloses its preliminary assessment to HDI, its engagement obligations remain outstanding and unfulfilled.</p> <p><i>If the Minister is relying on Metrolinx to meaningfully engage, HDI was/is unaware</i></p> <p>...If the Minister seeks to rely on any alleged engagement efforts of Metrolinx, then such a delegation was never made known to HDI, and is therefore improper. While the Minister may rely on a proponent such as Metrolinx to fulfill the procedural aspects of the Crown's duty, such a reliance must be made clear to the affected Indigenous group. The Haudenosaunee have never been informed that Metrolinx is responsible for discharging the Crown's duty in respect of the Project. The failure of Metrolinx and the Minister to inform HDI whether Metrolinx has been delegated aspects of the Crown's engagement obligations precludes meaningful engagement and constitutes a breach of its duties.</p> <p><i>The TPAP is inadequate to fulfill the Crown's duty to meaningfully engage</i></p> <p>To the extent the Crown intends to rely on the TPAP to fulfill its constitutional duty to meaningfully engage and accommodate the Haudenosaunee, such process is inadequate.</p> <p>...</p> <p>Moreover, the requirements to engage with Indigenous groups under the TPAP are minimal.</p> <p>...</p> <p>Furthermore, the TPAP makes no provision for the obligation to justify infringements or obtain consent, where established rights are concerned.</p> <p><i>The Crown has failed to deal with affected Indigenous Nations in an even-handed manner</i></p> <p>...</p> <p>However, on the Project website, Metrolinx only acknowledges that "...the Heritage Layover Project is proposed on lands covered by Treaty 19, 1818 with the Mississaugas of the Credit First Nation." Metrolinx fails to acknowledge that the Project is on lands also covered by the Nanfan Treaty between the Haudenosaunee and the Crown. As a result, Metrolinx appears to have watered down the Haudenosaunee rights at issue from treaty and traditional territorial rights to just traditional territorial rights. Metrolinx fails to correct this in the Final EPR, where it states that "...the Study Area is situated on the <i>Treaty Lands and Traditional Territory</i> of the Mississaugas of the Credit First Nation and the <i>traditional territory</i> of the Huron-Wendat, <i>Haudenosaunee</i>, as well as the Métis."¹⁷ (emphasis added)</p>	<p>- Metrolinx provided a copy of the Notice of Completion and circulated a link to the Final EPR and technical reports for review. Provided notification that the 30-day public review period was between August 19, 2022 and September 19, 2022.</p> <p>These are the same issues that have been raised by HDI in their Judicial Review material filed with the Court for a hearing scheduled for November 2022. Therefore, it is inappropriate to respond to these specific concerns when the same issues are presently before the Court with the same parties.</p> <p>We are not in the position to comment.</p> <p>The TPAP is only one part of the Duty to Consult. Consultation does not begin or end with the TPAP. Any concerns with the process should be submitted to the relevant regulatory approval body, MECP.</p> <p>The Project itself has been advised to include HCCC's participation as set out by MECP and public information that suggests otherwise should not be relied upon. Our engagement has included consulting with all Rights holders in the Project area, which includes HCCC. Attempts to engage did occur in advance of and during the TPAP process.</p>

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	<p>This suggests that Metrolinx has failed to take an even-handed approach to Indigenous engagement with respect to the Project. This is especially troublesome given that Metrolinx has explicitly acknowledged that certain other transit projects were occurring within Nanfan Treaty territory.¹⁸</p> <p>...</p> <p>Metrolinx appears to have favoured the asserted rights of the Mississaugas of the Credit First Nation to the exclusion of the established treaty rights and interests of the Haudenosaunee. HDI is in the dark about how the Haudenosaunee's established rights may be further impacted, and potentially derogated, by Metrolinx's consultation with other Indigenous communities (in respect of this Project or others) concerning Haudenosaunee treaty territory.</p>	
	<p>THE PROJECT WILL NEGATIVELY IMPACT THE HAUDENOSAUNEE AND THEIR TREATY RIGHTS</p> <p>...</p> <p>The Crown has not complied with its procedural obligations owed to the Haudenosaunee in respect of the Project. As discussed above, the Haudenosaunee have not provided their free, prior and informed consent for the Project. Nor have the Minister or Metrolinx asked for this consent. Both Metrolinx and the Minister have failed at every step to meaningfully engage with the Haudenosaunee regarding the Project...</p>	<p>We have always been open to hearing how this Project will directly impact specific Rights. The general assertions made fail to provide us with the necessary information needed to meaningfully consult. If HCCC/HDI raises specific concerns associated with their Rights now or in the future, we will work with them to meaningfully consult, but until they do so, we are in a position where we are unable to ascertain what specific rights may be affected by this project's development.</p>