

TESTON ROAD FROM KEELE STREET TO BATHURST STREET

INDIVIDUAL ENVIRONMENTAL ASSESSMENT
TERMS OF REFERENCE

CONSULTATION RECORD

October 2018





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INTRODUCTION

The Regional Municipality of York is developing a Terms of Reference (ToR) for an Individual Environmental Assessment (IEA) Study of Teston Road between Keele Street and Bathurst Street. The purpose of this Terms of Reference (ToR) is to provide framework for the planning and decision-making process to be followed during the preparation of the Individual Environmental Assessment (IEA) for Teston Road between Keele Street and Bathurst Street in the City of Vaughan.

This ToR document will be submitted to the Minister of the Environment, Conservation and Parks (Minister) under Section 6 (2) (a) of the *Ontario Environmental Assessment Act* (OEAA). If the IEA ToR is approved by the Minister, the subsequent IEA study will follow a structured planning process similar to that of all major infrastructure projects in the Province of Ontario.

This Consultation Record has been prepared as required under section 6 (3) of the *Ontario Environmental Assessment Act* (OEAA) whereby a “*description of the consultation by the proponent and the results of the consultations*” in preparation of the ToR must accompany to the ToR document as part of the submission to the Minister of the Environment, Conservation and Parks for approval.

CONSULTATION OVERVIEW

The Terms of Reference (ToR) for an Individual Environmental Assessment (IEA) Study of Teston Road between Keele Street and Bathurst Street was initiated in December 2016, with notices published and mailed out within the Preliminary Study Area. This activity was designed to encourage early identification of issues, provide extensive opportunities to participate in the study and foster input into the ToR.

Soon after the study commencement notification, potentially affected regulatory agencies and municipalities were invited to participate in agency meetings. These meetings were held prior to the release of the draft ToR to provide agencies with an overview of the study, the role of the ToR, the general content, and the anticipated consultation plan for the document. In addition, a list of interested groups (ratepayer associations, environmental groups, transportation organizations etc.) was developed in consultation with the local municipalities. This list was updated and refined as the study progressed.

The draft ToR was released for public and agency review on February 20, 2018 with a deadline for comments by April 5, 2018.

All comments received during this preliminary stage of the Terms of Reference (ToR) for the IEA Study of Teston Road, from the general public, interest groups, Indigenous Communities, agencies and municipalities were considered by the Project Team. The revised ToR submitted to the Ministry of Environment, Conservation and Parks is a reflection of this consultation effort.

A list of stakeholders consulted in the preparation of the Terms of Reference is included in **Appendix A**. Consistent with the *Freedom of Information and Protection of Privacy Act*, public lists developed as part of this study have not been included.

A comprehensive list of agency / municipal, Indigenous Communities and public comments received in preparation of the ToR, during the time of Study Commencement and the Open House, and the associated responses provided by the Project Team, are included in **Appendix B**.

A comprehensive list of agency / municipal, Indigenous Communities and public comments received during the release of the draft ToR, are included in **Appendix C**, with the corresponding responses that were generally provided. All public comments submitted to which a reply was required, received a response from the Project Team.



PUBLIC CONSULTATION IN THE PREPARATION OF THE TERMS OF REFERENCE

BACKGROUND

The project website (www.york.ca/testonroad) was launched to coincide with the first Public Open House on April 17, 2017, which provides an ongoing opportunity for stakeholders to review up-to-date study information and contact the Project Team through the project team e-mail address (roads.ea@york.ca), provided on the web page.

The project website will remain active throughout the ToR submission period and subsequent IEA study.

A copy of the project website pages is included in **Appendix D**.

NEWSPAPER NOTIFICATIONS

Notices were published in a local newspaper selected based on the Preliminary Study Area to provide: notification of project milestones; a key map for study context; information on the ToR IEA process, and contact information for key Project Team members. Copies of the newspaper notices are included in **Appendix E**, and were published as outlined below.

Notice of a Study Commencement

A notice announcing the commencement of the study was published on December 29, 2016 in *The Vaughan Citizen*. The notice was also posted to the project website to coincide with the first Open House date.

Notice of Public Open House and Review of draft ToR

A notice announcing the Public Open House, and providing information on the viewing locations for the draft ToR, was published in *The Vaughan Citizen* on April 6, 2017 and April 13, 2017. The notice was also posted to the project website to coincide with the first publication date.

MAILING LIST AND E-MAILS / LETTERS

Study Mailing List

A study mailing list was developed following the study commencement notification and included interested stakeholders that submitted requests through the project website (webform), project team, e-mail or phone. Those at the Public Open House who requested to stay informed were also added to the study mailing list.

Once stakeholders were added to the study mailing list they received subsequent notifications of the study milestones outlined below through their preferred method of contact (e-mail or letter).

In addition, a list of area interest groups (ratepayer associations, recreational groups etc.) was developed in consultation with the local municipalities. This list was updated and refined as the study progressed.

Email / Letter Notification of Release of Terms of Reference

The draft ToR was released for Agency and Indigenous Community review on February 20, 2018 with a deadline for comments on April 5, 2018. The e-mail / letter also described the subsequent review process, including a deadline for comments of April 5, 2018 and a description of the second review period that would be initiated by the Minister of Environment, Conservation and Parks, following the submission of the Terms of Reference.

E-mail / Letter Notification of Public Open House and Review of draft ToR

Individuals on the study mailing list were notified of the Public Open House by letters mailed on April 7, 2017 or e-mails sent on April 7, 2017, depending on the preferred method of contact. The letter / e-mail provided information on the Open Houses arranged within the Preliminary Study Area. The deadline for comments after the first Open House was May 9, 2017. The e-mail / letter also included a description of the second review period that would be initiated by the Minister of the Environment, Conservation and Parks, following the submission of the Terms of Reference.

Copies of notification materials are included in the Public Open House Summary Report in **Appendix F**.

PUBLIC OPEN HOUSE

A Public Open House was held to provide the public with opportunities to present the ToR process and content and provide comments and discuss issues with representatives of the Project Team. Municipalities were consulted on appropriate venues, and provided the schedules of other local public consultation events to avoid conflict.

Representatives of the Project Team attended the Open House. The Open House was held as a drop-in centre with display panels that presented contents of the draft IEA Terms of Reference, mapping of existing conditions and information for providing comments. The Project Team participated in discussions with the attendees to ensure that all questions and concerns were addressed.



The Public Open House was held as follows:

Tuesday April 18, 2017
Civic Centre Resource Library 2191 Major MacKenzie Drive West Maple, ON
6:30 to 8:30 p.m.

The information presented at the Open Houses included:

- Overview and purpose of the study;
- Preliminary Study Area;
- Overall IEA planning process;
- Proposed process to generation and evaluate alternatives;
- Existing environmental conditions; and
- Proposed consultation plan.

All display panels were available on the York Region project website (www.york.ca/testonroad).

In addition to verbal comments, the Project Team encouraged visitors to express, in writing, all comments they had regarding the information presented. In total, 7 written comments were received at the Open Houses.

A breakdown of attendance and comments by Open House date/venue is provided as follows:

Date / Location	Total Attendance	Written Comments Received
April 18 / Maple	31	7

Additional detail on the Open House is provided in **Appendix F**, in the Open House Summary Report.

AGENCY MEETINGS

A list of local agencies was compiled by the Project Team for consultation. These agencies received notice of the release of the draft ToR and the Public Open House as described in Section 3.4 of this Consultation Record.



To assist the Project Team as the study progresses, Agency Meetings have been held, to provide valuable input on community perspectives. These Agency Meetings will include representatives from several stakeholder / interest groups, organizations and individuals in an, and round, the Preliminary Study Area.

SUMMARY OF COMMENTS RECEIVED FROM THE PUBLIC AND INTEREST GROUPS

In addition to the Open House, public input was encouraged throughout the study, and facilitated through the project website and project team contact information listed in each newspaper notification as well as the project website.

Correspondence from the Public and interest group comments received, from the study commencement to the deadline for comments on the draft ToR (April 5, 2018) are included in **Appendices C** and **D**, with the corresponding response that was generally provided. All public comments submitted to which a reply was requested, received a response from the Project Team.

CONSULTATION WITH MUNICIPALITIES, AGENCIES, AND INDIGENOUS COMMUNITIES IN THE PREPARATION OF THE TERMS OF REFERENCE

AGENCY MEETING

Agency meetings were arranged based on the geographic context of the Preliminary Study Area and included representatives from upper and lower tier municipalities in the Preliminary Study Area.

The meetings were held prior to the release of the draft ToR, to provide an overview of the IEA study approach, details on the draft ToR and an opportunity for preliminary feedback and questions.

A list of agency meetings held to date is provided below:

Agency	Date
City of Vaughan	December 6, 2016
Toronto Region and Conservation Authority	March 20, 2017
City of Toronto	March 20, 2017
Ministry of Environment, Conservation and Parks	March 24, 2017



Toronto Region and Conservation Authority	April 11, 2018
Ministry of Natural Resources and Fisheries	August 17, 2018
Toronto Region and Conservation Authority	August 20, 2018

The meeting minutes from these meetings are provided in **Appendix G**.

INDIGENOUS COMMUNITIES ENGAGEMENT

During the development of the draft ToR, York Region initiated contact with several Indigenous Communities to introduce the Teston Road IEA study and Terms of Reference, these included:

- The Chippewas of Georgina Island First Nation
- Mississaugas of Scugog Island First Nation
- Metis Nation of Ontario
- Mississaugas of the New Credit First Nation
- Alderville First Nation
- Hiawatha First Nation
- Huron-Wendat Nation Council
- Curve Lake First Nation
- Williams Treaty First Nation
- MNO Toronto & York Region Metis Council
- MNO Credit River Metis Council

All engaged Indigenous Communities were provided with the opportunity to review and comment on the draft ToR process prior to submission to the Minister of the Environment, Conservation and Parks. Meetings or presentations were held as outlined below. A summary of the comments provided during the preparation of the draft ToR, and the associated responses provided by the Project Team, are included in **Appendix C**. Meeting minutes and other correspondence with Indigenous Communities can be found in **Appendix G**.

The Chippewas of Georgina Island First Nation

Meetings and Written Contact

- York Region notice regarding Study Commencement.....December 29, 2017
- York Region notice regarding First Open House.....April 7, 2017
- E-mail to participate in the Stage 1 archaeological assessment.....May 5, 2017



- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission...May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018

Mississaugas of Scugog Island First Nation

Meetings and Written Contact

- York Region notice regarding Study Commencement.....December 29, 2017
- York Region notice regarding First Open House.....April 7, 2017
- Meeting with the Project Team regarding draft ToR.....July 11, 2017
- E-mail to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission....May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018

Metis Nation of Ontario

Meetings and Written Contact

- York Region notice regarding Study Commencement.....December 29, 2017
- York Region notice regarding First Open House.....April 7, 2017
- Letter to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission...May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018

Mississaugas of the New Credit First Nation

Meetings and Written Contact

- York Region notice regarding First Open House.....April 7, 2017
- Meeting with Staff regarding draft ToR.....May 18, 2017
- E-mail to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Meeting with the Project Team regarding draft ToR.....July 11, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission....May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018



Alderville First Nation

Meetings and Written Contact

- York Region notice regarding First Open House.....April 7, 2017
- E-mail to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Meeting with the Project Team regarding draft ToR.....July 11, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission...May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018

Hiawatha First Nation

Meetings and Written Contact

- York Region notice regarding First Open House.....April 7, 2017
- E-mail to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission...May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018

Huron-Wendat Nation Council

Meetings and Written Contact

- York Region notice regarding First Open House.....April 7, 2017
- E-mail to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Teleconference with the Project Team.....July 28, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission...May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018

Curve Lake First Nation Council

Meetings and Written Contact

- York Region notice regarding First Open House.....April 7, 2017
- E-mail to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Meeting with the Project Team regarding draft ToR.....July 11, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission...May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018



Williams Treaty First Nation

Meetings and Written Contact

- York Region notice regarding Study Commencement.....December 29, 2017
- York Region notice regarding First Open House.....April 7, 2017
- Letter to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission...May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018

MNO Toronto & York Region Metis Council

- York Region notice regarding Study Commencement.....December 29, 2017
- York Region notice regarding First Open House.....April 7, 2017
- E-mail to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission...May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018

MNO Credit River Metis Council

Meetings and Written Contact

- York Region notice regarding Study Commencement.....December 29, 2017
- York Region notice regarding First Open House.....April 7, 2017
- E-mail to participate in the Stage 1 archaeological assessment.....May 5, 2017
- Hard copy of draft ToR submitted for review.....February 20, 2018
- York Region letter with notification of date of Final ToR submission...May 17, 2018
- Hard copy of final ToR document submitted for review.....June 6, 2018

Each Community outlined some of their preliminary requests and requirements and noted the importance of ongoing consultation in all stages of the project. On July 11, 2017 the Project team met with representatives from the following Indigenous Communities:

- Alderville First Nation
- Mississaugas of Scugog Island First Nation
- Mississaugas of the New Credit First Nation
- Curve Lake First Nation

A teleconference was held with Huron-Wendat First Nation on July 28, 2017 as they were not available to attend the July 11th meeting.

Additionally, Chippewas of Georgina Island First Nation, Metis Nation of Ontario Hiawatha First Nation, MNO Toronto and York Region Metis Council and MNO Credit River Metis Council were contacted to participate in the meeting (several voice mails messages left) however the messages were not responded to. All these Indigenous Communities were provided opportunity to review the draft and final ToR document.

These meetings were held to present an overview of the project including the study area & context, key constraints, the previous EA study, the purpose of the ToR, the scope and contents of the ToR, an overview of the ToR and subsequent IEA process, consultation and the Indigenous Communities role in this study as well as a summary of the preliminary findings of the Stage 1 Archaeological Assessment. The table below summarizes the comments and concerns presented by the Indigenous Communities at these meetings and how these concerns have been addressed in the ToR.

Comments By:	Comment	Response
Mississaugas of Scugog Island First Nation	Concerns regarding the Teston Ossuary and how the development will impact it in the future	York Region and the City of Vaughan both have put in place policy's to not allow development or other potential impacts to this site
	Requested that their monitors be on site during the Stage 2/3/4 Archaeology field work.	When the IEA is initiated York Region will contact the Indigenous Communities for their input and requirements.
	Noted that they require at least 6 weeks to review any documents.	York Region provided a 6-week review period for both the draft ToR and the draft Stage 1 Archaeology Report
Mississaugas of the New Credit First Nation	Requested that their monitors be on site during the Stage 2/3/4 Archaeology field work.	When the IEA is initiated York Region will contact the Indigenous Communities for their input and requirements.



Comments By:	Comment	Response
	Would like to review the Stage 1 Archaeology Report prior to submission to MTCS and the draft ToR prior to going to MOECC.	York Region provided all Indigenous Communities with opportunity to review the Stage 1 Archaeology report prior to submission to MTCS (see below)
	Would like the opportunity to work closely with York Region regarding Archaeology and Environment matters	As per Section 8.3 of the ToR, York Region is committed to providing appropriate and meaningful consultation with the Indigenous Communities during the IEA
	Noted that they require at least 6 weeks to review and documents	York Region provided a 6-week review period for both the draft ToR and the draft Stage 1 Archaeology Report
	Expressed interest in having recurring meetings throughout the project at the IEA stage and would like to meet with York Region after the ToR is approved but prior to the initiation of the IEA	As per Section 8.3 of the ToR, York Region is committed to providing appropriate and meaningful consultation with the Indigenous Communities during the IEA
Curve Lake First Nation	Would like to review the Stage 1 Archaeology report and draft ToR before they are submitted to MTCS and MOECC respectfully. They will need at least 6 weeks to review any documents	York Region provided all Indigenous Communities with opportunity to review the Stage 1 Archaeology report prior to submission to MTCS (see below) York Region provided a 6-week review period for both the draft ToR and the draft Stage 1 Archaeology Report



Comments By:	Comment	Response
	Noted that they would like to see green technologies and green space incorporated into any preferred solution	As per Section 8.3 of the ToR, York Region is committed to providing appropriate and meaningful consultation with the Indigenous Communities during the IEA
	Noted that would like to see any opportunities to highlight the history and provide educational opportunities of the Indigenous Communities within the project and show the significance of their presence within this area	As per Section 8.3 of the ToR, York Region is committed to providing appropriate and meaningful consultation with the Indigenous Communities during the IEA
Alderville First Nation	Would like to have the opportunity to review the historical documentation and reports	York Region provided all Indigenous Communities with opportunity to review the Stage 1 Archaeology report, which included a summary of supporting documentation and reports prior to submission to MTCS (see below)
	Expressed concerns regarding the potential impacts to the environment as well as the amount of development and the reduction of green space	Noted. As per Section 4.0 York Region recognizes that parts of the study area include an ANSI and Oak Ridges Moraine Core Plan Area. During the IEA these constraints will be thoroughly reviewed and considered
	Noted that a plan for replacement of any landfill monitoring should be in place if it is impacted by this project	Agreed. York Region has included the Toronto Keele Valley Landfill Group and the Vaughan Landfill Specialists as part of the ToR process and will

Comments By:	Comment	Response
		continue to consult with these groups throughout the IEA
Huron-Wendat Nation	Noted that their main concern is the archaeological studies and findings and in particular the high potential for Huron-Wendat ossuary within the study area of this project and as such Huron-Wendat do not want any other Nation to speak for them in this regard	Noted
	Requested that for all Stage 2 (3 and 4, if applicable) their monitors be on site	As per Section 8.3 of the ToR, York Region is committed to providing appropriate and meaningful consultation with the Indigenous Communities during the IEA
	Huron-Wendat would like to review all archaeological reports, including the Stage 1 report, prior to the reports being finalized	York Region provided all Indigenous Communities with opportunity to review the Stage 1 Archaeology report prior to submission to MTCS (see below)

Stage 1 Archaeological Assessment Input

Additionally, as a part of consultation and comments provided by the Indigenous Communities during the ToR process the Project Team recognized that one of the major concerns expressed by the Indigenous Communities was to be included on the Archaeological Assessments (all Stages). Concurrently with the ToR, a draft Stage 1 Archaeological Assessment was completed and circulated to all engaged communities on March 19, 2018 and follow up emails and phone calls were made to the engaged Indigenous Communities to confirm whether they had any input prior to submission to MTCS. A summary of the correspondence regarding the draft Stage 1 Archaeological Assessment can be found below:



- Huron-Wendat Nation Council approved of results and recommendations and requested to be engaged at a Stage 2 level.
- The Chippewas of Georgina Island First Nation expressed no comments or concerns.
- Hiawatha First Nation expressed no comments or concerns.
- Mississaugas of the New Credit First Nation provided a detailed response with notes to take into consideration and a request for clarification.
- Alderville First Nation deferred to Curve Lake or Mississauga of Scugog Island for response.
- Curve Lake First Nation – The Project Team followed up with Curve Lake First Nation via e-mail and telephone, however no response received.
- Mississaugas of Scugog Island First Nation – The Project team followed up with Mississaugas of Scugog Island First Nation via e-mail and telephone, however no response received.
- MNO Credit River Metis Council – The Project Team followed up with MNO Credit River Metis Council First Nation via e-mail and telephone, however no response received.
- MNO Toronto & York Region Metis Council – The Project Team followed up with MNO Toronto & York Region Metis Council via e-mail and telephone, however no response received.

PRE-SUBMISSION REVIEW OF THE TERMS OF REFERENCE

The Project Team conducted a review of the draft ToR prior to submitting the final document for approval. The consultation activities outlined above were coordinated with the pre-submission review so that the Project Team could inform agencies of the purpose of the Terms of Reference and the process for submission / approval and opportunities for agency participation (reviewing and commenting on the contents of the draft Terms of Reference).

The Project Team allocated a 6-week review period of the draft Terms of Reference, and sent a copy of the draft ToR to all Indigenous Communities and Agencies by mail and e-mail.

A comprehensive list of agency / municipal comments submitted in preparation of the ToR, and the associated responses provided by the Project Team, are included in **Appendix C**. All comments received during the pre-submission review were considered in finalizing the ToR document.

FINAL SUBMISSION REVIEW OF THE TERMS OF REFERENCE

The final review of the ToR was conducted on June 7, 2018 through MECP. A comprehensive list of agency / municipal comments submitted in preparation of the ToR,



and the associated responses provided by the Project Team, are included in **Appendix H**. All comments received during the final-submission review were considered in finalizing the ToR document. The Indigenous Communities comments are listed in the table above.