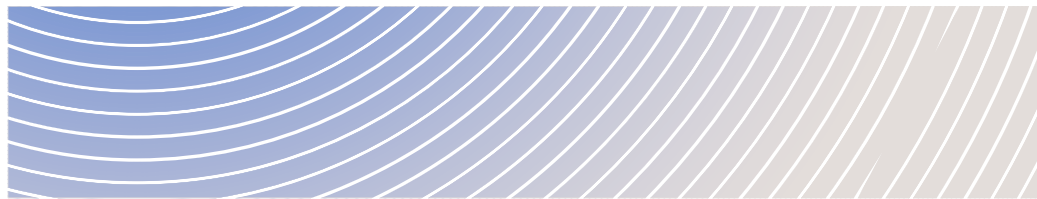


Analysis Report



WHETHER TO DESIGNATE THE **GTA WEST PROJECT** IN
ONTARIO PURSUANT TO THE *IMPACT ASSESSMENT ACT*

May 2021



Impact Assessment
Agency of Canada

Agence d'évaluation
d'impact du Canada

Canada



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Purpose

The Impact Assessment Agency of Canada (the Agency) prepared this report for consideration by the Minister of Environment and Climate Change (the Minister) in deciding whether to designate either the GTA West Project (the Project) pursuant to section 9 of the *Impact Assessment Act* (the IAA).

Context of Request

On February 3, 2021, the Minister received a request from Ecojustice, on behalf of Environmental Defence, to designate the Project. On March 3, 2021, the Minister received another designation request from the Mississaugas of the Credit First Nation. The requests expressed concerns about potential adverse project-related effects on fish and fish habitat, migratory birds, species at risk, Indigenous peoples of Canada, and health effects from decreased air quality. Other matters raised included effects to wildlife, vegetation, natural landscapes, greenhouse gas emissions, cumulative effects, loss of urban greenspace, provincial oversight, and consultation.

On February 11, 2021, the Agency sent a letter to the Ontario Ministry of Transportation (the Proponent), notifying it of the designation request and requesting information. In addition, the Agency requested advice and/or input from federal authorities and provincial ministries, local governments and potentially affected Indigenous groups.

The Proponent responded on March 3, 2021. The response included descriptions of the potential adverse effects, proposed mitigation measures, regulatory approvals and permits that may be required, engagement activities, and concerns expressed by the public and Indigenous groups.

Advice on applicable legislative mechanisms and potential effects due to the Project was received from the following federal departments: Environment and Climate Change Canada; Fisheries and Oceans Canada; Health Canada; Natural Resources Canada; and Transport Canada. The following provincial ministries also provided input: Environment, Conservation and Parks; Heritage, Sport, Tourism and Culture Industries; and Transportation.

The Agency received submissions from the Regions of Peel, York and Halton; Cities of Mississauga, Vaughan, Brampton and Toronto; and Towns of Caledon, Halton Hills, and King Township.

The Agency received comments from Huron-Wendat Nation, Curve Lake First Nation, Hiawatha First Nation, Mississaugas of the Credit First Nation and Six Nations of the Grand River.

Between February 3, 2021, and April 27, 2021, the Minister received over 1,670 comments from members of the public on the Project, expressing concern with the Project or requesting that the Project be designated.



Project

Project Overview

The Project includes the construction, operation and maintenance of a new highway located in the northwest Greater Toronto Area. As proposed, the Project, which will be called Highway 413 upon completion, would be 59 kilometres in length and pass through the municipalities of Vaughan, Caledon, Brampton, and Halton Hills (Figure 1). It would connect highway 400 (between Kirby Road and King-Vaughan Road), to the highway 401/407 interchange area, located near the northern end of highway 403.

Project components and activities

The project components include:

- 59 kilometres of new four-to-six-lane highway;
- a separate transitway built adjacent to the new highway;
- infrastructure works associated with connecting the new highway with highway 400 and highway 401/407 interchange area;
- 95 water crossings; and
- interchanges and bridges.

The main construction activities associated with the Project include:

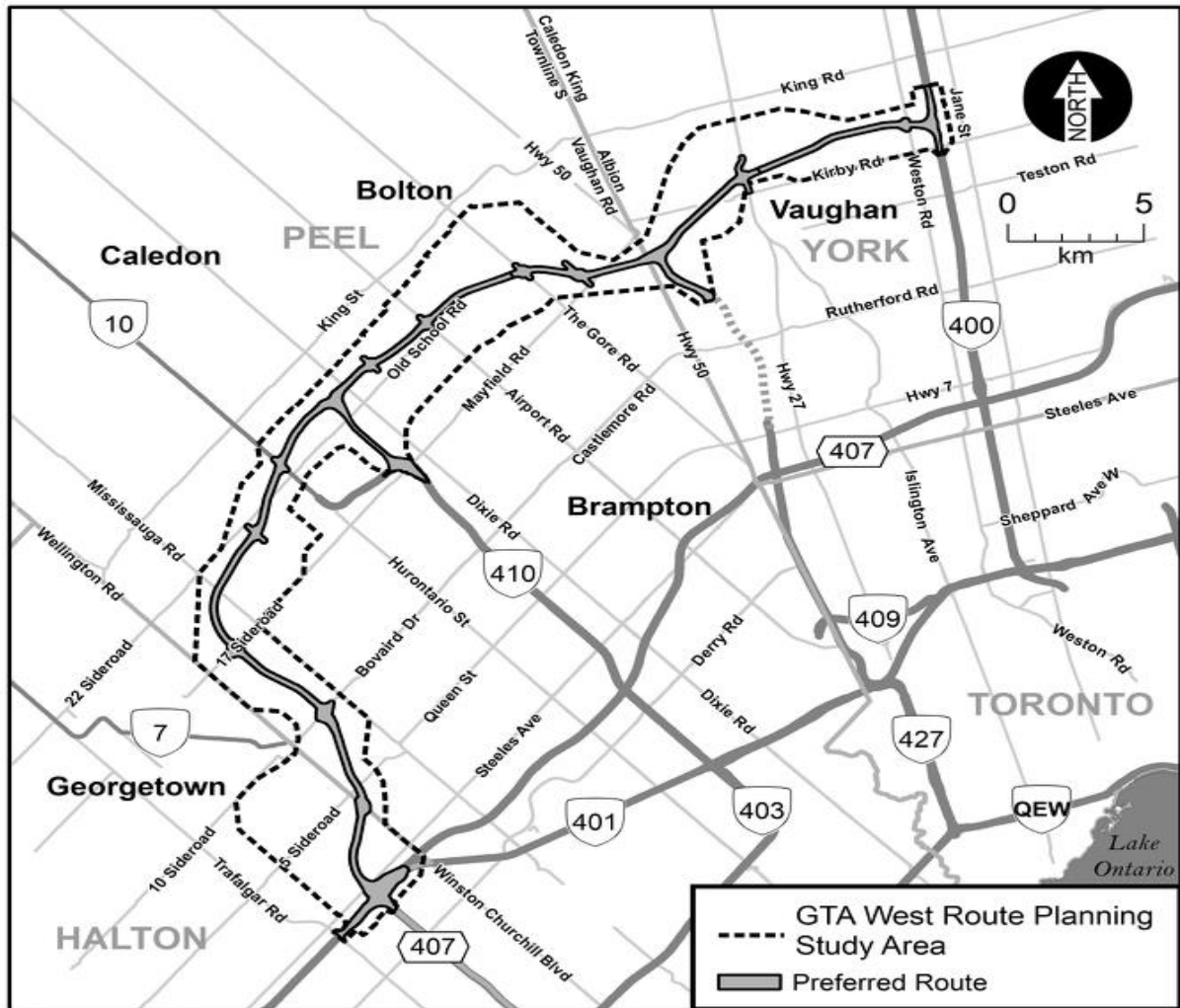
- site preparation, including vegetation clearing and site grading;
- relocation of existing utilities;
- placement of bridges, culverts, and associated drainage features; and
- placement of granular and pavement materials.

The main activities during the operation phase would be the operation of the highway, and the maintenance of the highway and the adjacent transitway.

Project operations are anticipated in perpetuity; decommissioning and abandonment are not anticipated.



Figure 1: Project Location for GTA West Project



Source: Ontario Ministry of Transportation, March 2021



Analysis of Designation Request

Authority to designate the Project

The *Physical Activities Regulations* (the Regulations) of the IAA identify the physical activities that constitute designated projects. The Project, as described in the information provided by the Proponent, involves the construction and maintenance of a new highway that would require new right of way¹ of 59 kilometres. The Project requires less than 75 kilometres of new right of way, and as such is not described by Section 51 of the Regulations².

Under subsection 9(1) of the IAA, the Minister may, by order, designate a physical activity that is not prescribed in the Regulations. The Minister may do this, if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects, or public concerns related to those effects warrant the designation.

The carrying out of the Project has not substantially begun, and no federal authority has exercised a power or performed a duty or function that would permit the Project to be carried out, in whole or in part.³

Given this understanding, the Agency is of the view that the Minister may consider designating the Project pursuant to subsection 9(1) of the IAA.

¹ New right-of-way is defined in the Regulations as land that is to be developed for an international electrical transmission line, a pipeline, as defined in section 2 of the *Canadian Energy Regulator Act*, a railway line or an all-season public highway, and that is not alongside and contiguous to an area of land that was developed for an electrical transmission line, oil and gas pipeline, railway line or all-season public highway.

² Section 51 of the Regulations includes the construction, operation, decommissioning and abandonment of a new all-season public highway that requires a total of 75 kilometres or more of new right of way.

³ The Minister must not designate a physical activity if the carrying out of the physical activity has substantially begun, or a federal authority has exercised a power or performed a duty or function in relation to the physical activity (subsection 9(7) of the IAA).



Potential adverse effects within federal jurisdiction

The potential for adverse effects within federal jurisdiction, as defined in section 2 of the IAA, would be limited through project design, by application of standard mitigation measures and managed through existing legislative mechanisms. Annex I provides a summary of potential adverse effects for the Project, mitigation measures proposed by the Proponent, and anticipated legislative mechanisms that would address the effects identified.

Federal land, at 7524 Auburn Road, Milton, Ontario, managed by the Canadian Broadcasting Corporation, may be affected by the Project. This federal land would be approximately 40 to 50 metres away from the right-of-way at its closest point.

Potential adverse direct or incidental effects

Direct or incidental effects refer to effects that are directly linked or necessarily incidental to a federal authority's exercise of a power or performance of a duty or function that would permit the carrying out, in whole or in part, of a project, or to a federal authority's provision of financial assistance to a person for the purpose of enabling that project to be carried out, in whole or in part.

The Project, as described, may require the exercise of the following federal powers, duties, or functions:

- authorizations under the *Fisheries Act* may be required if the construction and maintenance activities are to occur in or near fish-bearing waterbodies;
- depending on final design, approvals for bridge works pursuant to the *Canadian Navigable Waters Act* administered by Transport Canada, may be required for works across navigable waters not listed by Transport Canada;
- a license, certificate or permit may be required pursuant to the the *Explosives Act* issued by the Minister of Natural Resources if the Project requires working with explosives;
- a permit issued by Fisheries and Oceans Canada, pursuant to section 73(1) of the *Species at Risk Act* to manage impacts on federally-listed aquatic species at risk; and
- compliance with the *Railway Safety Act*, administered by Transport Canada, for any works on, across, and/or over the tracks of a federally regulated railway.

If federal authorizations or permits are required, the carrying out of the Project may cause adverse direct or incidental effects on the habitat of three federally-listed species at risk on non-federal lands (Western Chorus Frog, Red-headed Woodpecker and Rapids Clubtail). Currently, the critical habitat for Western Chorus Frog is only protected under the *Species at Risk Act* on federal lands. Because this project is on provincial lands, the Western Chorus Frog or its critical habitat is not currently protected. Its habitat is also not protected under *Ontario's Endangered Species Act*. While Red-headed woodpecker individuals and residences receive



protection under the *Species at Risk Act*, habitat for the Red-headed Woodpecker beyond its residence is not currently protected under the provincial *Endangered Species Act* or the *Species at Risk Act*. It is not known whether a provincial environmental assessment will mitigate for impacts to the habitat of these species.

Public concerns

Between February 3, 2021, and April 27, 2021, over 1,670 comments were received on the Project. Approximately 90 percent of all comments requested that the Minister designate the Project.

Members of the public expressed the following concerns that the Project may cause adverse effects including to areas of federal jurisdiction or adverse direct or incidental effects:

- effects on fish and fish habitat, migratory birds, federally-listed species at risk;
- effects on wildlife and vegetation, including wetlands, woodlands, and valleylands;
- health effects: air quality, noise and vibration, and loss of urban greenspace and aesthetics;
- health and socioeconomic impacts: effects on the Greenbelt and loss of agriculture;
- cumulative effects;
- alternatives assessment; and
- Indigenous consultation and public engagement.

The Agency identified how the concerns related to adverse effects within federal jurisdiction, including effects on fish and fish habitat, migratory birds, federally-listed aquatic species at risk, and impacts on Indigenous peoples of Canada can be addressed through the application of standard mitigation measures and existing legislative and regulatory mechanisms (see Annex I and Annex II). Annex III provides a summary table of the public concerns not within areas of federal jurisdiction, along with relevant mechanisms that may address the concerns⁴.

Potential adverse impacts on the rights of Indigenous peoples of Canada

The Agency, in relation to subsection 9(2) of the IAA, is of the view that while there is the potential for the Project to cause adverse impacts on the exercise of rights that are recognized and affirmed by section 35 of

⁴ The following municipalities issued council resolutions in support of the designation of the Project: Regions of York, Peel and Halton; Mississauga; Brampton; Caledon; Vaughan; Township of King; and Toronto.



the *Constitution Act, 1982* (section 35 rights), existing legislative mechanisms include consultation with potentially affected Indigenous groups and address potential impacts.

Potential adverse effects within federal jurisdiction, specifically related to impacts to physical and cultural heritage; current use of lands and resources for traditional purposes; structures, sites or things of historical, archaeological, paleontological or architectural significance, are outlined in Annex I. Potential adverse effects are expected to be considered, and resolved, through existing federal and provincial regulations, such as the *Fisheries Act* and the *Ontario Heritage Act*.

For the analysis of the Project, the Agency considered potential impacts to, and sought comments from: Huron-Wendat Nation, Métis Nation of Ontario, Mississaugas of the Credit First Nation, Six Nations of the Grand River, and the seven Williams Treaties First Nations (Alderville First Nation, Curve Lake First Nation, Hiawatha First Nation, Mississaugas of Scugog Island First Nation, Chippewas of Georgina Island First Nation, Chippewas of Rama First Nation, and Beausoleil First Nation).

The Agency received comments from Huron-Wendat Nation, Curve Lake First Nation, Hiawatha First Nation, the Mississaugas of the Credit First Nation and Six Nations of the Grand River on the Project.

Indigenous groups identified the following potential impacts and concerns:

- archaeological concerns from ground disturbance;
- traditional gathering (i.e., traditional medicine) and harvesting (fishing and hunting) concerns from potential project effects; and
- cumulative effects on the exercise of section 35 rights of Indigenous peoples of Canada.

The Agency is satisfied that existing legislative mechanisms identified in Annex I and III would include Indigenous consultation and address potential impacts to the exercise of rights caused by the Project.

Regional and strategic assessments

There are no regional or strategic assessments pursuant to sections 92, 93 or 95 of the IAA that are relevant to the Project.

Conclusion

The Agency is of the view that the Project may cause adverse direct or incidental effects on the critical habitat of three federally-listed species at risk on non-federal lands. Currently, the critical habitat for Western Chorus Frog is only protected under the *Species at Risk Act* on federal lands. Because this project is on provincial lands, the Western Chorus Frog or its critical habitat is not currently protected. Its habitat is also not protected under *Ontario's Endangered Species Act*. While Red-Headed Woodpecker individuals and residences receive protection under the *Species at Risk Act*, habitat for the Red-headed Woodpecker beyond its residence is not currently protected under the provincial *Endangered Species Act* or the *Species at Risk Act*. It is not known whether a provincial environmental assessment will mitigate for impacts to habitat of these species. Additional analysis would be required to understand the potential effects on these species and appropriate mitigation measures to address these effects.



The potential for other adverse effects, as described in subsection 9(1) of the IAA, would be limited through the project design, the application of standard mitigation measures and through existing legislative mechanisms (see Annex I and Annex II). The concerns expressed by the requesters, and those that are known to the Agency are expected to be addressed through federal and provincial regulatory processes required pursuant to the *Fisheries Act*, *Explosives Act*, *Species at Risk Act*, *Railway Safety Act*, *Canadian Navigable Waters Act*, Ontario's *Environmental Assessment Act*, *Endangered Species Act* and *Environmental Protection Act*, *Ontario Heritage Act*, *Safe Drinking Water Act*, and *Ontario Water Resources Act* (Annex II).

To inform its analysis, the Agency sought and received input from the Proponent, relevant federal authorities and provincial ministries, local governments and potentially affected Indigenous groups. Comments received from members of the public also were considered. Further, the Agency considered the potential for the Project to cause adverse impacts on the exercise of rights that are recognized and affirmed by section 35 of the *Constitution Act, 1982* and is satisfied that existing legislative mechanisms would include Indigenous consultation and address potential impacts to the exercise of rights caused by the Project.



ANNEX I

Annex I: Analysis Summary Table

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency's Findings	Legislative Mechanisms Relevant to the Project
<p>A change to fish and fish habitat, as defined in subsection 2(1) of the <i>Fisheries Act</i></p>	<ul style="list-style-type: none"> • Works to occur at 95 water course crossings in four main watersheds, including Sixteen Mile Creek, Credit River, Etobicoke Creek, Humber River and their associated tributaries and wetlands. These works may result in the death of fish and/or harmful alteration, disruption or destruction to fish habitat. • Adverse effects on water quality may occur from contaminants introduced into waterbodies through disturbance of soils, rocks and streambanks; storm water runoff; wastewater discharge; groundwater resurgence; or spills. • The Proponent plans to mitigate these effects on fish and fish habitat by performing construction activities within the applicable in-water timing windows to protect fish; implement sedimentation and erosion control measures during construction; and design project infrastructure to minimize the potential for permanent impacts on waterbodies, damage to riparian vegetation, and to account for fish passage, hydraulic, erosion and meander characteristics. Any loss or permanent alteration of fish habitat that cannot be avoided or mitigated would be offset as part of an 	<ul style="list-style-type: none"> • Authorization pursuant to the <i>Fisheries Act</i> paragraph 34.4(2)(b), issued by Fisheries and Oceans Canada if project activities may result in the death of fish. • Authorization pursuant to the <i>Fisheries Act</i> paragraph 35(2)(b), issued by Fisheries and Oceans Canada for harmful alteration, disruption or destruction to fish habitat that the Project may cause. • Permit to Take Water, pursuant to the <i>Ontario Water Resources Act</i>, issued by Ministry of the Environment, Conservation and Parks, which would set limits for water taking to protect water levels in surrounding waterbodies. • Environmental Activity and Sector Registry (EASR) registration for construction dewatering issued by the Ministry of the Environment, Conservation and Parks, pursuant to the <i>Ontario Water Resources Act</i>. • Environmental Compliance Approval (ECA) for sewage works, issued by the Ministry of the Environment, Conservation and Parks, pursuant to the <i>Ontario Water Resources Act</i>.

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency's Findings	Legislative Mechanisms Relevant to the Project
	<p>application for authorization under the <i>Fisheries Act</i>.</p>	<ul style="list-style-type: none"> The Individual Environmental Assessment, conducted pursuant to the Ontario <i>Environmental Assessment Act</i>, requires identification of potential effects on the environment and associated mitigation measures.
<p>A change to aquatic species, as defined in subsection 2(1) of the <i>Species at Risk Act</i></p>	<ul style="list-style-type: none"> The Proponent proposes 95 watercourse crossings, some of which may occur in areas that are important for distribution of federally-listed aquatic species at risk (Redside Dace and Silver Shiner). The same mitigation measures identified by the Proponent for the protection of fish and fish habitat would also mitigate potential effects on federally-listed aquatic species at risk. No adverse effects to marine plants are anticipated, as there is no interaction between the Project and the marine environment. 	<ul style="list-style-type: none"> Fisheries and Oceans Canada advised that a permit under the <i>Species at Risk Act</i> may be required.
<p>A change to migratory birds, as defined in subsection 2(1) of the <i>Migratory Birds Convention Act, 1994</i></p>	<ul style="list-style-type: none"> Eight (8) federally-listed migratory bird species at risk may be affected by the Project.⁵ Individual mortality and the destruction of nests and eggs or any other structure necessary for the reproduction and survival of migratory bird 	<ul style="list-style-type: none"> Environment and Climate Change Canada indicated that a permit under the <i>Migratory Birds Convention Act, 1994</i> is not required. Permitting requirements under the <i>Species at Risk Act</i> for migratory bird species at risk may be applicable

⁵ Migratory bird species at risk potentially impacted by the Project include: Bank Swallow; Barn Swallow; Bobolink; Eastern Meadowlark; Eastern Wood Pewee; Grasshopper Sparrow; Red-headed Woodpecker; and Wood Thrush. For the Red-headed Woodpecker, the Project overlaps with two critical habitat units.

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency's Findings	Legislative Mechanisms Relevant to the Project
	<p>species at risk could occur, particularly during site preparation. Mortality from collisions with project vehicles or infrastructure could occur. Migratory birds also could be affected by sensory disturbances, such as noise, lights, and vibrations from the operation of machinery. Oil or chemical spills could have adverse effects if the spilled substances make their way into the habitats of migratory birds and species at risk.</p> <ul style="list-style-type: none"> The Proponent would mitigate effects through measures such as seeking design specific recommendations from project ecologists for avoidance and mitigation of impacts to migratory bird habitat; implementing avoidance timing windows to avoid effects on birds during the breeding season of April 1 to August 31; undertaking a breeding bird and nest survey if activities are proposed during the general nesting period; and regular monitoring to confirm that activities do not encroach into nesting areas or disturb active nesting sites. 	<p>under a specific set of circumstances, as described in section 73 of the <i>Species at Risk Act</i>.</p> <ul style="list-style-type: none"> A permit under the Ontario <i>Endangered Species Act</i> may be required to provide surveying, mitigation, compensation and monitoring requirements of certain species at risk that are provincially listed. The Proponent would have to comply with the Ontario <i>Environmental Protection Act</i> with respect to minimizing and responding to spill events.
<p>A change to the environment that would occur on federal lands</p>	<ul style="list-style-type: none"> The preferred route for the Project could potentially cause adverse effects on federal land managed by the Canadian Broadcasting Corporation (CBC) at 7524 Auburn Road, Milton, Ontario. According to the Proponent, minimal disturbance of this land would occur as the preferred route 	<ul style="list-style-type: none"> CBC confirmed that that it would work with the Proponent to manage any potential adverse effects on federal land.

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency's Findings	Legislative Mechanisms Relevant to the Project
	<p>does not directly cross this federal land, but it could be affected by ancillary uses or if refinements were made to the Project.</p> <ul style="list-style-type: none"> The Proponent will work with CBC to understand potential effects on this federal land (e.g., light intrusion or noise) and propose the appropriate mitigation measures to minimize the potential impacts. 	
<p>A change to the environment that would occur in a province other than the one in which the Project is being carried out or outside Canada</p>	<ul style="list-style-type: none"> No adverse transboundary effects in other provinces or outside Canada are anticipated. The nearest provincial and international borders are approximately 290 kilometres northeast, and 50 kilometres southeast of the Project, respectively. The construction and operation of the Project may result in increased greenhouse gas emissions. However, the Proponent is of the view that the Project would improve traffic flow thereby reducing congestion-related emissions. Furthermore, in selecting the preferred route for the Project, the Proponent accounted for greenhouse gas emissions by following its published guidance⁶. Prior to construction, the Proponent will use the same guidance to conduct 	<ul style="list-style-type: none"> Licences, permits and approvals required for the Project pursuant to <i>Fisheries Act</i>, <i>Species at Risk Act</i>, <i>Railway Safety Act</i>, <i>Explosives Act</i>, <i>Canadian Navigable Waters Act</i>, <i>Ontario Endangered Species Act</i>, <i>Ontario Environmental Protection Act</i>, <i>Ontario Heritage Act</i>, <i>Ontario Safe Drinking Water Act</i>, and <i>Ontario Water Resources Act</i> would set requirements to ensure that environmental effects are mitigated. The Individual Environmental Assessment pursuant to the Ontario <i>Environmental Assessment Act</i> would require the Proponent to determine incremental annual greenhouse gas releases per annum over the study period.

⁶ Ministry of Transportation Environmental Guide for Assessing and Mitigating Air Quality Impacts and Greenhouse Gas Emissions of Provincial Transportation Projects (May 2020).

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency's Findings	Legislative Mechanisms Relevant to the Project
	<p>an Air Quality Impact Assessment (AQIA), in consultation with the Ministry of Environment, Conservation and Parks, which will inform the need to identify additional measures to reduce the release of greenhouse gas emissions during construction, operation and maintenance of the Project.</p> <ul style="list-style-type: none"> • Additionally, the Proponent will conduct a detailed assessment of greenhouse gas emissions during construction and up to 20 years into operations, and if emissions exceed provincial and/or federal criteria for air quality, mitigation measures would be applied. 	
<p>With respect to the Indigenous peoples of Canada, an impact occurring in Canada and resulting from any change to the environment on:</p>	<ul style="list-style-type: none"> • The Proponent conducted a Stage 1 archaeological assessment⁷, pursuant to the <i>Ontario Heritage Act</i>, during the Route Planning Phase⁸ of the Project. The results indicated that ground disturbance activities associated with the Project could impact unassessed or undocumented archaeological resources. Huron-Wendat Nation indicated that the Project could impact archaeological and burial sites. Six 	<ul style="list-style-type: none"> • The <i>Ontario Heritage Act</i> requires the Proponent to conduct archaeological assessments in accordance with the Ministry of Heritage, Sport, Tourism and Culture Industries <i>Standards and Guidelines for Consultant Archaeologists</i> (2011), and follow protocols to protect any discovered archaeological resource. • <i>Ontario Regulation 157/10</i> requires the Proponent to follow the <i>Standards and Guidelines for</i>

⁷ The proponent indicated that Stage 1 archaeological assessment for the Project will be updated in 2021.

⁸ During this phase for the Project, the proponent considered transportation modes in the project area, and their ability to address the future transportation demands by 2031.

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency’s Findings	Legislative Mechanisms Relevant to the Project
<p>physical and cultural heritage; and, any structure, site, or thing that is of historical, archaeological, paleontological or architectural significance.</p>	<p>Nations of the Grand River also indicated that the Project could impact archaeological resources of significance to the community.</p> <ul style="list-style-type: none"> The Proponent will be required to complete a Stage 2 archaeological assessment, pursuant to the <i>Ontario Heritage Act</i>, and if necessary, Stages 3 and 4. All findings related to archaeological assessments will be shared with the potentially impacted Indigenous groups, and they will be consulted in developing a strategy to avoid or mitigate impacts to Indigenous archaeological resources. Additionally, if unexpected archaeological resources are encountered (or suspected), all work would stop. The site would be protected until assessed by a licensed archaeologist. Consultation with relevant Indigenous communities would be initiated in the event that archaeological resources or human remains are discovered. 	<p><i>Conservation of Provincial Heritage Properties</i>, prepared under section 25.2 of the <i>Ontario Heritage Act</i>, when making any decisions affecting cultural heritage resources on lands under the Proponent’s control.</p> <ul style="list-style-type: none"> The Individual Environmental Assessment, conducted pursuant to the Ontario <i>Environmental Assessment Act</i>, requires the Proponent to identify potential effects and associated mitigation measures to the environment and on Indigenous groups, in consultation with the potentially impacted Indigenous groups.
<p>With respect to the Indigenous peoples of Canada, an impact occurring in Canada and resulting from any change to the environment on the current use of lands</p>	<ul style="list-style-type: none"> Potential adverse effects on fish and fish habitat, vegetation and wildlife during construction and operation could potentially impact traditional use such as hunting, fishing and harvesting. Mississaugas of the Credit First Nation indicated that the lack of regular use of the lands and waters currently in the proposed location of the Project does not mean that there would not be 	<ul style="list-style-type: none"> The Proponent has specific consultation and engagement requirements as part of the permits and authorizations potentially required for the Project (see Annex II). The Individual Environmental Assessment, conducted pursuant to the Ontario <i>Environmental Assessment Act</i>, requires the Proponent to identify potential effects and associated mitigation

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency's Findings	Legislative Mechanisms Relevant to the Project
and resources for traditional purposes	<p>future use. Mississaugas of the Credit First Nation and Six Nations of the Grand River also raised concerns related to cumulative effects of urbanization of their traditional territories on the exercise of section 35 rights of Indigenous peoples of Canada (see Annex III).</p> <ul style="list-style-type: none"> • The Proponent will consult with all potentially impacted Indigenous groups in the current and subsequent phases of the Project to understand and mitigate potential impacts and consider providing capacity funding to facilitate their participation in the process. • The Proponent would implement measures to mitigate the effects on fish and fish habitat, vegetation and wildlife, in accordance with the requirements of the applicable federal and provincial authorizations, and in consultation with the potentially impacted Indigenous groups. 	<p>measures to the environment and on Indigenous groups, in consultation with the potentially impacted Indigenous groups.</p>
Any change occurring in Canada to the health, social or economic conditions of the Indigenous peoples of Canada	<ul style="list-style-type: none"> • No concerns of changes to health, social or economic conditions of potentially affected Indigenous groups have been raised with the Agency. • Potential changes to air quality, water quantity and quality, noise, and vibration that could trigger health, social or economic effects would be addressed via federal, provincial and municipal mechanisms in place to protect the health of 	<ul style="list-style-type: none"> • Environmental Compliance Approvals for air and noise, issued by the Ministry of the Environment, Conservation and Parks, pursuant to Ontario <i>Environmental Protection Act</i>. • Environmental Activity and Sector Registry for air and noise, issued by the Ministry of the Environment, Conservation and Parks, pursuant to Ontario <i>Environmental Protection Act</i>. • Permit to Take Water, pursuant to the Ontario <i>Water Resources Act</i>, issued by Ministry of the

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency's Findings	Legislative Mechanisms Relevant to the Project
	<p>residents and visitors of Regions of Halton, Peel and York.</p>	<p>Environment, Conservation and Parks, which would set limits for water taking to protect water levels in surrounding waterbodies.</p> <ul style="list-style-type: none"> • Environmental Activity and Sector Registry (EASR) registration for construction dewatering issued by the Ministry of the Environment, Conservation and Parks, pursuant to the <i>Ontario Water Resources Act</i>. • Environmental Compliance Approval (ECA) for sewage works, issued by the Ministry of the Environment, Conservation and Parks, pursuant to the <i>Ontario Water Resources Act</i>. • The Individual Environmental Assessment, conducted pursuant to the <i>Ontario Environmental Assessment Act</i>, requires the Proponent to identify potential effects and associated mitigation measures to the environment and on Indigenous groups, in consultation with the potentially impacted Indigenous groups. • Municipal bylaws (in Regions of Halton, Peel and York) pertaining to noise control.

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency's Findings	Legislative Mechanisms Relevant to the Project
Adverse direct or incidental effects	<ul style="list-style-type: none"> The exercise of federal powers, duties, or functions may affect the habitat⁹ for three federally-listed species at risk on non-federal lands: the Western Chorus Frog, Red-headed Woodpecker and Rapids Clubtail. Environment and Climate Change Canada advised that the Project may affect critical habitats for the Western Chorus Frog¹⁰ and the Rapids Clubtail at the Humber River watershed. Additionally, the Project footprint crosses through two critical habitat units for the Red-headed Woodpecker¹¹. A permit under section 73(1) of SARA might be required. Orders under sections 34, 61, and/or 80 of the <i>Species at Risk Act</i> could be considered if the statutory preconditions are met. The section 80 Order could include conditions to prevent the extirpation or extinction of the remaining 	<ul style="list-style-type: none"> The critical habitat of Western Chorus Frog and Red-headed Woodpecker is not currently offered protection under the <i>Species at Risk Act</i> or the Ontario <i>Endangered Species Act</i>. For federally-listed wildlife species on lands that are not federal lands, if the statutory conditions are met, a Governor in Council order pursuant to sections 34 and/or 61 of the <i>Species at Risk Act</i>, and/or an Emergency Order pursuant to section 80 of the <i>Species at Risk Act</i> could be possible. <i>Species at Risk Act</i> permit may be issued under section 73(1) for Redside Dace and Silver Shiner. <i>Fisheries Act</i> authorizations, issued under paragraphs 34.4(2)(b) and 35(2)(b). <i>Canadian Navigable Waters Act</i> approval. License, certificate or permit under the <i>Explosives Act</i>.

⁹ Critical habitat is the habitat necessary for survival or recovery of a species listed under *Species at Risk Act* that is identified in a recovery strategy or action plan for the species.

¹⁰ The Western Chorus Frog is not listed and not currently offered protection under the Ontario *Endangered Species Act*.

¹¹ While individuals and residences of Red-headed Woodpecker receive protection under the *Species at Risk Act*, its habitat is not protected under the *Species at Risk Act* or the Ontario *Endangered Species Act*.

Adverse Effect or Public Concern in Relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and Mitigation Proposed by the Proponent and the Agency's Findings	Legislative Mechanisms Relevant to the Project
	<p>potentially-impacted Canadian indigenous species, subspecies, and distinct populations.</p> <ul style="list-style-type: none"> • Authorizations issued under the <i>Fisheries Act</i> would include conditions requiring avoidance, as well as mitigation, offsetting, contingency and monitoring measures. • Review and approval process under the <i>Canadian Navigable Waters Act</i> would include conditions to prevent severe impacts to navigation. • Review process under the <i>Railway Safety Act</i> would include requirements for safe operation of railways. • Review and approval process under the <i>Explosives Act</i> would include conditions for the safe and secure handling of explosives. • Canadian Broadcasting Corporation (CBC) would work with the Proponent to manage any potential adverse effects on federal land at 7524 Auburn Road, Milton, Ontario. 	<ul style="list-style-type: none"> • The Individual Environmental Assessment, conducted pursuant to the Ontario's <i>Environmental Assessment Act</i>, requires the Proponent to identify potential effects and associated mitigation measures to the terrestrial environment, including effects on wildlife. • Compliance with the <i>Railway Safety Act</i>.
Public concerns related to the above effects (see Annex III for public concerns unrelated to the above effects).	<ul style="list-style-type: none"> • Effects on fish and fish habitat, migratory birds, federally-listed species at risk, impacts on Indigenous peoples of Canada, federal lands, and direct or incidental adverse effects, along with proposed mitigation measures are summarized above. 	Relevant legislative mechanisms for effects on fish and fish habitat, migratory birds, federally-listed species at risk, impacts on Indigenous peoples of Canada, federal lands, and direct or incidental adverse effects are summarized above.



ANNEX II

Annex II: Potential Federal and Provincial Authorizations Relevant to the Project

Authorization	Description
Approval for bridge works, as defined under the Major Works Order for works across navigable waters not listed by Transport Canada, pursuant to the <i>Canadian Navigable Waters Act</i> .	<ul style="list-style-type: none"> • For navigable waterways not listed, proponents are required to issue a public notice and provide information about proposed works (except for minor works) on all navigable waters. • The Proponent will either submit a voluntary application or undertake the public resolution process. • The approval requires that water levels or water flow is maintained for navigation purposes in navigable water. • This approval requires Indigenous and public consultation.
Compliance with the <i>Railway Safety Act</i> , administered by Transport Canada, for railway works	<ul style="list-style-type: none"> • The <i>Railway Safety Act</i> sets out requirements for proponents with respect to operating on, across, and/or over the tracks of a federally-regulated railway. • Any works conducted by the Proponent to the railway lines to accommodate the Project must be in compliance with the Act and its associated regulations.
Authorization issued by Fisheries and Oceans Canada, pursuant to paragraph 34.4(2)(b) of the <i>Fisheries Act</i> .	<ul style="list-style-type: none"> • A <i>Fisheries Act</i> paragraph 34.4(2)(b) authorization includes requirements to assess, mitigate, offset (as required) and monitor effects arising from carrying out a work, undertaking or activity that results in the death of fish.
Authorization, issued by Fisheries and Oceans Canada, pursuant to 35(2)(b) of the <i>Fisheries Act</i> .	<ul style="list-style-type: none"> • A <i>Fisheries Act</i> paragraph 35(2)(b) authorization includes requirements to assess, mitigate, offset (as required) and monitor effects arising from carrying out a work, undertaking or activity that results in harmful alteration, disruption or destruction of fish habitat. • This authorization requires Indigenous consultation.
License, certificate or permit issued by Natural Resources Canada pursuant to the <i>Explosives Act</i>	<ul style="list-style-type: none"> • The <i>Explosives Act</i> requires the proponents working with explosives to have a license, certificate, or permit issued by the Minister of Natural Resources.
Permit for Redside Dace and Silver Shiner, issued by Fisheries and Oceans Canada, pursuant to	<ul style="list-style-type: none"> • A <i>Species at Risk Act</i> permit might be issued if the proponent meets stringent requirements including requirements to assess reasonable alternatives, and all feasible measures to minimize the impact of the proposed



Authorization	Description
section 73(1) of the <i>Species at Risk Act</i>	activity on the species or its critical habitat or the residences of its individuals. Prior to authorization, the Competent Minister under this Act must be satisfied that the activities will not jeopardize survival or recovery of the species at risk.
Authorization issued by the Ministry of the Environment, Conservation and Parks, pursuant to <i>Ontario Endangered Species Act</i> . ¹²	<ul style="list-style-type: none"> An <i>Endangered Species Act</i> permit or authorization includes requirements to protect endangered or threatened species at risk or their habitats during project activities.
Governor in Council order, pursuant to sections 34 and/or 61 of the <i>Species at Risk Act</i> .	<ul style="list-style-type: none"> Pursuant to sections 34 and/or 61 of the <i>Species at Risk Act</i>, the Governor in Council may, on the recommendation of the Minister, by order specify the protection of individuals and residences and/or critical habitat of a federally-listed, terrestrial wildlife species that is on non-federal land. If a Governor in Council order were to be put in place, a <i>Species at Risk Act</i> permit may be required.
Emergency order, pursuant to section 80 of the <i>Species at Risk Act</i> .	<ul style="list-style-type: none"> Pursuant to section 80 of the <i>Species at Risk Act</i>, the Governor in Council may, on the recommendation of the competent minister, make an emergency order to provide for the protection of a listed wildlife species. The competent minister must make the recommendation if he or she is of the opinion that the species faces imminent threats to its survival or recovery. If a Governor in Council emergency order were to be put in place, a <i>Species at Risk Act</i> permit may be required.
Environmental Compliance Approvals (ECAs) for air and noise, issued by the Ministry of the Environment, Conservation and	<ul style="list-style-type: none"> These ECAs include requirements to assess, mitigate and monitor potential adverse effects on local air quality and noise levels due to project activities. These approvals require Indigenous and public consultation.

¹² An authorization may be required under the Ontario *Endangered Species Act* for the following federally-listed, terrestrial species at risk: Barn Swallow; Bank Swallow; Bobolink; Butternut; Eastern Meadowlark; Jefferson Salamander; Little Brown Myotis; Northern Myotis; Tri-colored Bat; and Rapid’s Clubtail. The following wildlife species potentially impacted by the Project are listed as Special Concern on Schedule 1 of *Species at Risk Act* and therefore, are not subject to its prohibitions: Eastern Milksnake; Eastern Ribbonsnake; Eastern Wood Pewee; Grasshopper Sparrow; Snapping Turtle; and Yellow-banded Bumble Bee. The following wildlife species potentially impacted by the Project are not listed on Schedule 1 of *Species at Risk Act* and therefore are not subject to its prohibitions: American Eel, Lake Sturgeon.

Authorization	Description
Parks, pursuant to <i>Ontario Environmental Protection Act</i> .	
Environmental Activity and Sector Registry (EASR) registrations for air and noise, issued by the Ministry of the Environment, Conservation and Parks, pursuant to <i>Ontario Environmental Protection Act</i> .	<ul style="list-style-type: none"> • These EASR registrations require predictive modelling to demonstrate compliance with air quality, noise and vibration criteria. • The approval includes requirements for fugitive dust control, monitoring, testing and reporting and equipment operations.
Drinking Water Works Permit, issued by the Ministry of the Environment, Conservation and Parks, pursuant to <i>Ontario Safe Drinking Water Act</i> .	<ul style="list-style-type: none"> • The permit includes requirements to monitor and record indicators of water quality and environmental effects and provision for contingencies to prevent and deal with accidental spills or upsets.
Authorization required for removal, demolition or transfer of heritage resources that may be impacted, issued by the Ministry of Heritage, Sport, Tourism and Culture Industries, pursuant to the <i>Ontario Heritage Act</i> .	<ul style="list-style-type: none"> • The Ministry of Heritage, Sport, Tourism and Culture Industries or prescribed public body requesting consent is responsible for the public and/or Indigenous consultation and shall include that information in the consent request. • The Minister’s consent for removal, demolition or transfer of heritage resources may include conditions.
ECA for sewage works, issued by the Ministry of the Environment, Conservation and Parks, pursuant to the <i>Ontario Water Resources Act</i> .	<ul style="list-style-type: none"> • This ECA includes conditions to protect water quality from stormwater and sewage discharge. • This approval requires Indigenous and public consultation.
Permit to Take Water issued by the Ministry of the Environment, Conservation and Parks, pursuant to the <i>Ontario Water Resources Act</i> .	<ul style="list-style-type: none"> • The Permit to Take Water includes requirements to assess effects to surface and groundwater quantity and quality due to project activities. • The permit places limits on the quantity and duration of water taking and requires reporting. Additional conditions could include monitoring requirements, seasonal restrictions, modifications to discharge locations, and remediation. • The permit requires Indigenous and public consultation.
Environmental Activity and Sector Registry (EASR) registrations for construction dewatering issued by the Ministry of the Environment, Conservation and Parks, pursuant to the <i>Ontario Water Resources Act</i> .	<ul style="list-style-type: none"> • These EASR registrations require a water taking plan, discharge plan and notification. • The approval requires implementation of control measures and a water monitoring program, outlined in the water taking and discharge plans.



Authorization	Description
On-site and Excess Soil Management Permits issued by the Ministry of the Environment, Conservation and Parks under <i>Ontario Regulation 406/19</i> , pursuant to the <i>Ontario Environmental Protection Act</i> .	<ul style="list-style-type: none">• The permit includes requirements for managing the volume, quality and condition of soils that are produced during project works.
Individual Environmental Assessment pursuant to the Ontario <i>Environmental Assessment Act</i>	<ul style="list-style-type: none">• The Proponent is currently undergoing Stage 2 (route planning and preliminary design) of an Individual Environmental Assessment. The assessment requires Indigenous and public consultation.• The Proponent anticipates that a draft Environmental Assessment Report, including anticipated effects and mitigation measures, will be released for review of government departments, public and Indigenous groups in 2022.• The Ministry of Environment, Conservation and Parks has proposed a regulation¹³ under the Ontario <i>Environmental Assessment Act</i> to modify the individual environmental assessment process for the Project. If approved, this regulation would permit early works to proceed to construction prior to the Proponent's submission of an Environmental Impact Assessment (EIA) Report. The Proponent would still be required to: prepare and submit an Indigenous Consultation Plan to the Ministry of Environment, Conservation and Parks at the start of the process; consult with the government agencies, stakeholders, Indigenous groups and public as part of development of the Environmental Conditions Report and Early Works Report; and EIA Report; establish an Issues Resolution process administered by the Proponent to address any outstanding concerns related to the Project, and follow all other relevant legislation, standards, and practices, and document all environmental investigations, assessment of effects, proposed mitigation, and consultation.

¹³ At the time of drafting this report, a decision on this proposed regulation by the Ontario Minister of the Environment and Cabinet was not made.



ANNEX III



Annex III: Public Concerns Known to the Agency in Relation to the GTA West Project

Concern Expressed	Relevant Mechanisms to Address Concern
<p>Potential health and socio-economic impacts from</p> <ul style="list-style-type: none"> • effects on the greenspace and aesthetics; • planned and existing municipal infrastructure; and, • transportation networks, and private property 	<p>The Proponent’s site plan will undergo review and approval by relevant municipalities to incorporate feedback on project design, site access and servicing (including connection with existing or proposed public transit and active transportation plans), landscaping and aesthetics.</p> <p>The Proponent will work with the regions of York, Peel and Halton to discuss avoidance and mitigation of potential tree removal, and will apply for Good Forest Practices Permits and/or special permits issued by regional municipalities, as needed.</p> <p>Should land use planning issues arise, the Local Planning Appeal Tribunal resolves disputes related to land use planning matters under Ontario’s <i>Planning Act</i>, and can provide a forum to resolve these issues.</p> <p>Should demolition of structures be required, demolition permits may be required from the regions of York, Peel or Halton.</p> <p>As part of the ongoing Individual Environment Assessment, conducted pursuant to the Ontario’s <i>Environmental Assessment Act</i>, the Proponent is undertaking the Community Value Plan process, which will consider public input into the design of the Project, including aesthetic improvements and consideration for the preservation and enhancement of local recreation opportunities.</p>
<p>Potential health and socio-economic impacts from effects on the Greenbelt and loss of agricultural land</p>	<p>The Proponent is following its <i>Guideline for Planning and Design of the GTA West Corridor Through the Greenbelt</i>, drafted in consultation with the Greenbelt Transportation Advisory Group. This guideline identifies key planning and design principles, and recommendations for mitigation measures for placing new or expanded provincial highways/transitways within areas of the Greenbelt. The recommendations from this guideline were considered during route planning, and will continue to be implemented as the Project progresses for areas within the Greenbelt where effects are unavoidable.</p>



Concern Expressed	Relevant Mechanisms to Address Concern
	<p>An Agricultural Impact Assessment (AIA) will be conducted in accordance with the guidance¹⁴ provided by the Ontario Ministry of Agriculture, Food and Rural Affairs. The results of the AIA will be integrated into the Individual Environmental Assessment for the Project.</p>
<p>Potential impacts to human health during project construction and operation, particularly from changes in:</p> <ul style="list-style-type: none"> • air quality; and • noise and vibration levels 	<p>The Individual Environmental Assessment, conducted pursuant to the Ontario <i>Environmental Assessment Act</i>, requires the Proponent to identify potential effects and associated mitigation measures to the environment, including effects on air quality, noise and vibration levels.</p> <p>The Proponent will conduct an Air Quality Impact Assessment (AQIA) in accordance with the Ministry of Transportation’s <i>Environmental Guide for Assessing and Mitigating Air Quality Impacts and Greenhouse Gas Emissions of Provincial Transportation Projects</i> (May 2020). The AQIA will predict the cumulative concentration of various contaminants of concern in comparison with Ontario’s Ambient Air Quality Criteria and the Canadian Ambient Air Quality Standards. Should a Human Health Risk Assessment (HHRA) or Screening-level Human Health Risk Assessment (SLHHRA) be required, the findings from the air quality assessment would be used to assess, mitigate and monitor potential adverse effects on human health from changes to air quality.</p> <p>The Proponent will conduct a noise impact assessment in accordance with the Ministry of Transportation’s <i>Environmental Guide for Noise</i> (October 2006). As part of the noise impact assessment, the Proponent will assess and mitigate potential adverse effects on human health from noise.</p> <p>The Proponent would require Environmental Compliance Approvals (ECAs) for air and noise, issued by the Ministry of the Environment, Conservation and Parks, pursuant to the Ontario <i>Environmental Protection Act</i>. These ECAs include requirements to assess, mitigate and monitor potential adverse effects on air quality.</p> <p>The Proponent would require Environmental Activity and Sector Registry (EASR) registrations for air and noise, issued by the Ministry of the Environment, Conservation and Parks, pursuant to Ontario <i>Environmental Protection Act</i>. These EASR registrations require predictive modelling to demonstrate compliance with air quality, noise and vibration criteria, and include requirements for fugitive dust control, monitoring, testing and reporting, and equipment operations.</p>

¹⁴ Draft Agricultural Impact Assessment Guidance Document (March 2018)

Concern Expressed	Relevant Mechanisms to Address Concern
Potential impacts to human health, particularly from changes in socio-economic conditions	The Proponent will develop a Human Health Impact Scoping Report, which will inform the need for a broader project-level Human Health Impact Assessment, including an assessment of socio-economic conditions.
Potential impacts from loss of built heritage resources and cultural heritage landscapes	<p>The Ministry of Heritage, Sport, Tourism and Culture Industries has an interest in the conservation of Ontario's cultural heritage, and administers the <i>Ontario Heritage Act</i>. The Ministry's permission is required prior to the demolition or removal of any buildings or structures on a heritage property of provincial significance, or transfer of the property out of provincial control. Furthermore, the Proponent is required to follow the <i>Standards and Guidelines for Conservation of Provincial Heritage Properties</i>, prepared under the <i>Ontario Heritage Act</i>.</p> <p>The Proponent will complete a Cultural Heritage Assessment Report in accordance with the requirements of the <i>Ontario Heritage Act</i> to document existing conditions, and outline next steps for determining any potential effects to physical and cultural heritage.</p> <p>Should demolition of structures be required, demolition permits may be required from the regions of York, Peel or Halton.</p>
Potential effects on wildlife and vegetation, and natural landscapes including wetlands, woodlands, and valleylands	<p>The Individual Environmental Assessment, conducted pursuant to the Ontario's <i>Environmental Assessment Act</i>, requires the Proponent to identify potential effects and associated mitigation measures to the environment, including effects on wildlife.</p> <p>The Proponent will work with the regions of York, Peel and Halton to discuss avoidance and mitigation of potential tree removal, and will apply for Good Forest Practices Permits and/or special permits issued by regional municipalities, as needed.</p> <p>As part of the <i>Fisheries Act</i> authorization process, the Proponent may be required to provide additional data on fish and fish habitat, including wetlands that support fish habitat.</p>
Potential effects to public safety from increased flood risk, and from roadside hazards	<p>The Proponent will manage stormwater, drainage and flood risk through the development of a Stormwater Management Plan in accordance with the requirements of the <i>Ontario Water Resources Act</i>.</p> <p>The Project would be conducted taking into account key standards and guidelines from the Transportation Association of Canada (TAC) and the Ontario Ministry of Transportation (MTO), including: <i>Safety Standards Manual for New Rural Freeways</i>, Highway Design Office, February 2002 (MTO); <i>Geometric Design Guide for Canadian Roads</i> (TAC); <i>Design Supplement for TAC Geometric Design Guide</i> (MTO); <i>Roadside Design Manual</i>, May 2020 (MTO); <i>PCC Guidelines</i> (MTO). The Project would also take into account the <i>Accessibility for Ontarians with Disabilities Act</i> and <i>Ontario Regulation 413/12</i>.</p>

Concern Expressed	Relevant Mechanisms to Address Concern
<p>Cumulative effects on the exercise of section 35 rights of Indigenous peoples of Canada¹⁵, watercourses, wetlands, woodlands, and other wildlife habitat, agricultural and rural lands, and Greenbelt lands, due to:</p> <ul style="list-style-type: none"> • urban development enabled by the Project; and • the Project's interaction with the Greater Toronto Area Electricity Transmission Corridor 	<p>As part of the Individual Environmental Assessment, conducted pursuant to the Ontario's <i>Environmental Assessment Act</i>, the Proponent would consider the Ministry of the Environment, Conservation and Parks' Code of Practice¹⁶, which includes providing information regarding the potential cumulative effects of the Project in combination with past, present and reasonably foreseeable future activities, and include consideration of environmental, social, health and economic effects. The cumulative effects assessment would also consider potential impacts on the exercise of rights of Indigenous peoples.</p> <p>The Proponent will also take into account the Growth Plan for the <i>Greater Golden Horseshoe (2020)</i>¹⁷, which informs and directs municipal land-use planning. Potential expansions of municipal settlement and employment areas are driven by conformance with this plan and restricted by provisions in the <i>Ontario Greenbelt Plan (2017)</i>¹⁸ and the <i>Ontario Provincial Policy Statement (2020)</i>¹⁹.</p> <p>The <i>Ontario Provincial Policy Statement (2020)</i> promotes the co-location of linear infrastructure, such as the Greater Toronto Area Electricity Transmission Corridor and the Project, to minimize the amount of land disturbed.</p>

¹⁵ Mississaugas of the Credit First Nation and Six Nations of the Grand River raised concerns related to the cumulative effects on the exercise of section 35 rights of Indigenous peoples of Canada. Mississaugas of the Credit First Nation and Six Nations of the Grand River are of the view that as their traditional territories become more urbanized, in part due to projects like the GTA West Project, they continue to lose land where their communities can undertake traditional practices and exercise their stewardship responsibilities, both currently and in the future.

¹⁶ *Preparing and Reviewing Environmental Assessments in Ontario (2019)*

¹⁷ <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>

¹⁸ <https://www.ontario.ca/document/greenbelt-plan-2017>

¹⁹ <https://www.ontario.ca/page/provincial-policy-statement-2020>



Concern Expressed	Relevant Mechanisms to Address Concern
Consideration of alternatives, and insufficient Indigenous and public engagement	<p>The Individual Environmental Assessment, conducted pursuant to the Ontario <i>Environmental Assessment Act</i>, requires proponents to conduct an assessment of alternatives in the determination of the preferred alternative, to identify potential effects and appropriate mitigation measures (see Annex II).</p> <p>The Individual Environmental Assessment, conducted pursuant to the Ontario <i>Environmental Assessment Act</i>, requires Indigenous consultation and public engagement. The federal and provincial permits and authorizations identified in Annex II will further provide opportunities for the Indigenous groups and public to provide comments with respect to the Project.</p>