

From: [Stophetrains inourparks](#)
To: [Kinga.Surmacz](#); Chair of Metrolinx; [CEO Correspondence](#); [Prabmeet.Sarkaria](#)
Cc: [mayor_chow](#); [Councillor Nunziata](#); [Ford, Michael](#); [Hussen, Ahmed - M.P.](#); [Vinay Sharda](#); [Kelly Hagan](#); [Derrick Toigo](#); [Selina Young](#); [Suzanne Smoke](#); [<mike](#); [Rick Ciccarelli](#); [jamieleemca](#); [Cynthia Bell](#); [Hopi Martin](#)
Subject: Ongoing Dispute with Eglinton Crosstown West Extension Mount Dennis-Scarlett Segment Plan
Date: September 6, 2023 6:15:04 PM
Attachments: [CoalitionBanner.jpg](#)
[LettertoMxMay252023.pdf](#)

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To: Don Wright, Chair of Board of Directors, Metrolinx, Phil Verster, President and CEO, Metrolinx, Minister Prabmeet Sarkaria, Ontario Minister of Transportation, Minister Kinga Surma, Ontario Minister of Infrastructure

Cc: Mayor Olivia Chow, City of Toronto, Councillor Frances Nunziata, York South Weston, MPP Michael Ford, York South Weston, MP Ahmed Hussen, York South Weston, Jamie McQuaig, TICOF, Cynthia Bell, ENAGB, Rick Ciccarelli, MDeNI, Mike Mattos, MDCA, Dr. Hopi Martin, Edge of the Bush

Attn: Vinay Sharda, VP Indigenous Relations, Metrolinx, Kelly Hagan, Senior VP Community Relations & Capital Communications, Derrick Toigo, Executive Director, City of Toronto Transit Expansion Office, Selina Young, Director, Toronto Indigenous Affairs Office

Re: Ongoing Dispute with Eglinton Crosstown West Extension Mount Dennis-Scarlett Segment Plan

Dear Honorable Decision-Makers,

Further to our August meeting with Metrolinx Vice President of Indigenous Relations Mr. Vinay Sharda, held at the Sacred Fire for the tree protection area, we still await your response to our request for a review of this disputed project plan. This matter has been brought to your attention since the summer of 2022 and remains unresolved.

The Indigenous-led Save the Eglinton Flats Coalition is calling for a collaborative, community-based review of the current ECWE plan to compare the structural alternatives for connecting Mount Dennis Station with Advance Tunnel 1. This review is expected to be done with a clear understanding of the impacts each alternative will cause on nature as viewed through Indigenous traditional knowledge.

After looking at the anticipated impacts of each alternative through an Indigenous lens, it is expected that a process for co-designing the infrastructure approach and construction plan that best avoids causing damage where it can be foreseen, and reduces the level of impact on the environment to the highest degree possible where it is inevitable.

Please find attached our previous letter further outlining our concerns.

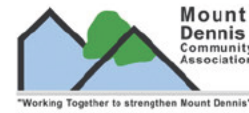
On behalf of the Coalition,
Suzanne and Neiland

Neiland Brissenden
Spokesperson
Stop the Trains in Our Parks
[REDACTED]

Suzanne Smoke
President, Southern Ontario Chapter
American Indian Movement
[REDACTED]

CoalitionBanner.jpg





May 25, 2023

Phil Verster
President and Chief Executive Officer
Metrolinx
97 Front Street West
Toronto, ON
M5J 1E6

Delivered via email: Phil.Verster@metrolinx.com

Dear Mr. Verster,

Thank you for your letter of April 4, 2023.

While our coalition remains willing to engage in dialogue, we continue to insist that Metrolinx correct its failure to provide early and meaningful consultation with the local urban Indigenous and Mount Dennis communities. Neither the urban Indigenous community - which comprises of peoples from all the nations of Turtle Island - nor the local Mount Dennis community were consulted early in the process nor provided with access to decision makers until our meeting with Ms. Avis-Birch on January 24, 2023.

As you know, the communities represented within our coalition are the most active on the lands in question; conducting ceremonies, education, outreach, healing activities, land stewardship as well as sports and recreation. Under Section 35 of the Canadian Constitution Act, our urban Indigenous community has the same rights as all of the Nations/Communities listed in Section 5.5 and Appendix K of the Metrolinx 2020 EPR Addendum. As a result of these s.35 rights, and the adverse impact or potential therefore of the project, the duty to consult was triggered, and the urban Indigenous community should also have been consulted. Our community was never consulted on the design or construction of this project. The first outreach by Metrolinx to ENAGB was to invite us to the Working Group meeting November 9, 2022. When it became clear in the meeting that Metrolinx was refusing any input on the design and wanted only input on restoration post construction, we removed ourselves from the Working Group. The elevated section of this project should not go forward until adequate consultation occurs.

We continue to be committed to a win-win solution but we've been consistent in our request to be a partner in the design, construction, planning, and implementation of the project. Our coalition's position remains that Metrolinx should pause its plan for the elevated portion of the Eglinton Crosstown West Extension (ECWE) and allow for or even facilitate an Environmental Assessment through an Indigenous lens. The Tree Ceremonies and Sacred Fires we have been conducting continue to be the first step in an Indigenous-led environmental assessment.

I would like to remind you that we were here in ceremony on January 30, 2023 – before your organization expropriated the lands needed for both the elevated guideway and for the second advanced tunnel works. It is our position that our ceremony supersedes this expropriation - Section 176 of the Criminal Code of Canada makes it an offence to wilfully disturb or interrupt an assemblage of persons met for religious worship, or to wilfully do anything that disturbs the order or solemnity of such a meeting. Further, the City of Toronto signed the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Article 11 of UNDRIP states that Indigenous peoples have the right to practise and revitalize their cultural traditions and customs including the right to maintain, protect and develop the past, present and future manifestations of their cultures. The City acknowledges this right through the work of Heritage Preservation and other divisions that do environmental

assessments that require consultations with Aboriginal peoples of the area as part of City staff's legal duty to consult.

The time has come for ENAGB to focus on its core mission of healing, teaching and advocating for the youth in our community. It has come time to pass on the responsibility of leading the coalition to more experienced hands.

On Sunday, April 16, in ceremony, I passed Sema (Sacred Tobacco) to fellow coalition member, Suzanne Smoke, President of the Southern Ontario chapter and member of the Grand Governing Council of the American Indian Movement, and Rock J. Trudeau of Turtle Island Carers of Fire, transferring the care and responsibility of the Sacred Fires. ENAGB will remain in the coalition but will no longer be communicating directly with Metrolinx.

Please contact Suzanne Smoke at [REDACTED] for all matters regarding the Sacred Fires and the Tree Ceremonies in Pearen and Fergy Brown parks.

Miigwech

On behalf of our future generations and our coalition, respectfully

[REDACTED]

Cynthia Bell
Executive Director, ENAGB