Summary of Agencies

1.0 Hydro One – Received Jan 19 2011

2.0 MOE – Environmental Assessment and Approvals Branch (EAAB) – Received January 21, 2011

3.0 MOE –EAAB: Air and Noise Unit (ANU) – Received January 21, 2011

4.0 MOE – EAAB: Water & Wastewater (W&WW) Unit – Received January 21, 2011

5.0 MOE – EAAB: Technical Support Section (TTS) – Received January 21, 2011

6.0 TTC – Received January 11, 2011

7.0 CITY OF VAUGHAN – COUNCILLOR SANDRA RACCO – January 23rd, 2011 (Section 7.1) and October 28th, 2010 (Section 7.2) Letters

8.0 CONCORD WEST RESIDENTS AD HOC COMMITTEE, Letter from [redacted] (January 21, 2011)

9.0 MINISTRY OF MUNICIPAL AFFAIRS & HOUSING (MAH) – Received January 24, 2011

10.0 METROLINX/GO TRANSIT – Received January 24, 2011

11.0 CITY OF VAUGHAN – Received January 24, 2011

12.0 TOWN OF MARKHAM – Received January 24, 2011

13.0 TRCA – Received January 24, 2011

14.0 YORK REGION TRANSIT – Received January 25, 2011

15.0 YORK REGION – Received January 25, 2011

16.0 CHIPPEWAS RAMA FIRST NATION – Received January 25, 2011

17.0 BEAUSOLEIL FIRST NATION COUNCIL – Received January 25, 2011

18.0 DON WATERSHED REGENERATION COUNCIL – Received January 25, 2011

19.0 SUSTAINABLE VAUGHAN – Received January 25, 2011

20.0 D. SCHULTE – VAUGHAN COUNCILLOR – Received January 25, 2011

21.0 TOWN OF RICHMOND HILL – Received January 24th, 2011

22.0 ALDERVILLE FIRST NATION – Received January 26, 2011

23.0 MINISTRY OF CULTURE – Received January 27, 2011

No.	Section	Comment	Response
1.0	**HYDRO ONE**	**Received January 19, 2011**	
1.1	**Design at Woodbine/ Roddick Station**	Woodbine/Roddick Station layout shows that a section of the building is located within the transmission corridor and under our conductors. HONI's policy is to not allow buildings/structures in the corridor and therefore this station design is unacceptable.	MTO executed an agreement with Hydro One in 2005 to obtain an easement for the transitway and stations in the Hydro corridor between Bayview and Warden Avenues (Whereas item 2). Although Hydro One representatives have participated in regular Technical Resource Group Meetings (6) during the study's design development and have received draft design packages for review, discussions regarding clearance concerns at the proposed Woodbine/Rodick Station, expressed in their recent preliminary comment letter dated January 19, 2011, are continuing. The purpose will be to satisfy Hydro One that modifications to the station's building/structure configuration (such as placing facilities below grade) and local alignment of the transitway will achieve compliance with their requirements stipulated in the easement agreement under Conditions of the Easement.
1.2	**General Comment**	Our Asset Management group is reviewing the report in more detail and I expect their response in the next couple of weeks.	We did not receive further comments from Hydro One.
2.0	**MOE - EAAB**	**Received January 21, 2011**	
2.1	**Executive Summary**	a. Specify areas where the proposed transitway is not in the existing right-of-way;	The entire Transitway is in a new exclusive right-of-way, mostly located in of publicly-owned crown land within the PBWP. Only 4% of the Transitway footprint will affect private property. Table 7-2 "Footprints Impacts" of the EPR lists the private properties being affected, the proposed mitigation measures and monitoring recommendations. Appendix O of the EPR includes drawings illustrating the approximate property requirements of the Transitway along its entire route. The Executive Summary has been edited to include a reference to Table 7-2 and Appendix O.
2.2a		a. Table 3-1: Was the Town of Richmond Hill staff report received?	An e-mail was received from the Town of Richmond Hill staff that a report will be submitted to the Council of the Whole on February 7, 2011.
2.2b		b. Section 3.3: Additional details about consultation with First Nations is required, such as follow up efforts, dates that the draft EPR and final EPR were sent.	Draft EPR and Final EPR copies were not sent to First Nations. However, in the letter of Notice of EPR Completion sent out to First Nations, First Nations were directed to the project's website where they can access the final EPR. As of January 2011, confirmation letters from three First Nations communities was received: Chippewas Rama First Nation, Beausoleil First Nation Council, and Alderville First Nation. Chippewas Rama First Nation also submitted a letter (July 10th, 2010), which was presented in Section 3.3.1.
2.3a	**Section 5: Id of Alternatives & Evaluation Process**	a. Section 5.1.3: cross reference to Section 1.3 doesn't sufficiently explain *Base Case*.	At the two Value Engineering (VE) workshops that took place during the planning and preliminary design stages of the project, *Base Case* was defined the preferred Transitway design at the time of the workshop. The following has been added in **Section 5.1.3 – Value Engineering Study**: Where VE 1 workshop is described: *The base case was the **conceptual design** of the technically preferred planning alternative of the 407 Transitway at the start of the workshop (October, 2008), approximately 60% completed at the time of the workshop.* Where VE 2 workshop is described: *The base case was the **preliminary design** of the technically preferred alternative of the 407 Transitway at the start of the workshop (May, 2010), approximately 70% completed at the time of the workshop.*
2.3b		b. Table 5-4b – not all environmental value/criteria, as was used in Section 7 Impact Assessment, have been discussed. Provide rationale.	The evaluation process to select the preferred alternative of the 407 Transitway involved a two screening approach. The first step involved the identification and assessment of potential **routes** (swaths) and **station nodes** (Section 5.3 of the EPR), resulting in the selection of the preferred route and corresponding station nodes. The next step in the process involved the identification of **alignments** and **station sites** within the previous selected route and station nodes (Section 5.4 of the EPR), resulting in the selection of the preferred alignment and corresponding station sites. Following the selection of the preferred alternative, the effects and mitigation measures for the selected alignment and corresponding station sites were identified and analyzed in detail (Section 7 of the EPR). Table 5.4 b. was included as a record of the environmental criteria and indicators considered during the station node evaluation

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			to establish whether there were any unacceptable impacts that could not be mitigated and would result in rejection of a node. The tables included in Section 7 are meant to document all effects on the environment and recommended mitigation measures of the actual preferred station design and hence are more comprehensive.
2.3c		b. Table 5-7: Cost data is still missing.	Cost data has been added to table 5-7.
2.3d		c. Section 5.4.2.4: Alignment analysis is still missing for Highway 407 crossing.	The alignment analysis is provided in **Section 5.4.1 b) <u>Alignment Alternatives Assessment:</u>** which reads: *Design options for crossing 407 ETR core lanes without affecting traffic flow on the Highway 407 were also assessed. Due to significant cost and construction complexity issues with underpasses, it was determined that overpasses should be adopted to cross the core lanes of the ETR.* **Section 5.4.2.4, <u>Alignment Alternatives</u>** second paragraph has been amended and now reads: *Vertical alignment alternatives were analysed for the required grade separations at Bayview Avenue and Leslie Street. The results of this analysis are summarized below:...*
2.3e		c. Section 5.4.2.6: Description and discussion on alternative station layouts still missing.	Description of alternative station layouts has been added to Section 5.4.2.6, with the addition of: *c) <u>Alternative Station Layouts</u>* *The proximity of the Kennedy Station to the GO Stouffville Line grade separated crossing dictates potential station locations and configurations based on the alignment selected through the Markham Centre lands. For the preferred alignment F3A, (Figure 5-25), passing under the GO Line, the transitway station must be located in a depressed section immediately east of the GO Line right-of-way since a station on the surface would only be possible at the top of a ramped section east of the underpass. This would place the transitway station over 300 metres east of the existing GO Station, a separation considered unacceptable for convenient transfer between GO Rail and 407 Transitway services.* *Accepting the depressed configuration required consideration of two potential alternative layouts for feeder bus platforms and ancillary facilities such as PPUDO and bicycle or walk-in access. Both layouts assumed that Viva BRT service and future LRT would link to the station from the provisions made in existing Enterprise Boulevard underpass to the north of the transitway station. The first alternative analyzed comprised a below-grade (depressed) bus terminal with an island configuration accommodating both Viva and local YRT services. The station concourse, PPUDO and park-and-ride would be developed on the surface in a layout integrated with the existing GO station and proposed GO parking structure along the east side of the existing tracks. Vertical circulation elements (stairs, elevators) would link the surface facilities to the transitway and bus platforms below and buses would access the depressed terminal via a ramp in the YMCA Boulevard median proposed by York Region in the approved Viva EA.* *A second alternative assessed focussed on reducing the extent of below-grade works by splitting the bus terminal facilities between the depressed and surface levels. In this alternative, Viva bus platforms remain at the lower level to achieve convenient access from the Enterprise Blvd. underpass and enable Viva platforms to be adjacent to the transitway platform allowing across-the- platform passenger transfer in at least one direction. The remaining local bus services, provided by YRT, would be arranged on the surface in a configuration compatible with the proposed ancillary surface facilities and allowing direct vertical transfer to Viva and transitway services below.* *An evaluation of the two alternatives led to the latter, split terminal alternative being selected to gain the advantages of less extensive and lower cost sub-surface works and more convenient access to the GO Rail station for local bus services. Also, stacking the two parts of the bus terminal results in shorter transfer distances between bays (directly vertical) and allows location of some layover bays on the surface. The layout and configuration of the split terminal alternative is shown in Plates 45 and 46 of Section 6.*
2.4a		c. Section 6.2.2: Provide more specific information about potential property requirements.	A paragraph, seen below, has been included in **Section 6.2.2.2** as GO Barrie is the only station location where private property is being impacted: ***Property Required*** *The Go Barrie (Concorde) Station is located on a combination of publicly owned Crown land and private property. In an effort to preserve the existing woodlot, the parking was extended to the north affecting approximately 1.9 ha of private property. In*

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			addition the access road passes through approximately 0.9 ha of privately owned land. Plate 37 details the extent of the private property effects. Plate 37 has been updated to detail the extent of the impact to private property
2.4b		d. Plates: An index key plan figure for these 33 plates would be useful; station locations should include proposed access/egress roadways, etc. This comment was not included in Table 3-3. Response still required.	Key Plan has been developed - Plate 00. **Section 6.2.2 Station Layouts**, now includes the following text under the **Access/Egress to the Facility** headings for each station layout: <u>Jane</u> Access/Egress for this facility is already provided, thus no additional information was required. *<u>GO- Barrie(Concord) Station</u>* *A new signalized intersection on Highway 7 is proposed approximately 250 m east of the existing CPR overpass. The north leg will connect to the proposed Concord development and the south leg will provide access to the park-and-ride facility, the potential GO- Barrie (Concord) Station, PPUDO and the local transit bus loop. Some improvements will also be required on Highway 7 at this intersection. The station access will mainly run parallel with the transitway with a shared bridge structure crossing Don River for approximately 70 m. The details of the station access is shown in Plate 37. The construction of this signalized intersection will require coordination with the Concord development and YRT.* *<u>Bathurst Station</u>* *A new signalized intersection is located on the Highway 7 E/W to Bathurst N/S Ramp approximately 240m southeast of Bathurst Street and 220m northwest of Highway 7. The T-intersection will provide access to the park-and-ride facility, PPUDO and the local transit bus loop. The construction of this signalized intersection will require coordination with the VIVA/YRT. Some improvements will also be required at intersection with Bathurst Street.* *<u>Leslie Station</u>* *The site access roadway to the proposed Leslie Station site will be aligned with the existing signalized St Robert Catholic High School access to form a four-way signalized intersection. The new roadway will provide access to the PPUDO and the park-and-ride facility.* *<u>Woodbine / Rodick Station</u>* *With the consideration of the future Miller Avenue and the planned road network improvements, two signalized intersections are proposed for this Station. The first access road is located 280 m west of Rodick Road for the park-and-ride facility and the PPUDO. The second access is a transit access only which is located 180 m west of the first access road, in order to provide a direct local bus access to the station. The intersection will be aligned with the planned local road to form a four-way signalized intersection.* *<u>Kennedy</u>* *As part of future transit developments in York Region, Viva buses will operate in their own separate right-of-way for part of their routes. A station access road with a median downhill ramp dedicated for VIVA transit operation will be provided on the YMCA Boulevard, as illustrated in Plates 45 and 46. The station access road will provide access to the unloading and loading area for non-Viva buses, Go Transit, 407 Transitway and the park-and-ride facility users.*
2.5a	**Section 7: Impact Assessment, Mitigation & Monitoring**	a. Section 7.1: The list of facilities/activities previously provided in the draft EPR (Table 7-1) needs to be included here	The list of facilities/activities previously presented in Table 7-1 of the draft EPR, were added in Section 7.1. **Section 7.1 now reads:** *Major facilities and Activities of the 407 Transitway that may interact with the existing environmental conditions are:* *Footprint Impacts:* · *Runningway* · *Bridges and culverts* · *Stations (including platform, PPUDO, parking, etc.)* · *Operations and Maintenance Facility*

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			· *Stormwater management facilities* *Construction Impacts:* · *Surface excavation* · *Clearing and grubbing* · *Utility relocation* · *Roadwork* · *Soil removal and disposal* · *Dewatering* · *Erosion and sedimentation control* · *Heavy equipment operations and maintenance* · *Traffic management* · *Material import/stockpiling* · *Concrete forming* *Operations and Maintenance Impacts:* · *Bus rapid transit operation* · *Roadway maintenance* · *Stormwater management* · *Station maintenance* · *Testing of emergency equipment* · *Snow removal*
2.5b		b. Section 7.2.1: *Designated Natural Areas, Contaminated Property and Waste* and *Air Quality* are environmental factors that need to be added and discussed under Natural Environment.	**Section 7.2.1** is now revised as per comment. Added: ***Designated Natural Areas*** *The 407 Transitway will not impact any designated natural areas found in the study area. The 407 Transitway will be located away from these areas.* Added: ***Contaminated Property and Waste*** *Impacts to contaminated property and waste are discussed in* ***Section 7.3.1.*** Added: ***Air Quality*** *Footprint impacts to air quality do not apply. Please see* ***Section 7.3.1*** *and* ***Section 7.4.1*** *for air quality impacts from construction impacts and operation and maintenance impacts.*
2.5c		c. Table 7-1: *Contaminated Properties and Waste* and *Air Quality* need to be included here.	**Table 7-1** is now revised as per comment. Added: New row for the Contaminated Property and Waste as "Environmental Value/Criterion" and referred to **Table 7-4** for mitigation and monitoring measures. Added: New row for Air Quality as "Environmental Value/Criterion". Footprint Impacts to air quality do not apply. Referred to **Section 7.3.1** and **Section 7.4.1** for air quality impacts from construction impacts and operation and maintenance impacts."
2.5d		d. Section 7.2.2: *Noise and Vibration*, and *Property Requirements* are environmental factors that need to be added and discussed under Socio-Economic and Cultural Environment.	**Section 7.2.2** is now revised as per comment. Added: **Noise and Vibration** Footprint impacts regarding noise and vibration do not apply. Please see **Section 7.3.2** and **Section 7.4.2** noise and vibration related construction impacts and operation and maintenance impacts.

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2.5e		e. Section 7.2.3: It appears that the sole factor considered in this section relates to property acquisition. Provide explanation how this is different than *Property Requirements* as an environmental factor in Section 7.2.2.	Moved the following paragraph from Section 7.2.3 to Section 7.2.2 under Land Use. **Section 7.2.2** now reads**:** *During previous studies for the 407 Transitway, for which the project was deemed to be a prominent transportation development within the Greater Toronto Golden Horseshoe, ROW land protection was established. The Need & Justification Study for the Projection of Highway 407/Parkway Belt West Transit Corridor (1992) in particular, found that a ROW for a separate fully grade separated transitway should be protected within the Highway 407 corridor. Through those land protection studies and subsequent planning efforts, the footprint impacts anticipated for the transitway were able to be studied and minimized. Efforts to decrease the associated effects through the implementation of mitigation measures included actual refinement of the design to limit unnecessary property acquisition, where possible.* **Added end of the first paragraph of Section 7.2.3:** *The main aspect of footprint impacts, as they pertain to transportation factors, is with respect to property acquisition which is discussed in **Table 7-2** under Land Use.*
2.5f		f. Section 7.2.3: Identify timeframe for completion of refinement of potential utilities conflicts.	It is understood that this comment refers to Section 7.2.4 "Utilities". The comment was made and responded in the previous submission. Section 7.2.4 was revised and completed.
2.5g		g. Table 7-2: *Noise and Vibration* and *Property Requirements* need to be included here.	Table 7-2 is now revised as per comment. **Added to Table 7-2:** *New row for Noise and Vibration as "Environmental Value/Criterion". It says "Footprint impacts regarding noise and vibration do not apply. Please see **Section 7.3.2** and **Section 7.4.2** noise and vibration related construction impacts and operation and maintenance impacts."* *Second and sixth row has been inserted to first row (Land Use).*
2.5h		d. Table 7-2: Identify which environmental value/criterion is related to Transportation.	The transportation related text, previously under Section 7.2.3, has been moved to section 7.2.2 Socio-Economic and Cultural Environment: Land Use. **Section 7.2.3 Transportation** now reads: *The main aspect of footprint impacts, as they pertain to transportation factors, is with respect to property acquisition which is discussed in **Table 7-2** under Land Use."* As well, **Table 7-2, Footprint Impacts: Potential Impacts, Mitigation and Monitoring for Socio-Economic, Cultural Environment, and Transportation** identifies land use as one of the environmental value/criterion. **Section 7.2.2 Socio-Economic and Cultural Environment, Land Use,** now reads**:** *During previous studies for the 407 Transitway, for which the project was deemed to be a prominent transportation development within the Greater Toronto Golden Horseshoe, ROW land protection was established. The Need & Justification Study for the Projection of Highway 407/Parkway Belt West Transit Corridor (1992) in particular, found that a ROW for a separate fully grade separated transitway should be protected within the Highway 407 corridor. Through those land protection studies and subsequent planning efforts, the footprint impacts anticipated for the transitway were able to be studied and minimized. Efforts to decrease the associated effects through the implementation of mitigation measures included actual refinement of the design to limit unnecessary property acquisition, where possible.* *Provincial planning documents and municipal Official Plans support the implementation of the 407 Transitway within the study area. The study area is predominantly located within the PBWP, which was implemented for the purposes of creating a multi-purpose corridor to accommodate utility and inter-urban transit. The 407 Transitway was designed to minimize the encroachment on property frontage and minimize property acquisition. Its purpose is to link urban areas with each other by providing space for the movement of people, goods, energy, and information, without disrupting community integrity and function. Presently the 407 Transitway will directly travel through the Richmond Hill-Langstaff Gateway Centre and the Markham Centre, which are envisioned to be transit-oriented communities with a mix of land uses and opportunity to transfer to other transit services such as the GO Transit, TTC and YRT. Consultation with the municipalities will continue during the Detailed Design Stage of this project regarding the integration of the 407 Transitway within the urban centres.*

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2.5i		e. Table 7-2: What monitoring requirements are needed as relates to the two built heritage buildings affected by the proposed undertaking?	Text in Table 7-2 has been added: **Table 7-2, Built Heritage and Cultural Heritage Landscape, Monitoring and Recommendation,** now reads**:** *MTO will monitor the status of the properties through its Corridor Management Office, who deal with the changes of ownership regarding the properties. Any further required monitoring may be identified in the Cultural Heritage Resource Documentation Report.*
2.5j		h. Section 7.3.1: *Designated Natural Areas* is an environmental factor that needs to be added and discussed under Natural Environment. Move *Noise and Vibration* to Section 7.3.2.	Sections 7.3.1 and 7.3.2 is now revised as per comment. Added: ***Designated Natural Areas*** *The 407 Transitway will not impact any designated natural areas found in the study area. The 407 Transitway will be located away from these areas.* Moved from Section 7.3.1 to Section 7.3.2: ***Noise and Vibration*** *Noise and vibration impacts will be temporary and will occur within time and place restrictions outlined in the various applicable municipal noise by-laws, or an exemption will be sought prior to commencement of construction. The impact of construction noise and vibration on nearby sensitive receptors will be monitored. Provincial guidelines with regard to construction sound levels that place specific restrictions on source sound levels will be followed. The guidelines are written to restrict maximum allowable sound levels for equipment used in certain construction activities.*
2.5k		i. Table 7-4: Add *Designated Natural Areas* here; move *Noise and Vibration* to Table 7-5.	Table 7-4 and Table7-5 is now revised as per comment. Added to Table 7-4: New row for **Designated Natural Areas** as "Environmental Value/Criterion". The 407 Transitway will not impact any designated natural areas found in the study area. The 407 Transitway will be located away from these areas. Moved from Table 7-4 to Table 7-5: Noise and Vibration row
2.5l		j. Section 7.3.2: *Noise and Vibration* and *Property Requirements* are environmental factors that need to be added and discussed under Socio-Economic and Cultural Environment.	Section 7.3.2 is now revised. See Response No. 2.5j above. Added the following sentence under Land Use in Section 7.3.2: *Property requirements are discussed in* ***Table 7-2. .***
2.5m		k. Table 7-5: *Noise and Vibration* and *Property Requirements* need to be added in this table.	Table 7-5 is now revised. See Response No. 2.5k and 2.5l above.
2.5n		l. Section 7.4.1: *Designated Natural Areas,* and *Contaminated Property and Waste* are environmental factors that need to be added and discussed under Natural Environment. Move *Noise and Vibration* to Section 7.4.2 Socio-Economic and Cultural Environment.	Sections 7.4.1 and 7.4.2 are now revised as per comment. Added in Section 7.4.1: ***Designated Natural Areas*** *The 407 Transitway will not impact any designated natural areas found in the study area. The 407 Transitway will be located away from these areas.* Added: ***Contaminated Property and Waste*** *Impacts to contaminated property and waste are discussed in* ***Section 7.3.1.*** Moved: Noise and Vibration section from Section 7.4.1 to Section 7.4.2. **Noise and Vibration** *The future noise levels without the transitway within the study area are expected to be greater than 65 dBA at two locations. The noise levels from the operations of the 407 Transitway will not exceed 5 dBA. However, a feasibility study for the installation of noise control measures will be conducted during the Detailed Design Stage of this project.*

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			As the buses to be operated on the 407 Transitway will be rubber-tire vehicles travelling on a smooth surface, it is not anticipated that their operations will contribute significantly to existing vibration levels in the study area. **New Table 7-8 is now added in Section 7.4.2**. *Table 7-8: Operations and Maintenance Impacts: Potential Impacts, Mitigation and Monitoring for Socio-Economic and Cultural Environment.* Rows in the Table 7-8 include Land Use, Noise and Vibration, Built Heritage and Cultural Heritage Landscape and Archaeological Features.
2.5o		m. Table 7-7: Revise commitment under *Wildlife and Wildlife Habitat* to correctly reflect that **<u>all</u>** "...existing wildlife corridors...will be maintained...restrictions...will not occur."	**Table 7.7** is now revised and now reads**:** *All existing wildlife corridors located at watercourse crossings and along rail line corridors will be maintained and restrictions to wildlife movement through these areas will not occur.*
2.5p		n. Table 7-7: *Vegetation and Vegetation Communities* needs to be added in this table; *Noise and Vibration* needs to be moved to table under Section 7.4.2.	Table 7-7 and Section 7.4.2 is now revised as per comment. Table 7-7, New row for Vegetation and Vegetation Community as "Environmental Value/Criterion". The following text was added for the new row: ***Vegetation and Vegetation Community*** *All impacts to vegetation are transient and relate to the footprint and construction impacts. It is expected that post-construction, new wetland areas will be created due to changes in drainage related to the construction of the transitway and its related components. Detailed site-specific mitigation measures will be developed at the Detailed Design Stage of the project.* <u>Moved: Noise and Vibration section from Section 7.4.1 to Section 7.4.2.</u> ***Noise and Vibration*** *The future noise levels without the transitway within the study area are expected to be greater than 65 dBA at two locations. The noise levels from the operations of the 407 Transitway will not exceed 5 dBA. However, a feasibility study for the installation of noise control measures will be conducted during the Detailed Design Stage of this project.* *As the buses to be operated on the 407 Transitway will be rubber-tire vehicles travelling on a smooth surface, it is not anticipated that their operations will contribute significantly to existing vibration levels in the study area.*
2.5q		f. Section 7.4.2: Discussion of all factors must be discussed similar to what was presented for earlier sections on footprint and construction impacts (7.2 and 7.3)	Agreed. Section 7.4.2 has now been revised to include all environmental factors, as needed.
2.6	**Section 8: Implementation**	a. Section 8: details relating to approximate timeframe for construction should appear here.	The details for the approximate construction timeframe have been added to the EPR, Section 8.3. **The last paragraph in Section 8.3, has been expanded to the following:** *Approval of this TPAP of the entire Central Section will enable the MTO, or the proponent at the time, to pursue any one or more of the above strategies, or variations of them, within the limits of this TPAP. Should the proponent decide to implement the entire Central Section from Jane Station (Spadina Subway) to Kennedy Road in a single phase, the construction timeframe is anticipated to be 6-7 years taking into account winter construction constraints. A shorter initial phase such as the eastern Yonge Street to Kennedy Road section would reduce the period to approximately 4 years.*
2.7	**Section 9: Commitments to Future Action**	o. Section 9.5: In accordance with Section 15 (O.Reg. 231/08), Changes after Statement of Completion. Revise wording appropriately.	Agreed, the wording has been revised in Section 9.5 Addendum Process. **The text previously read:** *Notice of Completion* **The text has been revised to read:** *Statement of Completion*
2.8a	**Concluding Remarks**	The changes and/or clarifications indicated above are to be incorporated into the final EPR and Appendices.	Agreed.
2.8b		It is also required that the revised pages be posted on the project website as soon as possible.	Agreed.
2.8c		The MOE requires one final product of the entire EPR and Appendices along with 4 copies of the revised pages.	Agreed.

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3.0	**MOE – EAAB: ANU**	**Received January 21, 2011**	
3.1	**Sound Level Criteria**	The sound level criteria were based on the MTO Environmental Guide for Noise (October 2006). This MTO document was developed to provide guidance for MTO personnel and consultants in the analysis of highway noise and its effects. The applicable criteria are contained in the *MTO/MOE* Noise Protocol for Highways (MTO & MOE, 1986). However, the Ministry is currently in the process of transitioning towards similar limits and procedures noted in the MTO 2006 document. **In** the interim, undertakings will be assessed on a case by case basis. For this undertaking, the MTO 2006 document is deemed acceptable.	Noted.
3.2	**Noise Control Measures**	Section 4.1.9 indicates that future predicted sound levels without the 407 Transitway may exceed 65 dBA at two noise sensitive areas and that there is no need for additional mitigation, which is incorrect. Section 4.1.9 should be updated to include the results of the revised SENES Report dated December 14,2010. The revised SENES report indicates that future predicted sound levels without the 407 Transitway may exceed 65 dBA at four noise sensitive areas (not two) and the report states that "MTO will investigate the feasibility of installing noise mitigation at these receptors during the detailed design stage of the project." Please note that the revised SENES Report predicts, as a result of the addition of the 407 Transitway, an increase in sound levels for the four noise sensitive areas that have been identified to exceed 65 dBA. Please note that conceptual noise control measures should be investigated as part of the EPR and not limited to the detailed design stage. In accordance with the MTO Environmental Guide for Noise, the feasibility of noise control measures should be investigated when an increase in sound levels is predicted to be equal or greater than 5 dBA, or when any increase in sound levels is present and the resulting predicted project sound levels are greater than 65 dBA. Therefore, the feasibility of noise control measures should be investigated at the four noise sensitive areas where the 65 dBA cap has been exceeded, as determined by the revised SENES Report, dated December 14,2010.	**Section 4.1.9:** The wording in **section 4.1.9** has been revised: It should be noted that after final review, a total of three (3) receptors are predicted to experience future noise levels that may exceed 65 dBA. The SENES report had identified four (4) such receptors, however, following the submission of the SENES report, it w as determined that one of the receptors, R10, was outside the project study area. Hence the number of relevant receptors is now revised to three (3), namely R2, R3, and R9. **Section 7.4.2:** At the MOE request, conceptual noise control was investigated as part of the EPR. The feasibility of noise control measures were investigated at R2, R3 and R9. The results are summarized below, and included in **Section 7.4.2** of the EPR: ***R2*** The SENES December 14 2010 report indicated that Highway 7 is the dominant noise source at this location. This is not surprising given the proximity of Highway 7 to the receptors and the higher traffic volume relative to the next closest road, being the 407 Transitway. As such, the noise contribution from Highway 7 was predicted to be approximately 66.3 dBA, followed by Highway 407 and the 407 Transitway at 61.6 dBA and 60.9 dBA, respectively. This totals to 68.5 dBA. By adding a 5m high noise barrier adjacent to the 407 Transitway, and accounting for its effect on Highway 407 as best as possible given the limitations discussed above, the overall sound level with no barrier of 68.5 dBA is reduced to 66.9 dBA, or -1.6 dBA. As the barrier is located beyond Highway 7 from the perspective of the receptor, Highway 7 remains as the dominant source at this location. At this feasibility assessment stage, it appears that a noise barrier along the 407 Transitway would not achieve a 5 dB reduction in noise at R5. ***R3*** Highway 407 is much closer to Receptor R3 than it is to Receptor R2, but Highway 7 still remains the closest noise source. At this location, Highway 407 takes over as the dominant noise source, followed closely by Highway 7. Locating a 5 m high noise barrier on the north side of the 407 Transitway would not effectively reduce the impact of Highway 7 noise at R3, as the 407 Transitway is still beyond Highway 7 from the perspective of the receptor, and Highway 7 simply becomes the dominant noise source. With no noise barrier in place on the 407 Transitway, the SENES December report indicated that the sound level at R3 was approximately 70.7 dBA. By adding a barrier adjacent to the 407 Transitway on the north side, the overall sound level with no barrier of 70.7 dBA is reduced to 70.3 dBA, or -0.4 dBA. . At this feasibility assessment stage, it appears that a noise barrier along the 407 Transitway would not achieve a 5 dB reduction in noise at R3. ***R9*** The previous noise modelling results reported in the SENES December 14 2010 report, indicated that the effect of the 407 Transitway relative to Highway 407 is quite low at this location, due to the proximity of the receptor to Highway 407 and the fact that the receptors are not directly exposed to the 407 Transitway as it is above grade. It is therefore not anticipated that a barrier will have a significant effect, as the 407 Transitway noise is predicated to be more than 10 dBA lower than the contribution from Highway 407. With no noise barrier in place on the 407 Transitway, the December report indicated that the sound level at R9 was

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			approximately 66.1 dBA. By adding a 5 m high barrier adjacent to the 407 Transitway on the north side, the overall sound level with no barrier of 66.1 dBA is predicted to reduce to 65.7 dBA, or -0.4 dBA. As the 407 Transitway is above grade at this location, the 5 m barrier is not shielding Highway 407 at the receptor and it remains the most dominant source of noise. At this feasibility assessment stage, it appears that a noise barrier along the 407 Transitway would not achieve a 5 dB reduction in noise at R9.
3.3	**SENES Report, December 14, 2010: Noise Control Measures**	Table 5.1 and Section 7.0 - Conclusions - indicate that future predicted sound levels may exceed 65 dBA at four receptors (R2, R3, R9 and RIO) and the report states that "the MTO will investigate the feasibility of installing noise mitigations at these receptors during the detailed design stage of the project." The feasibility of noise control measures should be investigated at the EPR stage when an increase in sound levels is predicted to be equal or greater than 5 dBA, or when any increase in sound levels is present and the resulting predicted project sound levels are greater than 65 dBA.	Please see responses above to comment 3.2: It should be noted, that the alignment of the 407 Transitway relative to Highway 407 and Highway 7 is quite complex at these receptors. Introducing a noise barrier at these locations also adds to the complexity of the modelling. Alternative traffic models may be better equipped for handling the limitations that are inherent in STAMSON in such complex cases. It is recommended that these models should also be considered for assessing the barrier effect at the detailed design stage of the project.
4.0	**MOE EAAB: W&WW**	**Received January 21, 2011**	
4.1	**General**	Summary Items 8, 9 and 10 generally have incorporated MOE's W&VWV comments and concerns and the Final EPR section 6.4 added with elaborations in Table 6.4.	Noted.
4.2	**General**	Overall, EMS's W&VWV Section is satisfied with commitments made in the EPR and may kindly be forwarded for finalization of project packages. We will be looking forward to review the SWM package applications in the light of the above commitments and within the stipulated parameters as illustrated in this final EPR.	Thank you.
5.0	**MOE EAAB: TSS**	**Received January 21, 2011**	
5.1	**Air Quality**	In the Air Quality Impact Assessment (the report), the NOx concentrations were compared to the 1-hr (400 ug/m3) and 24-hr (200 ug/m3) N02 Ambient Air Quality Criteria (AAQC) (Table 2.7). When NOx levels are compared to the N02 criteria, 1-hour and 24-hour exceedances were reported at the Toronto North Station. It is important to note that the Air Quality Ontario Reports do not demonstrate any N02 or NOx exceedances from 2004-2008 at the Toronto North Station. These reports compare N02 results to N02 criteria rather than NOx levels. A note under Table 2.7 on page 2-11 should explain that these exceedances at the Toronto North Station are based on the comparison of NOx to N02 standards. Please note that Figure 5.6 B "24-Hour PM2.5 Concentrations including background- Future without Transitway 2031" does not include the 'contour plot. Similarly, under Appendix A Figure A.24b "24-Hour PM2.5 Concentrations including background in ug/m3- Future Without Transitway (2031)" does not include the contour plot. The ESR proposes the use of barriers (treesl shrubs, noise I safety barriers) to reduce the impact of particulate matter on the sensitive areas identified in the AQA Report. It is recommended that coniferous species are used for the areas where tree planting is proposed, such as along the west property line of St. Robert Catholic High School, so that there is control throughout the year.	Air Quality Report is now revised. **Table 2.7 on page 2-11** now reads: ** NOx concentrations are compared to the NO2 AAQC. MOE Air Quality Ontario Reports do not demonstrate any NO2 exceedances from 2004-2008 at the Toronto North Station.* **Figure 5.6b:** No contour lines are applicable as the 24-hr PM2.5 concentrations are below 18.8 *µg/m3.* **Figure 5.6b** now reads: *Note: 24-hr PM2.5 Concentrations are below 18.8 µg/m3.* **Figure A.24b**: No contour lines are applicable as the 24-hr PM2.5 concentrations are below 18.8 *µg/m3.* **Figure A.24b** now reads**:** *Note: 24-hr PM2.5 Concentrations are below 18.8 µg/m3.* **Page ES-2, Page 5-17, Page 5-18, Page 6-2 of the Air Quality Report** is now revised to read**:** *Where trees and shrubs are planted it is recommended that a combination of species including coniferous trees is used such that there is control throughout the year.* EPR is now revised. The following sentence was added in **Table 7-7** of the EPR in Air Quality under Proposed Mitigation Measures Built-In Positive Attributes and/or Mitigations and Significance of any Potential Residual Effects: *Where trees and shrubs are planted a combination of species including coniferous trees will be considered such that there is control throughout the year.*
5.2	**Surface Water**	The current level of function and the ability to use existing 407 ETR stormwater management ponds (SWMPs) should be confirmed as part of the EPR. If these existing ponds cannot be used, then alternative treatment facilities that can meet 'Enhanced Water Quality Protection' level 1 treatment should be proposed in the EPR.	Where Transitway drainage contributes to an existing SWM pond either directly or via a grass swale with or without quantity storage, quality treatment will continue to be provided by the existing SWM pond. Where the runoff does not contribute to a SWM pond, water quality treatment will be provided by the enhanced grass swales.
		The stormwater management strategy relies heavily on utilizing 21 of the existing SWMPs for the Highway 407 ETR to treat stormwater runoff from the 407 Transitway. The SWMS states that additional hydrologic	The enhanced grass swales will be part of a treatment train approach comprised of: sheet flow off the roadway surface; flow through grassed filter strips (roadway embankment); and enhanced grass swales. Enhanced grass swales have been shown to

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		and hydraulic analysis will be needed at detail design to confirm the type and extent of the stormwater management works, including studies to determine existing pond capacities at the time of construction. This work should be completed at the EA stage as it is part of the planning process to adequately evaluate impacts and benefits of the different options and to select the preferred alternative. Preliminary analysis is also required to assess any additional land and structural requirements of the different alternatives. The SWMS states that grassed swales will be used where SWM ponds are not used or where there is no extra capacity with existing SWM ponds. A clear stormwater management strategy on how Enhanced Level Treatment of stormwater will be met for all project areas should be included in the EPR. The ministry is not of the opinion that grassed swales can meet 'Enhanced Water Quality Protection' level 1 unless part of a treatment train approach as described in MOE's Stormwater Management Planning and Design Manual, 2003.	reduce TSS by 76% and grass filter strips provide a reduction of 20% to 80% (Low Impact Development Stormwater Management Manual, Toronto and Region Conservation and Credit Valley Conservation, Draft 2009). While the report does not provide documentation on a combination of grass filter strip and enhanced grass swale, it is expected that the combination will provide a total reduction of at least 80% which will meet the Enhanced (Level 1) water quality target.
5.3		Mitigation measures to reduce thermal impacts to waterbodies designated as coldwater fisheries should be included as part of the SWMS. Summary of MTO Response: As built drawings could not be obtained from TRCA and MTO. A preliminary analysis was conducted for volume requirements to satisfy pre- vs. post-development quantity controls, but additional analysis will be done during detail design. Measures to address thermal impacts will be explored during detail design. Technical Support Response: Comment stands. The use of some or all of the 21 existing stormwater management ponds has significant implications regarding the level of stormwater treatment that can be expected to be achieved for the project and hence the protection of the receiving waters. A hydrological analysis should be conducted as part of the EPR to determine the feasibility of using existing ponds.	As indicated in the Drainage Report, based on our preliminary analysis, the volume requirements calculated to satisfy post-development to pre-development quantity controls for Transitway areas only, do not exceed more than 500m^3 per Transitway outlet. A desktop overview of the existing ponds and volumes was also performed. It was found that there is sufficient capacity to provide the additional volumes required for the Transitway. Given that the additional volumes are minor in comparison to the sizes of the existing 407ETR ponds, and there is adequate space around the ponds, in case minor is required, the approach taken should prove feasible. During the design phase, a detailed analysis based on field information will be developed to confirm this assessment and adopt it for design of the stormwater management treatment. To reduce thermal impacts the following features have been incorporated in the design of the new ponds: · The permanent pool will be deepened to 3 m wherever physically possible. If the groundwater elevations are determined to be high during detail design, the ponds will be deepened to the maximum extent possible without intercepting the groundwater. · Use of a reverse sloped pipe outlet. · Discharge to the watercourse using a sub-surface outlet wherever possible.
5.4		The EPR should include: information on the level of treatment the SWM ponds were originally designed to achieve; an analysis of the current level of treatment being provided by each SWM pond; for SWM ponds not currently meeting Enhanced Level Treatment, an assessment on the ability to retrofit each pond to meet Enhanced Level Protection treatment levels from a technical perspective, with consideration of other issue that may influence the feasibility of using the existing ponds for this project such as ownership and access.	Treatment of the additional runoff will be provided by enhanced swales prior to discharging to the existing ponds. It is understood that the existing 407ETR ponds may be used to retain run-off storm water generated by the runningway of the transitway. However, in the unlikely event that this cannot proceed, there is sufficient available space within the transitway corridor to provide additional stormwater management facilities if required.
5.5		New SWM ponds should be considered where it is determined that the existing ponds do not have the available capacity or the ability to retrofit, as well as for areas that are currently drained with swales.	As-built drawings and drainage areas for the 407 ETR ponds could not be obtained. Should the field survey and detail analysis to be undertaken during the detailed design phase indicate that the additional volume cannot be accommodated in the existing SWM ponds, flat bottom grass swales can be used to provide the required volume. In the worst case scenario an elongated/cascading facility (refer to our enhanced swale locations along the Transitway) that will be approximately 90m long, with 1.5m depth and a 2m flat bottom may be needed to accommodate the required volume. The final arrangement – modification of existing SWM pond and/or elongated/cascading grass swales - will be determined during the detailed design phase. The minimum drainage area for a wet pond is 5ha as per MOE criteria. The transitway drainage areas are generally less than 1ha, therefore grassed swales have been designed along the transitway to treat additional runoff. As-built drawings and drainage areas for the 407 ETR ponds could not be obtained. Should the field survey and detail analysis to be undertaken during the detailed design phase indicate that the additional volume cannot be accommodated in the existing SWM ponds, flat bottom grass swales can be used to provide the required volume. In the worst case scenario an elongated/cascading facility (refer to our enhanced swale locations along the Transitway) that will be approximately 90m long, with 1.5m depth and a 2m flat bottom may be needed to accommodate the required volume. The final arrangement – modification of existing SWM pond and/or elongated/cascading grass swales - will be determined during the detailed design phase.
5.6	**Surface Water**	The Stormwater Management Strategy should identify the location and the amount of the total area to be treated 1) to Enhanced Level Protection, 2) with grassed swales and 3) left untreated.	Agreed. The location of all grassed swales is schematically shown in Figure 3.4, 3.6, 3.7, and 3.9 included in Appendix A of the Drainage Report. A summary table including the required information was accidently omitted from the December 23, 2010 EPR

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		Summary of MTO Response: *Location of grassed swales can be found in Figures* 3.4, 3.6, 3.7 *and* 3.9 *included in Appendix* A *of the Drainage Report* The surface water reviewer was unable to locate a Table in Appendix A of the Drainage Report with the information that summarizes the areas to be treated. The Stormwater Management Strategy should identify the amount of the total area to be treated 1) to Enhanced Level Protection, 2) with grassed swales and 3) left untreated	submission. However, it has been added to the EPR, and can be found at the end of Table 3-3: Draft EPR Version 2, Agency Comments and Responses. In addition, this summary table, can be found at the end of this document (Reference 1).
5.7	**Surface Water**	The stormwater management strategy should identify sensitive areas, in particular deck drains and other key areas draining surface water runoff into sensitive environmental receivers, and describe how stormwater quality and quantity from these areas is to be treated. Summary of MTO Response: The SWMS will be further developed and the assessment of impacts of drainage surface water runoff into sensitive areas will be determined during detail design These areas are part of the identification of surface water features that may be negatively impacted by the project and proposed measures to mitigate those impacts are part of the EA process and should not be carried over to detail design.	Our stormwater strategy includes drainage from decks towards the proposed facilities. Bridge deck drains will not be installed to flow untreated to watercourses. If there are any other sensitive areas encountered during detailed design the required treatment will be identified in consultation with regulatory agencies and implemented.
6.0	**TTC**	**Received January 11, 2011**	
6.1	**Section 6, Plate 3**	The roof slab of the subway box at the future 407 Transitway crossing is not shown at the correct elevation. As co-ordinated with the 407 Transitway design team, the future 407 Transitway will traverse through the subway station box structure.	The subway box shown on Plate 3 of the EPR is a schematic representation of the subway structure beneath the transitway on the centreline of the transitway. The actual location and elevation of the subway structure through which the transitway passes has been confirmed that is consistent with the TTC final design of the 407 Subway Station box structure. Plate 03 of Section 6 includes the subway box information.
6.2	**Section 6, Plate 3**	Please note that the existing 900mm sanitary sewer, shown in plan and profile, was relocated to the west in 2010 as part of an advance TYSSE - contract at the Highway 407 Station site.	We acknowledged your note regarding the relocation of the 900mm sanitary sewer. A note has been included in Plate 03 of Section 6.
6.3	**Section 6, Plate 35**	The design of the proposed bus lay-bys will need to be reviewed and approved during future design stages by the TTC to ensure that these lay-bys do not negatively impact the Highway 407 subway station.	Agreed. This comment was received in a previous TTC letter (December 3, 2010), and addressed in Section 3; Table 3-3; Comment No 14.3 of the EPR (December 23, 2010).
6.4	**Section 6, Plate 35:**	Please note that the northern, bus-only access road from Jane Street serves as the major utility corridor for the Highway 407 subway station. Utilities, such as communications, power and water, are located within the limits of this road. The design and construction of the 407 Transitway must ensure that these utilities are protected.	Acknowledged. A note will be included in the corresponding plan and profile plate in study reports.
6.5	**Construction Staging**	Due to the proximity of the 407 Transitway to the subway station and bus terminal, it will be necessary for the construction staging and temporary works to be reviewed by the TTC and Metrolinx/GO to ensure that the construction of the 407 Transitway does not negatively impact the subway station and bus terminal's operations.	At the time of the preparation of the detail design and contract documents, depending on the agency responsible for construction, this requirement will be addressed as part of normal procedures in completing the construction specifications.
6.6	**Coordination with TYSSE**	MTO must ensure that the 407 Transitway Project is fully co-ordinated with the final TYSSE Highway 407 Subway Station design drawings, in particular with respect to horizontal and vertical elevations of the station where provisions have been made for the traversal of the Transitway and for passenger connections to the subway station. The TYSSE Highway 407 Subway Station design is final and no further revisions are feasible. It is intended to award the Highway 407 Station construction contract in January 2011. The issued for construction drawings can be requested from the TYSSE Project Office.	The preliminary design of the 407 Transitway was developed in coordination with the final design of the 407 Subway design in progress during the execution of the TPAP and preliminary design 407 Transitway. Both horizontal and vertical alignment of the Transitway were confirmed upon receipt of the final design drawings of the TYSSE Highway 407 Station, dated October, 2010.
7.0	**CITY OF VAUGHAN**	**COUNCILLOR SANDRA RACCO**	
7.1	**Letter from Sandra Racco, Vaughan Councillor; <u>Received January 24, 2011</u>**	Please accept this letter as my submission in relation to the Final Environmental Project Report, but more specifically the Transitway station at Keele St./Hwy. 7, adjacent to the Concord GO Barrie Station. As you are quite aware, there is an existing subdivision of approximately 285 homes located at the southeast corner of Keele Street and Highway #7. Furthermore, there is an extensive trail system and	We are in receipt of your letters of October 28, 2010 and January 23, 2011. We hope that this letter will help alleviate the community as well as your concerns while allowing the project to embark on its strategic initiative in implementing regional transit for the benefit of all. The Ministry of Transportation has been planning and protecting land for the 407 Transitway over the past two decades. The

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		green space (the Bartley Smith Greenway / Langstaff Ecopark) that exist just to the east of the GO Barrie North-South line. The proximity of the proposed Highway 407 Transitway station, along with the intermodal hub with its massive parking lot and the anticipated commuter bus activities, will negatively impact on the existing residential component, as well as on the neighbouring green space and valley lands. It has been the wish of the Concord West community to protect the Bartley Smith Greenway/Langstaff Ecopark from future development in this area. They have requested safe access to this green space from their community and the large proposed transit terminus will surely impede on the community's ability to utilize or access this natural environment. Please understand that this Concord West neighbourhood has been in existence longer than any of the surrounding homes and industries in the area and when the area was developed, this neighbourhood became uniquely isolated from the others. Therefore it is imperative that we be sensitive to the established residential component and take extreme care when considering what development should be placed in this adjacent area. I must express my extreme disappointment that my request to the Minister of Transportation and the Minister of Environment for an extension of reasonable time to allow the community and the City of Vaughan to submit comments went unanswered. As you are well aware, the completion of the Environmental Project Report did not occur until Thursday, December 23, 2010, just 2 days before Christmas and in the middle of a major holiday. With the imposition of the 30 day review period, it has made it impossible for our City staff to have the opportunity to review the report in depth and to bring forward a formal report to Council for consideration before the deadline date of January 24, 2010. This has lead to many unfound accusations thrown onto the part of Council members not taking a strong position when in fact, we have not had the opportunity to receive comments from staff nor had a fulsome discussion with all members of Council on the matter. A Secondary Plan is required to be completed for this area, and as such, I am making a formal request for MTO to commit to working closely together with the City of Vaughan and the Region of York during this phase and address all concerns raised by area residents, as well as by Council, and amend the 407 Transitway Environmental Project Report as needed based on the approved secondary plan. Additionally, I would request that during the design process stage, that the City and area residents be consulted and kept in the loop through community meetings. I thank you for the opportunity to provide comments on this ambitious project. I hope that the comments raised by myself, by City staff and other Members of Council, as well as all the comments brought forward by the Concord West Residents Ad Hoc Committee, the Concord West Seniors Club, and the Concord West Ratepayers' Association be taken seriously into consideration. We recognize the importance of this Environmental Assessment Study and understand that is it an integral element of the Growth Plan for the Greater Golden Horseshoe (2006) (Growth Plan) but please ensure it is done with sensitivity with the existing community in mind.	Planning/Preliminary Design Environmental Assessment study was initiated by the Ministry in March, 2007. The study has been carried out with the participation of City of Vaughan staff and has included presentations to Vaughan Committee of the Whole prior to the two sets of Public Open Houses. The Plans for the Concord Transitway station were presented at these occasions. Following completion of this phase of the study which incorporated the extensive stakeholder and municipal input and discussion, MTO issued a notice on August 29, 2010 that the EA was being transitioned to the new Transit Project Assessment Process to begin the statutory six month process period. As required under the governing regulation, the notice of completion was issued on December 23, 2010 and the 30 day consultation period commenced, ending on January 24, 2011. The technical advisory committee (called the Technical Resource Group for this project) included representatives from a number of agencies including the City of Vaughan, the Town of Richmond Hill, York Region and the Toronto and Region Conservation Authority. These agencies participated regularly in meetings and presentations (six to date). In addition, as mentioned, Public Information Centers were held for the project nearing the end of both Planning and Preliminary Design phases. The final public information centre was held in June of 2010 and was attended by representatives of the City of Vaughan. Prior to these Open Houses special presentations were made to the Committee of the Whole of the City of Vaughan. These presentations, in May of 2009 and June of 2010 had shown the 407 Transitway Concord Station as a preferred station location. The current proposed station location was first identified in the 407 Transitway Overview Study, 1989. Accordingly, property for the station has been protected for since that time. Concerns with regard to the 407 Transitway Concord Station were first raised by the Concord West Community Association in July 2010. Since then, we have been engaged with the association and have met and exchanged correspondence related to their concerns. We have reviewed its proposals, assessed them both from an environmental, social and technical perspective, provided alternatives that were more feasible, practical and indicative of the objectives and evaluated them. This full assessment and evaluation was concluded in December 2010 and submitted officially by letter (MTO letter dated December 8, 2010) to the association and included in full detail in the Environmental Project Report. While the station could not be eliminated from its current location south of Highway 7, as requested by the association, as this would have compromised the objectives of this project, the Ministry of Transportation did commit to providing a safe and direct access through a grade separated pedestrian facility across the CN Railway to the valley lands and to improving access to the Marita Paine Park Trail via the new river crossing as requested in your letters. A further meeting was held with the association on January 10, 2011 to review the design and address any additional concerns. It was evident at that meeting that the community maintains its interest in relocating the station to north of Highway 7. The review of this option was clearly evaluated in the EPR and found unacceptable as it does not fulfill the requirement of seamless passenger transfers between the Transitway, GO Barrie Rail line and York VIVA services identified in the Metrolinx regional transportation network. We are aware that the City of Vaughan has embarked on an official plan process for this area. The Ministry of Transportation looks forward to working closely with the City on this plan to help meet its objectives. I trust that this clarifies our position. *The above letter was the official response from the Ministry of Transportation to City of Vaughan Councillor Sandra Racco. In addition please note the following:* *Most of the GO Barrie (Concord) Station facility is located on Provincially owned land; however, three private properties are partially affected by the surface facilities. The approved City of Vaughan O.P. (O.P.A. 600) designates the area as Major Open Space and Valleylands. In the municipally-adopted City of Vaughan O.P. (September 2010), the area is designated as Mid-Rise Mixed Use and Natural Areas. Through the Public Information Centres as well as other meetings, the owners are aware of the effects, and preliminary discussions with the Ministry have taken place. Further discussions and negotiations between the MTO and the affected property owners will continue during the design phase.*

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7.2	**Letter from Sandra Racco, Vaughan Councillor; Received October 28, 2010**	I understand that a draft of an Environmental Project Report (EPR) for the 407 Transitway has been circulated for review, and as such, I wanted to take the opportunity to provide the project team with comments, in relation specifically to the Keele Street and Highway #7 (Concord West) area. As you are probably aware, there is an existing subdivision of approximately 285 homes at the southeast corner of Keele Street and Highway #7. As well, there is an extensive trail system and green space area (Bartley Smith Greenway/Langstaff Ecopark) just east of the GO Barrie north-south line. As a result, I am concerned with the proximity and overall impact of the Highway 407 Transitway station on this existing community, as well as the green space features running just east of this community. I do not believe that an expansive parking lot and expanded GO train and/or commuter bus activities would be in keeping with this neighbourhood or the neighbouring valley lands. Additionally, the Concord West community would like to see the Bartley Smith Greenway/Langstaff Ecopark area protected from future development in this area. They have requested safe access to this green space from their community, and I would not want to see a large transit terminus impede this community's ability to utilize or access this green space. I thank you for the opportunity to provide comments on this ambitious project and to ensure that the voices of the Concord West residents are heard. Should you require further information or clarification on any of the above, please feel free to contact me directly.	Thank you for your e-mail of January 18 regarding the 407 Transitway Draft Environmental Project Report. I appreciate the opportunity to respond. The Ministry of Transportation has been planning and protecting land for the 407 Transitway for the past 20 years. The 407 Transitway Planning/Preliminary Design Environmental Assessment study was initiated by the Ministry in March, 2007. This study has been carried out with the participation of City of Vaughan staff and has included two presentations to Vaughan Committee of the Whole in May of 2009 and June 2010 prior to the two sets of Public Open Houses. The Plans for the Concord Transitway station were presented at these occasions. Following completion of this extensive phase of the EA study which incorporated the significant stakeholder and municipal input and discussion, MTO issued a notice on August 29, 2010 that the EA was being transitioned to the new Transit Project Assessment Process to begin the statutory six month process period. As required under the governing regulation, the notice of completion was issued on December 23, 2010 and the 30 day consultation period commenced, ending on January 24, 2011. Concerns with the 407 Transitway Concord Station were raised by the Concord West Association in July 2010. Since then, Ministry staff have exchanged correspondence and met with the association on several occasions to discuss its concerns. The association has submitted proposals to move the Transitway and station away from the site which have been fully evaluated by the Ministry and included in the Environmental Project Report. While the final station location recommended in the report has not been relocated from its current location south of Highway 7, as this would have compromised the objectives of this project which include providing seamless passenger transfers between the Transitway, GO Rail Line and York VIVA services, MTO did commit to providing a safe and direct access for the community through a grade separated pedestrian facility across the CN Railway to the valley lands and access to the Marita Paine Park Trail. Further, the station design and committed mitigation measures have ensured protection of environmental features on the site including the valley lands. We are aware that the City of Vaughan has embarked on an Official Plan process for this area. The Ministry of Transportation looks forward to working closely with the City to help meet its objectives. Thank you again for bringing your concerns to my attention.
8.0	**CONCORD WEST RESIDENTS AD HOC COMMITTEE**		
8.1	**From [redacted] Letter January 21, 2011**	Pursuant to (1) our letter to you of November 20, 2010, (2) your response via Ms. A. Garcia-Wright on December 15, 2010, and (3) the Environmental Project Report (EPR) submitted to you on December 23, 2010, by the MTO group headed by Project Manager R. Minnes, we are hereby filing our reasoned Objection to this EPR within the prescribed period of 30 days after the latter's submission, to request that (i) you deny the proponent to proceed with the transit project, and (ii) issue a notice requiring further consideration of the transit project, according to subsections 12(1)b and 13(1) of Ontario Regulation 231/08, and specifically, that such further consideration be directed to concentrate on placing the said intermodal hub *north* of Highway 7. We submit to you that the existing transit project will have a negative impact on a matter of community and provincial importance that relates to both (1) the natural environment of the land where the existing transit project locates a large intermodal transportation hub associated with the GO Concord Station; and (2) the cultural heritage and social fabric of a well established community, uniquely placed as an isolated residential island within the entire study area under consideration, *as if singled out for destruction*. Technical decisions lack absolute substance and always devolve to political decisions. The present instance is a case in point. When all is said and done, the existing Plan for the Concord intermodal hub abides by a criterion that values more highly a single technical parameter (the short distance between GO and transitway stations) than either the social and cultural fabric of a community or the existence of a sensitive ecological habitat contiguous with the West Don river and near the confluence of two major tributaries of the same. We remind the Minister that the EPR's Conceptual Design of the GO Concord intermodal hub	Thank you for the letter and comments provided. Please see below for responses to the objections posed in the **Objection submitted to the Ontario Minister of the Environment, the Honorable J. Wilkinson, by all three civic organs of the Concord West Community Regarding the Environmental Project Report (EPR) prepared by the MTO and Delcan/IBI** and submitted on 23 December 2010 submittal.

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		was unanimously rejected by our community at a General Meeting on August 24, 2010; that other residents from neighbouring communities have expressed support for our requests, and that so have a majority of the present members of Vaughan City Council. Moreover, the community does not believe that its own Alternative Plan for the GO Concord intermodal transit hub has received a fair assessment, nor has further definition of the Alternative Plan received any constructive support from the MTO or its private planners. Further, we request from you, as Minister in charge of protecting the environment – as per the Environmental Assessment Act, subsection 1(c) which defines "environment" to include "the cultural conditions that influence the life of humans or a community" - that you forthwith request the honorable Premier Dalton McGuinty to donate this ORC land to the TRCA, so that (1) this land may be protected in perpetuity as part of the Bartley-Smith Greenway associated with the Don River Valley (a matter of natural heritage); (2) no intermodal hub be placed on this land and thus the cultural and social fabric of our community may be protected (a matter of cultural heritage); and (3) the traditional common law rights of our community to its greenspace be restored.	
8.2	**Objection submitted to the Ontario Minister of the Environment, the Honorable J. Wilkinson, by all three civic organs of the Concord West Community Regarding the Environmental Project Report (EPR) prepared by the MTO and Delcan/IBI and submitted on 23 December 2010**	**BRIEF INTRODUCTION** From reading in sequential order Appendices 1 to 10 that are attached to the present Objection, the Honorable Minister will obtain the history of the current struggle of theConcord West (CW) community to regain its greenspace (ORC property under petition to be transferred to the TRCA, and identified by Land Registry pin number 032320650), and to protect (1) the social environment of the community, (2) the ecological pocket situated in that greenspace, and (3) the Upper West Don river valley at the sensitive point of confluence of two of its tributaries, where the Bartley-Smith Greenway is at its narrowest and most adversely impacted by the proposed Concept Design for the GO Barrie (Concord) Station and the associated intermodal hub. In particular, *for background leading to the present Objection* to the Environmental Project Report (EPR) prepared by the MTO and private planners Delcan and IBI and submitted on December 23, 2010, the Honorable Minister is directed to Appendix 5, containing the formal Submission prepared for the MTO by the three civic organs of the CW community, and submitted to the MTO on September 27, 2010 (included in EPR, Appendix A). Also, *for an analysis of the Alternative Plan* developed by the CW community and unanimously approved by the same in General Assembly on August 24, 2010, the Honorable Minister is directed to Appendix 10, containing the December 10, 2010, response of the community to the MTO's rejection of our Alternative Plan. Appendices 11 to 15 document the support unequivocally expressed by a majority of the members of the Vaughan City Council for the two requests made by the community: that the ORC land in question be transferred to the TRCA, and the Concord intermodal hub placed north of Highway 7, so that the CW community and the greenspace in question be both protected, and the community's access to this greensapce and the Bartley-Smith Greenway be restored. Appendix 16 is the letter sent to the MTO by our Local Councillor, S. Racco, during review of the EPR draft, where she expresses concern with the proximity and impact of this GO Concord intermodal hub, which is not in "keeping with this neighbourhood or the neighbouring valley lands". As we do not seek to repeat ourselves, we shall, henceforward proceed to the many objections that stand against the EPR. Please note that all references to the Appendices of the present Objection are made in bold, and the Appendices are numbered so as to distinguish references to them from reference to the Appendices of the EPR.	
8.3	**THE OBJECTIONS TO THE EPR 1. Objections regarding insufficient consultation of the Concord West**	**1.1 As to "Environmental Assessment and Consultation Process" Re. EPR, E. Executive Summary, subsection E2** Under this subsection the EPR reads: "Consultation was conducted with government review agencies, technical agencies, local municipalities, property owners..." (EPR, Executive Summary, p. 1). Though the consultation process began back in 2007, no residents or property owners that we know of	The proponent has undertaken the public consultation process for this project in strict adherence to the requirements of EA Process. To facilitate the consultation process, notification of consultation activities/opportunities were provided to the public. The public was able to choose their level of involvement from one or more of the following options; Project website (www.lgl.ca/407Transitway); Public Information Centres; and, contacting the Study Team directly. Notification of many of the activities/opportunities was provided through advertisements in local newspapers including the

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	community, as well as misrepresentation of its involvement and of the main function of the proposed GO Concord Station and intermodal hub	ever received a single notice by ordinary mail. We have repeatedly brought this up with the OMT officials (at the meeting of September 15, 2010; in subsequent emails with G. Ivanoff; at the meeting of January 10, 2011). The answer has been that a notice was mailed (in a batch of some 17,000) to all concerned stakeholders via Canada Post, even though no demonstrable proof of this has to date been produced. The issue is of importance because the residents and stakeholders of the CW community only realized what was being planned for the petitioned ORC land in July of 2010, when our M.P.P. Peter Shurman arranged for a meeting with R. Minnes, 407 Transitway Project Manager. Thus the above-quoted statement in the EPR is simply *not* factual. Worse, the MTO has been aware of this since at least July of 2010. Yet, such inaccurate statement is made in the EPR.	*Vaughan Citizen, Markham Economist and Sun* and *The Liberal.* Five notices were placed in the local newspapers including: "Notice of Study Commencement" in June 21, 2007 under MTO's Class Environmental Assessment for Provincial Transportation Facilities process as a Group "A" project. This notice was also published in the *Toronto Star;* "Notice of Public Information Centre #1" on May 14, 2009; "Notice of Public Information Centre #2" on June 17,2010; "Notice of Commencement of Transit Project Assessment Process", on August 26, 2010; and, "Notice of Completion", on December 23, 2010. The "Notice of Study Commencement" advertised in June 2007 occurred when the study was initially following MTO's *Class Environmental Assessment for Provincial Transportation Facilities* process as a Group "A" project. The "Notice of Public Information Centre #1" was placed in local newspapers at least one week prior to the events (May 26, 2009 and May 28, 2009) as well as the Toronto Star. The PIC #1 brochure was mailed directly to the members of the public listed in the general public contact list on May 20, 2009. In addition, approximately **32,400** copies of the PIC brochure were distributed to residences, businesses and property owners within the **two kilometre band centered on Highway 407 Corridor by Canada Post Unaddressed Mail Delivery service during the week of May 18, 2009.** The "Notice of Public Information Centre #2" was placed in local newspapers at least one week prior to the events (June 24, 2010 and June 29, 2010). The notice included a discussion of the project, the new TPAP, PIC specifics (including date, time and location) and provided information on how to submit comments to the Study Team. Information on the project's website was also included. Information that two presentations (5:00 p.m. and 7:00 p.m.) were planned at the PIC was also included in the notice. The PIC #2 brochure was mailed directly to the members of the public listed on the general public contact list on June 15, 2010. In addition, approximately **33,000** PIC brochures were distributed to residences, businesses and property owners located within **the two kilometre band centered on Highway 407 Corridor by Canada Post Unaddressed Mail Delivery service during the week of June 14, 2010**. There was no indication that members of the Concord West Community had attended PIC #2 and no comment sheets from them were received. Other attendees at the PIC had copies of the brochure in their hand indicating that some residents had received the brochure. Representatives from the Concord West Community contacted the project team in July of 2010 for the first time. Two of the four Public Information Centres venues were held at Black Creek Pioneer Village approximately 5km driving distance from the Community. This distance is considered reasonable given that the entire project length is in excess of 23km.
8.4		**1.2. As to the Concord West community's input into the EPR process Re. EPR, Section 3, p. 45, on "Additional Comments Received"** Several omissions of facts, factual imprecisions, errors and misrepresentations are introduced in this section, which was intended specifically to address the concerns of the Concord West community and its opposition to the Concept Design of the GO Concord Station and associated intermodal hub. What was submitted by the CW community to the MTO on September 27, 2010 (see Appendix 5; also EPR, Appendix A, pp. 376-402) was a formal objection and alternative proposal (not a "letter") to the then current Concept Design for the location of the intermodal hub. Our Submission provided the history of the fight of the CW community to preserve its greenspace, reported the finding of a protected species on the boundary of that greenspace, and proposed an Alternative Plan for the location and arrangement of the intermodal hub. This Submission followed the September 15, 2010, meeting in which the Alternative Plan was presented to the MTO, YRT/Viva and TRCA. More importantly, the "Additional Comments Received" subsection of Section 3 of the EPR *misrepresents* this Submission and its context. For, the September 27, 2010 Submission *was a joint effort of all three civic organs of the CW community*: the Concord West Residents Ad Hoc Committee (CWRAHC), the Concord West Seniors Club (CWSC), and the Concord West Ratepayers Association (CWRA). Though the community's original petition to Minister Duguid was initially an initiative of senior residents made under the umbrella of the CWSC, the community has been united in its unanimous opposition to the MTO's Preferred Plan for the Concord GO/Metrolinx intermodal hub. While Section 3 of the EPR makes it sound as if the September 27, 2010 Submission and the Alternative Plan proposed therein were an elaboration made by some concerned residents that formed the CWRAHC,	Page. 45 of Section 3 of the EPR did not provide every detail of the Concord West Community's input as received. Their entire input was included in Appendix A of the EPR for full review. The proponent acknowledges the effort of the Community in its "stand and fight to save the lands to the east of the Railway lands" with all the details provided and through various correspondence and numerous meetings. Prior to the issue of the EPR, the proponent reviewed this material thoroughly and only summarized relevant information relative to the preferred alternative at GO Barrie on p. 45. We do not consider that we have improperly contextualized the community's plans or misrepresented them. The proponent has spent considerable time and effort reviewing, assessing, identifying new alternatives and evaluating these alternatives to resolve and address the Concord West Community's concerns. We have also met, made presentation and explained all aspects of the project objectives including the need for the station, the transitway and its associated facilities to provide the traveling public with an efficient transit connection that is commensurate with the need for higher order transit in this corridor. We have endeavored to address the concerns of the Community by providing them with mitigation [as documented in the EPR, Section 5.4.2.2 c) Alternative Station Layouts] to address their concerns through: · Providing a direct pedestrian grade separated crossings to access the Valley Lands · Minimizing intrusion into the West Don River flood plains; · Allowing most of the natural riverbank vegetation and the adjacent woodlot to be preserved; · Minimizing effects on natural vegetation; · Mitigating noise and visual effects on the residential community west of the GO Line; · Providing improved access to the Marita Paine Park Trail via the new river crossing; and, · Committing to future mitigation and monitoring.

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		the facts contained in that Submission (Appendix 5) show otherwise: 1. That the CW residents, on two occasions, *unanimously petitioned* MinistersDuguid and Chiarelli to have the ORC land (Land Registry pin number 032320650) transferred to the TRCA in order to protect it as a greenland that should be part of the Bartley-Smith Greenway. 2. That a General Assembly of all CW residents *unanimously voted*, on 24 August 2010, to reject the currently planned location of the Concord intermodal hub on the south side of Highway 7. 3. That the same General Assembly *unanimously voted* to approve the Alternative Plan presented at the September 15, 2010 meeting, the said Plan being the main subject of the September 27, 2010 Submission sent to the MTO. The improper contextualization of the community's Alternative Plan serves, at the very least, as another factor contributing to its dismissal. Most poignantly, the misrepresentation totally disregards the active involvement of the community in rejecting the current Concept Design and location of the Concord intermodal hub, and in drafting of an Alternative Plan at its own effort and cost. Moreover, the misrepresentation presented in the EPR disregards the unanimous will of the CW community. Given that this community is the sole residential island in the entire study area of the 407 transitway process (see EPR, Appendix J, p. 13), such decontextualization of its efforts and misrepresentation of its decisions and involvement is particularly offensive to the Concord West residents and property owners. In keeping with this effective slighting of the aspirations and rights of the CW community, the EPR does not make a single mention of the efforts made by this community to have the ORC land in question declared part of the conservation belt protecting the Bartley-Smith Greenway – efforts which are detailed in Appendix 5 and of which the MTO was informed since at least July 2010.	
8.5		**1.3. As to whom the proposed GO Concord Station truly serves** **Re. EPR, Sections 4.2 and 6.2.3** As we pointed out to MTO officials and Delcan planners during the January 10, 2011 meeting, what is stated in the EPR concerning the transportation function of the Concord intermodal hub is a complete untruth. It is stated (EPR, Subsection 6.2.3, rubric "Transportation Function", p. 5) that "the main function of the GO Barrie (Concord) Station, however, will be to provide park-and-ride and PPUDO facilities for commuters from the surrounding residential communities located to the north and west of the station site in addition to local walk in access". The untruths of this statement in EPR Subsection 6.2.3 are many. First off, we were told at the January, 10, 2011 meeting that the main users of the GO Barrie (Concord) Station will be an estimated 70% composed by commuters shuttling between the two stations, GO and Metrolinx. Nowhere is this stated in this subsection that addresses the main transportation function of the GO Barrie (Concord) Station. Rather, what the EPR states is that the main transportation function is to provide service for commuters from the surrounding residential communities located to the north and west of the preferred station site. Well, and secondly, the residential community *located to the west of the preferred station site* is our Concord West community, which has stated over and over again – to a variety of Provincial Ministers, to the Premier of Ontario, and to the MTO planners – that it does not need this GO Station, nor want it, period! Yet, the CW community has accepted, in a constructive spirit that has not been reciprocated, that such an intermodal hub be created, *just not that it be placed on the south side* of Highway 7; rather, the position of the CW community is that it should be placed on the *north* side of Highway 7, where it will comply with the true logic of its future necessity. This brings us to the third untruth of that passage of the EPR: for it follows that the only residential community which the GO Barrie (Concord) Station could serve, is a community located to the north of the so-called "preferred site". The small problem with this claim is that there is, as of yet, no residential community in that northern location! It is a virtual community projected for the future, *and its location lies within the Concord Floral lands* whose rezoning from agricultural land to high density mixed use has not yet been approved by the City of Vaughan. On this naked admission of the	The criteria used to define station locations (Section 5.3 of the EPR) was based on strategic trip generation assessment derived from proximity to Urban Centres (Vaughan Metropolitan Centre, Richmond Hill Centre, and Markham Corporate Centre); connection opportunity to existing and future inter-regional transit networks such as the north-south GO Transit railway lines and the future TTC Subway extension; and park and ride high expected demand. A station at the crossing with the GO Barrie railway line was defined based on the second criteria (connection opportunity to existing and future inter-regional transit network). Future travel demand at all potential station locations was analyzed based on the GGH model projections (Section 2.4 of the EPR), and conclude that in the case of the GO Barrie Station location, 65% of the ridership is expected from transit connection, 30% from park and ride and 5% from walk-in access (Table 2.4 of the EPR). Consequently the primary function of the GO Barrie Station is to connect with the future GO Commuter Railway station as reflected in Sections E-6, 5.3, and Appendix A (PIC 1) of the EPR. The text in Section 6.2.3 Transportation Function initially identified the inter-transit transfers as the primary function of the station. The text continued to elaborate on other components of this main function, such as park and ride, PPUDO facilities and walk in access. The text in 6.2.2.2 (GO Barrie (Concord) Station) has been modified to read: *The GO Barrie (Concord) Station will primarily serve as a regional intermodal station for passengers transferring between the proposed 407 Transitway, GO Rail line as well as bus services run by GO Transit and YRT/Viva. Additional key functions of GO Barrie (Concord) Station, will be to provide park-and-ride and PPUDO facilities for commuters from existing and future residential communities mainly expected from areas west of Bowes Road and northeast of Centre Street; and local walk–in opportunity to residents of the immediate surrounding existing and future developments.* Based on early need, justification and design work, MTO has protected land for GO Barrie (Concord) Station since 1989. While MTO has made ORC aware of this planning and the ongoing environmental assessment, MTO has not been involved in activities related to the disposition of the Concord Floral properties north of Highway 7.

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		MTO's EPR, *the entire rationale* of the GO Barrie (Concord) Station is to serve the anticipated high-density occupancy of the Concord Floral lands. Thus, we are forced to conclude that *the real main function of the GO Concord Station is to serve the residential and commercial components of the planned development of the Concord Floral lands*. Why then does the MTO persist in refusing to consider the logical implantation of the station site on those Concord Floral lands, ie north of Highway 7, when clearly the GO Barrie (Concord) Station is designed to serve the needs of the 'intensified' development anticipated for the same lands? And how does this refusal of the MTO connect to the confidential agreement made between the Ministry of Infrastructure (the Ontario Realty Corporation), the City of Vaughan and the private owner to bundle up the publicly-owned parcel B of said lands, with the privately owned parcel A of the same lands, for immediate purposes of their joint sale and, ultimately, of development benefiting the present owner of said parcel A and the developer of these joint lands? Could the anticipated development of these lands not advantageously accommodate location of the GO Concord Station *north* of Highway 7 as suggested by our Alternative Plan? Should this solution not be actively pursued by all concerned, when the location *south* of Highway 7 that is presently preferred by the MTO clearly touches matters of community and provincial importance that have simply been disregarded?	
8.6		**1.4. As to the omission of the community's traditional use of the petitioned ORC land as its greenspace, and the misleading description of the said land's vegetation Re. EPR, Appendix G** The EPR neglects to mention the history of the traditional use of the petitioned ORC land as the greenspace of the CW community, despite the MTO and Metrolinx being extensively and repeatedly informed of it, from July 2010 onward (see Appendices 1, 2, 5 and 6). In effect, Honorable Minister, the ORC land in question is an essential component of the cultural heritage of this community, and this fact is the very reason why the initiative to fight for the preservation of this land has been led by the senior residents of our community. This omission of the ORC land as the CW community's traditional greenspace is all the more glaring in the EPR Appendix G, prepared by McWilliam and Associates, where, on page 7, it reads that the proposed GO Concord Station "will be located on some vacant land adjacent to the Don River valleylands". Photograph 5 of the same Appendix G is totally misleading, as it does not show any part of the ORC land where the intermodal hub is to be implanted. McWilliam and Associates go on to say that "the only area where there is any significant vegetation is located in the vicinity of the Don River valley, where there are a few groupings of mature vegetation". These consultants seemingly have never visited the land in question, as the vegetation in the valley portion of the land (up to some 30m deep westardly from the river) is thick, and continues as the land rises to the same altitude as that of the contiguous Concord West neighbourhood, to form the existing woodlot that spreads to over an estimated 120m westward from the river, coming as close as a few meters from the existing railway tracks. The real vegetation and its quality in this entire area is documented and available, at a mouse click, at: http://saveconcordwest.wordpress.com/a-walk-through-the-orc-greenspace/ and the vegetation directly by the river is documented at: http://saveconcordwest.wordpress.com/greenspace-water-a-visit-to-the-don-river/ A visit to this website should suffice for the Minister to realize how objectionable is that entire EPR Appendix G report. As with other studies in the EPR, it lacks in our view the quality of reporting and factual accuracy which a study of this scope should demand. Perhaps one should be grimly amused by its suggestions, amongst which are "to develop landscape related 'Green' initiatives" (EPR, Appendix G, p. 19), and the planting of "salttolerant trees, shrubs, perennials and grasses" along the "transit corridor" (ibidem).	The letter has suggested that we did not summarize all information provided by the Concord West Community letter specifically with regards to the history ORC property. As previously indicated the proponent may not have included all information contained in the correspondence from various agencies. The proponent has endeavoured to deal with issues that are pertinent to the selection of the preferred alternative. The GO Barrie station site was first identified in the Protection For Transit in the Highway 407 Parkway Belt West Corridor, Overview Study, 1989 and has remained in provincial (ORC) ownership since that time. The station design and access was further refined and identified 407 Transitway Corridor Protection Study, 1998. The Provincial Parkway Belt West Plan designates station site as Inter-urban Transit as identified in the Corridor Protection Study. The current EA study has reconfirmed the need and location of the station. A more detailed assessment of the site in the EA identified natural features to be protected as well as a technically acceptable new access point from Highway 7 (further east). Protection of the identified woodlot and other features as well as the new access point has required the identification of additional lands that are now required for the station. These lands are currently in private ownership. The Provincial Parkway Belt West Plan designates the majority of the area for the transitway facility as Inter-Urban Transit. The approved Region of York O.P. designates the valleylands as part of the Regional Greenlands System and the uplands (tablelands) as Urban. The approved City of Vaughan O.P. (O.P.A. 600) designates much of the area as Major Open Space and Valleylands. In the municipally-adopted City of Vaughan O.P. (September 2010), the valleylands are designated as Natural Area and the surrounding uplands are designated as Mid-Rise Mixed Use. The Concord Centre Secondary Plan is also being prepared for this area. The Study Team has visited the GO Barrie Site on multiple occasions by various specialists and have given careful consideration to impacts on all aspects of the land. Photographs included in Appendix G and elsewhere are testimony to these visits. The statements mentioned in your letter from Appendix G page 19 are only an extract of a number of many mitigation measures proposed by the proponent. Some are related to both the Transitway and the Station areas. Also, additional considerations have been committed to during detail design including new studies to revaluate and assess conditions and prepare new appropriate mitigation/compensation, if necessary. In the ERP, Section 5.4.2.2 c) Alternative Station Layouts, we have addressed concerns of the Concord Community by providing them measures that were mitigated through the development of the preferred transitway site configuration. These include: · Providing a direct pedestrian grade separated crossings to access the Valley Lands · Minimizing intrusion into the West Don River flood plains; · Allowing most of the natural riverbank vegetation and the adjacent woodlot to be preserved; · Minimizing effects on natural vegetation; · Mitigating noise and visual effects on the residential community west of the GO Line;

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			· Providing improved access to the Marita Paine Park Trail via the new river crossing; and, · Committing to future mitigation and monitoring.
8.7		**1.5. As to the completely misleading characterization of the isolated Concord West residential community as an Urban Centre Re. EPR, Appendix A, pp. 268, 284** The two Public Information Centres mischaracterized entirely the residential nature of the Concord West community. On both maps that describe the role of the 407 Transitway in the GTA (EPR, Appendix A, pages 268 and 284), the Concord West community that lies south of Highway 7 is integrally color labelled as an "Urban Centre"; in fact, as *the* Urban Centre associated with the GO Barrie (Concord) Station. The apparent reason why our community has been so grossly distorted, is that the criterion used to establish station nodes or hubs was the location of the node within 500m of an Urban Centre (EPR, Appendix A, p. 269). The term 'Urban Centre' connotes a growth nucleus with a high density of occupancy: so, we must wonder whether this signals the fate slated for our community, after it and the greenspace it seeks to protect have been destroyed by the Preferred Plan for a station node?	Before responding to the comment we would like to make the following clarifications : The maps referred in the comment illustrate the three Urban Centres along the entire Transitway route: the Vaughan Metropolitan Centre which that extends from just east of Highway 400 to a future road located between Jane Street and Keele Street (as clearly shown in the map); the Richmond Hill Centre; and the Markham Corporate Centre. It seems that the Concord West Community confused the Vaughan Metropolitan Centre with their community located between Keele Street and the GO Barrie line, south of Highway 7. · The two referenced maps used in both Public Information Centres, labeled the node at the crossing of the 407 Transitway with the GO Barrie line as a Metropolitan Node (node at the junction of two major transit facilities), not as an Urban Centre. · The Concord Community letter correctly states that the board used in PIC 1 (Appendix A – pg. 269), indicates that one of the functional requirements for having a station at a particular location is the proximity of an Urban Centre (within 500 m.), but omits stating that the same board indicates that connections to existing and future inter-regional transit networks is also a prime functional requirement for locating a station. In fact, the same board presented in PIC 1, specifically indicates that the function of the GO Barrie Station is to connect with the GO Commuter Railway line. <u>Response to the comment:</u> The fundamental transportation function of this station is to connect the 407 Transitway, the GO Barrie railway line and the YRT/Viva services as stated in the Public Information Centres. The PIC did not “mischaracterized entirely the residential nature of the Concord West community” as stated by the Concord Community letter. The Community misinterpreted the illustration shown in the PIC maps and in the letter failed to include all the information stated in the station location criteria board..
8.8	**2. Objections regarding the impact of the EPR's GO Concord Station and intermodal hub upon the natural environment**	**2.1. As to the claim that the preferred plan of the GO Concord Station preserves the woodlot in the petitioned ORC land, and as to the destruction of the meadow part of this land Re. EPR, Sections 3; 7.2.1; and Appendices I and H** The claim reiterated in Section 3, p. 45, that "the preferred design also maintains the woodlot" is *not really correct*, if for no other reason than because the transitway proper an the transitway bridge, together with the hub access road, will run right through, and then over, a substantial portion of the existing woodlot (not to mention the necessary destruction of the woodlot required for the construction of the road, transitway and the long bridge recommended by Delcan in EPR, Appendix AA, p. 51, no. 11). Further, the claim is *incorrect* because a surface parking lot will be placed adjacently to whatever woodlot portion will remain after construction and, in effect, over a part of it (north-west portion), so that the remaining woodlot will be exposed to all the salt, chlorides, oil, rubber and sand runoff and atmospheric pollution emissions from a parking lot, bus stop and PPUDO areas. Furthermore, the contemplated intermodal facilities (parking lot, bus stop and PPUDO areas) will also obliterate a meadow, as if meadows were not worth protecting for ecological reasons, and had no role in water retention. Effectively, the EPR downplays the significance of successional growth in a natural environment, entirely neglecting the fact that it was the hand of man that largely created the meadow, and that nature is dynamic, as meadows become forests. Moreover, according to a botanist (Richard Aaron) who visited the site, the meadow in question serves as stopover point in the yearly migration of the Monarch butterflies (*Danaus plexippus*), as they extract from milkweed necessary nutrients for their caterpillar stage. For the adult Monarchs, the meadows also provide the critical flower nectar (eg, from Asters, abundant in this ORC land) to help them in their long fall flight to Northern South America. The meadows also support the swallowtails, admirals, checkerspots and skippers. They provide feeding and nesting areas for songbirds such as the bobolink and meadowlark. They provide shelter for frogs and small mammals, which in turn attract hawks and owls. The ecological role of meadows is emphasized in the TRCA comments of November 18, 2010 (EPR, Appendix A, p. 178), which draw attention to the fact that meadow habitats, even "cultural" ones, include	The majority of the vegetated area to be impacted by the transtiway alignment and station is identified as cultural meadow. Cultural meadows are commonly a result from previous man made disturbances and regrowth of low grasses and shrubs. The woodlot and valley vegetation are maintained in the design. Site-specific mitigation measures will be identified during detail design to maintain the integrity of these forest remnants. Other mitigation measures, such as the use of light impact development and permeable paving stones will be considered during detail design. Vegetation communities displaced by the transitway will be restored and enhanced at the site or nearby in accordance with TRCA Restoration Guidelines. Run-off from the parking lot and runningway will be collected and treated prior to discharge.

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		potential habitat for species at risk. The TRCA adds: "There are also a significant number of meadow dwelling species recorded within the study area that utilize the cultural meadow habitats that dominate the Parkway lands" (EPR, Appendix, p. 179). Replacing the meadow immediately adjacent to the woodlot with a large impermeable asphalt surface is not only retrograde in this day and age, but will substantially reduce the groundwater recharge to the subsurface, displacing water drainage to the lower level woodlot where it will increase soil erosion, and ensuring that runoff water will be contaminated with rubber, oil, salt, chlorides and sand. It is worth remarking that in one option (Site Plan Option 1, Sheet No. 6.1, p. 391, Appendix H, EPR) the contemplated residual woodlot is completely surrounded on 3 sides by the parking lot (future expansion). Also noteworthy is the fact that the option marked Preferred in the same Appendix H (Site Plan Option 4 Preferred, Sheet No. 6.4, p. 394, Appendix H, EPR) does *not* match in many of its critical features the final drawing of the MTO's Preferred Plan (the Black Alternative) in the EPR, folder entitled "Station Layours", P[l]ate 37. We note that incongruities such as these further introduce uncertainty into what it is that the MTO exactly calls the Preferred Option or Plan. Be that as it may, placing a large parking lot, bus station(s) and PPUDO facilities in close proximity (<<100m) to the point of confluence of the two tributaries of the Upper West Don river, should not be acceptable. What will remain of the woodlot after the construction of the 407 Transitway along the route of the Preferred Plan, will be destroyed by the constant emission of solid, particulate and gaseous pollutants steadily emanating from the intermodal hub and its parking and transportation facilities.	
8.9		**2.2. As to the EPR's disregard for the fact that the ORC land where the Preferred Plan locates the Concord intermodal hub is land that falls within the Don Watershed Plan** We draw the attention of the Honorable Minister to the fact that the TRCA has stated that the land in question falls within the TRCA's masterplan for acquisition for the Don River watershed (Appendix 3), and that in its November 18, 2010, Comments on the EPR (EPR, Appendix A, p. 178, point 7), the TRCA unequivocally stated with respect to the "GO Barrie-Concord Station": "the station is proposed on lands currently designated as part of the natural heritage system within the Don Watershed Plan and the TRCA's regulated Area". The Minister should know that the CW community is entirely solidary with this position of the TRCA.	The TRCA identifies much of the area as Existing Natural Cover and Potential Natural Cover in the targeted Terrestrial Natural Heritage System. The area is also identified as part of the natural heritage system for the Don River Watershed and the valleyland is covered by Ontario Regulation 166/06. However, the land use designations for the area vary among the provincial, regional and local municipal levels. The Provincial Parkway Belt West Plan designates the majority of the area for the transitway facility as Inter-Urban Transit. The approved Region of York O.P. designates the valleylands as part of the Regional Greenlands System and the uplands (tablelands) as Urban. The approved City of Vaughan O.P. (O.P.A. 600) designates much of the area as Major Open Space and Valleylands. In the municipally-adopted City of Vaughan O.P. (September 2010), the valleylands are designated as Natural Area and the surrounding uplands are designated as Mid-Rise Mixed Use. The Concord Centre Secondary Plan is also being prepared for this area. MTO will consult with municipalities and regulatory agencies during preparation of the detail design to secure the applicable permits and approvals for the transitway. The Bartley-Smith Greenway and Marita Paine Park trail located along the West Don River will be maintained and access will be provided.
8.10		**2.3. As to the claims that the Preferred Plan of the GO Concord Station and intermodal hub, and the 407 Transitway route, will minimize impact upon what is considered as "poor quality" wildlife and wildlife habitat Re. EPR, Sections 3, p. 45; 4, p. 6; and 7, p. 5** Section 7, p. 5 of the EPR states that "most of the available wildlife habitat affected by the 407 Transitway can be characterized as being of poor quality (...). The exception would be the valley systems associated with the West and East Don rivers." Thereby, one would expect that the ORC land currently under petition for its transfer to the TRCA would be considered as part of the exception. But, alas!, this is not really the case, since the EPR goes on to mention that despite the documented presence "in the West Don River" of a Blanding's Turtle individual, a member of a Threatened species, "this area does not contain habitat considered suitable [f]or this species" (EPR, Section 7, p. 5). Aside from the imprecision with which the sighting of the Blanding's Turtle is reported – since, per its GPS location (Appendix 5), the Blanding's Turtle individual was found on land at the border of the ORC greenland under petition! – the EPR neglects to mention that the Blanding's Turtle is *a landscape animal* that typically forages some 600m per day. In fact, landscape requirements for the threatened Blanding's turtle include a terrestrial migration distance from its aquatic site of 650 -900meters (according to Rowe & Moll, 1991, cited in "Biological Criteria for Buffer Zones around Wetlands and Riparian Habitats for Amphibians and Reptiles", by Raymond D. Semlitsch and J. Russell Bodie). The EPR claims that "habitat	The area was screened for significance in accordance with the Significant Wildlife Habitat Technical Guide (MNR 2000). The following conclusions are based on this screening. The area does not support a seasonal concentration of animals. The area does not meet the criteria for significance as a stopover area for butterflies, winter deer yard, land bird migratory stopover or a raptor winter roosting area as suggested. The area does not support rare vegetation communities or specialized wildlife habitats. The area does not meet the criteria for significance for these natural heritage features. It has not been designated as an Environmental Sensitive Area (ESA), Area of Natural Scientific Interest (ANSI) or Provincially Significant Wetland (PWS) and none of the vegetation communities affected by the transitway are considered locally, regionally or provincially rare. The area may support species/habitats of conservation concern, but none of these species were identified through field investigations or secondary sources as being current. The presence of species at risk and their habitat will be confirmed during detail design. The letter from Brennan Caverhill at Toronto Zoo states that the area is not excellent Blanding's Turtle habitat, but the valley could be an important corridor between suitable habitat to the north and south. We support this assessment. If species at risk and their habitat are confirmed through field investigations conducted during detail design, a Permit will be obtained under the *Endangered Species Act*, 2007. The area supports an animal movement corridor along the West Don River. This function is considered of local significance and it will be maintained. New bridges are proposed over the Tributary of the West Don River and the West Don River with spans

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		for Blanding's Turtle is not believed to be present in this location" (EPR, Section 3, p. 45), but in our view this incorrectly reduces the concept of habitat to the location of nesting, entirely disregarding the fact that habitat encompasses foraging territory and travelling corridors. These facts are even more significant for a landscape animal. In this context, the official letter from the Toronto Zoo (Appendix 4) - which, incidentally, was sent following *the only visit to the site* (that we know of) *made to date by a scientist* (biologist Brennan Caverhill, MSc, an expert on the Blanding's Turtle) – refers to the ORC land in question as a "habitat pocket" immediately adjacent to "an important corridor" for the Blanding's Turtle. Caverhill also suggests this should be investigated "more thoroughly come springtime". Further, he orally advised members of the community that the habitat near the confluence of tributaries may likely be suited for Wood Turtles, an Endangered species. We also want to draw the attention of the Minister to the fact that, as observed in the Kejimkujik Area Stewardship Program, the greatest danger to the Blanding's Turtle is habitat loss or fragmentation caused by human development (please consult: http://speciesat risk.ca/stewardship/BlandingsTurtle.html). The very notion that much needed factual, empirical studies of the existing natural ecology of the ORC greenland under petition should be postponed to the Detailed Design Stage (EPR, Section 3, p. 45) – as the EPR repeatedly advises the Minister is the right course of action – will most likely prove to be a patent waste of taxpayers' monies that placed the cart ahead of the ox. By its logic, we may as well start walking on our heads. Your own Ministry concurred with this, when it advised the MTO to the effect that "the characterization of potential impacts (...) are key parts of the transit regulation project planning process" and "these studies should be included in the final EPR as opposed to being deferred to detail design" (EPR, Appendix A, p. 155, November 5, 2010). The petitioned ORC land which the community is seeking to protect was, in fact, before the advent of Highway 407, contiguous with the "narrow wetland pocket" (Section 4, p. 6) that the EPR recognizes is located south of Highway 407 and between Keele Street and Centre Street, and "of significance for the native riparian species and wildlife" (ibidem). The contiguity that has remained now is constituted by the narrow corridor under the Highway 407 overpass. More importantly, the petitioned ORC land directly abuts the junction of tributaries 1 and 2 of the West Don River, so that it is the sensitive valley area near the confluence that has been slated to be occupied by the support structures for the long 407 Transitway overpass (see the current modified Concept Design of the GO Concord Station layout in the EPR, folder entitled "Station Layours", P[l]ate 37). The MTO orally assured us that the preferred transitway route, which twices crosses the Upper Don watercourses, was the only one prescribed by the TRCA; but, we are yet to see the TRCA's letter where this is suggested, though we requested it from the MTO at the January 10, 2011 meeting and in a follow up email to R. Minnes on the next day. Contrary to this, it seems, the TRCA Comments of November 18, 2010 (EPR, Appendix A, p. 178) stress that "it is staff opinion that impacts to wildlife and wildlife habitat can be negatively affected by additional watercourse crossings". Be this as it may, the EPR ackowledges that habitats along Highway 407 (east-west axis) are fragmented and that, "since most have been disturbed, the few remaining natural areas have become more significant" (Section 4.1.7, p. 6). Accordingly, this should be one more reason not to further disturb the remaining contiguity of the petitioned ORC land with the acknowledged wildlife pocket to the south of it (along a north-south axis), or with the Bartley Smith corridor (along an east-west axis), at the point of confluence of tributaries to the Upper West Don river and where the Bartley-Smith Greenway is narrowest. We respectfully submit to the Minister that *only the community's Alternative Plan for the location of the intermodal hub satisfies this very basic criterion of preserving intact what is left of the contiguity and integrity of the two ecological pockets* – to the north and south of Highway 407. The MTO's Preferred Plan does *not*. Not only does it not, but the EPR buttressing this Preferred Plan refers to the wildlife pocket in the ORC	of 34 m and 40 m respectively. These bridges will maintain the wildlife migration corridor along the West Don River valley and its tributary.

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		land under petition as being of "poor-quality" or "overall poor quality" and "low structural diversity" (EPR, Section 7, p. 5), all of these being unsupported statements designed to conclude that this purported poor quality "reduces the level of significance attributable to the loss" (ibidem). In this context, the same Sections 4.1.7 and 7.2.1 of the EPR also misrepresent the mammalian population that inhabits the petitioned ORC land, solely mentioning "small mammals", to claim that "wildlife species present in these areas are represented primarily by small mammals (...)" (EPR, Section 7.2.1, p. 5). At the very least, in what concerns the ORC greenland under petition this is a patent untruth. As documented in the CWRAHC website, entire white-tail deer families use this ORC greenland to nest and forage, and thus as their habitat. This fact was repeatedly conveyed to OMT officials, and the link to the evidence was also provided. It can be found at: www.saveconcordwest.wordpress.com/03-greenspace-plants-and-creatures/ and at: saveconcordwest.wordpress.com/03-greenspace-plants-and-creatures/white_tailed_deer2/ Despite this freely available documentation provided by the residents of Concord West, there is not one mention of this evidence for large mammals in the EPR. We ask the Minister - how can you, Minister, and how can we, CW residents, owners and taxpayers, have any trust in our publicly hired planners and subcontracted costly private planners when they so wantonly disregard the facts and replace them by fictions? The woodlands that surround and abut the riverway are also a landbird migratory stopover area for numerous birds species (again, a proper and complete inventory has not been attempted), including birds of Special Concern, such as the Great Blue heron (not mentioned in the EPR). The same woodlands have been reported as a raptor winter roosting area. Notably, they are characteristic of the type of woodlands used by numerous species of breeding migratory birds. The common nighthawk, another Special Concern species, has been sighted in the greenspace. As the Minister undoubtedly knows, there is a very narrow ecological tolerance of such threatened and endangered species. The construction of a transporation hub right in the middle of the woodlands/meadows will grossly overstep that narrow tolerance. The only poor quality in all this is that of the planning and analysis involved in placing the GO Concord Station on land that should be protected – land that contains at least one Threatened species and large mammals, may contain an Endangered species, and encompasses woodland, meadow and wetland zones near a sensitive confluence of Don river tributaries. Scrapping the Preferred Plan for the GO Concord Station will surely be no loss to the CW community, the threatened ecology and wildlife of this land, or the entire Province of Ontario. Even the ORC which, in all of its communications to the MTO – even as late as October 29, 2010 – never once drew the MTO's attention to the fact that our community had unanimously petitioned Ministers Duguid and Chiarelli for this land to be transferred to the TRCA, nevertheless emphasizes that it is "concerned that additional consideration of environmental impacts is required in particular to ensure natural heritage features" (EPR, Appendix A, p. 110, August 12, 2010). Its main concern centered on the "proposed parking and large storage areas surrounding the stations". It is worth noting that these large storage areas are apparently for Viva/YRT bus and vehicle storage, that they are located right on top of the junction between the two Upper Don tributaries, on private land to be expropriated, and that their contribution to pollution in all forms is nowhere assessed in the EPR. The TRCA comments on these maintenance and storage facilities: "Vegetation, wildlife habitat and fish habitat are also potentially affected by the proposed maintenance and storage facilities" (EPR, Appendix A, p. 178, TRCA Comments of November 18, 2010). The EPR seems to proceed on the basis that the impact of the Concord intermodal hub on the natural environment will be insignificant, because this is already a heavily urbanized area and there will only be minor losses to flora and fauna. It also seems to expect that, somehow, wildlife will use the Bartley Smith Greenway in the same manner that we use Highway 407. In contrast, the City of Vaughan, in its comments to the EPR, has emphasized that the proposed GO Barrie Station will adversely impact the natural environment of the West Don River Valley. While Delcan/IBI and the MTO claim in their reponse to	

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		the City to have addressed this concern in the EPR, our Objection argues that they most certainly have *not* – and we can only hope to have convinced the Minister that they have not. In fact, when considering the overall impacts of the stations, storage facilities, and additional watercourse crossings on wildlife and wildlife habitats, including cultural meadows, the TRCA states that "these are permanent impacts related to the project footprint, and it is staff opinion that this has been understated in the EPR" (EPR, Appendix A, p. 178, TRCA Comments of November 18, 2010). Minister, it is incumbent upon you and your sole responsibility now to put a stop to this "poor quality" planning that so cavalierly treated the natural environment immediately adjacent to our community.	
8.11	**3. Objections to the identification of alternative GO Concord Station sites and alternate 407 transitway routes, and to their lopsided evaluation process, including the negative impact upon the social environment of the Concord West community**	**3.1. As to the preferred route of the 407 Transitway in the referred Plan Re. EPR, Section 5.4.2.2 and the December 8, 2010, letter from R. Minnes to Dr. P. Corres, attached herein as Appendix 9 of the Objection** The EPR considered different paths for the 407 Transitway. But the parameters under which alternate routes were rejected were improperly evaluated. A case in point is the rejection of the transitway route hugging Highway 407 on its south side, considered as segment B5 in Figure 5-7 (EPR, Section 5p. 19). Route B5 was rejected because "placing a transitway station on the south side of highway 407 is not feasible due to the limited available and accessible space within and north of the hydro corridor" (EPR, Section 5, p. 16). The fallacy in this justification, however, is readily apparent: there may well not be enough space for locating the transitway (Metrolinx) station on the south side of Highway 407, but this does not mean the alternate route B5 along the south side of Highway 407, or at least a portion of it, should be discarded. Indeed, even though in our Alternative Plan we proposed a transitway route segment that would hug Highway 407 on its north side (see for example Figures A and B of Appendix 10), our Alternative Plan is *perfectly compatible* with a transitway route segment B5 *hugging Highway 407 on the south side*, for the simple reason that our Alternative Plan places the transitway station, not on the south side of Highway 407 (just north of the hydro corridor), but *north of Highway 407*, near the intersection of Centre Street with Highway 7. The chosen trajectory of the 407 Transitway path in the plan that is preferred by the MTO and Delcan/IBI, not only destroys the ORC land under petition, but also crosses the West Don River *twice*, and in our view unnecessarily so. Conversely, the path of the 407 Transitway in our Alternative Plan (the Real Red Alternative in Appendix 10) crosses the river *only once*. This is so *irrespective* of whether the transitway route hugs Highway 407 on its north or its south side. Indeed, let us again emphasize that our Alternative Plan, though shown with the 407 Transitway running along the north side of Highway 407, is perfectly compatible with a path that would run, instead, on the *south side of Highway 407*, and would only cross over this highway *to the east* of the West Don river. If such a crossover point would require, in our Alternative Plan, that the transitway station be built with a higher elevation, this may actually be an added bonus which would likely permit the suspended walkway we have proposed to be entirely level with the transitway station. Such a location of the 407 Transitway route on the south side of Highway 407 as is shown in route segment B5 would be in keeping with the fact that its planned further westward continuation crosses over Keele Street *south* of the existing Highway 407 interchange (this is not shown in Figure 5 7 of Section 5 of the EPR, but can be seen, for example, in EPR, Appendix J, p. 13). We emphasize this fact because the EPR itself admits that "B5 is the alternative route with less complex infrastructure to mitigate intrusion on the flood plains of the West Don river" (EPR, Section 5, p. 16). Lastly, on this subject of alternate transitway routes, we should mention that the EPR entirely neglects to consider how a variation of segment B5 of the transitway may be advantageously placed over Highway 407 (say, from east of Keele Street to just before Centre Street). Such a solution is directly compatible with our Alternative Plan and would mitigate nearly completely the problems that arise from the transitway's negative impact on the flood plain and the West Don river valley (including the enhanced rates of erosion and sedimentation caused by the contemplated intermodal hub), not to mention that it	Part of the justification for rejecting route alternative B5 was the lack of a suitable site for accessible station facilities on the south side of Highway 407 adjacent to the GO Barrie Line, a primary requirement of this station location. Alternative B5 was also considered with remote station support facilities on the north side of Highway 407 before being rejected. The Community's comment that their proposed station site near the Centre Street and Highway 7 intersection is "perfectly compatible " with a B5 route south of Highway 407 is valid only if it is accepted that placing the new Concord Transitway Station 500 metres from the nearest GO Rail station still meets the functional objectives of this station node. As noted in the EPR, crossing the West Don River south of Highway 407 has benefits, however, these can only be gained if a cost-effective crossing of the highway, meeting geometric standards and reaching a suitable station site on the north side can be achieved. Crossing Highway 407 east of the W. Don River, as suggested by the community, results in a single river crossing, but it does not allow a transitway station south of Centre Street to be placed any closer to potential GO Rail stations, either north or south of Highway 7. The EPR study did not neglect to consider variations of Route B5 such as alternative Highway 407 crossing locations or elevated portions along the Highway. These more costly options would have been pursued if they facilitated a transitway station with suitable ancillary facilities close enough to the GO Rail corridor to achieve the Metrolinx objective of seamless interconnectivity. The intermodal station facilities will be designed to avoid enhanced rates of erosion and sedimentation. TRCA's comment requesting "a brief response as to why integration with the existing Highway 407 is not an option" was aimed at determining whether watercourse crossings could be extensions of existing structures as opposed to new parallel crossings.

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		would spare entirely the ORC greenland under petition. Even more to the point, the TRCA Comments of November 18, 2010, begin by asking the MTO to "please provide a brief summary response as to why integration [of the transitway] with the existing Highway 407 is not an option" (EPR, Appendix A, p. 177). We also made the same question at the January 10, 2011, meeting with MTO and Delcan, since this option would indeed resolve many problems. The response we got was that it would be too costly. We can only wonder whether such a cost analysis has actually been carried out.	
8.12		**3.2. As to the failure to identify and analyse the Alternative Plan submitted by the CW community, its misrepresentation in the "Identification of Alternatives", and the main argument invoked by the MTO to reject the community's Alternative Plan Re. EPR, Section 5** In Appendix 10 we explain at length how the EPR actually fails to identify and analyse the Alternative Plan submitted to the MTO on September 27, 2010 (Appendix 5). In effect, the EPR misrepresents our Alternative Plan in the form of what it calls the "Red Alternative". In the same Appendix 10 we proceed to the actual analysis of our Alternative Plan - the "Real Red Alternative", as we call it therein. The correct comparison between our Alternative Plan (Real Red Alternative) and the MTO's Preferred Plan (Black Alternative) is carried out in the evaluation matrix presented in the form of a table on page 8 of Appendix 10. This should be contrasted to Table 5-8, on pages 23 and 24 of Section 5 of the EPR. It is worthwhile to repeat the main features of the Alternative Plan shown on that page 8 of Appendix 10, that differentiate the Alternative Plan from the MTO's Preferred Plan. In contrast to the latter, the Alternative Plan that we proposed: · preserves the social, cultural and urban integrity, and function, of the Concord West community · preserves the local ecosystem, including at least one Threatened species · complies with the rights and aspirations of the Concord West community and adjoining residential communities · complies with the desire of the TRCA to acquire the ORC greenland (see Appendix 3) · does not interfere with the Upper West Don River flood plains · better serves the future Concord Go Centre development, and the commerce and industry located on the north side of Highway 7 · fully complies with the GO/Metrolinx objectives · minimizes walking distance between each station and Park-and-ride or PPUDO facilities (see matrix on page 8 of Appendix 10). · proposes an acceptable distance between GO and Metrolinx platforms · does not require mitigation of noise and visual effects · does not place idling cars and Diesel buses near the Bartley Smith Greenway or near the Concord West residential community · does not require any expropriations of private land on the the south side of Highway 7, between Baldwin Avenue and Centre Street. So why has the Alternative Plan been so glibly rejected by the MTO and Delcan/IBI? In essence, the community's representatives were told at the January 10, 2011, meeting with MTO and Delcan, that the reason why instead of evaluating the community's Alternative Plan they had to evaluate the obviously faulty modification they called the Red Alternative (see R. Minnes letter of December 2010, Appendix 9) was two-fold: (1) the 'impossibility' 17 of locating a parking facility north of Centre Street along Highway 7 because of its reserve usage for a Highway 407 interchange; and (2) the unacceptably long 380-500m walkway for commuters travelling between the GO Concord station and the Metrolinx station (located near Centre Street along the route of the 407 Transitway). We addressed at length the first objection in our December 16, 2010, response to R. Minnes (Appendix 10), not only showing that the projected Highway 407 interchange at Centre Street has long been rejected by the Vaughan City Council and planning officials, but, more importantly, that parking, bus and PPUDO	MTO did not “glibly” reject the Community’s Alternative Plan submitted on September 27th but attempted to overcome some of its shortcomings with modifications similar to those presented by the community in their amended proposal submitted on December 16th such as considering parking in more accessible areas south of Centre Street as was subsequently proposed by the community (facility #2). MTO’s modified community proposal (the Red Alternative) also respected GO Rail’s geometric standards requiring the station platform to be straight, a requirement the community subsequently acknowledged, (as shown in Option A of the Community’s amended submission). Regarding protection for a potential future Centre Street interchange ramp, MTO’s position is that this protection should be maintained, hence the assessment of alternative parking sites as subsequently proposed by the community in their amended proposal (facilities 1 and 2). Secondly, the Community’s statement that the inter-station transfer distance is not approx. 500m but approx. 380 m is incorrect. The transitway station location shown on the Community’s Option A exhibit is at least 500m from the GO platform even assuming a straight line walking route was possible through future development. In addition, splitting the park-and-ride between the Centre Street zone and the lands adjacent to the GO line as proposed in the Community’s alternative, will also require private property at both locations. The Community has evaluated their alternative (Plan A and matrix in Appendix 10) using the same criteria used for the alternatives evaluated in the EPR. Their evaluation contains several inaccuracies. MTO has reviewed the community’s matrix and provided a true assessment of their alternative in terms of the EPR criteria, shown at the end of this document (**Reference 2**). The table (**Reference 2**, at the end of this document) reflects an unbiased comparison of the characteristics and effects of the Community’s latest alternative with the EPR preferred alternative. This information should form the basis of any summary of the Alternative Plan attributes such as that included in the Community’s Objection 3.2 Page 16. The Community has incorrectly assumed that the route to transfer from the transitway station to the GO platform will be via the potential vertical passenger connection (stair/elevator) shown west of the GO Linein the south east corner of the community. This facility, along with the potential pedestrian and cyclist rail crossing under the GO Line, was shown as an option to improve access from the community to the transitway and GO stations. It is not required for transfer between the transitway and GO Rail stations which is planned within the transitway station building as shown on Plate #38 of Section 6. Typically most transferring passengers would use the stairway adjacent to the elevator which primarily serves passengers requiring assistance at stairways. In addition to their misunderstanding of the method and location of transfer between systems, the Community has not recognized that in all potential transitway station locations, including their proposal, passengers must traverse some form of vertical circulation element, either stairs, ramps or elevators. Also, on Page 18 of their Objection, the Community incorrectly concludes that since the community does neither want nor need the intermodal station, it can only serve the proposed intensification of land use north of Highway 7. While this may be the opinion of the current residents, the transitway is being planned for GTA mobility needs over at least the next 50 years and to serve the land uses proposed in the municipality’s Official Plans. In the case of the City of Vaughan, the recently adopted (September 2010) updated plan proposes mid-rise mixed use on the south side of Highway 7 and high-rise mixed use on the north side of Highway 7 between the GO Line and Centre Street. Transit users from these future developments will generally be within 250m of the north end of the MTO’s proposed GO Rail platform and 4-600m from the transitway station, if they choose to walk-in. Although, in the Community’s opinion this latter distance is reasonable, residents north of Highway 7 also have the option of being dropped-off/picked-up at the transitway PPUDO in front of the station. In addition, on Page 18, the community states, that “commuters changing from the Viva/YRT system to either the GO or the

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		facilities could be advantageously located in 3 distinct zones (numbered 1 to 3 on our Real Red Alternative maps, Figures 1A and 1B of Appendix 10) directly associated with each station. In the same December 16, 2010, response we also addressed in detail the second objection. Accepting the 'impossibility' of eastwardly curving the track south and north of the GO station (or of placing the Station platform in a curve), the distance travelled by inter-station commuters is not ≈500m as generally claimed by the MTO, but ≈380m, since we propose a slight westward displacement of the Metrolinx (transitway) station, and – as already discussed above – a very different route for the 407 Transitway. However, the EPR refers to this distance in Section 5, p. 23, as "380-500 meter", and we will henceforth refer to it as "380-500m", for ease of reference. Moreover, we draw the attention of the Minister to the fact that our proposal of a suspended walkway connecting the two stations, GO and Metrolinx, also has the added virtue of resolving entirely the problem of pedestrian crossings at one of the worst intersections in the City of Vaughan, that of Highway 7 and Centre Street, by freeing the timing of the traffic lights from the pedestrian flow, and thus permitting its dedicated use for regulating vehicular traffic. This distance of ≈380m (or supposed ≈500m) appeared to acquire a disproportionate negative value that became practically determinant of the rejection of our Alternative Plan (the Real Red Alternative), and served as a reason to misrepresent our plan in the form of the so-called Red Alternative. Since all the other parameters considered in the specifications of all the contemplated site plans favor the Alternative Plan (see matrix on page 8 of Appendix 10), the negative overvaluation of the 380-500m inter-station walking distance appears even more excessive. If we take a step further and compare the role of the 'long inter station walkway' to its corresponding element in the MTO's Preferred Plan and location, the brandishing of the long walking distance parameter as being decisive in the determination of the best location for the intermodal hub simply becomes an absurdity. Indeed, consider what is the corresponding element in the MTO's Preferred Plan and location: *it is not simply a linear distance of some 100m*. No, the commuting is made via a system of elevators that connect the very different elevations of the transitway and the GO line. This solution will constantly consume electric power. The elevator complex will be placed on the southeast corner of our community, and it will necessarily contain some stairs (a notorious problem for public hygiene and criminal transactions), or escalators (more energy expenditure). The elevator solution is obviously prone to immense lineups, frequent breakdowns, stoppage in brownouts and blackouts. When the elevators become congested or break down, commuters will have to go up or down the stairs. At least, in our suspended walkway solution, the path will be level and not form a congestion node either during a potential breakdown of the electric sidewalks or during hours of peak traffic. Moreover, outside of peak hours, the electric walkways can be turned off, or those in operation reduced in number. Triggered activation could also be utilized. Placed in its proper planning context, we submit that, all else aside, it is better to have a 380-500m long walkway that also resolves the problem of pedestrian crossing at Highway 7 and Centre Street, than to have a 100m distance mediated by a very problematic elevator/stairs complex. Our analysis hardly warrants the negative overvaluation of the walking distance parameter, let alone to a point where an abstract 100m distance is valued more highly than the integrity of the human or ecological communities impacted by the so called Preferred Plan. Now, we have already above drawn the attention of the Minister to the fact that the contemplated intermodal hub, contrary to what is stated as its main function in the EPR, is neither wanted nor needed by the CW community. Further, that therefore it can only serve the high-rise residential community projected for the Concord Floral lands, the associated commercial GO Centre and the existing industry located on the north side of Highway 7. Thus we have argued over and over that the best location for the GO Concord Station should be north of Highway 7. But now let us consider this simple fact: that the intermodal hub really is designed to serve the flux of people to the north side of Highway 7. Well, in light	407 transitway lines in the MTO's Preferred Plan will also have to walk approx. 500m as is mentioned in the EPR, Section 5". Table 5-8 of Section 5 shows these distances as 250m and 100m. Commuters using YRT local service from areas north and east of the GO Barrie Station will likely be dropped off at bus platforms within the station area. While Viva passengers transferring to the transitway at this station would have a 450m walk, they have the option of directly connecting to the transitway at Bathurst Station if their destination is east of Concord. Metrolinx noted in their review of the Draft EPR that the document incorrectly identified the GO Barrie (Concord) Station as a "mobility hub" This was corrected to read "intermodal station" in the final document. Also, Metrolinx/GO, as a member of the Study's Technical Resource Group and Steering Committee has concurred with the proposed GO-Barrie Station configuration since the early stages of the study.

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		of this, the Preferred Plan and location imposes on all these users a walking distance of well over 500m, if they are to reach either the GO Station or the Metrolinx station! That is a pretty weighty objection against the MTO's Preferred Plan and location, entirely and conveniently glossed over by the EPR... The hub is designed to serve the future residents of the Concord Floral development, yet the Preferred Plan makes them walk the longest distance to either the GO or the Metrolinx stations. Eminently logical. Likewise, commuters changing from the Viva/YRT system to either the GO or the 407 Transitway lines in the MTO's Preferred Plan, will also have to walk ≈500m, as is mentioned in the EPR, Section 5. Should the CW community not be comforted with the fact that it alone will have the two stations right at its doorstep, with a tunnel to better access them? The EPR fails entirely to address the comparison and contrast of all these features relating to the parameter of the distance between the two stations of the Concord intermodal hub, such as they are presented in our Alternative Plan (see Appendix 5 and the Real Red Alternative in Appendix 10) vs the MTO's Preferred Plan (the Black Alternative, in Appendices 9 and 10, as well as in the EPR, Section 5, with reference to Figure 5-10, and pages 23 and 24). The EPR's approach is simply to treat the two distances (100m vs 380– 500m) as if they permitted a direct *quantitative* comparison, when they do *not* and involve instead all sorts of *qualitative parameters*. Such obfuscations of what is at stake are underhanded. They underline the fact that there are no technical considerations which are absolute, and all such considerations devolve to political choices. Herein lies the profound injustice of sacrificing real human and natural communities to decontextualized, abstract technical merits. Finally, we also want to emphasize that Metrolinx itself, in its comments to the EPR (EPR, Section 3, p. 39), notes that the GO Barrie (Concord) Station was not identified as a mobility hub in 'The Big Move'. Appendix 8, which contains the email correspondence with Metrolinx, shows that Metrolinx did not appear, until very recently, to be wedded to the location of the intermodal hub on the south side of Highway 7, where the Preferred Plan places it.	
8.13		**3.3. As to the misuse of the Rockview Gardens pedestrian underpass to create an unacknowledged PPUDO and destroy the integrity of the CW community Re. EPR, Sections 4 and 5** The social and environmental injustices built into the Preferred Plan defended in the EPR belie, with derision, the stated objectives of the overall report, which claims — under the rubric "socio-economic and cultural environment" — that its purpose is "to link urban areas (...) without disrupting community integrity and function" (EPR, Section 4, p. 10). Nowhere is this claim made more ironic than in the Preferred Plan's proposal to build an east-west tunnel or overpass (EPR, Section 5, p. 20) to cross the railway at the eastern end of Rockview Gardens, the underpass being die preferred method. As discussed in detail in **Appendix 5,** p. 10, the community saw this proposal as a "tainted gift" - for, though overtly presented at the 15 September 2010 meeting as a means to satisfy the community's desire to restore its access to the greenspace (across or around a parking lot...), it is apparently designed to provide commuter and walk-in access to the GO station. At any rate, this would certainly be its obvious usage if the Preferrred Plan is accepted. The tainted nature of the gift becomes apparent when, for example, one reads in the EPR, Section 5, Table 5-3, that the "Rockview Gardens Avenue Neighbourhood (East) supports transit-oriented development"; or, when the EPR Appendix B, prepared by IBI, describes Baldwin Avenue as "extending from Southview Drive in the south with Highway 7 in the north" without mentioning that Baldwin Avenue is interrupted at the intersection with Rockview Gardens Avenue, at the request of the community, to prevent traffic from cutting through the residential area. Similarly, in Exhibit 7-2 of EPR, Appendix B, the traffic volume estimates for vehicles entering and leaving our community at Baldwin Avenue, south of Highway 7, seem to take into account increases that are only attributable to this unacknowledged use of the eastern end of Rockview Gardens Avenue as a PPUDO. These examples leave little doubt as to the intended usage of the underpass, a usage for purposes of	The Concord West letter includes the following issues/concerns: 1. The presence of a grade separated pedestrian bridge across the GO tracks; 2. Traffic infiltration into their community due to a potential usage of the eastern end of Rockview Gardens Avenue, along with Hartley Court, as a PPUDO alternative. Before responding to this comment we would like to make a couple of clarifications: · There are two grade separated crossings of the GO Barrie line, not related to each other; the runningway crossing, and the pedestrian crossing. Section 5, page 20 of the EPR refers only to the grade separated Transitway crossing of the GO Barrie line tracks, not to the potential pedestrian crossing from the Concorde West development to the Station sit,e as understood by the Concorde West Residents Ad Hoc Committee; · The forecast increase of traffic volumes between 2010 and 2031 is attributable to future background traffic associated with the population growth in the local community; and not attributable to “the use of the eastern end of Rockview Gardens Avenue as a PPUDO” as stated in the letter. This is illustrated in Appendix B of the EPR - Traffic Report - Go Barrie (Concord) Station - Exhibit 6.4 “Site Generated Traffic Volumes”. In response to Issue/Concern No 1: The design of station sites included in the EPR is at a conceptual stage and will be further refined at the detail design stage; this is why the grade separated pedestrian crossing was labeled as “Potential Pedestrian and Cyclist Rail Crossing” in the Station conceptual site plan (Plate 37 of Section 6 of the EPR). The purpose of the tentative pedestrian grade separated crossing of the GO tracks, was primarily meant to provide direct and safe pedestrian passenger access to the Concord West Community residents to access the Station site and adjacent park areas. During the design phase, the need of the pedestrian crossing will be further discussed with the residents of Concord West who would essentially be the potential users of the facility. In response to Issue/Comment No 2: It is not anticipated that PPUDO vehicles will use the Concord West local street network to drop and pick up passengers for the following reasons:

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		transportation and foreign to the function of our community, that will transform the eastern end of Rockview Gardens Avenue, along with Hartley Court, into another PPUDO and parking zone. Moreover, subject to such usage, the underpass in question will undoubtedly pose problems of hygiene and serve as a focus for street criminal activity. It is evident how such usage of the underpass will precisely disrupt the integrity of the community and of its function, contrary to the stated purposes and guidelines of the EPR. We draw the attention of the Honorable Minister to pages 18-21 and Figure 10 of the community's September 27, 2010, Submission **(Appendix** 5), where we have detailed the concerns of the community regarding the various factors which, in the MTO's Preferred Plan, will threaten the integrity and function of the Concord West community. From the map presented in the EPR, Appendix J, p. 13, it is readily apparent how the CW community is particularly vulnerable to the impact of the 407 Transitway, as Concord West forms the only residential island in the entire Study Area - isolated in a sea of commercial and industrial employment areas (shown in blue on the map of the EPR, Appendix J, p. 13). To us it is evident - and so should it be to you, Honorable Minister - that a vulnerable community disrupted socially and ecologically in its fabric is a community slated for degradation and, ultimately, destruction. We submit that you have a duty to protect this community and reject the location of this intermodal hub on the south side of Highway *7.*	· The conceptual design of the GO Barrie (Concord) Station includes a PPUDO facility conveniently located very close (about 20 metres) and at the same level as the proposed (GO Barrie line and 407 Transitway) Platforms. Passengers being dropped-off and picked-up at the east end of the development would have to use a pedestrian bridge including stairs to reach the GO platform and walk an additional 150 to 200 metres through or around the parking and bus facilities of the Station to reach the 407 Transitway platforms; · There will be a direct access to the PPUDO from Highway 7 designed for transit users only with routine maintenance through the winter season. Access though the community would be more complicated as a result of the already existing e road disruption at the intersection of Baldwin Avenue and Rockview Gardens Avenue. As noted by the Community's letter this road disruption already exists to prevent traffic intrusion. As residential streets generally do not have first priority with snow removal this would, also discourage (rather than encourage) commuters from using these streets in the winter to access the GO Site. · Additional infrastructural, operational and regulatory measures may be considered during the design stages to ensure PPUDO users do not intrude in the residential development. MTO acknowledges erroneously describing Baldwin Avenue in the Traffic Report as a road that extends from Southview Drive to Highway 7. Page 11 GO Barrie (Concord) Station now reads "Baldwin Avenue extends from Rockview Gardens Avenue to Highway 7.
8.14	**4. Objections as to the quality of the studies in the EPR, in particular concerning the multiplicity of negative impacts upon the Concord West community, the West Don river ecology and the ecological pocket in the ORC land under petition**	**4.1 As to the veracity and adequacy of the "undertaken study activities" Re. EPR, Section 1, p. 4, and the various Appendices** In Section 1, p. 4, we read that, "following the MTO Functional planning report dated November 2010", the "Ministry's decision to follow the TPAP process" included further study activities "to identify the existing natural environment, social environmental conditions...", etc. We have reviewed the EPR, and unless techno-fiction based on modelling carried out with imaginary data qualifies as a study, we must object and simply state that no such field identification or field study of the natural environment appears to have been undertaken (which, after all, seems to be merely a consequence of the special dispensation from carrying out actual scientific studies during the environmental assessment that was afforded to transportation planning by Ontario Regulation 231/08). Nor has the EPR identified the social environmental conditions that stand to adversely and irreversibly affect our community – which is the only existing residential community negatively impacted by the preferred location of the intermodal hub. Therefore, we submit to the Minister our strong objection that no real studies have been performed "to identify the existing natural environment" and "social environmental conditions" affected by the preferred location of this intermodal hub. That a report like the EPR, so heavy in gigabytes and number of pages, fails to cite a single set of actual data or a single scientific study of environmental conditions (*latu sensu*), is and should be unacceptable, and can only be taken to show the EPR as an exercise in marketing at best, or as a waste, at worst.	Field investigations (field study) of the natural environment were undertaken in 2008 and 2009. The field investigations of 2008 were to obtain existing conditions information, while the field investigations of 2009 were to obtain additional information as well as to assess the 407 Transitway's alternatives and their potential impacts on the natural environment. As the TPAP Notice of Commencement was issued on August 26, 2010, all the field investigations were conducted prior to initiating the Ontario Regulation 231/08. Various technical studies (such as Noise, Air, Traffic, Botanical, Wildlife, Fisheries, Drainage and Stormwater, etc.) were conducted, as included in the EPR's Appendices. These scientific studies, which were based on Ministry of Transportation guidelines and standards, were reviewed and approved by regulatory agencies including the Ministry of the Environment (MOE), Toronto and Region Conservation Authority (TRCA), Ministry of Transportation (MTO), and other agencies, including transit providers and municipalities. Thus, all standards and policies related to the social and natural environment were followed with associated studies and documentation provided in the EPR. The assessment of impacts from the 407 Transitway was based on the subsequent technical studies.
8.15		**4.2. As to noise and vibration impact being improperly studied Re. EPR, Appendix H** Once again, the noise impact analysis is not based on any study that gathered hard data. This is unacceptable, especially for a community that has been under a constantly increasing noise assault from the CN rail yards for the past 20 years, from Highway 407 in the past 16 years, and from the constant intensification of traffic volumes along Keele Street and Highway 7. Without hard data, Appendix H of the EPR goes on to compare modelled imaginary data for future sound levels resulting from the projected intermodal hub with future ambient sound levels without it, only to conclude that "the impact due to the parking lot [of the Concord intermodal hub] was minimal in comparison to background noise and noise from the 407 Transitway". Over and over this strategy seems to pay off in the reports generated by the private consultants hired by the MTO; the strategy seems to be:	The noise study was completed in accordance with the Ontario Ministry of Transportation (MTO) *Environmental Guide for Noise, October 2006*. The assessment methodology undertaken for this project is also acceptable to the Ontario Ministry of the Environment. The data used in the study is sufficient for assessing the 407 Transitway. The Noise and Vibration Impact Assessment clearly states that the traffic data used for estimating noise from the GO Barrie bus station parking lot was provided by IBI. IBI is the traffic consultant for this project. The use of traffic data for predicting future noise levels is an internationally accepted methodology. Noise modelling is a scientific activity and as noted above. The use of traffic data for predicting future noise levels is an internationally accepted methodology. The noise modelling was conducted by experienced professionals and no bias was introduced into the noise assessment.

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		do not gather or present data; elaborate on estimates, and model them so that whatever impact will be computed, will be less (and thus negligible) than that which one can project will be the background. Modelling is not a scientific activity, nor separable from a bias that selects the best numbers or outcome. Incredibly enough, this Appendix H (page 5-4) discards the problem of idling buses in the GO Concord Station hub, by failing to list it as an intermodal station! Thus we can be assured that the GO Concord station "will not have any significant stationary noise" (ibidem). The noise and vibration associated with the expanded GO rail line, the construction of the same (eg with or without pylon driving, etc) and the projected much greater frequency of scheduled trains are not even mentioned in this Appendix H, nor anywhere else in the EPR - not that we have found.	The determination of intermodal stations is not made by the noise consultant. An assessment of the future noise associated with activities on the GO rail line is beyond the scope of the current noise study.
8.16		**4.3. As to the atmospheric pollution impact being improperly studied Re. EPR, Appendix I** The same strategy of modelling upon estimates without hard data taken at or near the CW community appears to have also been used for Appendix I, prepared by Delcan, IBI and LGL. It begins with a 'positive note', as it states that "the study identifies that compared to existing conditions (2008), air quality will slightly improve for gaseous pollutants due to newer engine technologies and fuels, despite increases in traffic"(p.1). We would like to ask where, in 2011, is the evidence for this statement ("identifies")? Continuing to build a castle in the air without hard facts, the EPR Appendix I report concludes to "negligible changes in gaseous and particulate matter concentrations when station parking for passenger pick-up and drop-off emissions are considered", and that it is "expected that particulate matter concentrations at sensitive receptor locations will be within MOE standards" (p.2). The same study, on the same page, concludes that "particulate matter emission estimates may have been overly conservative". Yet, your own Ministry cautioned Project Officer L. Zappone on November 5, 2010, that estimated particulate matter concentrations are "slightly underestimated, and should not be considered conservative" (EPR, Appendix A, p. 154). Measurement data for nitrous oxides, carbon monoxide and particulate matter were taken from the period 2004-2008, at locations near Yonge and Finch, and Bay and Wellesley, both of which are remote from the location of the Concord West community. The diurnal variation of the pollution indices was not looked at, nor the time of year when measurements were made. Given the growing awareness of the adverse health impact of transportation-associated pollutants, including poisonous byproducts such as low level ozone, other free radicals and the well-proven cancer-causing benzene and derivatives, the Minister should request that a proper scientific study of the present levels and daily variation of all major vehicular pollutants be carried out at the location of Concord West. Measurements of pollutant indices - and free radicals in particular - without attribution of time of day and period of the year are arguably subject to substantial fudge factors. The necessity for a scientific study of actual air pollutants and how their concentrations vary to be carried out *in situ* before the Preferred Plan should ever be deemed "preferred" is underlined by the recognized fact that "benzene and 1,3-butadiene concentrations already exceed applicable criteria" (EPR, Appendix I, p. 5-3). Yet, the background estimates for these chemicals and other carcinogens (EPR, Appendix I, p. 2-16) are considered to be likely too high "since many of the measurements originated from larger US cities in the mid- 1970's"... How is this reasoning buttressed against the currently accepted claim that climate change has intensified in the last 10 years? The EPR Appendix I acknowledges, at least, that the background values employed "are not inclusive of the Highway 407"; accordingly, values for the latter were simply "modelled" (EPR, Appendix I, section 3, p. 3-1). It also states "that bus idling emissions were not considered in this assessment" (EPR, Appendix I, section 3,p. 3-2). These are significant omissions in a study which includes reams and reams of computer generated results at imaginary (virtual) "sensitive receptors".	Vehicle emission standards in the United States and Canada have been linked for decades. Both countries are mandating reductions in vehicle emissions (i.e., reducing grams of pollutants per vehicle kilometre travelled). Emission reductions vary based on vehicle type, fuel, fleet mix, etc. As outlined in Appendix I, Section 3.2.2 vehicle emission rates were developed by the U.S. Environmental Protection Agency and adjusted by Environment Canada to represent a Canadian fleet of vehicles. These emission factors in combination with modelling demonstrate that gaseous pollutants will slightly improve, which is based on newer engine technologies and fuels. In addition, Environment Canada has a National Air Pollution Surveillance Network (NAPS) that monitors common gaseous contaminants such as nitrogen oxides (NO_x) and carbon monoxide (CO). The most recent publicly available applicable NAPS publication outlines observed trends in air quality from 1990 to 2001 across Canada. In the concluding remarks of the report it states that both CO and NO_x occur in high concentrations in areas with heavy traffic. For the period 1990 to 2001, the mean annual CO concentration decreased by 34% and by 21% for NO and 15% for NO_2 (NAPS, 2004). Also, as outlined in Appendix I, Table 2.7 and 2.8, NO_x and CO concentrations have decreased from 2004 to 2008 as measured at the Ministry of Environment Toronto North Station (and other urban monitoring locations throughout Ontario), which is further evidence for this statement. Reference: National Air Pollution Surveillance Network (NAPS). 2004. *Air Quality in Canada: 2001 Summary and 1990-2001 Trend Analysis.* Publication EPS 7/AP/36 May. Available at: http://www.etc-cte.ec.gc.ca/publications/naps/NAPS_2001%20Summary_1990-2001_Trend_Analysis.pdf Hour by hour traffic data was entered into the air dispersion model. As outlined in Appendix I, Section 2.3.1 background pollutant concentrations were established from 90th percentile values from monitoring data. This means that 90% of the time the concentration is less than the 90th percentile value. The industry standard and Ministry of Environment accepted approach is to use a background contaminant concentration based on this 90th percentile monitoring value, where monitoring was completed throughout the year. For the Air Quality Impact Assessment, 90th percentile background concentrations were determined using MOE monitoring data for the period 2004-2008, which is the accepted Ministry of Environment approach. The decrease in ambient benzene concentrations is not related to climate change, which is driven by greenhouse gas emissions (CO_2, CH_4 and N_2O). The justification for why Highway 407 was modelled as opposed to included as part of the background is justified in Appendix I, Section 2.4. It was not omitted from the analysis and its contribution to pollutant concentrations within the study area were predicted using a Ministry of Environment recommended modelling methodology. Air dispersion modelling is required to estimate pollutant concentrations because the impact assessment is based on a future Transitway that has not yet been built. with vehicles not yet designed. Sophisticated air dispersion models (CAL3QHCR) are the industry standard method in North America (and around the world) and have been validated against real time data.

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			The reason for not modelling idling emissions from buses was justified in Appendix I, Section 3.1.3. Buses pass through stations quickly (approximately one every minute during peak hours) and do not idle for extended periods of time. The mass emission rate from idling is small in comparison to buses travelling through the station.
8.17		**4.4 As to how the health hazard resulting from the Diesel emissions from trains and buses associated with the GO Concord Station and intermodal hub is totally omitted in the EPR** Surrounding the CW community with two GO lines and a GO station employing Diesel trains, and a Metrolinx station and a two-way transitway with Diesel-producing BRT cannot be taken lightly as to its impact on the health of the community and its residents, even if BRT is considered a low emission vehicle technology (EPR, Section 5, p. 3). This disregard of Diesel emissions reaches what we view as heights of insanity, when one realizes that the two stations and the elevator system, as well as the train lines and bus lanes all converge in the immediate eastern and southern vicinity of what is the community's children's parkette. At the very least, the only GO and transitway vehicles that should be considered in the context of a 407 Transitway and a Concord intermodal hub are electrically propelled ones. Even without low or zero emission energy-generation methods, and thus despite a greater energy loss or "carbon footprint", the HRT contemplated for a much more intensely travelled Barrie GO line should be electric-propelled and not diesel-powered. The same criterion should stringently apply to the transitway buses, even if existing battery technology does not yet permit them to travel at the high velocities ultimately contemplated for the transitway. LRT would definitely be an option to consider for the transitway. The health of the neighbouring population affected by these services should be paramount, and the energy loss involved in operating electrically propelled vehicles should be tolerated and displaced to the energy grid for as long as a grid continues to be necessary. If the costs associated with implementing these criteria are considered to be overriding, then these projects, including the Concord intermodal hub, should be shelved until new energy breakthroughs take place, to the benefit of a greater concentration of resources in developing alternate means of transportation, such as the planned subway extension into Vaughan.	In reference to comment related to the number of transit facilities in the area: There is only one GO Transit railway line (the GO Barrie line); the Transitway project is not adding and additional railway line. The MTO Undertaking includes an east-west Transitway: at the crossing of the two transit corridors, an intermodal station is being proposed. In reference to the comment regarding additional **diesel** emissions: The 407 Transitway has been identified, as part of the 25-year plan, to be implemented between 2021 and 2031. The type of vehicles operating on the transitway is yet to be determined given the implementation timeline. Tin reference to the air quality effects: The air quality impact assessment for the GO Barrie (Concord) Station, included in the Air Quality Report (Appendix I of the EPR) modelled nitrogen oxides (NOx) and total suspended particulate (TSP) as indicators of air quality impact. Emissions from additional vehicular traffic entering/exiting the parking facility at the station were considered. The assessment assumptions were rather conservative developing a maximum emissions scenario to capture expected worst-case maximum daily emission. The air quality assessment concluded that the presence of the GO Barrie (Concord) Station would not significantly increase contaminant concentrations in surrounding areas to the Station.
8.18		**4.5. As to basic mistakes made in the EPR that betray improper review and either decontextualize existing problems and/or invalidate modelled solutions** Aside from all the foregoing, there are also serious errors that unfortunately further confuse the assessment and the object of the various analyses presented in the EPR. These errors show that the EPR was *not properly and carefully reviewed*. We limit ourselves to mentioning only the most egregious: 1. The Concord GO/Metrolinx hub is incorrectly treated as not being intermodal: in Appendix H, Section 5, p. 5-4. Accordingly, Appendix H does not treat or evaluate the GO Concord Station as it would a station that is considered intermodal. Yet, right from the getgo in the EPR Executive Summary, page 3, it is stated that "GO Barrie (Concord) station" is an "Intermodal Station", in fact the most important of the entire transitway Area of Study. 2. Recurring misidentification of the West Don river as the East Don river: Appendix K, Table 1, p. 22; Appendix K, p. 36, rubric "Indirect impacts"; Appendix L, Section 3, p. 11. 3. The data used for modelling "future background condition" (and, implicitly, "total future condition") in the EPR, Appendix B – prepared by IBI and exclusively concerned with the GO Barrie (Concord) Station – describes the Concord GO Centre that will occupy the Concord Floral lands as a mixed use development that "will consist of 510 residential units and 91,000 square meters of retail and commercial space". The latest application we know of for this development, as of February 24, 2010, is described instead as a proposal for high density and mixed use, including 2535 residential units and 25,000 square meters of Commercial Gross Floor Area. Up until at least 2009, IBI was the planner for this development. So, we ask the Minister: How can a model or plan based on one set of parameters be considered valid for future predictions, if the values of these parameters can change as diversely as, for example, the number of residential units and	<u>1.Intermodal Stations</u> As defined in the EPR's Glossary "Glossary-Page 1", and intermodal facility is defined as "A station or stop where differing types (or modes) of transportation meet and exchange passengers, such as bus/rail station, park and ride locations, transitway and city bus connections." From this definition, all 407 Transitway stations are considered intermodal. In Appendix H, page 5-4, under sections 5.2 Stationary Source of Noise Impact, states that the "main intermodal stations" are Jane Station, Yonge Station, and Kennedy Station. However, the remaining stations, including the GO Barrie (Concord) Station, were also considered intermodal in nature, as the report describes that there will be an exchange of passengers from/to local buses and passenger vehicles. The report, based on station layout and designs provided, indicates that other station facilities will include parking lots and passenger pick up and drop off areas. As an intermodal station, by definition, requires connections to/from other transit services and the exchange of passengers, the GO Barrie (Concord) Station, is considered intermodal in Appendix H. <u>2. West Don River/East Don River</u> Corrections have been made to Appendix K (Cultural Heritage Assessment Report) and Appendix L – Stage 1 Archaeological Assessment to properly identify the West Don River, previously referred to the East Don River. <u>3. Appendix B: Traffic Report</u> The traffic assessment for the GO Barrie (Concord) Station was developed based on future traffic volumes generated by road expansion plans and land use/development plans approved at the time of this study. With regard to traffic volumes generated by the Concord GO Centre on Concord Floral lands, the figures were derived from the October 2007 Concord GO Centre Tertiary Plan, approved by York Region. This Tertiary Plan assumed 2,900 residential units and 5,850 sq. metres of commercial area. Should the developer wish to obtain Municipal (regional and local) approvals for any increase in density such as proposed in the February 2010 proposal referenced in the objection, they will need to undertake a further traffic impact study to assess the effect of their development on the surrounding road network, including the proposed access to the GO Barrie (Concord) Station.

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		the area occupied by retail and commercial space in the Concord Floral lands have changed in the span of just one year??	
8.19	**5. Objection as to what is perceived as a conflict of interest by a private planner, and is of concern to the CW community in the context of the Preferred Plan for the GO Concord Station and associated intermodal hub**	Lastly, we should draw the Minister's attention to the apparent fact (to the best of our knowledge) that one of the private planners (IBI) hired by the MTO to develop the Concept Design of the Preferred Plan for the Concord intermodal hub, and to produce the EPR and several of its appended studies, is also a partner of the York Consortium for the YRT Plan, and, at least up until recently, the planner for the development of the Concord Floral lands. Whether or not this legally constitutes a conflict of interest is not clear to us, but it is a situation which the community views with concern, and which it felt should also be brought to the attention of the Minister.	**Conflict of interest:** IBI has been engaged by Delcan as a sub-consultant on the 407 Transitway EA Study. IBI are working for the Concord Floral property owners. Its work has involved designing the access road to Hwy 7. This was completed and approved by York Region prior to IBI being engaged in the planning of this station. Since this is the only point that is common between the two projects we do not consider the position of IBI in any way to be or to be perceived as in conflict of interest. The location of the intersection has been reviewed thoroughly by York Region and was found appropriate and most of all safe in its proposed location and configuration.
8.20	**Conclusion**	Honorable Minister, we submit to you that the right and courageous course of action is to declare the ORC land under petition as being part of the Terrestrial Natural Heritage of the Province of Ontario and the Concord West community, to whose stewardship it should be entrusted. This will prevent the location of any intermodal hub on this land, and ensure its future protection. Terrestrial Natural Heritage includes *all the plants and animals associated with land-based natural habitat*s, as opposed to purely aquatic environments. *It also encompasses species associated with shoreline and wetland habitats that require dry land for at least a part of their life cycle, which is the case with the Blanding's Turtle*. York Region's Official Plan (ROP), adopted by Regional Council in December of 2009, was ostensibly developed in the context of the "guiding principles found in the York Region Sustainability Strategy". Listed among its key elements is *"a natural heritage legacy based on a linked and enhanced Regional Greenlands System*" and explicitly connected to lands surrounding the Don river (Report No. 2 of the Planning and Economic Development Committee Regional Council Meeting of March 25, 2010). All three Concord West community organizations call on the Minister to honor this natural heritage, embodied in the ORC land under petition for its transfer to the TRCA. The map on page 23 of EPR Appendix F, entitled 'final 407 Transitway Natural Heritage Report December 17 201.pdf' marks out, in broad terms, certain of the natural diversity elements of the ORC greenspace under petition: its dry moist old field meadows, its deciduous plantation areas, its mineral cultural thicket and woodland ecosites, its freshmoist deciduous forest ecosites, its submerged shallow aquatic areas, and its deciduous swamp and minerals meadows. This description however, does not begin to convey its beauty as the seasons roll across it, the multitude of its wild inhabitants, nor the joy and critical association with nature that it affords our community. This land has been for generations, and still is, profoundly connected to the cultural and social community of Concord West. It is, both historically and ecologically, a contiguous section of the corridor which connects the Bartley Smith Greenway system to the Marita Payne Park. Many of our residents have walked in its green expanse for over 45 years. Treasured not only by the Concord West and Glen Shields communities, this natural corridor is considered to be amongst Vaughan's most beautiful and cherished park systems, projected to eventually span all the way from Steeles Avenue up to Teston Road. As the Bartley Smith Greenway website notes: "We now recognize that these natural corridors are vital to the health of many animal species, since they allow intermingling of local populations, which is necessary for ensuring that genetic diversity is maintained. Restoring and protecting these natural areas will help to conserve and enhance biodiversity in this most heavily urbanized part of Ontario. In this way we can continue to experience the richness and variety of plant and animal life that has evolved here over millions of years." (at: http://www.bartleysmithgreenway.org/naturalheritage.html) We remind the Minister that it is the Concord West Seniors Club that has spearheaded our community-wide efforts to save this ORC greenland, and who has repeatedly stated in all meetings and	Noted.

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		communications with Viva, Delcan, MTO and GO/Metrolinx its opposition to the location by the Preferred Plan of the Concord intermodal hub on this land. Although, obviously, Concord West is not an aboriginal community, our elders, many of whom have lived here for generations, have all concurred with the rest of the community, that this land is part of our (and of Vaughan's and of Ontario's) essential natural heritage and have called for our local, provincial and federal representatives to ensure that it is respected as such. Our Seniors Club, Ratepayers Association and Ad Hoc Committee to save Concord West have been actively engaged in studying the feasibility of soliciting grants and initiating rehabilitative Stewardship programs in conjunction with the TRCA and/or the MNR to regenerate those areas of the greenspace already negatively impacted by previous developments (eg Highway 407 construction). TRCA biologists have only very recently selected a survey area within the Bartley Smith Greenway "to develop an inventory of the wildlife and plant communities present in the upper West Don watershed. From this information they can assess the overall quality of existing habitats and the enhancements needed to encourage wildlife colonization." (at: http://www.bartleysmithgreenway.org/naturalheritage.html) Our residents, in conjunction with the Toronto Zoo, have already met – and have agreed to meet again in the spring - with Mr. Caverhill, the Zoo's Species at Risk Stewardship Biologist, to try to gather more information about turtle populations along this portion of the greenway corridor system. The stewards of the Bartley Smith Greenway have not yet conducted such an investigation. We suspect there is much still to be discovered in this long sheltered habitat located on the ORC land under petition. Our community has, for years, actively pursued protection of this extraordinary natural heritage treasure, in keeping precisely with the TRCA's view that this land is an integral part of the Don River Watershed (Appendix 3). Our community has also been documenting the extraordinary diversity of life in the ORC land under petition, on one of its websites (saveconcordwest.org), through which it hopes to introduce others to the irreplaceable habitat that this threatened ORC land provides to so many of our most treasured wildlife neighbours. The Concord West community has argued repeatedly against the fragmentation of the adjacent greenspace and greenway system. We remind the Honorable Minister that The United Nations Environment Program (1997:1) has concluded that "world-wide habitat loss and fragmentation, the lack of biological corridors, and the decline in biological diversity outside protected areas constitute primary threats to overall biodiversity." (http://casiopa.mediamouse.ca/wp-content/uploads/2010/05/PRFO-2001 Proceedingsp123- 132-Wilkinson.pdf). Ecosystem fragmentation is known to be a serious problem in Ontario and we would suggest to the Honorable Minister that it is particulary serious in Vaughan, where development in urban and intensification areas has virtually eliminated greenspace from its maps. Only a few tenuous threads now remain. The fragmentation which, in the MTO's Preferred Plan, the Bartley Smith ecosystem is bound to suffer at this point of confluence of the Upper West Don tributaries, can and should be interpreted as being of "Provincial Interest", and the ORC land contiguous with this confluence of the tributaries should be regarded as an essential component of "ecological systems", as outlined in Ontario's Planning Act (R.S.O. 1990, Part 1, Provincial Administration). Moreover, given the negative impact of the Preferred Plan upon the social and cultural fabric of the Concord West community, we also submit to the Honorable Minister that protection of public health and safety, as well as rational criteria for urban growth and development, further demand that the Preferred Plan for the Concord intermodal hub and its location on the south side of Highway 7 be rejected. Any location to be contemplated for the Concord intermodal hub should fit, precisely, the criteria proposed by the TRCA in its November 23, 2010, response to the Draft EPR: "a sound environmental site implementation" that should be "consistent with provincial objectives and the expectations of the local communities" (EPR, Appendix A, p. 175). Honorable Minister, we submit to you that the Preferred Plan for the Concord intermodal hub (GO Barrie-Concord Station, Metrolinx Transitway Station and associated Viva/YRT station and storage facilities) put forth by this EPR is not a sound environmental plan, and its location is not a sound environmental site.	

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		Furthermore, the Preferred Plan is not consistent either with provincial objectives or the expectations, the integrity and the function of our community. In light of all the foregoing considerations and the multiple objections we have voiced to the MTO's Preferred Plan for the GO Concord station and associated intermodal hub, statements such as are made in the EPR – that "the preferred alternative allows opportunities to mitigate effects on the surrounding communities" (Section 3, p. 45) – sound somewhat cynical and totally hollow to our community: not only are the contemplated mitigations based on imaginary results devoid of hard data, that may even seem to have been selected so as to minimize the effort at mitigation, but, more importantly, there can be no mitigation for the preferred location of the Concord intermodal hub when this location and hub will have the effect of destroying (1) the social and cultural environment of our community, (2) the fragile ecological community, including threatened or endangered species, present in the ORC land under petition and in the Don river valley, and (3) the integrity and continuity of the Bartley Smith Greenway. Honorable Minister, the Concord West community calls on you to protect its integrity and function, and to protect the ORC land under petition by supporting its transfer to the TRCA as an integral part of both the natural heritage and the community heritage of the Province of Ontario, the City of Vaughan and the Concord West community. Thank you for your kind attention to this sensitive matter.	
9.0	**MAH**	**Received January 24, 2011**	
9.1	**General**	We received the final EPR for the 407 Transitway and have no comment.	Noted; thank you.
10.0	**METROLINX/GO TRANSIT**	**Received January 24, 2011**	
10.1	**General**	Metrolinx provided comments in December, prior to the submission of the EPR to MOE. We have no further comments on this report.	Noted. All Metrolinx comments received December, 2010 were responded to in Table 3.3 of the EPR and addressed accordingly in the corresponding sections of the EPR. Metrolinx confirmed that there are no outstanding issues. Ongoing, regular discussions with Metrolinx will continue prior to and during implementation of the Transitway project.
11.0	**CITY OF VAUGHAN**	**Received January 24, 2011**	
11.1	**COMMITTEE OF THE WHOLE – February 1, 2011, Extracts:**	Recommendation The Commissioner of Engineering and Public Works recommends that this report be received for information purposes. Purpose The purpose of this report is to provide Council with an overview of the recommendations of the recently completed 407 Transitway Environmental Project Report including the recommended transitway corridor alignment and the three stations within the City. Concord West Resident's Concerns The completed 407 Transitway Environmental Project Report acknowledges these concerns and provides a detailed response. Conclusion On December 23, 2010, the Ministry of Transportation issued the completed 407 Transitway Environmental Project Report (EPR) for the 30-day public review period. The final 407 Transitway EPR identifies the preferred alignment and preliminary station design for the Central Section of the 407 Transitway from east of Highway 400 to Kennedy Road, a distance of 23 kilometers. Comments on the completed EPR were accepted by MTO up until January 24, 2011. Staff has reviewed the technical aspects of the EPR as it relates to the portion of the transitway within	Noted; thank you.

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		Vaughan and is generally satisfied with its recommendations. MTO has committed in the EPR to consult with the public, property owners and stakeholder agencies including Vaughan during the detailed design stage of the 407 Transitway runningway, stations, and the maintenance and storage facilities. According to the Metrolinx Regional Transportation Plan, the 407 Transitway project is expected to be implemented in the 16 to 25 year time horizon.	
12.0	**TOWN OF MARKHAM**	**Received January 24, 2011**	
12.1	**Recommendations and Council Resolution**	Town recommendations and Council Resolution was received from the Town of Markham for information. This was previously received on October 28, 2010.	Town recommendations and Council Resolution were received and noted. The Town's comments on the EPR, dated October 28, 2010, were addressed in Table 3-3 of the final EPR (December 23, 2010).
13.0	**TRCA**	**Received January 24, 2011**	
13.1	**Introduction**	Toronto and Region Conservation Authority (TRCA) staff received the Final Environmental Project Report (EPR) for the Transit Project Assessment Process (TPAP) for the above referenced Environmental Assessment (EA) on December 23, 2010. TRCA staff (staff) has reviewed the documents and remain to have has no objection in principle to the preferred alternative that has been recommended through the EA process. However, as this project moves to detailed design, staff has concerns related to the natural heritage systems within the study area that need to be addressed in order to limit any negative impacts related to implementation of the project. Staff has provided preliminary comments in Appendix A that we respectfully request be addressed during the detailed design phase of this project. Staff understands that MTO is not required to obtain permits from our agency during this next phase of the project, and that MTO will work closely with MNR, DFO and MOE to obtain their respective approvals related to sensitive species, fisheries, and storm water management. Notwithstanding, we are appreciative of the relationship that TRCA and MTO have developed during the planning of this important project. We are pleased that MTO is committed to working with TRCA and ensuring that the impacts to the natural system are mitigated to a standard that will ensure the Humber, Don and Rouge watersheds are managed to standards that support the goals and objectives of their respective watershed plans.	Noted.
13.2	**Environmental Project Report**	Staff agrees that potential intensification of the lands surrounding the station should be considered in station locations. Staff clearly notes however, that the areas as identified within the EA document can in no way be considered permissions or approvals for these future land uses.	Noted.
13.3	**Environmental Project Report**	Staff notes that developable areas within municipal documents have policies that clarify the requirements that must be met under certain conditions. In many cases, while the OPjzoning for a particular parcel may permit development, the actual limits of development are subject to the application of policies/bylaws under Provincial, municipal, and TRCA jurisdiction for establishing development limits for the protection of natural heritage features and defining hazard lands. The proposed layouts do identify that parking structures may be required, and staff will accept this as recognition that changes to the proposed layout, for parking areas in particular and their associated SWM facilities, may be required pending resolution of development limits, based on existing policies.	Noted.
13.4	**Environmental Project Report**	Deferring screening through MNR for the presence of species at risk under the Endangered Species Act to detailed design is not supported. If the project has the potential to affect a species or habitat of a species at risk, it should be determined at the EA stage to ensure that the project can be expected to proceed as proposed. This is not to say that the presence of a species will necessarily preclude the project as proposed, but to ensure that the potential effects are sufficiently understood. TRCA staff defer to MNR with regard to the deferral of this issue. Staff acknowledges that there has been some screening for species at risk completed through various databases, but that MNR has not been directly contacted.	MNR has been contacted from the start of the project in July 2007. Since then, correspondences have been sent to MNR, Area Biologist for York and Durham of the various milestone events of the project including the two rounds of PICs, TPAP commencement, Draft EPR submission and Final EPR submission. Hard copies and electronic copies of the draft EPR (September 2010) and of the final EPR (December 2010) have been submitted for MNR review and comment. In addition, various follow up telephone calls and e-mails have been sent requesting MNR's comments. No response has been received to date. The area has been screened for significance in accordance with the Significant Wildlife Habitat Technical Guide (MNR 2000).

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			The project will not directly impact any significant habitat for the species of concern. MTO will work with all regulatory agencies to obtain all necessary permits for SARA and ESA as indicated in **Table 7-1, Table 7-4** and **Section 9.1.**
13.5	**Section 6.2.2.2 Go Barrie - Concord Station**	Staff notes that the response states that the woodlot has been preserved. However, based on drawings provided, it does not appear to have been preserved in its entirety, and there appears to be no buffers provided. Defining appropriate development limits and designing parking facilities with respect to these limits will need to be addressed (see Comment 10.3 above). Any natural heritage losses that cannot be avoided should be suitably compensated. Issues are related primarily to parking and SWM facilities supporting the station	Defining appropriate development limits will be defined and will be addressed in consultation with TRCA and mitigation/compensation will be incorporated in detailed design. Section 6.2 text previously read: ....final exact configurations of all stations will be determined in the Detailed Design Stage, in consultation with the **other transit agencies**... The above text from **Section 6.2 Stations** now reads: *....final exact configurations of all stations will be determined in the Detailed Design Stage, in consultation with the **other agencies and other transit providers**...*
13.6	**Section 6.2.2.6/7- Woodbine Station**	As previously noted, appropriate development limit need to be determined. Where impacts to natural heritage systems cannot be avoided, compensation should be provided.	Noted. Please see response to comment 13.5 above.
13.7	**Section 6.2.2.8 - Kennedy Station**	This response to site design meets TRCA's request to follow the typical procedures for site plan approval under the Planning Act. Staff request that this approach should be undertaken for all station site planning.	Noted.
13.8	**Draft Natural Heritage Report (Appendix 4)**	a}Table 1 and figure 2b have not been updated with watercourse information within the area proposed for the Woodbine/Roddick road station. The ESR text in section 7 identifies this feature, but it should also be identified within the NHA. Staff acknowledges that the area to the south is under study for redevelopment as noted, however any redevelopment will require appropriate treatment of the watercourse and natural features that exist on site. Protection and enhancement of the existing features will be required. Of particular concern will be the protection of the swamp and forest communities north of the proposed alignment and station. Ensuring that the existing hydrological and hydrogeological conditions that support this feature will be maintained will need to be demonstrated for all developments in this area.	Agreed. Table 1 and Figure 2b of the Natural Heritage Report (Appendix F) is now revised to include the watercourse information. The watercourse crossing is now identified as R8-1 in Table 1 and Figure 2b. The EPR, Section 4. 1.5 has been revised: · Table 4-1: new row added for R8-1 · Figure 4-1(a) has been revised to include the R8-1 watercourse · text on page 5, under **Rouge River**, 3rd paragraph has been amended to read: *Watercourse/drainage feature (R8-1)...*
13.9	**Stormwater Management**	TRCA staff would like to note that in previous projects within TRCA jurisdiction the MTO has committed to meet TRCA SWM criteria, as such TRCA staff are concerned with the Ministry's response to Item 10.17. Although the EPR states a commitment will be provided to meet the 2 to 100 year post to pre quantity control requirements, that criteria may not be appropriate for all areas. As such TRCA staff recommend Table 6-4 in Section 6 be revised to reflect the appropriate criteria, as noted below. · Black Creek - Unit Release Rates · Don River - sites greater than 5ha apply unit release rates as defined in "Unit Flow Rates for Stormwater Control Upper Don River Watershed", sites less than 5 ha apply the 2 to 100 post to pre control, · Rouge River - From a watershed management perspective no quantity control is required. However local Municipalities may have required may have requirements, should drainage be directed to municipal infrastructure. In order to complete an adequate assessment the appropriate modeling techniques will need to be utilized. As such in the subsequent phases of the detailed assessment please ensure that the NASHYD command is used to represent predevelopment conditions for the Transitway right of way, with the STANDHYD used as to represent post development conditions.	Agreed. Table 6-4 of the EPR has been amended. **Table 6-4 Stormwater Management Criteria**, the Quality Control row previously read: *Control post-development peak flows to pre-development levels for all storms up to and including the 100-year storm.* **Table 6-4 Stormwater Management Criteria** has been amended, where the Quality Control row now reads: · *Black Creek - Unit Release Rates* · *Don River - sites greater than 5ha apply unit release rates as defined in "Unit Flow Rates for Stormwater Control Upper Don River Watershed", sites less than 5 ha apply the 2 to 100 post to pre control,* · *Rouge River - From a watershed management perspective no quantity control is required. However local Municipalities may have requirements, should drainage be directed to municipal infrastructure.* Agreed, a commitment has been added to the EPR (sections and 9) to reflect that NASHYD command is used to represent predevelopment conditions for the Transitway ROW, and STANDHYD is used to represent post development conditions, will be used during the detailed design stage.
13.10	**Hydraulic Assessment**	The EDP notes that the crossing sizes will be further refined during detailed design phase once additional information becomes available. Given the implications to adjacent flood levels, the hydraulic assessment of the feasibility of the Jane Station and associated maintenance yard should be completed as part of the EA. However, staff recognizes the current process of review of this project and would appreciate meeting with the proponent in the near future to discuss this issue and the potential for re assessing crossing sizes at the detailed design phase.	The proponent will commit to meet as requested.

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	TRCA	**Received February 10, 2011**	
13.11	**TRCA response to 13.4**	Response is adequate, however for clarification, staff note that while screening under significant wildlife habitat has been completed to address policy 2.1.4d of the PPS, this does not address Policy 2.1.3a which states that development and site alteration shall not be permitted in significant habitat of endangered species and threatened species. The reported presence of a Blandings Turtle will need to be addressed with MNR through the ESA process which MTO has identified will be undertaken at detailed design. From TRCA perspective, the key issues at this site are anticipated to be related to station design rather than construction of the linear facility. The commitment provided to working with other agencies to determine appropriate development limits will hopefully provide adequate opportunity to address habitat and natural heritage protection needs to the extent possible.	Clarification noted.
14.0	**YRT**	**Received January 25, 2011**	
14.1	**YRT Reference**	All refers to YRT should be YRT/Viva	Noted. The Document has been revised.
14.2	**Section 4, page 18: 5**	Viva green (last bullet point), please remove "Service along McCowan Rd". Route operates during peak periods.	Noted. Edit made. Section 4.3.1.2 now read for 5. Viva Green: **5. Viva Green:** · Northbound-Southbound directional service; *and,* · Terminus stations of Don Mills Station and Highway 7/McCowan
14.3	**Section 6.2 – Stations:**	Should this section include: Number of bus platforms to be incorporated. Stations need to accommodate 40foot buses and 60foot buses. Presto equipment needs to be incorporated into the designs.	The following has been inserted **in Table 6.2: Station Consideration Factors and Design Principles**, **Vehicular Facilities** row, last bullet point : · Off-line bus platforms will be designed to accommodate 40 and 60 foot buses. Number of required bays will be addressed in coordination with the corresponding transit Agencies during detail design. The Station Design Criteria (Section 6.2.1) includes the requirement of intelligent fare collection system at all stations.
15.0	**YORK REGION**	**Received January 24, 2011**	
15.1	**Letter to MOE (Lorna Zappone), Dated January 24, 2011**	Please note that a staff report on the 407 Transitway EA has been prepared for the February 2, 2011 Planning and Economic Development Committee meeting with a final resolution from Regional Council expected on February 17, 2011. We will advise you of the Regional Council resolution following the February 17, 2011 Council meeting. In the interim, please accept this correspondence as our input on the 407 Transitway Environmental Project Report. York Region is supportive of the 407 Transitway and we have no significant issues with approval of the Environmental Project Report. WE have previously provided the Ministry of Transportation with comments related to specific project details which we are confident can be addressed during the design phase, with the expectation that the Ministry of Transportation will continue to consult the Region and our local municipalities during the design phase of the project. We understand that the Town of Markham and City of Vaughan have identified a number of specific issues with the 407 Transitway. Please note that York Region will continue to work with the Ministry of Transportation and our local municipalities to assist in resolving the outstanding issues either during the final stages of the EA approval process or during the subsequent design phase of the project. The City of Vaughan has identified a number of issues specifically related to the proposed 407 Transitway GO Barrie (Concord) Station. Vaughan is currently undertaking a secondary plan study in this area to look at the appropriate land uses around the station. The conclusions of the secondary plan study should be incorporated by the Ministry of Transportation during the detailed design of the station and we would ask that the Ministry of Transportation protect for a full range of options until the secondary plan study is complete.	MTO received the comments related to specific project details from York Region and responded accordingly as indicated in Table 3-3 of the EPR. Specific comments on the EPR and other concerns were also received from the Town of Markham and the City of Vaughan and responded accordingly in Table 3-3. MTO is aware of the concerns raised by the local Municipalities regarding various issues and specifically the concerns expressed by the City of Vaughan in relation to the GO Barrie (Concord Station). The Ministry will continue working in coordination with the City, York Region and other stakeholders in addressing any land use planning changes initiated around the GO Barrie (Concord) Station, during the detail design phase of the project, as recommended by York Region. Consultation and coordination with the three local Municipalities, York Region and relevant stakeholders, about other land use concerns, will continue through the design phases.

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16.0	**CHIPPEWAS OF RAMA FIRST NATION**	**January 10, 2011**	
16.1		As a member of the Williams Treaties First Nations, Rama First Nation acknowledges receipt of your letter of December 23, 2010, which was received on January 4, 2011. A copy of your letter has been forwarded to Karry Sandy-McKenzie, Barrister & Solicitor, Coordinator for Williams Treaties First Nations for further review and response directly to you. Please direct all future correspondence and inquiries, with a copy to Rama First Nation, to Ms. Sandy-McKenzie at 8 Creswick Court, Barrie, ON L4M 2J7 or her e-mail addressat k.a.sandy-mckenzie@rogers.com. Her telephone number is (70S) 792-5087. We appreciate your taking the time to share this important information with us.	Noted. Thank you.
17.0	**BEAUSOLEIL FIRST NATION**	**January 17, 2011**	
17.1		As a member of the Williams Treaties First Nations, Beausoleil First Nation acknowledges receipt of your letter dated December 23, 2010, which was received on January 7,2011. A copy of your letter has been forwarded to Karry Sandy-McKenzie, Barrister &Solicitor, Coordinator of the Williams Treaties First Nations for further review and response directly to you. Mrs. Sandy-McKenzie's address is 8 Creswick Court, Barrie, ON L4M 217, or bye-mail at k.a.sandy-mckenzie@rogers.com. We appreciate your taking the time to share this important information with us.	Noted. Thank you.
18.0	**DON WATERSHED REGENERATION COUNCIL**	**Received January 24, 2011**	
18.1		**Comments** The Don Watershed Regeneration Council (DWRC*) strongly endorses the objective to increase the transit network to support mixed use and higher density development. In particular, the DWRC supports a right-of-way adjacent to the highway which will, theoretically, minimize land use requirements and impacts. However, the DWRC has concerns regarding the delineation of an alignment and future design details. Therefore, the DWRC urges the Ontario Ministry of Transportation to give priority to the following principles: · To protect provincial, regional, and locally significant natural features and systems as a primary objective. · To carefully evaluate the impact of removing natural features or further fragmentation on the integrity of the natural system. Experience has shown that even small changes in natural systems often leave features vulnerable to degradation – regardless of mitigative measures. · To assess the potential for regeneration and also the value of re-establishing the connectivity of the natural system in the process of evaluating alternative alignments. · To modify the alignment from “abutting the 407 right–of–way” to “adjacent” (with a green median), where the impacts on natural features can be eliminated or diminished. · To adopt a comprehensive green infrastructure and climate change adaptation approach in designing the buildings (e.g. stations and operations facilities) as well as the 407 Transitway which would include recycled materials wherever possible and use of emerging design and landscaping technologies such as Low Impact Development site planning, greenroofs, rainwater harvesting, permeable pavement and xeriscaping. In conclusion, the DWRC is of the opinion that a new 407 Transitway can be designed to respect and minimize the impacts on our natural systems. In those cases where losses do occur (after the rigorous screening as above), the DWRC encourages the Ontario Ministry of Transportation to establish a target of net environmental gain within the watershed. In our view, the loss of existing greenspace, irrespective of	The MTO has reviewed the principles identified by the Don Watershed Restoration Council and has/will incorporate these principles into the siting and design of the 407 Transitway to the extent possible. During the evaluation of station sites and routes, minimizing adverse effects on the natural environment was identified as an objective and the criteria applied considered impacts on natural heritage features, geology, hydrogeology and hydrogeology, among other evaluation criteria. Once the preferred route and station sites were selected, modifications were made to the design to take into account natural heritage features. For example, a woodlot located at the proposed GO Barrie (Concord) Station was incorporated into the preliminary design of the station and pedestrian access to the adjacent valleylands was provided. The integrity of receiving watercourses has also been maintained through the use of span bridges and SWMPs in accordance with TRCA, MOE and MTO guidelines. During the detail design study, further measures will be identified to avoid, minimize or mitigate impacts on a site-specific basis. Opportunities to restore and enhance terrestrial ecosystems will be identified to offset the loss of these features through transitway development. Additional strategies, such as low impact development, LEED certified buildings, permeable paving, etc., will also be considered during detail design. TRCA, as well as other environmental agencies, will continue to be involved during the detail design of the transitway and be provided opportunities to review and comment on facility design. The measures identified, as well as the overall benefits achieved through the use of rapid transit systems, will contribute to the sustainability of the watershed

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		the quality of the existing vegetative cover, must be replaced in order to strengthen connectivity and overall landscape integrity and sustainability of the watershed.	
19.0	**SUSTAINABLE VAUGHAN**	**Received January 25. 2011**	
19.1	**Letter to Minister J. Wilkinson, from [redacted], Sustainable Vaughan**	This letter is a formal response from Sustainable Vaughan regarding the Environmental Project Report (EPR) for the 407 transit way that was submitted December 23rd, 2010. Sustainable Vaughan is a not for profit organization comprised of concerned local citizens, engaged in protecting the natural heritage and environment of Vaughan. As an organization focused on sustainability, we welcome the creation of a new intermodal transit hub in the City of Vaughan (Go Barrie transit hub) and its ability to help alleviate the traffic congestion that currently plagues the GTA. It is well documented that traffic congestion effects both the environment and our economy, thus lowering our quality of life. Unfortunately after reviewing the Provinces EPR regarding the GO Barrie transit HUB, it is the opinion of Sustainable Vaughan that the proposal being considered is not the best option for the natural habitat currently existing on the transit hub site. Sustainable Vaughan is writing to object to the Provinces plan in its current configuration and requests that more work be conducted to address the concerns below.	Noted.
19.2	**Letter to Minister J. Wilkinson, from [redacted], Sustainable Vaughan (cont'd)**	Placing an intermodal hub at the foot of the West Don River is counterintuitive and at odds with the work currently underway by the TRCA to naturalize the Don River at the mouth of Lake Ontario. The current GO Barrie transit hub proposes the creation of 830 parking spaces adjacent to the portion of the West Don River that extends through the site. Storm water runoff from paved surfaces into the Don River will be a major problem that the EPR has not addressed. The Don River is a major watershed infrastructure and natural heritage feature that will be negatively affected by this proposal. The EPR only addresses storm water runoff from the transit way route and during construction of the transit way. The enhanced grass swales which are being proposed as a treatment are not considered for the surface parking located at the station. In reviewing the plan for the transit station parking, it is obvious that there has been no consideration given to the storm water runoff that will migrate from the surface parking to the Don River. Having familiarity with storm water retention ponds and bio-swales, it is apparent that there is not enough area at the existing site to deal with run off from the parking surface. This is a serious problem which needs to be formally addressed within the EPR in the current planning cycle. The creation of man made infrastructure should not cause the detriment of pre-existing natural infrastructure which has an important role for the province. Sustainable Vaughan formally requests that the Ministry conduct the necessary work to address storm water retention for the surface parking at proposed transit way station before proceeding to the next phase of implementation.	During the development of the study, TRCA was consulted regarding all environmental aspects and concerns of the project, such as the proposed management of the runoff water from all of the 407 Transitway facilities. At the GO Barrie Station a stormwater management pond is proposed as indicated in Figure 5-3 of Appendix M of the EPR. The available area to locate a retention pond in the station area was analyzed and proven to be sufficient in size to manage the surface water runoff originated by the paved areas of the station site. The detail design will ensure that the final location of the pond is clear of the West Don River flood plain. All station sites include a retention pond to manage the surface water runoff originated by the paved areas of each facility. Section 5.3 of the Drainage and Stormwater Management Report included in Appendix M of the EPR describes the rationale used to determine the stormwater management of the stations; Figures 5-1 to 5-5 illustrate the location of the proposed ponds. During the detail design phase, pond locations and sizes will be reviewed and adjusted if necessary, based on detailed field information. MTO will carry on this review process in consultation and coordination with TRCA, 407 ETR, MOE and the corresponding Municipalities.
20.0	**D. SCHULTE – VAUGHAN COUNCILLOR**	**Received January 25, 2011**	
20.1		I am writing to express my concerns regarding the above referenced EA Process and specifically the GO Barrie Station location, and to support the concerns raised by the affected Concord West ratepayers. Please accept this letter as my submission in relation to the Final Environmental Project Report. Due to the fact that the Province provided the Notice of Completion on December 23rd 2010, and therefore staff could not bring forward a report to Council before the submission deadline, it provided little opportunity for our Council, five of which are new members, to review the project and make comment before the deadline for submissions, January 24th 2011. Staff will be bringing a report to Council at our next Committee of the Whole on February 1st 2011, so please expect further comments after our Council meeting February 15th. I understand this report was forwarded to you today by our staff.	We are in receipt of your letter of January 24, 2011. We hope that this response will help alleviate your concerns while allowing this important regional transit project to move forward. The Ministry of Transportation has been planning and protecting land for the 407 Transitway for the past 20 years. The 407 Transitway Planning/Preliminary Design Environmental Assessment study was initiated by the Ministry in March, 2007. This study has been carried out with the participation of City of Vaughan staff and has included two presentations to Vaughan Committee of the Whole in May of 2009 and June 2010 prior to the two sets of Public Open Houses. The Plans for the Concord Transitway station were presented at these occasions. Concerns with the 407 Transitway Concord Station were raised by the Concord West Association in July 2010. Since then, Ministry staff have exchanged correspondence and met with the association on several occasions to discuss its concerns.

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		As you are aware, the proximity of the proposed intermodal hub (Highway 407 Transitway station/Concord GO station/ YRT/VIVA bus access) and the commuter parking lot will have a significant impact on the existing residential community to the west, as well as impacting the neighbouring green space and valley lands. The proposed hub and parking lot is to be constructed in an area currently serving as a natural greenspace adjacent to the West Don (Bartley Smith Greenway) which currently serves as an important linkage area up the West Don to the Oak Ridges Moraine. Enhancing this natural linkage area by including more greenspace where possible, is an important element of the TRCA's Natural Heritage Strategy and the Provinces objectives. If it could be possible to meet the needs of MTO and preserve this greenspace it would be a win-win for all. It is clear to me that this EA has been in the works for at least three years and has preceded some of the recent work undertaken by the City of Vaughan to incorporate the requirements of the Places to Grow Act in its New Official Plan. The area surrounding the proposed Go Barrie station location has been designated in the Official Plan as an area for intensification and in need of a secondary plan. The secondary plan will identify what development will be appropriate and what phasing of infrastructure might be necessary to properly support this intensification and the Vaughan Metropolitan Centre (VMC) just west of this area.	While the final station location recommended in the report has not been relocated from its current location south of Highway 7, as this would have compromised the objectives of this project, MTO did commit to providing a safe and direct access for the community through a grade separated pedestrian facility across the CN Railway to the valley lands and access to the Marita Paine Park Trail. Further, the station design and committed mitigation measures have ensured protection of environmental features on the site including the valley lands.
20.2		I am making a formal request for MTO to commit to working closely together with the City of Vaughan and the Region of York during this secondary plan phase and address all concerns raised by area residents, as well as by Council, and amend the 407 Transitway Environmental Project Report as needed, based on the approved secondary plan. I would also request that MTO protect for the full range of options that might be included in the secondary plan. Additionally, I would request that during the design process stage, that the City and area residents be consulted and kept in the loop through community meetings.	As requested, the Ministry of Transportation will work closely with the City of Vaughan on the secondary plan for this area to help meet the city's objectives. During the Detailed Design Stage, MTO will also liaise with the City and area residents and keep them informed.
20.3		I thank you for the opportunity to provide comments on this project. I hope that the comments raised by myself, by City staff and other Members of Council, as well as all the comments brought forward by the Concord West Residents Ad Hoc Committee, the Concord West Seniors Club, and the Concord West Ratepayers' Association be taken seriously into consideration. Should you require further information or clarification on any of the above, please feel free to contact me directly.	Noted. Thank you.
21.0	**TOWN OF RICHMOND HILL**	**Received January 24th, 2011**	
21.1		We have a staff report going to the February 7 Committee of the Whole meeting (SRPRS.11.005). The recommendation will then go to Council on Feb 14, 2011 for approval. The recommendation from staff to Committee of the Whole is to endorse the recommendations of the 407 Transitway Environmental Project report as follows: · That the preferred alignment, station location and station layout for the proposed Highway 407 Transitway between Bathurst Street and Highway 404 as recommended in the 407 Transitway Environmental Project Report dated December 23, 2010 (G.W.P. 252-96-00) be endorsed: · The staff report will be made public on February 4, 2011 in the afternoon.	Noted, thank you.
22.0	**ALDERVILLE FIRST NATION**	**Received January 26, 2011**	
		Thank you for your consultation request to Alderville First Nation regarding the Planning and Preliminary Design Study for the 407 Transitway from Highway 400 to Kennedy Road, which is being proposed within our Traditional and Treaty Territory. We appreciate the fact that The Ministry of Transportation recognizes the importance of First Nations Consultation and that your office is conforming to the requirements within the Duty to Consult Process. As per the Alderville First Nation Consultation Protocol, your proposed project is deemed a level 3, having minimal potential to impact our First Nations' rights, therefore, please keep Alderville apprised of any archaeological findings, burial sites or any environmental impacts, should any occur.	Noted, thank you.

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		Although we may not always have representation at all stakeholders meetings, it is our wish to be kept apprised.	
23.0	**MINISTRY OF CULTURE**	**Received January 26, 2011**	
23.1	***Cultural Heritage Assessment Report: Built Heritage & Cultural Heritage Landscapes Appendix K***	Under Section 6.3 Potential Impacts to Built Heritage resources and Cultural Heritage Landscapes: Earlier in the report, Table 1 indicates there are six identified cultural heritage resources that are located either within the proposed preferred transitway route or adjacent to it (CHL1, CHL4, BHR9, CHL23, BHR28, BHR29). However section 6.3 of the report identifies only four cultural heritage resources as being either directly or indirectly impacted by the undertaking. Of those four, only two are located adjacent to the preferred route (BHR9 and BHR28), while the other two (CHL7 and BHR8) are located within the larger study corridor. It is not clear how it was determined that only these four resources will be impacted, and not the others that are located either within or adjacent to the corridor. MTC would like to see a rationale to support the determination of no or low impact to CHL1 and BHR29, and particularly CHL4 and CHL23 which are both located within the proposed preferred transitway route. Under Section 7.0 Mitigation Recommendations: The report does not provide any mitigation recommendations for the indirect impacts to the East Don River Tributary (CHL7). MTC would like to see a rationale to support why mitigation actions are not necessary.	Under Section 6.3 Potential Impacts to Built Heritage resources and Cultural Heritage Landscapes: The four identified resources of the East Don River (CHL 7) and 1899 Highway 7 (BHR 8), 1841 Highway 7 (BHR 9) and 99 YMCA Boulevard, the Rivis-Wolfe Residence (BHR 28) were identified as being direct or indirect impacts due to their proximity to the Preferred Design Transitway Route and the potential for displacement or disruption effects from actions related to the new alignment right-of-way or to temporary or long-term construction effects. The Beechwood Cemetery (CHL 1) covers large area and was identified in the existing condition survey of the larger survey corridor as a cultural heritage landscape. The proposed design of the Preferred Design Transitway Route is located adjacent to the preferred alignment and the proposed interchange design is within the existing right-ofway footprint. Therefore, any impacts to the Beechwood Cemetery were deemed to below. The CN Line (CHL 4) it is a recognized historic railway corridor alignment that crosses through the proposed Preferred Transitway Route. While some further change may occur to the context of the resource due to the proposed new right-of-way, the impact to the rail corridor is considered low, because it will remain in use. The assessed impacts to the East Don River (CHL 7) are considered to be low from a cultural heritage resources perspective. The impacts related to the natural science discipline and its proposed mitigation recommendations will protect the context of the historical waterway. No physical change as a result of the watercourse channelization is required. The former Rivis-Wolfe Residence (BHR 28) located at 99 YMCA Boulevard is municipally designated by the Town of Markham under Part IV of the *Ontario Heritage Act* and has a Municipal Heritage Conservation Easement. Therefore, since is it adjacent to the Preferred Transit Route, and it is already protected as a cultural heritage resource, no further mitigation recommendations were made due in the CHAR. Under Section 7.0 Mitigation Recommendations: No mitigation actions were identified for The Don River Tributary (CHL 7) since it was assessed as being of low impact in regard to cultural heritage resources. Mitigation recommendations proposed by other disciplines will protect this resource. If change in the Detail Design study results in new impacts through displacement or disruption an addendum to this report will be prepared containing mitigation actions consistent with the MTO ERHD Section 3.7.
23.2	***Section 7***	MTC supports the conclusions and recommendations related to built heritage and cultural heritage landscapes included in Table 7-2: Footprint Impacts: Potential Impacts, Mitigation and Monitoring for Socio-Economic, Cultural Environment, and Transportation: · Two built heritage buildings will be affected by the implementation of the GO Barrie (Concord) Station. (BHR 8 and BHR 9) · Cultural Heritage Resource Documentation Reports will be prepared for the two built heritage buildings, including a history of Concord during the Detailed Design Stage of this project. MTC also supports the conclusions and recommendations related to built heritage and cultural heritage landscapes, included in Table 7-5: Construction Impacts: Potential Impacts, Mitigation and Monitoring for Socio-Economic Environment: · Access to the Rives-Wolfe Residence located at 99 YMCA Boulevard may be disrupted due to the construction of the 407 Transitway. This building is a municipally designated property under the Part IV of the Ontario Heritage Act and is protected by a municipal heritage conservation easement. · Access to this building will be maintained. The building will be protected from construction activities and potential vibration effects resulting from the project. The Town of Markham will be consulted on the need and preparation of a Heritage Impact Assessment as part of the site plan	Noted. The Ministry of Tourism and Culture has been contacted on the status of the *J.J. Lunau Site 1 AlGt-219 and provided information.* Section 7.2.2, Table 7-2, Section 7.3.2, and Table 7-5 have been revised. Section 7.2.2. now reads: *A Stage 1 Archaeological Assessment has concluded that most registered archaeological sites are cleared of archaeological concerns. The majority of the identified registered archaeological sites are far from the 407 Transitway alignment except one. The J.J. Lunau Site 1 AlGt-219 which is a Euro-Canadian homestead is likely to be impacted by the 407 Transitway. The Beechwood Cemetery will not be impacted by the 407 Transitway.* *Further Stage 1 Archaeological Assessment will be conducted during the Detailed Design Stage on the following areas if they are determined to be impacted by the project:* · *west and east of Dufferin Street;* · *east of Yonge Street, north of Highway 7;* · *east of Warden Avenue; and,* · *west of Kennedy Road.*

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		approval process for the Kennedy Road –Kennedy Station. · A pre-construction survey of the building will be carried out to document its structural integrity. Monitoring will be carried out during construction to record and correct any damage that may result. Under the Archaeological features criterion in Tables 7-2 and 7-5, the proposed mitigation measures are not consistent with the Ministry's review and acceptance letter dated October 14, 2010. Furthermore, the report indicates that the ministry has been contacted to determine if there are any outstanding concerns for a registered archaeological site located within the study area. MTC is unable to locate a record of when we were contacted regarding this matter.	*A Stage 2 Archaeological Assessment study will be conducted during the Detailed Design Stage of this project on the undisturbed lands within the 407 Transitway footprint, if it is determined to be impacted by the project. The identified areas are:* · *from Highway 400 to east of Jane Street;* · *southeast quadrant of Highway 407 and Keele Street;* · *location of the proposed GO Barrie (Concord) Station;* · *southwest quadrant of Highway 407 and Leslie Street; and,* · *east of Rodick Road.* *A Stage 3 Archaeological Assessment study will be conducted during the Detailed Design Stage of this project on the identified registered archaeological site, J.J. Lunau Site 1 AlGt-219, if it is to be impacted."* Table 7-2 now reads Stage 1 and Stage 2 Archaeological Assessments will be conducted on areas identified for each Stage Archaeological Assessment as presented in **Section 7.2.2.** A Stage 3 Archaeological Assessment study will be conducted during the Detailed Design Stage of this project on the identified registered archaeological site, J.J. Lunau Site 1 AlGt-219, if it is to be impacted. Stage 3 and 4 Archaeological Assessments will be conducted, as warranted, depending on the results of the Stage 2 and Stage 3 Archaeological Assessment discussed above. Section 7.3.2 now reads: Construction impacts to archaeological features are related to footprint impacts. See **Section 7.2.2** and **Table 7-5** for details. Table 7-5 has been modified to refer to Table 7-2 for impact and mitigation details and under monitoring now reads: A Stage 2 Archaeological Assessment study will be conducted prior to construction on undisturbed areas located within the zone of construction. The following monitoring and contingency measures are recommended by the Ministry of Tourism and Culture: Ÿ Should previously unknown or unassessed deeply buried archaeological resources be uncovered during development, they may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with Section 48 (1) of the *Ontario Heritage Act.* The Culture Programs Unit, Ministry of Tourism and Culture (416-314-7146) should be contacted immediately. Ÿ Any person discovering human remains must immediately notify the Culture Programs Unit, Ministry of Tourism and Culture (416-314-7146), the police or coroner, and the Registrar of Cemeteries, Cemeteries Regulation Unit, Ministry of Government Services (416-326-8404). Consultation with stakeholders, including First Nations, will be initiated in the event that archaeological resources or human remains are discovered.
23.3	***Section 9***	MTC is pleased that MTO will continue to consult with MTC during the detailed design stage. Additionally MTC supports the commitments to addressing cultural heritage resource concerns by: · Preparing Cultural Heritage Resource Documentation Reports and/or undertake Cultural Heritage Impact Assessments at the select sites to address provincial and municipal requirements; · Conducting a Stage 2 Archaeological Assessment for areas with archaeological potential; It may be possible to address MTC's concerns regarding the deficiencies in the Cultural Heritage Assessment Report through a condition to prepare an addendum to the report during the detailed design stage of this project.	NA – See comment 23.1.
23.4	***Section 9***	In regards to archaeology, MTC would like to see the recommendations and commitments to future action be expanded to include the following as conditions of approval:	Section 9 has been modified and now reads: · *Conduct Stage 1 and 2 Archaeological Assessments on identified areas respectively (See **Section 4.2.3**) with*

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		· Undisturbed lands exhibiting archaeological potential within the 407 Transitway footprint that will be impacted by the project will require a Stage 2 archaeological assessment. Note that depending on the findings and recommendations of these reports, further archaeological assessment may be required (Stage 3 & 4). · The report also recommended Stage 3 investigations of the Beechwood Cemetery if the cemetery will be impacted by the proposed development. · The J.J. Lunau Site 1 will require a Stage 3 assessment if it will be impacted by the proposed project. This recommendation follows from the Dillon Consulting Limited (1997) report, *Canadian Highways International Constructors, Archaeological Assessment of Highway 407 ROW, 1995 and 1996 Field Seasons; Stage 2: Assessment and Stage 3: Testing*, on file with MTC. This report recommended a Stage 3 for the Lunau Sites 1 and 2 if they were to be impacted. Stage 3 for Lunau 2 took place in 1996 and that site was subsequently cleared of concern. The recommendation for Stage 3 at Lunau 1 (AlGt-219) if it is to be impacted byconstruction still stands. · Should previously unknown or unassessed deeply buried archaeological resources be uncovered during development, they may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with Section 48 (1) of the Ontario Heritage Act. The Culture Programs Unit, Ministry of Tourism and Culture (416-314-7146) should be contacted immediately. · Any person discovering human remains must immediately notify the Culture Programs Unit, Ministry of Tourism and Culture (416-314-7146), the police or coroner, and the Registrar of Cemeteries, Cemeteries Regulation Unit, Ministry of Government Services (416-326-8404). · Consultation with stakeholders, including First Nations, will be initiated in the event that archaeological resources or human remains are discovered.	*archaeological potential that will be impacted by the transitway. Conduct a Stage 3 Archaeological Assessment on the identified registered archaeological site, J.J. Lunau Site 1 AlGt-219, if it is to be impacted by the project. Stage 3 and 4 Archaeological Assessments will be conducted, as warranted, depending on the results of the Stage 2 and Stage 3 Archaeological Assessment discussed above*; Section 7.2.2, Table 7-2, Section 7.3.2, and Table 7-5 have been revised (see response 23.2 above).

Reference 1: Proposed 407 Transitway Swales (in reference to comment 5.3)

Area ID (hydrologic modelling)	Area (ha)	From ST	To ST	Outlet	Notes
Black Creek Subwatershed					
1	1.2	1+200	1+700	to Jane Station proposed pond and then to Black Creek Ref # 1	
2 + 3	0.42	1+700	2+015	proposed bioswale by TTC	Transitway low point approx. ST 1+780
4	1.32	2+115	3+115	enhanced swale then to Black Creek Ref # 2	
Don River Watershed					
71	0.61	3+115	3+620	enhanced swale then to Pond ID D1	
72 + 73	1.25	3+620	4+657	underpass at Keele Street; outlet to proposed pond	Transitway low point approx. ST 4+134
74 + 75	1.33	4+657	5+520	enhanced swale then to existing Pond ID D1	Transitway low point approx. ST 5+187
76 + 77 + 61					
62 + 51	0.8	5+520	6+235	to the proposed pond for the GO Barrie Station	
83 + 84	1.56	6+235	7+326	to existing Ponds ID D2 - D3	Ponds D2 and D3 to be redesigned
85 + 86 + 241	1.92	7+326	8+925	to existing Pond ID D4	
242	1.01	8+925	9+766	to enhanced swale then to existing Pond ID D5	
243 + 244 + 232	1.45	9+766	10+770	to enhanced swales, then to Creek Ref # 9	
233 + 234	0.69	10+770	11+350		
262 + 2644	0.85	11+350	12+040	to pond ID D7	
265 + 266 + 267 + 268	2.14	12+040	13+600	underground	Best Management Practices during Detailed Design
269 + 2691 + 301	1.31	13+600	14+700	to existing pond south of transitway (pond ID 9/9A)	
302 + 303	0.58	14+700	15+200		
304 + 310 + 311	1.44	15+200	16+400	to Pond ID D10	
312	0.65	16+400	16+740	to Leslie Station proposed pond	
313	0.67	17+300	16+900	to existing pond ID POND1, north of the transitway	
314	0.79	17+300	17+500	Pond ID POND2	
315 + 316 + 317	0.84	18+650		proposed enhanced swale and then to Pond ID D5/D4	
Rouge River Watershed					
10 + 20 + 30	1.34	18+650	20+307	to Woodbine Station proposed pond	Transitway low point approx. ST 9+567
40 + 50 + 60 + 70	1.4	20+307	21+470	to existing pond ID R3	
80	1.13	21+470	22+790	enhanced swale; possible connection to municipal system	Transitway low point approx. ST 22+790

Total transitway area:	26.7	ha
Transitway area draining to existing ponds:	14.31	ha (54%)
Transitway area draining to proposed ponds:	5.24	ha (20%)
Transitway area draining to enhanced swales:	5.01	ha (19%)
Underground:	2.14	ha (8%)

Reference 2: Concord Community Alternative Compared with 407 Transitway Preferred Alternative (in reference to comment 8.12)

OBJECTIVE	INDICATORS	Black Alternative GO platform South of Highway 7 Transitway Station adjacent to GO Rail ROW	Real Red Alternative GO platform North of Highway 7 Transitway Station south of Centre Street Overpass
Improve Mobility	**Transfer Walking Distances (m)**		
	Transitway platform to GO platform: Centre-Centre Minimum	 275 130	 550 (straight station) Indented station not feasible 500 (across elev. Skyway over Hwy 7 and W. Don River)
	Park & Ride to GO platform: Centre-Centre Minimum	 55 25	 80 (contiguous, location#1) 25
	Park & Ride to Transitway platform: Centre lot-Centre platform Minimum	 275 130	 50 (contiguous, location #2) 25
	Viva stops on Hwy 7 to end of GO platform	 250	325 from eastbound stop 50 from westbound stop
	Viva Hwy 7 stops to Transitway platform (Viva platforms at proposed intersection)	 100	130 from new WB Viva stop at Centre St 110 from new Viva stop at Centre St
	Number of park-and-ride spaces available	 650-700	2 locations: #1-400, #2-250, #3-0 Total: 650
	Access to Park & Ride	35 m. long bridge over West Don R. tributary is required.	Lot #1 accessed through new North of 7 development; Lot#2 through new Hwy 7 intersection 200m west of Centre St.
	Convenience of passenger pick-up/drop-off (PPUDO)	Location very convenient	Location very convenient
	Convenience of local community shuttle bus access	Transfer platform adjacent to stations	Walk-in from on-street stops on Highway 7
Minimize adverse effects on social environment	Area of publicly-owned vacant table land property occupied	 55%	 24%
	Proximity of GO platform to publicly-owned table land property	260 metres alongside	280 metres north
	Proximity of GO platform to residential land use south of Hwy 7	Full length adjacent to residential community. Mitigation of visual and sound effects required.	Full length within new northern mixed use development remote from south residential community
	Effect of GO Station on planned mixed-use development north of Hwy 7	No effects as station is south of Hwy 7	Requires walkway through park and internal street and mitigation of visual and sound effects along platform and parking.
	Effect on access to valley lands/trails	Walkway through station site to valley and existing trail will be provided in site layout	Direct access via Hwy 7 underpass possible if table lands remain vacant or easement is provided in future uses
Minimize adverse effects on natural environment	Effect on West Don River and tributary flood plain/valley lands	Flood plain generally preserved. Single new crossing combining transitway and access road.	Flood plain generally preserved. Single new crossing over W Don and elevated transitway over Marita Paine trail and flood plain along Hwy 407.
Offer a cost-effective way of moving people	Effect of Transitway station location on transitway profile	Current profile; depressed Station with some retaining wall	Profile raised on structure to cross floodplain and trail and retaining walls to accommodate elevated Station
	Highway 7 pedestrian bridge requirements	Bridge over highway for Viva to GO platform transfer requested by York Region	Long protected walkway and bridge over Hwy 7 required between GO and Transitway platforms
	Effect on station area infrastructure costs	Assumed as baseline infrastructure cost	Similar to baseline cost due to raised transitway profile and walkway/bridge costs offsetting saving in property acquisition cost.