

10. Consultation Record

The DMNP is subject to the requirements of the Ontario *EA Act* as an Individual EA and the *CEAA* as a Screening. In June 2006, TRCA submitted the final version of the ToR for the DMNP EA to the MOE for approval. On August 18, 2006, the ToR for the DMNP EA was approved by the MOE. The ToR for the DMNP EA included a detailed public and stakeholder consultation plan. This consultation plan developed during the ToR was continued and expanded upon through preparation of the Individual EA.

The *CEAA* requires various levels of public consultation in EAs. For a screening-level EA, the level and extent of public involvement is at the discretion of the Responsible Authority. The DFO is the RA for this project and has indicated that the level of consultation required under the *EA Act* will fulfill the requirements under the *CEAA*. Thus, the consultation record for the DMNP EA will also be incorporated into the *Federal* Screening.

The consultation program for the DMNP followed the guidelines set out in TWRC's Development Plan and Business Strategy for the Revitalization of Toronto's Waterfront which required the TRCA to:

- Provide accurate, timely information to the public and demonstrate how it has made use of feedback and advice received;
- Identify the roles and responsibilities of citizens, stakeholders, and partners as well as the TRCA;
- Host consultation sessions that are open to any member of the public or other stakeholder groups that are interested in the DMNP;
- Demonstrate flexibility in the consultation process that accommodates the needs of participants, focusing on their areas of expertise, geographic distribution and availability;
- Distribute feedback from consultation activities to enhance knowledge management, ensure coherence in decision-making and avoid duplications; and
- Evaluate the performance in providing information, conducting consultation and adapting to new requirements and changing conditions of the DMNP.

The objectives of the consultation activities were to:

- Create/increase awareness of the DMNP, including why it is an important part of revitalizing Toronto's waterfront;
- Meet the consultation requirements for the provincial and federal EAs;
- Provide opportunities to participate in the consultation process to anyone interested;
- Provide clear, concise information about the project that is easy for the public to understand;
- Create opportunities for meaningful two-way exchange of information between the TRCA, their consultants and the consultation participants;
- Produce accurate and comprehensive reports that capture all feedback and advice received;
- Review and consider feedback and advice received through the consultation, and demonstrate how that feedback and advice has influenced the project; and
- Provide opportunity for professionals in the areas of the wetland restoration, urban green space design, hydraulic engineering, etc., to devise options for design excellence.

This chapter provides a summary of the consultation that has occurred in support of the DMNP Individual EA. This chapter is subdivided in a number of broad sub-sections as follows:

- Public Consultation Activities and Results (**Section 10.1**);
- Agency Consultation Activities and Results (**Section 10.2**); and,
- Aboriginal Consultation Activities and Results (**Section 10.3**).

10.1 Public Consultation Activities and Results

A comprehensive public consultation program was implemented throughout the DMNP EA process to provide an opportunity for the public to gain an understanding of the project, and to provide input and feedback at key stages of the EA process. Public consultation for the DMNP occurred in a variety of formats to maximize the audience reached through the consultation program. Public consultation activities included a notice of EA commencement; creation of a mailing list; public forums; creation of a Community Liaison Committee (CLC); distribution of newsletters and flyers; development of various web-based information about the project; community workshops and events; and utilizing consultation processes for related projects to distribute information about the DMNP. This section outlines the consultation activities that occurred throughout the EA process and the results of those activities.

10.1.1 Notices

As part of the DMNP EA communications strategy, a Notice of Commencement and other notifications of public events and key EA milestones were released through various media outlets by TRCA and Waterfront Toronto. At each public event during the ToR and EA stages, ads were released to the local papers (through varying combinations of the City Centre, Beaches-Riverdale and East York Mirrors, the Toronto Star, and NOW Magazine), through media releases, and the CLC membership. These notices are summarized in **Table 10-1**.

Table 10-1 Summary of Notices

| Notification Date | Media Outlet | Purpose of Notification |
|---------------------|---|--|
| June 17, 2005 | Toronto Star and Beaches-Riverdale Mirror | Initial Notice of Commencement and notice of first Public Forum on June 23, 2005 |
| June 21, 2005 | NOW Magazine | Second Notice of Commencement and advertisement of site walk |
| August 18, 2006 | N/A | Announcement of MOE approval of the DMNP ToR |
| September 29, 2006 | East York Mirror and Beaches-Riverdale Mirror | October 14, 2006 Site Walk and Boat Tour |
| October 5, 2006 | NOW Magazine | October 14, 2006 Site Walk and Boat Tour |
| November 24, 2006 | East York Mirror and Beaches-Riverdale Mirror | Notification of December 5, 2006 Public Forum |
| March 17, 2008 | Toronto Star, City Centre Mirror, East York Mirror and Beaches-Riverdale Mirror | Notification of March 29, 2008 Public Forum |
| May 1, 2009 | Toronto Star, City Centre Mirror, East York Mirror and Beaches-Riverdale Mirror | Notification of May 9, 2009 Public Forum |
| May 7, 2009 | Press Conference at Waterfront Toronto Offices | Notification of May 9, 2009 Public Forum |
| January 20/21, 2010 | Toronto Star and Beaches-Riverdale Mirror | Notification of January 27, 2010 Public Forum |

In addition, the media has on occasion requested interviews and information in order to publish articles regarding the DMNP EA and Lower Don Lands. Articles printed in relation to the Lower Don Lands have been included in this summary given that the new river alignment and characteristics of this river is emphasized in these articles. Summaries and copies of the notices have been provided in **Appendix Q-1**.

10.1.2 Mailing Lists

The DMNP EA mailing list has grown over the years. The initial mailing list was developed from the public, CLC and Technical Advisory Committee (TAC) mailing list for the Class EA for the Lower Don River West Remedial Flood Protection Project. Each attendee that signed in at our public events was added to the public mailing list (unless otherwise indicated). A new CLC membership was developed for the DMNP EA that better represented the new study area, as compared to the LDRW Class EA study area, which further expanded our mailing list. Our TAC mailing list underwent significant changes compared to the LDRW Class EA, given the much broader area of interest, and complexity. These new stakeholders and agency representatives were all added to the mailing lists. During the EA phase of the project, TRCA also utilized Waterfront Toronto's large mailing list (of over 8,000 names) that had been developed through their consultation efforts from the West Don Lands, East Bayfront and Lower Don Lands studies.

10.1.3 Public Forums

During the DMNP EA, TRCA hosted 5 public events, including a site walk and boat tour, and 4 formal public forums. All of the public events were facilitated by Nicole Swerhun, an independent third-party facilitator. The third public forum, held on May 9, 2009 was a joint meeting with Waterfront Toronto where the Lower Don Lands Framework Plan, the Keating Precinct Plan and Lower Don Lands Infrastructure Municipal Class EA were presented in addition to the DMNP EA. These forums were open to any member of the public or interested organization. The table below contains a general description of each event. **Appendix Q-1** documents meeting notes, workbooks, presentations and display boards. The results of the forums are summarized in **Table 10-2**. Only comments relevant to the DMNP are presented.

Table 10-2 Public Forums

| Event | Public Issues and Comments Received | Consideration of Issues and Comments |
|--|--|---|
| <p>Site Walk of Port Lands and Boat Tour (Keating Channel, Inner Harbour and Ship Channel)</p> <p>October 14, 2006 Attendance: 177</p> | <ul style="list-style-type: none"> Majority of attendees would like to attend future Site Walks while 60% would like to attend future Public Forums and Presentations. Recommendations included holding event in Spring or Summer, organize smaller groups and provide better sound equipment. | <ul style="list-style-type: none"> Comments noted. Three public meetings were held in a “science fair” open house format showcasing parallel projects underway that needed to be taken into account in the DMNP EA, and to discuss in detail, specific technical issues related to the DMNP EA. |
| <p>Public Forum and Presentations (Metro Hall)</p> <p>December 5, 2006 Attendance: 126</p> | <ul style="list-style-type: none"> Additional information on the sediment management was requested. Key comments received regarding the focus of the project: <ul style="list-style-type: none"> Provide opportunities for recreation; Control against West Nile Virus; Celebration of cultural heritage; Ensure flood protection; Maximize naturalization opportunities; Create more open space; Remove sediment before naturalizing the area; Move infrastructure away from core natural areas. | <ul style="list-style-type: none"> DMNP EA Team to develop details as we move forward. TRCA committed to finding a solution that met the objectives of flood protection and naturalization while recognizing that the project was located in an urban environment with specific cultural and recreational elements, while providing for the management functions pertaining to sediment and debris control. |
| <p>Public Forum and Presentations (St. Lawrence Hall)</p> <p>March 29, 2008 Attendance: 210</p> | <ul style="list-style-type: none"> Concerns were expressed regarding the selection of the preliminary preferred alternative including: <ul style="list-style-type: none"> Costs versus benefits; Allowing development in the Port Lands; Feasibility of the proposed urban elements adjacent to the River. Concern regarding the need for more naturalization than proposed. How will the required funding for the project be obtained and how long will it take for the project to be implemented? There is a lack of planning for the Greenway south of Ship Channel. Water circulation in Keating Channel. | <ul style="list-style-type: none"> The selection of the preferred alternative including a consideration of costs, benefits, development potential and development feasibility is documented in Chapter 5. The amount of land available for natural and aquatic habitat has greatly expanded since the start of the EA process in 2004 in order to address flooding and naturalization objectives, and to bring better value and connections with the proposed built form around the river. Funding for implementation of the DMNP is a major issue that TRCA, Waterfront Toronto and the City of Toronto recognize is critical, as is continued public support, for the DMNP to proceed. The availability of funding and the complexities of soil management will determine how long it will take to implement the DMNP. A concept plan for the Greenway south of the Ship Channel will be developed by Waterfront Toronto. Circulation in the Keating Channel is recognized as a key element for the detailed design phase, and a range of passive and active approaches to maintain circulation will be considered. |

Table 10-2 Public Forums

| Event | Public Issues and Comments Received | Consideration of Issues and Comments |
|--|---|---|
| | <ul style="list-style-type: none"> • How to “Hold” proposed green spaces from development. • The need to ensure connections for wildlife and people from waterfront to watershed. • The need to ensure appropriate communities of scale developed adjacent to river to allow for affordability, provide servicing that works and to develop buildings and structures of iconic value. • Protect water and air quality, allow for climate change, and create conditions for river to self-sustain rather than require on-going maintenance. | <ul style="list-style-type: none"> • Strategies to “hold” lands identified for naturalization will be undertaken by the City and Waterfront Toronto, with the support of TRCA and the Province. • Lower Don Lands Framework Plan and Infrastructure Municipal Class EA will develop an intricate network of roads, trails, transit to and from the area. The DMNP EA does offer enhanced aquatic and bird connectivity between the lake and watershed. • Lower Don Lands planning and Central Waterfront Secondary Plan will direct built form and densities and adjacent land uses within the area. The concept avoids most heritage buildings/sites and private property owners. • Addressing watershed water quality issues is beyond the scope of this project. The DMNP EA will be designed to withstand existing conditions with the anticipation that the City’s work to eliminate Combined Sewer Outflow (CSO) discharges to the Don and Central Waterfront will improve things further. |
| <p>Public Forum and Presentations (St. Lawrence Hall)</p> <p>March 9, 2009 Attendance: 153</p> | <ul style="list-style-type: none"> • Concerns expressed regarding water quality. • How is the EA integrated with other projects in the Don Watershed such as the City of Toronto’s Wet Weather Flow Management Master Plan? • Concern expressed in regards to the preferred alternative relating to the need for more green space and further discussion of the connections between Lake Ontario Park, Tommy Thompson Park and the Project Study Area. • Recommendation that a wildlife corridor along the Don Narrows should be provided. • Provide a cost-benefit analysis and business plan to support the plans. • Provide the supporting technical studies for review. • Future lake levels need to be considered with regard to operation of wetlands. | <ul style="list-style-type: none"> • City staff presented and discussed details of their CSO study which was undertaken to intercept sanitary flows to the Don River and Central Waterfront. • The DMNP EA is being designed to function under current water quality conditions and which will only improve as the City undertakes their work to improve water quality. • The amount of green space associated with the project will provide for the desired ecological and flood conveyance benefits while providing the City of Toronto a vibrant accessible park space. • The primary focus of the Don Narrows component of the EA is to enhance the in-channel aquatic habitat conditions. • The DMNP EA team will work with Waterfront Toronto to develop a cost-benefit analysis for the overall build-out. • All of the technical work in support of the EA has been included with the EA report. • The design has significant flexibility to accommodate change. |

Table 10-2 Public Forums

| Event | Public Issues and Comments Received | Consideration of Issues and Comments |
|---|---|--|
| <p>Public Forum and Presentations (Toronto Fire Academy)</p> <p>January 27, 2010 Attendance: 70</p> | <ul style="list-style-type: none"> • Concerns were expressed in regards to the need for more green space, larger wetlands and less density. • The use of the design competition in the EA should have been a negotiated discussion with the public for planning the Port Lands. • Water quality and creation of habitat should be a priority. • Concerns regarding the impacts on private land owners and the loss of two heritage buildings in the plan. • Concerns regarding the potential for TPA to undermine plans. • Concerns regarding the lack of funding to proceed (opportunities for private donations/naming rights). • What happened to the playing fields from the Design Competition and uses for recreation in Greenway? • The need to provide four season use of the naturalized and Keating Channel areas. • Cost benefit analysis of the full life-cycle of the system including adaptive management and monitoring program is required for the EA. • Concern regarding the need for a vibrant and energetic local community feel. | <ul style="list-style-type: none"> • Densities and surrounding urban form were defined through the Lower Don Lands process: issues related to the footprint and amount of green space were discussed in previous two public meetings. • Comment noted. • Water quality/circulation in the Keating Channel is a key detailed design element to be resolved in conjunction with the urban form. • Most of the private property owners and heritage structures were avoided. The magnitude of flooding that requires conveyance limited our ability to avoid all structures in the design. Where possible structures and activities will be relocated nearby. Waterfront Toronto will lead discussions with appropriate agencies to discuss approaches for those structures and land uses that cannot be relocated. • DMNP EA team and Waterfront Toronto have been consulting closely with TPA throughout the process. To date, no show-stoppers have been identified. • As mentioned in previous public meetings, funding for implementation of the project is a major issue that TRCA, Waterfront Toronto and the City of Toronto recognize is critical, just as is continued strong public support for the project to proceed. • A public workshop for the Don Greenway was held in 2007 to discuss the functions of this area. A resounding majority identified that the Greenway should be dedicated to naturalization and passive recreation. As a result, the playing fields proposed during the Design Competition were removed from the Greenway. • The intent is for the design to provide four season use. • A cost benefit analysis is underway as suggested. • This will be part of the precinct planning exercise. |

10.1.4 Community Liaison Committee

As part of the consultation process for the DMNP, a CLC was established during preparation of the ToR and was continued throughout the EA. The CLC was formed to identify issues of concern regarding the DMNP, provide input during the EA and design process, assist with the design of the public consultation framework and to attend and assist at public meetings. The CLC also provided advice on the content and presentation format of information prior to meeting with the general public. The CLC ToR can be found in **Appendix Q-2**. A summary of the CLC meetings is included in **Table 10-3**. The majority of comments received from the CLC related to providing clearer presentation materials to the public.

The CLC was composed of appointed representatives from a wide range of community groups and associations with an interest in the future of the lower Don River. The CLC consisted of representatives from local citizen groups, Aboriginal groups and politicians including:

- Citizens for the Old Town;
- Don Watershed Regeneration Council;
- Mississaugas of the New Credit;
- Port Lands Action Committee;
- St. Lawrence Neighbourhood Association;
- Task Force to Bring Back the Don;
- Toronto Cycling Committee;
- West Don Lands Committee;
- Corktown Residents and Business Association;
- Gooderham and Worts Neighbourhood Association;
- Miziwe Biik;
- Riverside Area Residents Association;
- South East Downtown Economic Redevelopment Initiative (SEDERI);
- Toronto Bay Initiative (Now Defunct);
- Waterfront Action;
- Woodgreen Community Services;
- Toronto City Councillor - Ward 28;
- Toronto City Councillor - Ward 30;
- MPP – Toronto Centre;
- MPP – Toronto Danforth;
- MP – Toronto Centre; and,
- MP – Toronto Danforth.

Table 10-3 Community Liaison Committee Meetings

| | Issues and Comments Received | Consideration of Issues and Comments |
|---|--|---|
| CLC Meeting # 5 November 21, 2006 | <ul style="list-style-type: none"> A number of suggestions were made to make the presentation clearer to members of the public participating at the December public meeting: <ul style="list-style-type: none"> Clarifying terminology; Adding graphics and/or photos; Providing people with a better sense of scale when looking at cross-sections, etc. | <ul style="list-style-type: none"> A better visual description of the range of flood volumes we are dealing with from low to high was provided. More scaled diagrams and better definitions of types of channels (i.e., lacustrine) were incorporated into the presentation. |
| CLC/ Lower Don Lands Community Stakeholder Committee Joint Meeting February 26, 2008 | <ul style="list-style-type: none"> Participants indicated that they are comfortable with the approach taken to integrate the Design Competition and DMNP EA and with the preliminary preferred alternative for the EA (4WS). A number of suggestions were made regarding opportunities to refine/enhance the presentation, including: <ul style="list-style-type: none"> Highlight the extensive consultation efforts made in 2007; Transparency about where costs were considered as part of the evaluation process and the influence cost had on selection of the preferred alternative; Inform people of work that will be done on the Don Narrows; Highlight how key priorities expressed by the public through the design competition will continue to be preserved through the design stage of the EA (e.g. connections). | <ul style="list-style-type: none"> N/A Revised evaluation tables were made available to the public on March 29. Members of the public were provided an open floor to address speakers directly following presentations. Emphasized that Design process was brought into the EA and that the new concept met the screening conditions of the ToR. Emphasized that Lower Don Lands and DMNP EA processes are complementary to one another, rather than compromising each other. Overview image provided how DMNP EA and Lower Don Lands fit within context of central waterfront projects. Arrow denoting location of Greenway south of Ship Channel will be incorporated to show continued connection with Lower Don Lands and DMNP EA. |
| CLC/ Lower Don Lands Community Stakeholder Committee Joint Meeting April 21, 2009 | <ul style="list-style-type: none"> A number of suggestions were made regarding opportunities to refine/enhance the presentation, including: <ul style="list-style-type: none"> More details on the hydrology models used; Show model results side-by-side; Explain the difference between river-fed and lake-fed systems; Use bigger and brighter graphics and images; Make sure language is consistent throughout the presentation; Provide a glossary of terms. | <ul style="list-style-type: none"> Requests to change the presentation were undertaken. Four information tables were set up to provide more detailed visuals and information during the Public Forum component to allow the public to talk with the experts one-on-one. |

Table 10-3 Community Liaison Committee Meetings

| | Issues and Comments Received | Consideration of Issues and Comments |
|--|---|---|
| <p>CLC Meeting January 14, 2010</p> | <ul style="list-style-type: none"> • Recommendations by CLC included: <ul style="list-style-type: none"> • Identify which heritage buildings and properties/operations are being affected. • A larger neighbourhood map should be included in the presentation to provide context of the DMNP. • Provide a little more balance in the presentation between project positives and negatives – currently focuses mainly on the positive impacts. • Identify the estimated costs and benefits (direct financial benefits and big picture quality of life benefits for the region) of the DMNP. • Clearly state why redevelopment of the Lower Don Lands has not occurred to date and why economic values remain depressed. • Clearly identify soils and groundwater issues, including risk, and mitigation to alleviate public concerns. • Identify that DMNP EA is recognized as one of seventeen eco-friendly projects worldwide supported by Clinton Climate Initiative. • Indicate that TRCA and Waterfront Toronto continue to commit to on-going discussion with the businesses and community groups. • What are impacts of PanAm Games, interests of key stakeholders, and parallel projects on DMNP EA? | <ul style="list-style-type: none"> • Many of the recommendations were incorporated into the Public Forum presentation. • Some of the items that were not specifically addressed in the Public Forum presentation include: <ul style="list-style-type: none"> • Unlike most EAs where significant negative impacts are generated as part of the DMNP, the DMNP EA is about improving the environment. While the DMNP acknowledges that there are some potential negative impacts during construction that can occur, these can largely be mitigated through Best Management Practices (BMPs) to reduce those impacts. Where possible, the DMNP can provide more clarity as to the potential risks including their mitigation approaches to demonstrate that they have been considered at the appropriate level of detail. • No insurmountable issues have been identified to date through discussions with the stakeholders including the TPA. • If the proposed Recreation Facility in the Lower Don Lands proceeds in its current location, the plan is to ensure that the construction is consistent with the protection of the river valley and to build out the facility to the final future grades required for the DMNP and Waterfront Toronto planning documents. • The impacts of the PanAm Games are negligible on the DMNP EA. |

10.1.5 Newsletters and Flyers

Project newsletters were part of the Public Consultation Plan established for the DMNP EA. The main purpose of these newsletters was to communicate technical information, provide notification of upcoming public meetings and events, provide project updates when key milestones were reached, and to provide contact information for the public.

During the EA phase of the study, 6 editions of the “DMNP News” newsletter were published and distributed in hard (typically 400 hard copies per edition were produced and distributed) and soft copy. Newsletter distributions were sent to the project email distribution list which included over 650 members of the public, stakeholder groups, government agencies, and Aboriginal groups. Waterfront Toronto released the newsletter to an additional 2,000 people on their email distribution lists. Various community associations also assisted in the distribution of these newsletters throughout the EA process. Copies of the newsletters can be found in **Appendix Q-3**.

The DMNP EA Team also released flyers regarding the Site Walk and Boat Tour on October 15, 2006 and the Public Forum on December 5, 2006 to the following Toronto Public Libraries:

- Beaches Library;
- Danforth/Coxwell;
- Gerrard/Ashdale;
- Jones;
- Main Street;
- Pape/Danforth;
- Parliament;
- Queen/Saulter;
- Riverdale;
- St. Lawrence;
- Toronto Reference Library;
- Leaside;
- Thorncliffe;
- Dawes Road;
- S. Walter Stewart; and,
- Todmorden Room.

Flyers were released at Waterfront Toronto’s Lower Don Lands Public Forum on December 10, 2008 informing public participants of the upcoming Public Forum for the DMNP EA in Spring 2009.

TRCA publishes a newsletter called “On the Don”. On the Don highlights key activities that have or are about to occur in the Don Watershed. This newsletter has a distribution of about 2,000 in digital format, and approximately 800 in hard copy. Four articles have been provided to the “On the Don” newsletter related to the DMNP EA:

- An ad in the Spring 2009 edition to provide information on the May 9, 2009 Public Forum;
- An article on the inclusion of Waterfront Toronto’s Lower Don Lands as a partner site of the Clinton Climate Change Initiative;
- An ad in the Fall 2009 edition to provide information on the January 27, 2010 Public Forum; and,
- An article in the Spring 2010 edition summarizing the preferred alternative and highlights the upcoming opportunities for the public to review the DMNP EA.

Waterfront Toronto also publishes online newsletters regarding their activities along the Toronto Waterfront. The April 2009 newsletter was sent out to 9,000 people and included an advertisement regarding the joint Public Forum for the DMNP EA and Lower Don Lands held on May 9, 2009.

10.1.6 Web Based Information

A number of web based products have been developed for the DMNP to provide the public with easy access to project related information. The primary sources of web based project information are found on TRCA’s website and Waterfront Toronto’s website. Other sources include several YouTube videos and a Facebook page.

TRCA's website provides extensive information about the DMNP EA including project background, new and updated information, details of the consulting team, an outline of the project planning process, key study components, details on the consultation program, a list of participating agencies and corporations, and details of parallel planning processes. Important project information such as presentations, meeting summaries, upcoming meeting dates, newsletters and project documents were posted for public access. Questions and comments could be made via the project web site at: www.trca.on.ca.

Waterfront Toronto's website contains project information about the Lower Don Lands Infrastructure Municipal Class EA and the Don Mouth Naturalization and Port Lands Flood Protection Project. This information is available at: www.waterfrontoronto.ca.

Several YouTube videos have been posted providing additional information on the DMNP. These include:

- “*The Don of a New Community on Toronto’s Waterfront*” - a summary of the Lower Don Lands and DMNP EA posted by Waterfront Toronto on May 7, 2009. Available at: www.youtube.com/watch?v=_el3-9WN7Ss.
- “*Sustainable Urban Design on Toronto’s Waterfront*” - the new development plans for the Toronto’s Lower Don lands posted by Waterfront Toronto on June 11, 2009. Available at: www.youtube.com/watch?v=bEQiNXXgu4g.

10.1.7 Community Workshops and Events

TRCA presented information about the DMNP EA at a number of other events that were directly and indirectly associated with the project. These consultation efforts were designed to reach new audiences that typically did not attend project specific public events (Table 10-4). These workshops and events have included:

- TRCA’s annual **Paddle the Don** event. Project updates on the DMNP were provided to members of the public at the end of the event;
- The **Don Greenway Workshop** was delivered to an invited group to gain feedback on incorporating the vision of the Don Greenway into waterfront revitalization plans;
- **Jane’s Walks** at the Mouth of the Don provided the public with information on the DMNP;
- **Don Narrows Workshops** were held to provide the public with information on the range of options that were available for naturalizing the Don Narrows; and,
- The **Port Lands Action Committee** (PLAC) is a public discussion and action group that played an advisory role throughout the DMNP EA process.

Table 10-4 Information Presented at Community Workshops and Events

| Event | DMNP EA Related Activity, Comments Received and Consideration of Comments |
|---|--|
| Paddle the Don May 6, 2007 | <ul style="list-style-type: none"> • Presented the results of the International Design Competition and DMNP EA results to date. A boat tour was organized to provide the public with an opportunity to see the potential for the Lower Don Lands and Don Mouth from the perspective of the water. |
| Greenway Workshop (Organized by Waterfront Toronto and | <ul style="list-style-type: none"> • Key conclusions of the workshop resulted in agreement that the Greenway should function as a place of serenity and beauty; a great piece of wilderness protected in the City; a place to allow people to reflect on the past natural heritage that the original Ashbridges Bay Wetland once provided. The Greenway was to be resilient to change and sustainable; provide flood conveyance and stormwater function; and provide a place for plants and animals to live and thrive. |

Table 10-4 Information Presented at Community Workshops and Events

| Event | DMNP EA Related Activity, Comments Received and Consideration of Comments |
|--|---|
| <p>facilitated by Suzanne Barrett) September 18, 2007</p> | <ul style="list-style-type: none"> The development of playing fields in the Greenway was inappropriate, though some suggested it should not be discounted out of hand – but if playing fields were provided, they should be along the periphery, consist of real grasses, be informal without lighting and designed for the local population rather than regional uses. Pathways and Trails should run along the periphery leaving the centre as a wild area. The Greenway would provide a critical corridor for migratory birds; provide passive recreation and nature appreciation in the city for the local and regional populace. |
| <p>Port Lands Action Committee Meeting April 17, 2008</p> | <ul style="list-style-type: none"> TRCA and Waterfront Toronto presented a project update on the DMNP EA to the PLAC membership. The presentation provided was the same one presented at the Public Forum held on March 28, 2008 and included information on the upcoming Don Narrows Stakeholder Workshop. |
| <p>Jane’s Walk May 3 and 4, 2008</p> | <ul style="list-style-type: none"> Two separate Jane’s Walks occurred in 2008 that discussed the plans for the Lower Don Lands area: Gangsters, Dreamers, and Engineers: 200 Years of Drama on the Lower Don; and West Don Lands and the Lower Don River. |
| <p>Paddle the Don May 4, 2008</p> | <ul style="list-style-type: none"> Information booth was set up at the take-out point to present the results of the March 29, 2008 public forum for the DMNP EA. |
| <p>Don Narrows Workshop May 24, 2008</p> | <ul style="list-style-type: none"> The Stakeholder Workshop and Site Tour for the Don Narrows Naturalization Study was held at the South Regent Park Recreation Centre by the DMNP EA Team. Over 30 people participated in the Workshop. The event started off with presentations which provided an overview of the Don Narrows pertaining to its: history; existing conditions; past restoration planning and implementation activities; project objectives; and range of options being considered. A site walk was then organized to allow stakeholders with the opportunity to walk the Project Study Area in advance of the working session of the event. At the end of the site walk, participants returned to the Recreation Centre for round table discussions on the range of opportunities suggested, and to develop plans for enhancing the Don Narrows. Two sets of naturalization reports were developed; one within the channel area which is part of the DMNP EA and one for outside the channel area which will not be part of the DMNP EA. |
| <p>Paddle the Don May 3, 2009</p> | <ul style="list-style-type: none"> Information booth was set up at the take-out point to show the preliminary preferred alternative for the Don Mouth, and information on the upcoming public forum scheduled for May 9, 2009. |
| <p>Jane’s Walk May 3, 2009</p> | <ul style="list-style-type: none"> Lower Don Lands Walk (led by Ken Greenberg); West Don Lands Walk (led by Michael McClelland, Carla Guerrero, Dave Madeira and Mark Wilson); and Pedal the Don (led by John Wilson). Each of the “walks” stopped at the take-out point of the “Paddle the Don” to allow the “walkers” an opportunity to hear about the activities planned for the Lower Don Lands and the DMNP EA. |
| <p>Paddle the Don May 2, 2010</p> | <ul style="list-style-type: none"> Information booth was set up at the take-out point to show the final concept design for the DMNP EA as shown at the January 27, 2010 public forum, and providing information where and when the public will be able to review the EA through the MOE. |

10.1.8 Lower Don Lands Planning Process Public Consultation

Waterfront Toronto and the Lower Don Lands Design Team undertook a planning and consultation strategy for the Lower Don Lands Framework Plan, Infrastructure Municipal Class EA and Keating Channel Precinct Plan, which included their own Technical Advisory Committee and Stakeholder Advisory Committee. **Table 10-5** summarizes the DMNP-related information presented and discussed at these Public Forums.

Table 10-5 Lower Don Lands Public Forums Summary of Comments

| Date | Issues and Comments Received |
|--|---|
| <p>July 23, 2008 Attendance: 100 participants</p> | <p>Key comments included the following:</p> <ul style="list-style-type: none"> • Ensure public access to the waterfront and avoid private ownership of riverfront. • Facilitate public water activities such as boating, kayaks, canoes, gondolas, fishing, water sports, wading, and skating. Docking facilities should work for small to large sizes of boats. • Ensure a large portion of the water's edge is naturalized. • Incorporate boats into the transit plan (e.g., provide for a water taxi service). • Offer views onto the river from walkways. Keep intensive activity away from naturalized river's edge. • Take advantage of Keating Channel for intensive activity since it already has concrete sides. • Consider methods to provide water circulation in the Keating Channel to avoid stagnant areas with floating debris. • Develop an integrated rain water conservation and management plan that addresses stormwater and river water. • Avoid combined sewers. Use stormwater as much as possible (e.g., as features of children's playgrounds, a swimming pool or as ornamental fountains_. • Stormwater should be treated with ultraviolet light and then returned to the Don River or Keating Channel. Provide options for on-site waste and stormwater processing in some buildings. • Use "Hurricane Hazel" criteria to plan for a hurricane situation. • Need an ecological link north-south from Don River Park south to Villiers St. and bay's end. • Widen the north-south greenway to 300 to 400 m. • Add fish terraces along the dockwall. • Conduct sediment clean-up at the mouth of the Keating, north-east corner of the bay. • Some human intervention would be required to maintain the desired river flow path, which would compromise the "naturalness" of the site. • The proposed path of the Don River and its two proposed spillways will create fractured neighbourhoods within the Lower Don Lands, rather than a single unified community. • What consideration is being given to the "heritage" aspects of the existing landscape? • Add the property south of the Ship Channel to the Project Study Area. |
| <p>December 10, 2008 Attendance: 100 participants</p> | <p>Key items that were well received by the public included:</p> <ul style="list-style-type: none"> • The link between the shore of Lake Ontario and the Don River valley allow wildlife to migrate easily. • Water quality in the harbour will improve. • Healthy and vibrant environment for all to enjoy. • The new southern alignment for the river. • The effort to manage water sustainability. • Flood way/habitat link with the cooperation of the small boat clubs. <p>Key suggestions and ideas made by the public included:</p> <ul style="list-style-type: none"> • Create a "wildlife passage" over the Ship Channel. • Remove or prevent debris being ejected into the harbour following a storm event. • Encourage better habitat for marine flora and fauna. • Reduce seaweed growth along the waterfront. • Perform a toxic soil clean-up. • Create a Hurricane Hazel flood strategy. • Avoid having the pedestrian path cross the bicycle path to avoid potential conflict. • Accommodate marine uses effectively. • Provide access for shipping and receiving. • Include lands south of ship channel in the study area. <p>Other Comments:</p> <ul style="list-style-type: none"> • The design of the south option to the lake can integrate the need for a flood way/habitat link with the cooperation of the small boat clubs. • Increase opportunities to be in nature in the City. • The Port Lands is a crucial part in the City where we need to ensure connections to nature are maintained. • Define water access for people. |

Table 10-5 Lower Don Lands Public Forums Summary of Comments

| Date | Issues and Comments Received |
|------|---|
| | <ul style="list-style-type: none"> Remember human access to the water while keeping protection of animals in the forefront. Allow for woody areas which are natural and unmanicured. In the historical context, the most significant aspect of this process is to bring back the watershed ecosystem to as much of the historical conditions (pre-settlement) as possible, within the urban context. |

10.1.9 Other Public Feedback

On a number of occasions, members of the public approached the DMNP EA team to discuss issues relating directly or indirectly with the DMNP EA. A summary of the key discussions is provided in **Table 10-6**.

Table 10-6 Summary of Key Discussions with Members of the Public

| Public Issues and Comments Received | Consideration of Issues and Comments |
|--|---|
| 1. Meetings with the South Riverdale Business Association (SRBA) | |
| <ul style="list-style-type: none"> The South Riverdale Business Association (SRBA) contacted the DMNP EA team to discuss their concerns about a parcel of land at 780 Dundas Street. The SRBA expressed an interest that the property be included as part of the naturalization opportunities for the Don Narrows component of the EA. Concerns were expressed about the delinquent uses currently occurring on the property and were further concerned about the proposed short-term uses for parking (for Bridgepoint Hospital) and temporary construction equipment storage. | <ul style="list-style-type: none"> The DMNP EA team informed the SRBA that the feasibility of establishing an aquatic habitat linkage under the Don Valley Parkway was problematic, and further, the City of Toronto had expressed a desire to use this property as an access point for one of its proposed Combined Sewer Overflow (CSO) interceptor tunnels and tanks (Don River and Central Waterfront Project EA). TRCA was not in a position to eliminate one of the City's potential sites to address the City's long-standing concern of raw sewage in the Don. |
| <ul style="list-style-type: none"> In September 2009, a SRBA representative expressed dismay that TRCA permitted the Bridgepoint Hospital proposal to proceed and that the site would not be incorporated in the Don Narrows component of DMNP EA. | <ul style="list-style-type: none"> In February 2010, the DMNP EA team suggested to the City's Don River and Central Waterfront Project planning team that some form of naturalized landscape be considered for this property as part of the long-term planning of the final configuration of the CSO access tank to address the concerns of the SRBA. |
| <ul style="list-style-type: none"> The DMNP EA team received a request from the South Riverdale Business Association (SRBA) in March 2009 to incorporate the Unilever factory into the DMNP EA area following news that the lease operators (Korex Canada) were going out of business. The request was to expand the naturalization area and to improve public linkages north-south along the east side of the Don River. | <ul style="list-style-type: none"> The SRBA representative was informed that this would be pursued as part of the EA. City Staff were advised of the situation. Though the DMNP EA recognizes that works are necessary at this location to provide a comprehensive solution to flooding, the City still recognizes this property as an employment district. The property is also outside of the official jurisdiction of Waterfront Toronto. |
| 2. General Public Comments on the Preliminary Preferred Alternative for DMNP EA | |
| <ul style="list-style-type: none"> The key issues raised regarding the Preliminary Preferred Alternative included: <ul style="list-style-type: none"> The proposed location of Don Greenway; The apparent lack of the Don Greenway south of the Ship Channel, the ecological function of the Greenway south of the Ship Channel; A request to decommission the Don Roadway from the DVP to prevent the Don Roadway from becoming a major thoroughfare. | <ul style="list-style-type: none"> The DMNP EA team responded that we will suggest to Waterfront Toronto that they develop a footprint and conceptual design for the Greenway south of the Ship Channel to show its continued existence in the overall waterfront planning activities, and that any other concerns about land use planning and infrastructure for the Lower Don Lands be directed to Waterfront Toronto. |

10.1.10 Summary of Public Issues and Responses

Table 10-7 summarizes the key issues raised by the public through the consultation activities described in this section.

Table 10-7 Summary of Public Comments Received and Responses Provided

| | Public Comments Received | Consideration of Comments |
|--|--|---|
| Public Walks/ Workshops | <ul style="list-style-type: none"> Majority of attendees would like to attend future Site Walks while 60% would like to attend future Public Forums and Presentations. | <ul style="list-style-type: none"> Comments noted. |
| | <ul style="list-style-type: none"> Recommendations included holding event in Spring or Summer, organize smaller groups and provide better sound equipment. | <ul style="list-style-type: none"> Three public meetings were held in a “science fair” open house format showcasing parallel projects underway that needed to be taken into account in the DMNP EA, and to discuss in detail, specific technical issues related to the DMNP EA. |
| Sediment Management | <ul style="list-style-type: none"> Information on Sediment Management requested by members of the public. | <ul style="list-style-type: none"> An overview of the proposed sediment management strategy was presented during the final Public Forum, including additional opportunities/benefits of the operations. |
| Focus of the DMNP | <ul style="list-style-type: none"> The DMNP should: <ul style="list-style-type: none"> Provide opportunities for recreation; Control against West Nile Virus; Celebrate cultural heritage; Ensure flood protection; Maximize naturalization opportunities; Create more open space; Remove sediment before naturalizing the area; Move infrastructure away from core natural areas. | <ul style="list-style-type: none"> TRCA committed to finding a solution that met the objectives of flood protection and naturalization while recognizing that the DMNP was located in an urban environment with specific cultural and recreational elements, and still provided for the management functions pertaining to sediment and debris control. |
| The Preliminary Preferred Alternative | <ul style="list-style-type: none"> Costs versus benefits. Allowing development in the Port Lands. Feasibility of the proposed urban elements adjacent to the River. | <ul style="list-style-type: none"> The Design Competition provided an opportunity to provide a highly integrated approach between development of the river and the surrounding urban form. It also provided an opportunity for close integration with other adjacent City Building initiatives in the area (i.e., Gardiner EA, Don River and Central Waterfront Project, East Bayfront Precinct Plans, etc.). |
| | <ul style="list-style-type: none"> The need for more green space than proposed, larger wetlands, less density, and discussion of the connections between Lake Ontario Park, Tommy Thompson Park and the Project Study Area. | <ul style="list-style-type: none"> The amount of green space associated with the project will provide for the desired ecological and flood conveyance benefits while providing the City of Toronto with a vibrant accessible park space. The amount of land available for natural and aquatic habitat has greatly expanded since the start of the EA process in 2004 in order to address flooding and naturalization objectives, and to bring better value and connections with the proposed built form around the river. Densities and surrounding urban form were defined through the Lower Don Lands process; issues related to the footprint and amount of green space were discussed in two previous public meetings. |

Table 10-7 Summary of Public Comments Received and Responses Provided

| | Public Comments Received | Consideration of Comments |
|--|---|--|
| | <ul style="list-style-type: none"> The proposed location of Don Greenway and the apparent lack of the Don Greenway south of the Ship Channel, the ecological function of the Greenway south of the Ship Channel. | <ul style="list-style-type: none"> The DMNP EA team responded that we will suggest to Waterfront Toronto that it develop a footprint and conceptual design for the Greenway south of the Ship Channel to show its continued existence in the overall waterfront planning activities, and that any other concerns about land use planning and infrastructure for the Lower Don Lands be directed to Waterfront Toronto. |
| | <ul style="list-style-type: none"> The Don Roadway should be decommissioned from the DVP to prevent Don Roadway from becoming a major thoroughfare. | <ul style="list-style-type: none"> Decommissioning of the Don Roadway is not part of the DMNP. |
| Functionality of Naturalized Areas | <ul style="list-style-type: none"> Future lake levels need to be considered with regard to operation of wetlands. The need to provide four season use of the naturalized and Keating Channel areas. | <ul style="list-style-type: none"> The design has significant flexibility to accommodate change. The intent is for the design to provide four season use. |
| Funding and Implementation of the DMNP | <ul style="list-style-type: none"> How will the required funding for the DMNP be obtained? Provide a cost-benefit analysis and business plan to support the project plans, including adaptive management and monitoring program is required for the EA. | <ul style="list-style-type: none"> Efforts to secure funding for implementation of the DMNP is an ongoing issue for the project proponents and continued public support for the project will be instrumental. A cost-benefit analysis and the economic effects assessment has been conducted and has been implemented into the DMNP EA. The analysis concluded that the DMNP will be a transformative, catalytic project for the City of Toronto and the Greater Toronto Region, and will generate a range of substantial benefits for the City and the Region including: <ul style="list-style-type: none"> Strong economic multiplier impacts during construction, including more than \$1.5 billion in economic activity and 8,800 full-time construction job years; Incremental land value; Development that reduces externalities, or hidden costs, of development; Enabling of future growth, with associated growth in residents and employment and public revenue from new development. |
| | <ul style="list-style-type: none"> How long will it take for the DMNP to be implemented? | <ul style="list-style-type: none"> The DMNP implementation will be phased over several years. |
| Planning for the Greenway South of Ship Channel | <ul style="list-style-type: none"> There is a lack of planning for the Greenway south of the Ship Channel. What happened to the playing fields from the Design Competition and uses for recreation in the Greenway? | <ul style="list-style-type: none"> A concept plan for the Greenway south of the Ship Channel will be developed by Waterfront Toronto. A public workshop for the Don Greenway was held in 2007 to discuss the functions of this area. A resounding majority identified that the Greenway should be dedicated to naturalization and passive recreation. As a result, the playing fields proposed during the Design Competition were removed from the Greenway. |

Table 10-7 Summary of Public Comments Received and Responses Provided

| | Public Comments Received | Consideration of Comments |
|---|---|--|
| | <ul style="list-style-type: none"> How will water circulation in the Keating Channel be maintained? | <ul style="list-style-type: none"> Circulation in the Keating Channel is recognized as a key element for detailed design, and a range of passive and active approaches to maintain circulation will be considered. |
| Adjacent Land Uses | <ul style="list-style-type: none"> The need to ensure appropriate communities of scale developed adjacent to river to allow for affordability, providing servicing that works and developing buildings and structures of iconic value. | <ul style="list-style-type: none"> Lower Don Lands planning and Central Waterfront Secondary Plan will direct built form and densities and adjacent land uses within the area. The concept avoids most heritage buildings/sites and most private properties. |
| Heritage | <ul style="list-style-type: none"> Need to celebrate industrial heritage. | <ul style="list-style-type: none"> Leaving the Keating Channel and other built heritage and cultural landscape features in place provides a major piece of commemoration of the industrial heritage of the area. |
| Environmental Protection | <ul style="list-style-type: none"> Protect water and air quality, allow for climate change, and create conditions for river to self-sustain rather than require on-going maintenance. | <ul style="list-style-type: none"> Addressing watershed water quality issues is beyond the scope of this project. The DMNP will be designed to withstand existing conditions with the anticipation that the City's work to eliminate Combined Sewer Outflow (CSO) discharges to the Don and Central Waterfront will only improve water quality further. |
| | <ul style="list-style-type: none"> Recommendation that a wildlife corridor along the Don Narrows should be provided. | <ul style="list-style-type: none"> A suite of habitat enhancement opportunities were examined for the Don Narrows and have been incorporated into the DMNP EA. Details are provided in Appendix J. |
| | <ul style="list-style-type: none"> Water quality and creation of habitat should be a priority. | <ul style="list-style-type: none"> Water quality/circulation in the Keating Channel is a key detailed design element to be resolved in conjunction with the urban form. |
| | <ul style="list-style-type: none"> How to "Hold" proposed green spaces from development. | <ul style="list-style-type: none"> Strategies to "hold" lands identified for naturalization will be undertaken the City and Waterfront Toronto, with the support of TRCA and the Province. |
| | <ul style="list-style-type: none"> The need to ensure connections for wildlife and people from waterfront to watershed. | <ul style="list-style-type: none"> Lower Don Lands Framework Plan and Infrastructure Municipal Class EA will develop an intricate network of roads, trails, transit to and from the area. The DMNP EA does offer enhanced aquatic and bird connectivity between the lake and watershed. |
| Integration with Other Plans | <ul style="list-style-type: none"> How is the EA integrated with other projects in the Don Watershed such as the City of Toronto's Wet Weather Flow Management Master Plan? | <ul style="list-style-type: none"> The DMNP EA is being designed to function under current water quality conditions and which will only improve as the City undertakes their work to improve water quality. |
| Supporting Technical Studies/ EA Documentation | <ul style="list-style-type: none"> Provide the supporting technical studies for review. | <ul style="list-style-type: none"> Technical studies will be available for review with the release of the EA. |
| | <ul style="list-style-type: none"> The use of the Design Competition in the EA should have been a negotiated discussion with public for planning the Port Lands. | <ul style="list-style-type: none"> Comments noted. |

Table 10-7 Summary of Public Comments Received and Responses Provided

| | Public Comments Received | Consideration of Comments |
|--|---|---|
| Affected Land Owners and Other Properties | <ul style="list-style-type: none"> Concerns regarding the impacts on private land owners and the loss of two heritage buildings in the plan. | <ul style="list-style-type: none"> Most of the private property owners and heritage structures were avoided. The magnitude of flooding that requires conveyance limited our ability to avoid all structures in the design. Where possible structures and activities will be relocated nearby. Waterfront Toronto will lead discussions with appropriate agencies to discuss approaches for those structures and land uses that cannot be relocated over the long-term. |
| | <ul style="list-style-type: none"> Concerns regarding the potential for TPA to undermine plans. | <ul style="list-style-type: none"> DMNP EA team and Waterfront Toronto have been consulting closely with TPA throughout the process. At the time the comment was made, no show-stoppers were identified. |
| Vibrant and Energetic Community Feel | <ul style="list-style-type: none"> Concern regarding the need for a vibrant and energetic local community feel. | <ul style="list-style-type: none"> DMNP EA Team and WT agree that a vibrant and energetic local community feel are essential. |

10.2 Agency / Landowner Consultation Activities and Results

Given the complexity of the DMNP, and the large number of agencies groups requiring consultation, the DMNP EA Team undertook a substantial agency consultation program throughout the EA phase of the DMNP. The consultation strategy is discussed in more detail through the following broad categories:

- Technical Advisory Committee (TAC);
- EA Regulators (MOE, CEA Agency, DFO and Transport Canada);
- City of Toronto;
- AHT;
- TPA;
- Utilities;
- Railway owners and operators;
- Landowners; and
- Related projects.

10.2.1 Technical Advisory Committee

A Technical Advisory Committee was developed to participate in the Consultant Selection Phase of the DMNP EA, and played a key role through the DMNP EA ToR phase. The TAC provided a forum for all government, property owner, and regulatory agencies to meet, review and comment on the technical components of the project. The constituent TAC members are listed in **Table 10-8**. The TAC's role was primarily to streamline the development of the EA by providing a one-stop forum for agency consultation. The TAC ToR is included in **Appendix Q-4**.

Table 10-8 TAC Member Organizations

| | |
|---|--|
| <ul style="list-style-type: none"> • AHT; • Bell Canada; • CEA Agency; • Canadian Pacific Railway; • Canadian Transportation Agency; • City of Toronto Parks - Forestry and Recreation; • City of Toronto - Public Health; • City of Toronto - Transportation Services; | <ul style="list-style-type: none"> • Ministry of Natural Resources; • Ministry of Public Infrastructure Renewal; • MMM Group; • MVVA; • National Energy Board; • Navigable Waters Protection; • Ontario Realty Corporation; • Ontario Secretariat of Aboriginal Affairs; |
|---|--|

Table 10-8 TAC Member Organizations

| | |
|---|---|
| <ul style="list-style-type: none"> • City of Toronto – Planning; • City of Toronto - Facilities and Real Estates; • City of Toronto - Technical Services; • City of Toronto - Toronto Water; • City of Toronto - Waterfront Secretariat; • Cityscape; • Enbridge Gas Distribution; • Environment Canada; • ENWAVE; • ERH Associates; • DFO; • GO Transit; • Health Canada – Ontario Region; • Hydro One Networks Inc.; • Indian and Northern Affairs Canada; • Korex Don Valley Canada; • Ministry of Culture; • MOE; | <ul style="list-style-type: none"> • Planning Solutions; • Public Works and Government Services Canada; • Redpath Sugar Ltd.; • Rogers Cable; • Suntower Developments Limited; • Task Force to Bring Back the Don; • TPLC; • Toronto Hydro; • Toronto Marine Police Unit; • TPA; • Toronto Terminals Railway; • Toronto Transit Commission; • Transport Canada – Program Branch; • Unilever Canada; • VIA Rail; • Waterfront Toronto; and • West Donlands Committee. |
|---|---|

During the DMNP EA ToR phase, the Team noted that these larger TAC meetings were useful in distributing information to the various agencies but were not conducive to establishing frank discourse and an effective return flow of information back to the DMNP EA process. To receive meaningful input into the EA process, the Team was frequently required to meet with the various agencies on a one-to-one basis in addition to the TAC. This was used to replace the formal TAC meetings. As such, it was decided following the November 21, 2006 TAC meeting (**Table 10-9**) that the DMNP EA Team would instead meet with agencies and stakeholders on an individual basis to provide for a more strategic and effective dialogue. Furthermore, Waterfront Toronto and the City of Toronto took on the primary responsibility for consultation with the various private property owners in the Project Study Area.

Table 10-9 Consultation with Technical Advisory Committee

| Date | Topics Covered |
|--------------------------|---|
| November 21, 2006 | <ul style="list-style-type: none"> • ToR status. • October 14 Site Walk and Boat Tour. • Summary of Steps 1 and 2. • Initial long list of Alternative methods. • Preliminary process to select preferred alternative(s). • Waterfront Toronto’s plan for an International Design Competition. • Arrangements for Public Meeting (December 5, 2006). • Questions regarding conveyance of flood flows, land requirements for the alternatives, water quality issues from upstream, sediment management issues were raised and discussed (no action items arose from those). More hydraulic modelling will be developed to determine flooding frequency. Intent is for the natural system to be able to withstand existing water quality conditions and to improve with future improvements in water quality resulting from other parallel project upstream. • A concern was raised that the EA did not appear to address the impacts on and to existing and future infrastructure in the area. The EA will identify those pieces of infrastructure that need not change, or require relocation or modification to accommodate the DMNP EA. The DMNP will not be built all at once, so portions of the project (including infrastructure works) may occur on a strategic basis. • The proposed International Design Competition will also allow for a re-examination as to how the natural and urban systems will integrate – perhaps mitigating many of the potential infrastructure conflicts currently envisioned with the current proposed alternatives. |

10.2.2 EA Regulators

Frequent and ongoing communications with the provincial and federal EA regulators is important to minimize uncertainty, risk, complications, costs and delays later in the EA review process. The DMNP EA Team and Waterfront Toronto met with the MOE, CEA Agency, DFO and TC on a number of occasions to provide general project updates; to discuss how high level design could be incorporated into the early stages of an Individual EA to expand the study area, add to the range of “alternatives to”, and refine the evaluation criteria; and to coordinate the preparation of a CEAA Screening Report. These meetings are summarized in **Table 10-10**.

Table 10-10 Consultation with EA Regulators

| Agency | Date | Topics Covered |
|--------------------|-------------------|---|
| MOE and CEA Agency | December 4, 2006 | <ul style="list-style-type: none"> Design Competition Integration Meeting. Both agencies expressed interest in integrating high level design to refine the study area and range of alternatives at early stages of the EA. |
| MOE | June 7, 2007 | <ul style="list-style-type: none"> Whether proposed approach to integrate vision prepared by winning team from the Design Competition with DMNP EA was acceptable. Required to reconfirm that original Alternatives To The Undertaking that were deemed ineligible during ToR remained so. |
| MOE and CEA Agency | February 11, 2008 | <ul style="list-style-type: none"> Progress on DMNP EA: evaluation of alternatives, Navigable Waters Protection Act issues, TPA issues, soils issues and strategy, draft project description, schedule for EA and build-out, and integration with other EAs and planning projects (cumulative effects). |
| MOE | February 15, 2008 | <ul style="list-style-type: none"> Provincial EA specific project update. Reconfirmed need to revisit original Alternatives To The Undertaking that were discounted during EA ToR phase as part of evaluation of alternatives. New Reg. 334 for EA format. Detailed information on soils for technical staff review required. |
| CEA Agency | May 23, 2008 | <ul style="list-style-type: none"> Notice of Commencement was posted by DFO. Will develop “Detailed” CEAA Screening to avoid potential future approval issues. Confirmed no federal funding trigger. Confirmed CEA Agency Screening is required. TPA will be an expert authority to Transport Canada and will have a permitting agency function as well (a letter will be sent outlining specific issues). TPA will also be involved in negotiations with railway access to the Port Lands separate from CEA Agency – early plans should be submitted to Canadian Transportation Agency to start separate process. National Energy Board only involved if plans to relocate nationally regulated pipelines or work occurs within 30 m of nationally regulated pipelines – will be negotiated separately on a case-by-case basis. DMNP EA will rely on Waterfront Toronto Soil Recycling Facility and RA/RM. DMNP EA will assume more stringent management requirements when conflict between federal and provincial guidelines encountered. DMNP EA will allow for climate change impacts regarding conveyance and ecological considerations. |
| MOE and CEA Agency | June 20, 2008 | <ul style="list-style-type: none"> Whether proposed approach to integrate vision prepared by winning team from the Design Competition with DMNP EA was acceptable. Informed that federal funding is not available to implement project (no federal funding triggers). MOE and CEA Agency will establish a joint review committee to coordinate their reviews. AHT would like early input into EA process. |
| MOE and CEA Agency | July 3, 2008 | <ul style="list-style-type: none"> DMNP EA and integration process and soil/ groundwater and land ownership issues. Concerned about sediment from river entering Ship Channel. Will minimize risk by limiting the frequency of flooding to Ship Channel to 25 year event or beyond in design. |

Table 10-10 Consultation with EA Regulators

| Agency | Date | Topics Covered |
|-------------------------------------|------------------|---|
| CEA Agency, Transport Canada | July 14, 2008 | <ul style="list-style-type: none"> • <i>Navigable Waters Protection Act</i>. • Emergency access by land preferred but DMNP EA will need to provide for on water access for inflatable response boats (min 2 m vertical and 6 m horizontal – more clearance preferred). • Pedestrian bridges have same clearance requirements as permanent fixed bridges. • <i>Navigable Waters Protection Act</i> approvals on the basis of detailed design of individual structures just prior to construction. DMNP EA will provide general information on what is proposed, how structures will be constructed and mitigation works to minimize impacts on navigation (additional approvals will be required during detailed design for specific structures). • Transport Canada needs to assess whether weirs in Keating Channel are considered dams requiring approvals, or whether they just divert flows elsewhere thereby negating need for approvals. • Transport Canada has no concerns regarding dredging facility. • Transport Canada will need to approve footprint and construction approach for promontory. • Spillway to Ship Channel is only a concern under <i>Navigable Waters Protection Act</i> regarding impacts to navigation during the modification of the dockwall. TPA concerned about frequency of flooding to Ship Channel. • Transport Canada interested in habitat structures proposed for Don Narrows and requests that they avoid thalweg. • Transport Canada has no issues regarding directional drilling. • Transport Canada requires a review of bridge decommissioning plans to ensure no impacts to navigation (at detailed design). • New bridges should provide required clearances with fixed structures rather than lift bridges. • Transport Canada did not express concerns about day-use moorage in Keating Channel (as long as enforcement available to ensure boaters do not stay overnight). |
| MOE and City of Toronto | July 15, 2008 | <ul style="list-style-type: none"> • Lower Don Lands Planning Process Consultation – Innovative stormwater solutions. • Major stormwater conveyance systems should have outlets at lake, and Keating and Ship Channels – not wetlands and rivers. • Details on maintenance and responsibility for proposed seepage wetland infiltration systems required. • MOE may require a Certificate of Approval for seepage wetlands (technically stormwater management ponds in Ontario as currently shown – all sources of stormwater going to infiltration wetlands). • Seepage wetlands are located at the end of a stormwater treatment train. TRCA reiterates that roof-top water for seepage wetlands with effective separation from road run-off required. • Early model run suggests 85-90% total suspended solids removal with current treatment train and high removal rates of total phosphorus and metals – does nothing for road salt – need a separate treatment train for road run-off as there is no effective way to remove road salt and spills from entering treatment train to seepage wetlands unless separation at source established. |
| MOE | July 15, 2008 | <ul style="list-style-type: none"> • Project update. • Confirmed that Individual EA approvals can last beyond 10 year limit through use of an approved adaptive management and monitoring program in support of amending procedures. • Confirmed that parks are exempt from EAs if under \$3.5M. • MOE is developing guidelines for amending procedures. |
| CEA Agency, DFO | October 14, 2008 | <ul style="list-style-type: none"> • DFO required changes to the effects assessment components. |

Table 10-10 Consultation with EA Regulators

| Agency | Date | Topics Covered |
|--------------------|-------------------|---|
| CEA Agency | January 13, 2009 | <ul style="list-style-type: none"> • TPA provided draft letter of issues in response to CEA Agency Project Description. • DMNP EA Team responded to TPA's letter with a response dated February 19, 2010. • Further revisions to Scoping Document to be led by DFO. |
| CEA Agency | January 14, 2009 | <ul style="list-style-type: none"> • Lower Don Lands Plan and DMNP EA staging, soils/groundwater management approach, adaptive management and monitoring strategy, and preliminary impact assessment results. • TPA raised concerns about not seeing proposed staging plan earlier. • TRCA agreed to meet with TPA to discuss issue in detail. |
| MOE | January 20, 2009 | <ul style="list-style-type: none"> • DMNP EA and Lower Don Lands Infrastructure Municipal Class EA updates including Port Lands soils strategy update. • Discussed new First Nations consultation requirements – Duty to Consult. |
| CEA Agency | February 14, 2009 | <ul style="list-style-type: none"> • Project Description Development. • CEA Agency uncertain whether Screening or Comprehensive study required • Waterfront Toronto soil recycling facility must be in place before any material from DMNP project arrives. • DMNP EA assumes all hazardous materials disposed of at existing licensed facility. • DMNP EA assumes Waterfront Toronto will develop soil recycling facility through separate process from DMNP EA (becomes a receiving place for contaminated soils for DMNP EA). |
| MOE and CEA Agency | April 30, 2009 | <ul style="list-style-type: none"> • DMNP EA and Lower Don Lands Infrastructure Municipal Class EA content for upcoming May 9, 2009 Public Forum. |
| MOE Central Region | November 18, 2009 | <ul style="list-style-type: none"> • Lower Don Lands Plan and DMNP EA staging, soils/groundwater management approach, adaptive management and monitoring strategy, and preliminary impact assessment results. • Questions primarily focused on Waterfront Toronto soils and groundwater management strategies and proposed soils treatment facility. • DMNP EA assumes construction will use Best Management Practices to excavate soils and control groundwater, and deliver soils to Waterfront Toronto soil recycling facility or elsewhere for disposal. |

10.2.3 City of Toronto

The DMNP is located within the City of Toronto. A project of this scope requires close involvement with the local municipality to ensure that the planning, construction, and post-construction activities meet the specific needs of the City. The DMNP team has met regularly with the City of Toronto throughout the DMNP EA planning process through two broadly defined processes: regular overview coordination meetings and topic specific meetings.

The purpose of the regular overview coordination meetings was to exchange information about the DMNP between the EA team and City of Toronto staff, and provide a mechanism for City of Toronto staff to provide input into the decision making process. The DMNP EA team also met with smaller groups at the City of Toronto regularly to inquire about parallel projects or planning issues, and to seek feedback following project updates.

Port Lands Coordination Meetings were established in 2007 to assist with planning and coordination between Waterfront Toronto, City of Toronto and TRCA as it related to all revitalization activities that occurred within the Port Lands area. The meetings provided a venue to provide project updates to the various project teams and departments within the City, allowed for the development of strategic responses to issues that arose, and identified strategies for comment and review by the various parties to ensure maintenance of project schedules. Meetings typically occurred bi-monthly.

Lower Don Lands meetings led by the City's Waterfront Secretariat were commenced on October 2, 2008 to assist with the distribution of information internally at the City regarding the Lower Don Lands Framework Plan and the DMNP EA. TRCA technical, management and planning staff also participated in these meetings as a regulator. This also provided a time where project specific issues or milestones could be presented to key department representatives with the City of Toronto by the DMNP EA team. Meetings were scheduled on a monthly or as needed basis.

With the decision to undertake direct communications with interested stakeholders during the EA process, rather than the broader TAC meetings, the DMNP EA team met with smaller groups at the City of Toronto regularly to inquire about parallel projects or planning issues, and to seek feedback following project updates.

Table 10-11 provides a summary of all key meetings with City staff. It does not include the extensive informal and ongoing discussions with individual staff that have occurred almost daily throughout the EA process. Nor does it include those meetings that were organized through other planning processes with City staff, but included discussion about the DMNP.

Table 10-11 Consultation with the City of Toronto

| Department | Date | Topics Covered |
|--|--------------------------|--|
| Waterfront Secretariat and Planning | <i>December 18, 2006</i> | <ul style="list-style-type: none"> Property issues east of Don Roadway north of Lake Shore Boulevard. Plans for properties east of Don Roadway north of Lake Shore Boulevard are to remain an employment district for foreseeable future. |
| City of Toronto | <i>February 9, 2007</i> | <ul style="list-style-type: none"> Lower Don Lands Design Competition design briefing meeting. |
| City of Toronto | <i>May 11, 2007</i> | <ul style="list-style-type: none"> Lower Don Lands Design Integration with DMNP. Confirm with MOE to ensure that DMNP EA ToR does not need to be revisited Confirm that a summary of the design competition review reports focusing on the MVVA vision need be incorporated in the DMNP EA. Agreement that the vision prepared by the winning team is a starting point in developing a new alternative to be considered by the DMNP EA. The urban design elements of the original alternatives need to be enhanced to ensure a fair comparison of a new alternative based on the vision prepared by the winning team for the Lower Don Lands. |
| City of Toronto | <i>June 26, 2007</i> | <ul style="list-style-type: none"> First Integration Workshop to discuss: <ul style="list-style-type: none"> Assumptions behind DMNP EA and the vision prepared by the winning team relating to the river and function; Any issues pertaining to divergent assumptions used in generating the vision prepared by the winning team; Elements of the vision deemed not appropriate for the DMNP EA (i.e. sports fields in Greenway, island at Commissioners Bridge); Next steps of the DMNP EA (i.e., develop a new alternative based on vision, conduct a high level screening of new alternative to ensure meets key criteria, building up original alternatives, and develop new evaluation criteria). Key issues to address related to river: <ul style="list-style-type: none"> Commissioners Park function; Home Depot; Functionality of development on 480 Lake Shore Boulevard; Don Greenway function; Amount of tree canopy; Preserving cultural heritage; Parking pressures (regional park function); Alignment with Don CSO EA process and possible Gardiner Expressway EA process. |

Table 10-11 Consultation with the City of Toronto

| Department | Date | Topics Covered |
|---|-------------------|---|
| City of Toronto | July 17, 2007 | <ul style="list-style-type: none"> Lower Don Lands Design Integration with DMNP. Develop understanding of the issues. Tour of Lower Don Lands and local coastal wetlands to provide better understanding of the issues from the ground level, and allow the Lower Don Lands Design Team to develop a better foundation for local ecological and hydraulic function. |
| Waterfront Secretariat, Parks, Works and Water | July 24, 2007 | <ul style="list-style-type: none"> Design integration issues for DMNP EA regarding playing fields, Gardiner Expressway, the creation of islands of development (traffic/servicing), and transit (servicing/densities). An overview of master plan for servicing and transportation required for the Lower Don Lands. |
| Waterfront Secretariat and Planning | August 14, 2007 | <ul style="list-style-type: none"> Progress on integration of Design Competition with DMNP EA, design impacts on evaluation criteria, land requirements to contain Regulatory Flood, Declaration Order impacts, and Don Greenway issue. |
| Waterfront Secretariat and Parks | October 18, 2007 | <ul style="list-style-type: none"> Options for playing field issue and Don Greenway Charette outcomes. Parks still need 4 regional playing fields to replace Commissioners Park (minimum of 2 regional and 2 local fields). |
| Waterfront Secretariat, Parks, Works, Planning and Transportation | January 24, 2008 | <ul style="list-style-type: none"> DMNP EA evaluation of alternatives and selection of preliminary preferred. Concerns about the level of detail provided regarding how the proposed realignment will influence transportation. More emphasis on open space rather than terrestrial habitat required for promontory. Commissioners Park program has been fragmented (not as functional as original). Maintain employment district in south eastern district. Councillor briefing required. |
| Works | January 29, 2008 | <ul style="list-style-type: none"> Lower Don Lands Planning Process Consultation Verification Study. |
| Department Heads | January 31, 2008 | <ul style="list-style-type: none"> DMNP EA evaluation of alternatives and selection of preliminary preferred. |
| Transportation | February 14, 2008 | <ul style="list-style-type: none"> Lower Don Lands Planning Process Consultation Verification Study. Generally supportive, need for adequate connections to "islands" that are created by the Lower Don Lands plan. |
| Cultural Heritage and Archaeology | February 19, 2008 | <ul style="list-style-type: none"> Lower Don Lands Planning Process Consultation Verification Study. Relocation of designated heritage structures highly discouraged. Changes require Council approval. |
| Municipal Servicing | February 20, 2008 | <ul style="list-style-type: none"> Lower Don Lands Planning Process Consultation Verification Study. Fire – need detailed drawings showing road widths and water pressure/supply and access for fire response boat into Keating Channel. Emergency Medical Services (EMS) – public safety – noticed Toronto Marine Unit not at meeting to raise issue of access to Don River/Keating Channel for their response craft. Structures – will have comments for detailed design of new bridges, locations, and modifications to existing – issue regarding ownership of dockwalls was raised – required clarification, and that TPA owns the Cherry Street lift bridge. |
| Parks, Recreation and Forestry | February 21, 2008 | <ul style="list-style-type: none"> Lower Don Lands Planning Process Consultation Verification Study. Requires full access to the public which includes intelligent gathering places and environmental themes, good shade, separation between different modes of trail users, and a need for other small parks in the precincts in addition to the new mouth. Design must have minimum adequate soil depth of 1.5 m of clean material. Interest in who owns and maintains proposed "green fingers", and functionality issues (not yet determined). Active Sport Fields (responds should examine at the scale of the full Port Lands rather than just the Lower Don Lands area). |

Table 10-11 Consultation with the City of Toronto

| Department | Date | Topics Covered |
|---|--------------------------|---|
| | | <ul style="list-style-type: none"> • City Parks of opinion that function and form of Commissioners Park still needs to be retained in Lower Don Lands. • Recommend high level of design – integrate public facilities with private development along park margins (e.g., public washrooms in shared buildings with adjacent restaurants?) • Trails need to be designed to allow operational access including winter maintenance. • City Parks requires idea of what functions the Park will provide including promenades, promontory, natural space and small parkettes for range of functions; and budget for operations. |
| Real Estate | <i>February 27, 2008</i> | <ul style="list-style-type: none"> • Lower Don Lands Planning Process Consultation Verification Study. • City Real Estate, City Parks and Waterfront Secretariat (and TRCA as appropriate) will meet internally to discuss ownership issues and leases over public right of ways within study area. |
| City of Toronto | <i>March 5, 2008</i> | <ul style="list-style-type: none"> • Lower Don Lands Planning Process Consultation Verification Study. • Waterfront Toronto Sustainability Framework has a “No Digging and Dumping Policy”. |
| Parks, Natural Environment and Community Involvement Group | <i>March 10, 2008</i> | <ul style="list-style-type: none"> • DMNP EA evaluation of alternatives and selection of preliminary preferred. |
| Transportation | <i>June 5, 2008</i> | <ul style="list-style-type: none"> • Plans to improve Don Narrows north of CN railway crossing, and discuss issues of upcoming Gardiner EA. • Sheetpile along DVP nearing end of life. May be opportunities to incorporate habitat features in new bank protection works. • Some concerns raised about increased flooding associated with filling of Don Narrows and possibility of providing additional flood protection instead of maintaining status quo. • Request sent to City requesting detailed drawings of infrastructure along DVP. • City confirmed Gardiner EA will start and that the EA will ensure that the DMNP EA will dictate elevations of crossings of alternatives for Gardiner redesign. |
| Works | <i>July 29, 2008</i> | <ul style="list-style-type: none"> • Lower Don Lands Planning Process Consultation Verification Study. |
| Waterfront Secretariat and Planning | <i>March 31, 2009</i> | <ul style="list-style-type: none"> • Hydraulic modelling results, and the requirements to convey flooding north of Lake Shore Boulevard, east of Don Roadway. • Flood protection landform or raise grades required east of Don Roadway – schematic provided including development setbacks and freeboard. • Viability of employment in this area. • Coordinate discussions with land owner (to include Waterfront Toronto and City presence). • Discussion of special policy area issues for Lower Don Lands. |
| Waterfront Secretariat and Planning | <i>June 19, 2009</i> | <ul style="list-style-type: none"> • SPA/OPA approaches for Keating Precinct West, and Lower Don Lands Area. • Discussed range of options and issues related to SPA/OPA approaches for Keating Precinct West and Lower Don Lands Area. |
| Waterfront Secretariat and Planning | <i>August 28, 2009</i> | <ul style="list-style-type: none"> • Next steps regarding flood protection, land uses, and phasing implications with news that Korex went bankrupt on Unilever property, and Lower Don Lands SPA related issues. • Identify issues of concern and possible resolution if Unilever property becomes available for flood protection earlier than anticipated in phasing. • Further discussions are required to resolve SPA/OPA issues. |

Table 10-11 Consultation with the City of Toronto

| Department | Date | Topics Covered |
|---|---|--|
| Waterfront Secretariat and Planning | <i>September 16, November 20 and 27, 2009</i> | <ul style="list-style-type: none"> • SPA/OPA approaches for Keating Precinct West, and Lower Don Lands Area • Intent to develop approach that will protect Lower Don Lands in the Toronto Official Plan. • TRCA needs new official Regulation Line (with expanded flooding in Lower Don Lands). • City takes lead in developing report and OPA. • MNR/MMAH need to be approached with strategy well in advance of OPA submission. |
| Water and Wastewater | <i>November 24, 2009</i> | <ul style="list-style-type: none"> • Dredging specifications required for DMNP EA in order to look for synergies with dredging requirements proposed in response to the current Coxwell Sewer emergency. • DMNP EA team concludes that the management approaches between the DMNP EA and Coxwell emergency are likely incompatible. Recommended that the City look at an alternative management strategy that requires short-term leases of equipment, rather than purchase of equipment that will likely be inappropriate for the long-term maintenance of the DMNP project. |
| Waterfront Secretariat, Parks, Works, Water, Planning and Transportation | <i>December 3, 2009</i> | <ul style="list-style-type: none"> • Phasing strategy, adaptive management and monitoring strategy, preliminary impact assessment, and next steps. |
| Waterfront Secretariat and Planning | <i>February 19, 2010</i> | <ul style="list-style-type: none"> • How City will draft and advance the SPA/OPA issue. • City assumes River will be built out upfront – primary goal to protect lands required for the future river. • City would like to see continued economic return in areas within SPA that will not be in the future river alignment. • With expansion of floodplain in Lower Don Lands, no need for extra protections, most of the area is floodplain hazard land – no new development permitted. • Propose to keep existing SPA boundary with OPA seeking to adopt new river for Official Plan including definition of natural areas which will inhibit any other uses in future wetland areas (including playing fields). • City still wants economic district north of Lake Shore Boulevard, east of Don River – no change in land use will be considered until opportunities for comprehensive flood protection available. |
| Waterfront Secretariat, Parks and Planning | <i>February 23, 2010</i> | <ul style="list-style-type: none"> • Comments on Dec. 2009 Draft of Keating Precinct Plan, Framework Plan, and Design Guidelines. • TRCA provide comments to City (for consolidation with City comments) regarding remaining issues in Lower Don Lands documentation as it relates to DMNP EA and Regulatory concerns. |

On July 9, 2008, City staff organized an informational tour of waterfront projects for a number of City Councillors. The DMNP EA team provided a 10 minute presentation and briefing on the progress of the project planning. In addition, updated meetings with local area Councillors took place throughout project planning on an as-required basis. Comments received from Councillors related to naturalization, the Greenway, recreational facilities, and other project-related issues.

10.2.4 Aquatic Habitat Toronto

AHT represents a consensus based partnership between government agencies interested in enhancing aquatic habitat on the Toronto waterfront. Partners include DFO, MNR, and TRCA in consultation with the City of Toronto. AHT is responsible for the implementation of the Toronto Waterfront Aquatic Habitat Restoration Strategy (AHT, 2000).

AHT has played three important roles throughout the planning of the DMNP EA. Since February 7, 2008, the DMNP EA team has met with AHT to provide project updates at key milestones throughout the planning process in order to gain support for the project from the fisheries regulators (**Table 10-12**). AHT has also provided strong coordination between the various projects that are underway within the Lower Don Lands area to ensure that consistent targets, objectives and tools are being incorporated in the respective planning processes (e.g., the DMNP EA, the City's Don River and Central Waterfront Project, and Waterfront Toronto's Lower Don Lands Framework Plan). The second and third functions are closely inter-related as AHT's efforts to consolidate planning programs also focused on advocating for consistent scientific measurement tools between the projects.

Table 10-12 Consultation with Aquatic Habitat Toronto

| Date | Topics Covered |
|---------------------------------------|--|
| February 7, 2008 | <ul style="list-style-type: none"> • Project update. • Results of preliminary evaluation of alternatives and Verification Study results. • Questions about the ratio of terrestrial, aquatic and park land raised. • MOE should be involved due to contaminated soils. • Recommend participating at Science Workshop to coordinate efforts of various projects in Lower Don Lands (objectives, tools, and data). • AHT will provide streamlined approvals process if involved early and regularly. • The DMNP EA Team incorporated the recommendations as requested. |
| March 8, 2008 | <ul style="list-style-type: none"> • Science and coordination meeting. • Identify agencies involved with AHT and their roles; Identify current science and fisheries/fish habitat data that are available for along the Toronto Waterfront. • Develop action plan to enhance fisheries habitat along the waterfront through integration with Lower Don Lands and DMNP EA. • Need to identify a long list of biophysical and management issues to be discussed at the next Habitat Workshop proposed by AHT. • Reviewed and provided comment on the preliminary list. |
| April 16 and 17, 2008 | <ul style="list-style-type: none"> • Science and coordination meeting. • Develop consistent targets and measurements for the Lower Don Lands, DMNP EA and Don River and Central Waterfront Project. • DMNP EA was at too coarse a level of detail to conduct fish habitat modeling – the required details will not be available until detailed design. However, these discussions are useful and can be incorporated during detailed design. • Follow-up meeting on April 28, 2008 focused on: <ul style="list-style-type: none"> • Invasives management; • System dynamics; and • Stormwater function in the ecological design. |
| May 5, 2008 | <ul style="list-style-type: none"> • Science and coordination meeting. • Biophysical interactions between ecology, lake level and channel/valley form; fish and habitat targets for all three main projects; potential habitat enhancement structures for the Don Narrows; and preliminary plans and reference site selection in the Rouge and Duffins. • Intent was to correlate reference site vegetation communities with lake levels, and to define the function of levees and feeder tributaries connecting adjacent off-channel wetland areas. Substrate composition and submergent habitat structure also considered. • Lower Don Lands team, DMNP EA team, AHT and City of Toronto develop plans for more intensive data collection program for reference sites in the summer. |
| June 5, 2008 and March 4, 2009 | <ul style="list-style-type: none"> • Science and coordination meeting – two meetings covering the same material extending over a 1-year period. • Fish community and habitat needs, habitat indicators to use, appropriate fish habitat models to use, and target fish species/communities for each of the three large projects. |

Table 10-12 Consultation with Aquatic Habitat Toronto

| Date | Topics Covered |
|---------------------------|---|
| | <ul style="list-style-type: none"> DMNP EA will not provide sufficient level of detail to operate fish models and establish hard targets. Given uncertainty when funding will be available for detailed design, it is premature to prescribe which habitat models to use. The DMNP EA will identify a framework for monitoring and adaptive management to direct the designers to develop these targets more fully. For the EA, the use of the Habitat Alteration Assessment Tool (HAAT) model was used to determine whether additional habitat compensation will be required due to lakefill. |
| October 2, 2008 | <ul style="list-style-type: none"> Project update. CEAA scoping document. DFO requires realignment of the Scoping Document to identify specific project components and organized by construction and establishment phase. DMNP EA Team will revise the Scoping Document as requested. |
| April 2, 2009 | <ul style="list-style-type: none"> Project update. Hydrology-ecology interactions, landscape communities and fish habitat opportunities. |
| September 10, 2009 | <ul style="list-style-type: none"> Project update. Preliminary construction phasing plan. DFO recommended that the HAAT model be utilized to ensure wetlands compensation for habitat losses due to lakefilling. Prolonged construction phasing may cause need for additional fisheries compensation (if loss of habitat done upfront). DMNP EA Team will work with AHT to provide HAAT model results as requested. Strong cumulative effects assessment required. |
| November 9, 2009 | <ul style="list-style-type: none"> Science and coordination meeting. Results from HAAT model available on Dec. 17, 2009 suggests that the wetlands component alone more than compensates for the loss of fish habitat due to lakefilling. DMNP EA Team to incorporate HAAT model results in the EA report. |
| December 3, 2009 | <ul style="list-style-type: none"> Project update. Staging plan, preliminary impact assessment, and adaptive management and monitoring plan. Further discussion on fisheries model approach and data needs. Some specific questions requiring how the concept functions. DMNP EA team to work with TRCA and DFO staff to obtain appropriate model output given level of detail in concept. |

10.2.5 Toronto Port Authority

The TPA is responsible for management of the Toronto Port, including the Billy Bishop Toronto City Airport. The Authority is a federally-incorporated agency, with directors appointed by the Government of Canada, Government of Ontario and the City of Toronto.

As a federally-incorporated port authority, the TPA is in part responsible for ensuring safe navigation within the Toronto Harbour. As part of this responsibility, the TPA conducts annual dredging and debris management operations in the Keating Channel and Inner Harbour. The TPA also maintains a major works yard along the south side of the Keating Channel, which they currently lease from the TPLC. The TPA also owns most of the dockwalls, berths and waterlots located throughout the Inner Harbour and Port Lands area. The TPA has been identified as an Expert Authority to Transport Canada as part of the review for the federal CEAA Screening Report for the DMNP.

The DMNP EA Team has met and worked closely with the TPA through the DMNP EA process to identify and address any potential issues early in the EA process. A summary of the meetings to date has been provided in **Table 10-13**.

Table 10-13 Consultation with the Toronto Port Authority

| Date | Topics Covered |
|--------------------------|--|
| July 4, 2007 | <ul style="list-style-type: none"> • Discuss how the results of the Design Competition were integrated into the DMNP EA, including details of the new alternative, and to discuss TPA concerns. • Sediment and debris management was raised as a priority. • Cross currents from Greenway spillway into the Ship Channel. • Sediment deposition into the Ship Channel. • Maintaining emergency vessel access to the Don Watershed. • Loss of navigation in Inner Harbour due to new promontories. • Loss of dockwall. |
| November 21, 2007 | <ul style="list-style-type: none"> • Discuss the revised new alternative (Alternative 4WS), the updated evaluation criteria, summarized approach for sediment and debris management, and implications of alternatives based on TPA comments. • Reiterated concerns about navigation impacts, dockwall impacts and mixing recreational boating with ships in Ship Channel. • Identified that Essroc would be relocated by 2012. |
| February 19, 2008 | <ul style="list-style-type: none"> • Lower Don Lands Planning Process Consultation Verification Study. • Cannot endorse an option that restricts navigation in Inner Harbour. • Concerns about sedimentation into Inner Harbour. • Concerns about flooding, sediment and debris in Ship Channel. • Bridges need to carry commercial shipping. • Keating Channel must be able to accommodate recreational craft (canoe/kayak) and emergency craft. |
| February 21, 2008 | <ul style="list-style-type: none"> • Discuss Lower Don Lands Framework Plan, and DMNP EA selection of the preliminary preferred alternative. • A navigation impact assessment is required with the selection of 4WS as preliminary preferred. • Concerned about the frequency of storms being diverted into Ship Channel. • Sediment deposition in Inner Harbour a concern. • Identified requirements for navigation under bridges in the Ship Channel, and in the Keating Channel/new Don River. • TPA will provide a letter officially outlining concerns as part of the CEAA Screening Project Description. • Requested a map of dockwalls that will be modified. • Requested a list of tenants/properties/uses that will be displaced by preliminary preferred alternative. |
| May 14, 2009 | <ul style="list-style-type: none"> • Discuss Refined Preferred Alternative and to focus on responses to their letter submitted in response to the CEAA Project Description. • TPA seemed satisfied that their key issues outlined in their letter were addressed in the concept plan. • Biggest concern pertains to recreational boaters that do not have the same respect and professionalism on the water as the commercial fleet. • Navigation markers/aids and a strong public consultation approach will be required with the recreational boating community to highlight proposed changes. • TPA liked the proposed technologies for the sediment management system. • TPA advised that dockwall space is available to relocate their remaining works yard operations once works in Keating Channel are no longer able to proceed. • To avoid issues in the Ship Channel, TPA has been placed on TRCA flood warning system to ensure that ships are at anchor in Inner Harbour prior to flood events to avoid issues with cross-currents. |
| February 8, 2010 | <ul style="list-style-type: none"> • Presented concept plan for the DMNP EA to the Special Advisor to the CEO including the proposed phasing strategy. • TPA acknowledges that TRCA or City would be better suited to manage sediment and debris once management facility relocated north of Lake Shore Boulevard. • DMNP EA team to provide written response to TPA letter of concerns (done February 24, 2010). • With future growth planned, important to ensure concrete/aggregates supplies remain accessible to Downtown Toronto via Inner Harbour to maintain lower costs. • Loss of dockwall space remains an issue. • TPA seems to be very positive about the project benefits. |

10.2.6 Utilities

The entire Project Study Area contains a complex network of overhead and underground private and public utilities. Public utilities in the area include water, wastewater, sanitary, stormsewers (SSOs), combined sewer overflows (CSOs), future CSO interception and storage tunnels and tanks, and future water, waste water and sanitary systems. Private utilities in the area include natural gas, oil, district heating / cooling tunnels, high voltage transmission cables (underground and overhead), local hydro lines, telecommunications and fibre optics.

Many of these utilities are critical pieces of infrastructure that need to be maintained throughout project planning and development. Conversely, there are many pieces of infrastructure that have been decommissioned and left in place, and may require significant costs to remediate given the potential for contaminant leaks over time.

The DMNP team recognized early in the ToR stage that the preferred alternative will need to avoid, relocate or protect existing and future utilities in the area. The DMNP EA team has met with the various utility providers on a number of occasions throughout the EA process to provide project updates, to identify any concerns by the providers, and to learn of any future plans that the various utility providers have for the area. A summary of those meetings have been provided in **Table 10-14**.

Table 10-14 Consultation with Utilities

| Utility | Date | Topics Covered |
|---|--------------------------|---|
| Enbridge Gas | <i>October 5, 2006</i> | <ul style="list-style-type: none"> Enbridge’s South Section of Toronto Port Lands Reinforcement Project. Identify preferred route from the perspective of the DMNP EA. DMNP EA team suggested a route to the east of the Don Roadway would be preferred. The Enbridge team concurred. |
| Toronto Hydro, Hydro One, and Bell | <i>February 14, 2008</i> | <ul style="list-style-type: none"> Status of DMNP EA including preliminary preferred alternative and next steps. Hydro providers expressed interest in project, but identified need to ensure that existing servicing could be maintained, and that early notice prior to construction is required (several years lead time) to ensure that the hydro providers have identified future works in their capital budget process. Telus has no interest in the area. |
| Hydro One Networks Inc and Toronto Hydro | <i>March 25, 2008</i> | <ul style="list-style-type: none"> Hydraulic modelling output of the preferred alternative in detail. Focused on issues related to the relocation of the existing Hydro One Networks Inc. hydro bridge and hydro sub-station north of Lake Shore Boulevard. Hydro One expressed interest in developing a comprehensive hydro delivery strategy for Port Lands rather than on an individual infrastructure basis. A comprehensive restructuring of infrastructure will go long way to minimize costs. Preliminary costs to relocate were \$12M for hydro bridge, and \$50M for the hydro sub-station ($\pm 50\%$). Following the March 25 meeting, the City and Waterfront Toronto deemed relocation of hydro sub-station too costly. Instead, opportunities for providing flood protection structures along the east side of the Don River were recommended (i.e., FPL on Unilever site, combined with relocation of hydro bridge, and other modifications to the channel dimensions). These plans need to be coordinated with the City/Waterfront Toronto Gardiner Expressway EA. |

Table 10-14 Consultation with Utilities

| Utility | Date | Topics Covered |
|---|-----------------------|---|
| Toronto Public Utilities Coordinating Committee, City Departments <i>(Transportation, Water, Planning, Structures, Urban Forestry), Enbridge, Enwave, Rogers, Bell/Group Telecom, and TTC</i> | <i>March 26, 2008</i> | <ul style="list-style-type: none"> • Status of DMNP EA including preliminary preferred alternative and next steps. • City remains uncertain of Gardiner EA results and schedule. • Cherry Street Bridge emergency repairs completed. • No plans for repairs on Commissioners or Villiers. • A major natural gas pipeline will be installed to the Port Lands Energy Centre (to east of Project Study Area). • Rogers has no issues in the Project Study Area. • Enwave is working with Waterfront Toronto to provide cooling and heating to West Don Lands and East Bayfront (plans on hold). • Toronto Water identified need to integrate with the Don River Central Waterfront Project. • TTC identified their plans for the Queens Quay and West Don Lands area. • Supply of natural gas onto the proposed islands in the Lower Don Lands will be a challenge, especially through proposed underground utility conduits. • Need to contact Fire/Police/EMS to review. |
| Toronto Public Utilities Coordinating Committee | <i>May 27, 2009</i> | <ul style="list-style-type: none"> • Proposed material for May 9, 2009 meeting – confirmation and refinement of preferred alternative. • No major questions or concerns were raised. |

10.2.7 Railway Owners and Operators

The DMNP EA team consulted with railway owners and operators including:

- GO Transit;
- TPLC (formerly TEDCO);
- Toronto Terminals Railway; and
- Canadian National Railway.

Table 10-15 provides a summary of discussions with GO Transit, TPLC and Toronto Terminals Railway. CN Railway identified no interest in the DMNP EA project during the ToR stage.

Table 10-15 Consultation with Railway Owners and Operators

| Railway | Date | Topics Covered |
|--|--------------------------|---|
| GO Transit, TTC and Toronto Terminals Railway | <i>February 12, 2008</i> | <ul style="list-style-type: none"> • Preliminary preferred alternative (in context of Lower Don Lands Framework Plan) and next steps. • GO Transit requires access to their Don Yard and requested time to review evaluation. • Toronto Terminals Railway needs to maintain rail access to Ashbridges Bay Treatment Plant (ABTP) during construction of new bridge; current usage is 5 CN trains a week to Port Lands (Monday to Friday), 3 CP trains a week at night and a dozen dimensional loads a year, possibility to allow short term closures (few days) during construction if required – to be discussed at detailed design. • TTC identified maximum grades for bridge crossings between 5 and 8%. • GO Transit concerns were raised regarding transit access to Don Yard off of realigned Lake Shore Boulevard and proposed densities of Keating Precinct near Don Yard. • DMNP EA identifies clearance requirements for each crossing to ensure flood conveyance and navigation clearances – the precinct plans and servicing plans will provide specific design elements of each crossing. |

Table 10-15 Consultation with Railway Owners and Operators

| Railway | Date | Topics Covered |
|------------------------------------|--------------------------|--|
| GO Transit – teleconference | <i>February 19, 2008</i> | <ul style="list-style-type: none"> • Follow-up to February 12, 2008 meeting. • Concerns raised about development proposed by Keating Precinct Plan given that Don Yard will have 24 hour day and night operations (light and noise). • Interest raised regarding sediment management operations. • Informed that shared access between Don Yard and sediment management facility may occur. • Interested in changes to Lake Shore crossing and river redesign. |
| GO Transit | <i>March 6, 2008</i> | <ul style="list-style-type: none"> • Lower Don Lands Planning Process Consultation Verification Study. • Discussed proximity of proposed 480 Lake Shore Boulevard development to Don Yard. • Confirmed flood protection to the area. • GO Transit owns from track level to 28' above ground/Toronto Terminals Railway owns air space from 28' and up – multi-level easements at issue. • Requires detailed noise study which includes future night time operations in Don Yard – requires 30 m setback (roads and parking appropriate within 30 m setback) or installation of crashwalls which reduces the setback requirement. |
| GO Transit – email | <i>March 18, 2008</i> | <ul style="list-style-type: none"> • Summarize key issues from meetings. • Provided detailed review of evaluation of alternatives. • GO Transit raised concerns of access to Don Yard resulting from preferred alternative. • GO Transit requested drawings of future roads relative to adjacent properties, confirmation of Regulatory Flood being contained, Harbour Lead must be protected, Clarification of health risks from sediment management facility, and clarification of how sediment management facility will be accessed and whether a crossing of the Harbour Lead will be managed. • GO Transit also required schedule for build-out, noise/vibration studies, and appropriate set-backs and barrier between development and railway yard/operations. |
| TPLC | <i>December 22, 2009</i> | <ul style="list-style-type: none"> • Phasing strategy, adaptive management and monitoring program, preliminary impact assessment, and next steps. • Informed that TPLC has no plans to sell the Wilson Yard at this time. |

10.2.8 Property Owners

Due to the scale of the DMNP and the amount of land affected by the project, a number of property owners were consulted as part of the stakeholder consultation program. The following property owners (or potential property owners) were consulted directly either by TRCA, Waterfront Toronto, City of Toronto or a combination of all three during the EA process:

- Colliers International and Sky Line Investments;
- TPLC;
- Home Depot;
- Ontario Realty Corporation;
- Lafarge;
- Castan; and
- Unilever – Korex (property and factory is owned by Unilever and leased to Korex).

Consultation that has occurred with property owners is summarized in **Table 10-16**.

Table 10-16 Consultation with Property Owners

| Property Owner | Date | Topics Covered |
|--|---------------------------|---|
| Colliers International and Sky Line Investments | <i>October 17, 2006</i> | <ul style="list-style-type: none"> DMNP EA and potential implications on the Lake Shore Boulevard property. Colliers suggested instead of naturalization we should instead consider urban dockwall café approach. Informed them of the objective of DMNP EA, and status of the planning approach. They were also informed that it was too early in the process to anticipate the outcome of the evaluation of alternatives, and that naturalization was a core objective for the EA process. |
| TPLC | <i>February 12, 2007</i> | <ul style="list-style-type: none"> Proposal by Film Port/TPLC to reconstruct the Don Roadway in support of the Film Port development. Provided summary of DMNP EA process (including Design Competition process). DMNP EA team identified key issues pertaining to final grades of new Don River Valley west of Don Roadway and required tie-off elevations for Commissioners/Don Roadway intersection. DMNP EA allows for flexibility in creating bridge, causeway or at grade crossing through valley. Don Roadway elevation needs to change to accommodate future municipal servicing. TPLC provided summary of track operations in Port Lands (including plans to decommission tracks along Don Roadway). Soils studies were also underway. |
| Ontario Realty Corporation | <i>March 13, 2007</i> | <ul style="list-style-type: none"> Class EA requirements for the transfer of lands. Ensure that the DMNP EA provides sufficient information to meet the requirements of the ORC Class EA process to avoid the need for a separate EA. ORC was to provide TRCA with a Class B checklist to confirm that the appropriate steps have been completed. |
| TPLC | <i>June 25, 2007</i> | <ul style="list-style-type: none"> Soils and leases within the Project Study Area for DMNP EA. Integration approach of Design Competition results with DMNP EA. TPLC raised concerns about the impact of TPLC holdings in Lower Don Lands area and the Film Port Development. Initiated discussions to develop a process whereby new soils and groundwater information could be collected on TPLC property in support of the DMNP EA. |
| Castan | <i>September 12, 2007</i> | <ul style="list-style-type: none"> DMNP impacts on lands west of Cherry Street in the east of East Bayfront area. |
| Unilever Korex | <i>March 19, 2008</i> | <ul style="list-style-type: none"> Requirements for flood protection landform on Unilever property. Presented the results of preliminary preferred alternative for the DMNP EA. Discussions focused on two options for meeting the flow conveyance needs in this area: 1) widening the river to the west or 2) raising lands east of Don Roadway. |
| Lafarge | <i>March 28, 2008</i> | <ul style="list-style-type: none"> The meeting was held between Waterfront Toronto and Lafarge to discuss the Lower Don Lands Infrastructure Municipal Class EA. Additional discussions were held regarding the preferred alternative of the DMNP EA. Lafarge representatives were excited about this project, but want to continue to do business within the Port Lands for now. They see the loss of industrial uses in the Inner Harbour as a pity, but apparently inevitable and consistent with other pressures being experienced by industry throughout the Great Lakes as cities move to revitalize their waterfront. |
| TPLC | <i>May 13, 2008</i> | <ul style="list-style-type: none"> Film Port Phase 2 and the reconstruction of Film Port Boulevard (Don Roadway) south of Commissioners. Provided update of DMNP EA including selection of preliminary preferred alternative Waterfront Toronto identified future development in Lower Don Lands opposite to Film Port. Identified that future grades of Don Roadway may need to accommodate new servicing, a future intersection with Basin Street extension, and a future bridge crossing of the Ship Channel. May be premature to develop Don Roadway full conditions given uncertainty. |

Table 10-16 Consultation with Property Owners

| Property Owner | Date | Topics Covered |
|-----------------------|---|--|
| Unilever Korex | <i>May 7, 2009</i> | <ul style="list-style-type: none"> • Requirements for flood protection landform on Unilever property. • Discussed the results of the detailed hydraulic modelling; the need to provide flood protection from the east side of the river, due to limitations associated with earlier proposals to provide conveyance from the west side; the footprint of a FPL that would be required to eliminate flooding through the Unilever property, and its implications on operations to the existing facility – the option for filling the entire site was also discussed, and the benefits associated with that scenario; and long-term plans for the property by Unilever. |
| TPLC | <i>June 29, 2009</i> | <ul style="list-style-type: none"> • Proposed phasing plans for DMNP EA build-out. • Overall, relatively positive response, though still some concerns on lack of funding to implement and impacts on holdings. • TPLC provides notices to their tenants regarding project progress on the Lower Don Lands and DMNP EA. |
| TPLC | <i>December 22, 2009</i> | <ul style="list-style-type: none"> • Proposed phasing plans, impact assessment results, adaptive management and monitoring strategy, and next steps. • Discussions on interim land uses, lease terms, and economic returns/stability raised within proposed green space areas. • TPLC looking for places to incorporate playing fields and parking. • Discussions about Recreation Complex planning raised including grade requirements of final build-out of river, construction set-backs. |
| Home Depot | <i>Multiple meetings on multiple dates</i> | <ul style="list-style-type: none"> • Home Depot property at 429 Lake Shore Boulevard East. • Home Depot's intent in the past has been to construct a large format retail store, and the intent is now to pursue a high density mixed use development. To date, the City of Toronto has refused consideration of the proposals by Home Depot as they were premature given the extent of other plans underway in the Central Waterfront. As a result, Home Depot submitted an appeal to the Ontario Municipal Board (OMB) contesting the City's Central Waterfront Secondary Plan as well as their Official Plan Amendment and Zoning Bylaw Amendment applications required to implement its mixed use proposal. • TRCA has been granted party status at the OMB regarding both Home Depot's appeals of the City of Toronto's Central Waterfront Secondary Plan, and City's refusal of the OPA and zoning by-law amendment applications. A series of OMB pre-hearing meetings occurred throughout 2007, 2008 and 2009 and the matters remain unresolved. • One of the issues raised by Home Depot relates to the limits of the study area for the DMNP EA, prior to the selection of Alternative 4WS as the preliminary preferred alternative. This was based on the various preliminary alternatives which depicted substantial amounts of land west of Cherry Street on the south-east corner of the Home Depot lands being required for naturalization and flood conveyance. After the selection of Alternative 4WS as the preliminary preferred alternative, Home Depot has taken a more accommodating approach to the DMNP EA and Lower Don Lands planning processes. |
| Lafarge | <i>January 12, 2010</i> | <ul style="list-style-type: none"> • While Lafarge representatives support in principle the concept of greater good afforded by flood protection, they expressed interest in continued discussions with Waterfront Toronto around the future of the Lower Don Lands and associated processes. |
| Lafarge | <i>April 19, 2010 (City Lead Public Consultation on the Proposed OPA/SPA)</i> | <ul style="list-style-type: none"> • Representative raised concerns not expressed by previous Lafarge representatives. Participant would like to be directed to all the available documentation on the Don Mouth EA. Requested the link to the Don Mouth EA public consultation summaries for the Don Mouth EA in specific. Participant is not ready to meet with a wider audience but will likely request a meeting in the near future that includes the City of Toronto and TRCA. |

10.2.9 Consultation for Related Projects

The DMNP EA Team held meetings with the following project teams to discuss overlapping issues on an as-needed basis:

- Waterfront Toronto’s International Design Competition for the Lower Don Lands;
- Lower Don Lands Infrastructure Municipal Class EA;
- Keating Channel Precinct Plan;
- Lower Don Lands Framework Plan;
- Gardiner Expressway and Lake Shore Boulevard Reconfiguration EA;
- Don River and Central Waterfront Project;
- Stormsewer Outfall Treatment Facilities for the West Don Lands Precinct;
- Stormsewer Outfall Treatment Facilities for the East Bayfront Precinct;
- Soils Management Strategy;
- Don Valley Parkway Stormwater Management Project Municipal Class EA;
- Port Lands Business and Implementation Plan;
- Regional Sports Complex;
- Toronto and Region Remedial Action Plan; and
- Clinton Climate Initiative.

10.2.10 Summary of Agency / Property Owner Issues and Responses

Table 10-17 summarizes the key issues raised by agencies and landowners through the consultation activities described in this section.

Table 10-17 Summary of Agency / Property Owner Issues and Responses

| | Comments Received | Consideration of Comments |
|--------------------------|--|---|
| Sedimentation | <ul style="list-style-type: none"> • Concern over sediment from the river entering the Ship Channel. | <ul style="list-style-type: none"> • This risk will be minimized by limiting floods to the Ship Channel to at least the 25 year event. |
| | <ul style="list-style-type: none"> • Removal of hydraulic function of the Keating Channel – particularly sediment and debris management function. | <ul style="list-style-type: none"> • Sediment and debris management system proposed for new river configuration will eliminate need for existing Keating Channel function. |
| Navigation/Safety | <ul style="list-style-type: none"> • Spillway to the Ship Channel is a concern under the NWPA during modification of the dockwall. | <ul style="list-style-type: none"> • Comments acknowledged. |
| | <ul style="list-style-type: none"> • Concerned about the frequency of flooding to the Ship Channel. | <ul style="list-style-type: none"> • Comments acknowledged. |
| | <ul style="list-style-type: none"> • Habitat structures proposed for the Don Narrows should avoid the thalweg. | <ul style="list-style-type: none"> • Comments acknowledged. |
| | <ul style="list-style-type: none"> • Safety concerns related to storm overflow into the ship channel (e.g., floating debris, suspended sediment, cross currents). | <ul style="list-style-type: none"> • Design elements have been incorporated including: <ul style="list-style-type: none"> • No flood flows until at least the 25 year flood events; • Weirs north of Keating Channel provide additional flood regulation; • Floating hydraulic dredge will be able to remove sediment deposited in the ship channel as required; and • Floating debris booms can be used to sweep debris following large flood events – removed by loader arm on hydraulic dredge. • The only time cross currents would be an issue is during hurricane like events when ships would be anchored in the Inner Harbour. |

Table 10-17 Summary of Agency / Property Owner Issues and Responses

| | Comments Received | Consideration of Comments |
|---|--|---|
| | <ul style="list-style-type: none"> Safety related to new shoreline configuration for commercial and recreational boat navigation within the Inner Harbour. | <ul style="list-style-type: none"> Navigation impact assessment was conducted and concluded that ships would continue to be able to access the berths along the Central Waterfront. Proponent will work with TPA to ensure all necessary navigational aids are installed, and changes to navigational charts are made in a timely manner. Sediment management upstream will ensure no delta formation at the mouth of the Don – floating hydraulic barge can provide maintenance if required. |
| Flooding | <ul style="list-style-type: none"> Concerns raised about increased flooding associated with filling of Don Narrows and possibility of providing additional flood protection instead of maintaining status quo | <ul style="list-style-type: none"> Comments acknowledged. |
| Contamination | <ul style="list-style-type: none"> Need for treatment of road runoff for removal of salt and spills before entering seepage wetlands. Leaching of toxins into Toronto Harbour due to disturbance of contaminated lands. | <ul style="list-style-type: none"> Comments acknowledged. Proposed construction phasing approach is designed to isolate the Don River and Lake Ontario up to around the 50 to 100 year flood event. Once completed, there will be a clean fill layer separating the lake and river from any contaminated material to ensure that the risk of contamination will be no greater than the current risk. |
| Infrastructure/ Property Ownership | <ul style="list-style-type: none"> Required relocation of TPA's Works and Marine Services Department and equipment. Need for adequate connections to "islands" that are created by the Lower Don Lands plan. Relocation of Cultural and Heritage designated structures highly discouraged. Changes require Council approval. Hydro providers identified need to ensure existing servicing could be maintained, and that early notice prior to construction is required (several years lead time) to ensure that the hydro providers have identified future works in their capital budget process. Hydro One expressed interest in developing a comprehensive hydro delivery strategy for Port Lands rather than on an individual infrastructure basis. Concerned about access to Don Yard resulting from preferred alternative. Concerns raised about development proposed by Keating Precinct Plan given that Don Yard will have 24 hour day and night operations (light and noise). | <ul style="list-style-type: none"> Sediment and debris management facilities will be relocated on the west bank of the Don River upstream of Lake Shore Boulevard. For the remaining Works Yard, Waterfront Toronto has identified dock space located along the western Turning Basin. Comments acknowledged. Comments acknowledged. Comments acknowledged. Comments acknowledged. Comments acknowledged. Comments acknowledged. Comments acknowledged. |

Table 10-17 Summary of Agency / Property Owner Issues and Responses

| | Comments Received | Consideration of Comments |
|-------------------|--|---|
| | <ul style="list-style-type: none"> Concerned about limits of the study area due to some alternatives requiring substantial amounts of land west of Cherry Street on the south-east corner of the Home Depot lands being required for naturalization and flood conveyance. | <ul style="list-style-type: none"> Selection of alternative 4WS has alleviated much of this concern. |
| Economic | <ul style="list-style-type: none"> Financial impact of cessation and negative impacts on commercial shipping and cargo operations at several Berths. TPA ownership of water lots in areas proposed for lakefilling and creation of new shoreline. | <ul style="list-style-type: none"> TRCA and Waterfront Toronto commit to continued meetings with TPA as required to track this concern. TRCA and Waterfront Toronto commit to continued meetings with TPA as required to track this concern. |
| Regulatory | <ul style="list-style-type: none"> EA obligations, authorizations and licenses under jurisdiction of TPA. | <ul style="list-style-type: none"> TRCA is preparing a CEAA Screening Report and is aware that TPA will provide advice to Transport Canada (RA) as it relates to the project. TRCA and Waterfront Toronto commit to continued meetings with TPA as required to track this concern. |

10.3 Aboriginal Consultation Activities and Results

The DMNP EA is located within the area of the Toronto Purchase Specific Claim, which is under negotiation between the Government of Canada and the Mississaugas of the New Credit First Nation. A copy of the Toronto Purchase Specific Claim (2001) and a copy of “The History of the Mississaugas of the New Credit First Nation” are provided in **Appendix Q-5**.

“The Supreme Court of Canada has ruled that the Crown has a legal duty to consult, and where appropriate to accommodate, when the Crown has real or constructive knowledge of the potential existence of Aboriginal rights or title, and the Crown contemplates conduct that might adversely affect those rights whether those rights have been established (proven in court or agreed to in treaties) or whether there is the potential for rights to exist.

Further, there may be agreements that the Crown has entered into which require the Crown to engage in consultations with Aboriginal groups when a project is contemplated in specific circumstances.”

(From the Public Participation Guide, website of the CEA Agency)

In January 2010, the Government of Canada had publically announced an offer to the New Credit of \$145 million to resolve their Specific Claim (**Appendix Q-5** provides a copy of the article from Section A12 of the Globe and Mail, dated January 27, 2010). On May 29, 2010 the Mississaugas of the New Credit First Nation voted 95 percent in favour of accepting the offer to resolve the Toronto Purchase Specific Claim, with 67 percent of the eligible voters submitting ballots. It is anticipated that the “Duty to Consult” with the Mississaugas of the New Credit will still be in effect, even after a positive referendum result.

The Mississaugas of the New Credit First Nation were not the only First Nation to reside within the Toronto area. Archaeological evidence indicates that many other Aboriginal communities have occupied the Project Study Area over the centuries. As such, efforts were made to contact the following communities to discuss the DMNP EA more fully.

Aboriginal Communities and Associations contacted during the DMNP EA include:

- Mississaugas of the New Credit First Nation;
- Miziwe Biik;
- Alderville First Nation;
- Curve Lake First Nation;
- Anishnabek Nation;
- Rama First Nation;
- Georgina Island First Nation;
- Ogemahj Nation;
- Association of Iroquois and Allied First Nations;
- Kawartha Nishnawbe First Nation;
- Conseil de la Nation Huronne-Wendat;
- Hiawatha First Nation;
- Chiefs of Ontario;
- Mississaugas of Scugog;
- Beausoleil First Nation;
- Toronto Métis Council; and
- Ontario Métis Nation.

10.3.1 Mississaugas of the New Credit First Nation

Given the status of the Toronto Purchase Specific Claim, TRCA has been consulting with the Mississaugas of the New Credit First Nation since the DMNP EA ToR process. **Table 10-18** provides a summary of consultation with the Mississaugas of the New Credit First Nation. **Appendix Q-6** provides copies of the presentations and meeting summaries.

Table 10-18 Consultation with the Mississaugas of the New Credit First Nation

| Forum | Date | Description | Key Comments / Outcome of Meeting |
|---|-------------------------|---|--|
| Waterfront Toronto - First Nations Workshop | <i>July 5, 2006</i> | <ul style="list-style-type: none"> • Chief LaForme and Margaret Sault were in attendance at the Workshop to hear about the update for the DMNP EA. Ms. Sault also participated on the bus tour, which included an opportunity to talk in detail about the DMNP EA. | <ul style="list-style-type: none"> • No comments. |
| Project Specific Meetings with Mississaugas of the new Credit First Nation | <i>June 16, 2009</i> | <ul style="list-style-type: none"> • Met with Chief LaForme and Margaret Sault to discuss progress on the DMNP EA and the Lower Don Lands Infrastructure Municipal Class EA. | <ul style="list-style-type: none"> • The key issues discussed include: <ol style="list-style-type: none"> a) New historical document of the Mississaugas of the New Credit First Nation; b) Soil contamination; c) Places to Grow legislation; d) Funding availability to implement; e) Agreement for additional monitoring during construction along the original Cherry Street Spit alignment to ensure that impacts to possible heritage artifacts are mitigated; and f) Primary consultation required with the Mississaugas of the New Credit. |
| | <i>January 13, 2010</i> | <ul style="list-style-type: none"> • Visited Chief LaForme and Margaret Sault to discuss the DMNP EA. A presentation was provided to show the preferred alternative (as shown to the public on May 9, 2009), as well as the proposed phasing strategy, adaptive management and monitoring program, preliminary impact assessment results, and next steps. • A hard copy and digital copy of the draft EA will be provided for review. | <ul style="list-style-type: none"> • Key action items discussed include: <ol style="list-style-type: none"> a) TRCA provided a copy of Waterfront Toronto's RFP for innovative soils management technologies pilot study on February 3, 2010; b) TRCA consulting with Waterfront Toronto and the City regarding the potential for a second First Nations workshop and site tour to discuss project progress along the Waterfront; and |

Table 10-18 Consultation with the Mississaugas of the New Credit First Nation

| Forum | Date | Description | Key Comments / Outcome of Meeting |
|-------------------------------------|--------------------|--|---|
| | | | c) TRCA to look into internship and summer opportunities for First Nations involvement in the archaeological field school program and other programs at TRCA. |
| Project Updates | August, 2006 | <ul style="list-style-type: none"> Sent copy of the DMNP EA Project Newsletter announcing approval by MOE of the DMNP EA ToR. | |
| | September 28, 2006 | <ul style="list-style-type: none"> Sent invitation to participate on the October 14, 2006 Site Tour and Boat Tour. | |
| | November 21, 2006 | <ul style="list-style-type: none"> Meeting materials from CLC Meeting #5 provided, including copy of DMNP EA Project Newsletter #4. | |
| | January 2007 | <ul style="list-style-type: none"> Meeting materials from December 5, 2006 Public Forum provided. | |
| | November 27, 2007 | <ul style="list-style-type: none"> Email sent providing a project update. | |
| | February 26, 2008 | <ul style="list-style-type: none"> Meeting materials from CLC Meeting #6 provided. | |
| | April 1, 2008 | <ul style="list-style-type: none"> Email sent providing an update on the project and Newsletter #5 for the DMNP EA Project. | |
| | May 29, 2008 | <ul style="list-style-type: none"> Letter sent providing an update on the project, including: <ul style="list-style-type: none"> Details on the May 24, 2009 Don Narrows Workshop; and A copy of the Don Narrows Special Edition of the DMNP Project newsletter (#6). | |
| | April 21, 2009 | <ul style="list-style-type: none"> Sent out materials from CLC meeting #7. | |
| | April 30, 2009 | <ul style="list-style-type: none"> Invitation to the May 9, 2009 Public Forum sent including a copy of the DMNP EA Project Newsletter #7. | |
| | January 27, 2010 | <ul style="list-style-type: none"> DMNP EA Project Newsletter #8 sent out. | |
| Other Information and Events | January 27, 2010 | <ul style="list-style-type: none"> TRCA received Globe and Mail Newspaper article section A12 which reported that the Federal Government has offered the Mississauga of the New Credit First Nation \$145 million compensation for the Toronto Purchase Specific Claim. The offer will go to a referendum in the community. | <ul style="list-style-type: none"> It is anticipated that the Mississaugas aboriginal rights and interests to the land will not be relinquished as a result of this settlement (if accepted), and that the Duty to Consult will still apply. This is to be confirmed. As of May 29, 2010, the MNCFN voted 95% in favour of accepting the offer to resolve the Toronto Purchase Specific Claim – with 67% of the eligible voters submitting ballots. |
| | March 4, 2009 | <ul style="list-style-type: none"> TRCA attended a presentation by the Mississauga of the New Credit First Nation at the Tollkeeper's Cottage in Toronto regarding the Toronto Purchase and a History of the Mississaugas of the New Credit First Nation. | <ul style="list-style-type: none"> Not applicable. |

10.3.2 Consultation with Five Other Mississauga First Nations and the Ogemawahj Tribal Council

The Williams 1923 Treaties were among the last Treaties signed between the Government of Canada and First Nations. The Williams Treaties involved 7 separate Treaties that were signed between October 31 and November 21, 1923. These Treaties involved 3 Chippewa Nations (Georgina Island, Christian Island (or Beausoleil), and Mnjikaning (or Rama)), and 4 Mississauga Nations (Curve Lake, Hiawatha, Alderville, and Scugog), and resulted in the cessation of their Right to hunt and fish in their territorial lands. These Treaties covered over 4.7 million

hectares of southern Ontario, with the southwestern limit ending just upstream of the Project Study Area near Bloor Street in the Don Watershed. Given the close proximity of their historical Territorial Lands, and their close ties with the Mississaugas of the New Credit First Nation, the DMNP EA team provided project updates through mail and email correspondence to the four Mississauga First Nations and met with all seven (7) member First Nations of the Williams 1923 Treaties.

A number of the Williams Treaty First Nations are also member First Nations of the Ogemawahj Tribal Council. The Tribal Council was re-established in 1990 and represents a cooperative between 6 First Nations including the Scugog and Alderville First Nations (Mississaugas), the Beausoleil, Georgina Island, and Mnjikaning First Nations (Chippewas), and the Moose Deer Point First Nation (Pottawatomis). Evidence of this alliance between the Mississauga, Chippewa and Pottawatomis First Nations has been documented as early as the 1690s. The Tribal Council allows these 6 First Nations to combine their resources to provide superior professional and technical services to its member First Nations.

In addition, on April 13, 2009, the DMNP EA team received an opinion letter stating that the territorial rights to harvest lands in southern Ontario, including the DMNP EA Project Study Area, had never been ceded to the Government of Canada through the 1923 Williams Treaties by the Kawartha Nishnawbe First Nation. The Kawartha Nishnawbe First Nation are descendents of the Curve Lake First Nation (and part of the Mississauga Community). **Table 10-19** summarizes our efforts to consult with these five Mississauga First Nations and the Ogemawahi Tribal Council.

To date, the only input received has been from the Alderville First Nation. The Alderville First Nation expressed interest in the project, and recommended that we incorporate native plants in the design. In particular, it was suggested that we plant wild rice, which provides a multitude of benefits, if we were able to establish a relatively carp-free area. The DMNP EA team responded that we hoped to create such an area within the Greenway wetland that would connect to the Ship Channel.

Table 10-19 Consultation with the 1923 Williams Treaty Mississauga First Nations, the Ogemawahj Tribal Council and the Kawartha Nishnawbe First Nations

| Forum | Date | Description | Key Information Provided/ Outcome of Meeting |
|--|----------------------|---|---|
| Waterfront Toronto – First Nations Workshop | <i>July 5, 2006</i> | <ul style="list-style-type: none"> Jeffery Hewitt and Cathy of the Chippewas of Mnjikaning (member First Nation of the Ogemawahj Tribal Council) were in attendance at the Workshop. | <ul style="list-style-type: none"> The workshop provided an update for the DMNP EA. |
| | <i>June 2, 2008</i> | <ul style="list-style-type: none"> Email was sent to Mr. Pamajewon of the Mississaugas of Scugog to the attention of the Ogemawahj Tribal Council. | <ul style="list-style-type: none"> Information provided included: <ul style="list-style-type: none"> An introduction to the DMNP EA Project; and Copies of the project newsletter, editions 2 through 6 (#6 was the Don Narrows Special Edition). |
| | <i>March 5, 2009</i> | <ul style="list-style-type: none"> Letters were sent to the respective Chiefs of the Alderville, Hiawatha, Scugog and Curve Lake First Nations. | <ul style="list-style-type: none"> Information provided in the letters included: <ul style="list-style-type: none"> An introduction to the DMNP EA Project; Copies of the project newsletter including all Project Newsletters to date (editions 1 through 6) including details on the May 24, 2009 Don Narrows Workshop; and A copy of the Don Narrows Special Edition of the DMNP Project newsletter (#6). |

Table 10-19 Consultation with the 1923 Williams Treaty Mississauga First Nations, the Ogemawahj Tribal Council and the Kawartha Nishnawbe First Nations

| Forum | Date | Description | Key Information Provided/ Outcome of Meeting |
|-----------------------|--|---|---|
| | <i>Correspondence on March 23 and 30, 2009</i> | <ul style="list-style-type: none"> • Emails were exchanged with the Alderville First Nation. | <ul style="list-style-type: none"> • Alderville First Nation expressed interest in the project and recommended that native wild rice be incorporated into the design of the DMNP EA, if an area free of carp could be established. • DMNP EA Team would be very interested in establishing conditions that could allow for wild rice to grow – Don Greenway wetlands. |
| | <i>April 30, 2009</i> | <ul style="list-style-type: none"> • Letter was sent to the Chief of the Kawartha Nishnawbe First Nation. | <ul style="list-style-type: none"> • Information provided in the letters included: <ul style="list-style-type: none"> • An introduction to the DMNP EA Project; and • Copies of the project newsletter including all Project Newsletters to date (editions 1 through 7)/ |
| | <i>May 4, 2009</i> | <ul style="list-style-type: none"> • Email sent to the Alderville First Nation. | <ul style="list-style-type: none"> • Information provided included: <ul style="list-style-type: none"> • A project update regarding the upcoming Public Forum; and, • A copy of the DMNP EA Newsletter edition #7. |
| | <i>May 11, 2009</i> | <ul style="list-style-type: none"> • Email and letters were sent to the Chiefs of the Curve Lake, Scugog and Hiawatha First Nations. | <ul style="list-style-type: none"> • Information provided included: <ul style="list-style-type: none"> • An update on the May 9, 2009 Public Forum results; and, • A copy of the DMNP EA Project Newsletter edition #7. |
| | <i>January 27, 2010</i> | <ul style="list-style-type: none"> • Emails were sent to the Alderville, Curve Lake, Scugog, Hiawatha, and Kawartha Nishnawbe First Nations. | <ul style="list-style-type: none"> • Information provided included a copy of the DMNP EA Project Newsletter edition #8 |
| Other Meetings | <i>March 24, 2010</i> | <ul style="list-style-type: none"> • TRCA participated at a meeting with the Williams 1923 Treaties First Nations to provide an overview of the DMNP EA. | <ul style="list-style-type: none"> • Provided an overview of the DMNP EA and outlined the elements of the preferred alternative, benefits, impacts and next steps. Copies of the presentation were provided to those in attendance. • Comments and questions discussed included: <ul style="list-style-type: none"> • The level of archaeological assessment that was undertaken; • Timing and availability of the EA report for public review; • The extent to which the project is located on created land; and, • The extent to which the new mouth of the Don will be artificially created Sediment management and removal. • Soil testing for contaminants. • Impacts of the project on Lake Ontario in relation to expected contaminants and their management. • Existing fish species in the Don River and in the Inner Harbour. |

10.3.3 Consultation with the Conseil de la Huronne-Wendat

The Conseil de la Huronne-Wendat or Huron-Wendat First Nation occupied much of southern and eastern Ontario, including the DMNP EA Project Study Area, prior to the Mississauga First Nations. During the 1600s, disease and warfare resulted in dramatic reductions in their populations and ultimately, the Huron-Wendat First Nations migrated north and east into Quebec. However, the Huron-Wendat First Nation continues to have strong cultural heritage ties to the Toronto Area given their long history of occupation in southern Ontario. As such, the DMNP EA team included the Huron-Wendat First Nation in our consultation efforts. A summary of those efforts are provided in **Table 10-20**. For more details see **Appendix Q-6**.

Table 10-20 Consultation with the Conseil de la Hurrone-Wendat

| Forum | Date | Description | Key Information Provided/Outcome of Meeting |
|---|------------------|---|--|
| Project Updates and Correspondence | June 2, 2008 | <ul style="list-style-type: none"> Email was sent to Mr. Luc Lainé and Ms. Heather Bastien of the Conseil de la Huronne-Wendat. | <ul style="list-style-type: none"> Information provided included: <ul style="list-style-type: none"> Introduction to the DMNP EA Project; and, Copies of the project newsletter, editions 2 through 6 (#6 was the Don Narrows Special Edition). |
| | June 6, 2008 | <ul style="list-style-type: none"> Received a standard form letter dated May 29, 2008 from Max "One-Onti" Gros-Louis, Grand Chief of the Conseil de la Huronne-Wendat. | <ul style="list-style-type: none"> The letter advised that due to a lack of funding and resources to effectively participate in consultations, the Huronne-Wendat do not authorize any activity to proceed on the file. |
| | July 15, 2008 | <ul style="list-style-type: none"> Discussions with MOE and Waterfront Toronto. | <ul style="list-style-type: none"> The discussion resulted in a decision to proceed with the DMNP EA on the basis of the following: <ul style="list-style-type: none"> Province was already looking at providing funding for First Nations capacity building to assist with consultations; Mississaugas of the New Credit First Nation are the only First Nation with a recognized Specific Claim in the area; Huronne-Wendat will continue to receive Project Newsletters as they are developed; and The Huronne-Wendat will be reengaged once capacity building funding has been provided. |
| | May 6, 2009 | <ul style="list-style-type: none"> Letter sent to Grand Chief Konrad Sioui with Cc's to Ms. Bastien and Mr. Lainé. | <ul style="list-style-type: none"> Information provided included: <ul style="list-style-type: none"> Offered congratulations on his recent election to become Grand Chief; Introduced the DMNP EA objectives; Provided a history of the correspondence in 2008; Provided an update to the DMNP EA including DMNP EA Newsletter #7, and our correspondence with other First Nations, particularly the Mississaugas of the New Credit First Nation; Included information on the upcoming Public Forum; and Offered our willingness to meet with their Council in Quebec. |
| | January 27, 2010 | <ul style="list-style-type: none"> Email was sent to Mr. Lainé. | <ul style="list-style-type: none"> Information provided included a copy of the DMNP EA Project Newsletter edition #8. |

10.3.4 Consultation with Miziwe Biik

Miziwe Biik Aboriginal Employment and Training was created in 1991 to meet the unique training and employment needs of Aboriginal peoples. Miziwe Biik provides the Greater Toronto Area's Aboriginal community with training initiatives and employment services. Miziwe Biik is one of about 20 agencies in Toronto that provides services for the Aboriginal community in the GTA, and had expressed interest in opportunities for the local Aboriginal community as it relates to the Lower Don Lands area. In July 2006, the DMNP EA team invited Miziwe Biik to participate on the Community Liaison Committee. **Table 10-21** provides a summary of consultation with Miziwe Biik.

Table 10-21 Consultation with Miziwe Biik

| Forum | Date | Description | Key Information Provided/ Outcome of Meeting |
|--|---------------------------|--|---|
| Waterfront Toronto – First Nations Workshop | <i>July 5, 2006</i> | <ul style="list-style-type: none"> Mr. Kenn Ross, Ms. Barb Nahwegahbow, Ms. Nancy Martin, and Mr. Harry Wilmot from Miziwe Biik were in attendance at the Workshop and Site Tour. | <ul style="list-style-type: none"> Provided an update for the DMNP EA and other Waterfront projects. |
| Meetings | <i>July 18, 2006</i> | <ul style="list-style-type: none"> Meeting with Mr. Ross. | <ul style="list-style-type: none"> Opportunities for Aboriginal participation and input in the DMNP EA process, and other opportunities in general were discussed. |
| | <i>November 21, 2006</i> | <ul style="list-style-type: none"> Miziwe Biik participated at CLC #5 | <ul style="list-style-type: none"> No comments provided. |
| Project Updates and Correspondence | <i>September 28, 2006</i> | <ul style="list-style-type: none"> Miziwe Biik released flyers on behalf of the DMNP EA team regarding the October 14, 2006 Site Walk and Boat Tour to 100 residents in Toronto, and 20 other Aboriginal Service Agencies in the GTA. | |
| | <i>December, 2006</i> | <ul style="list-style-type: none"> Miziwe Biik released flyers on behalf of the DMNP EA team regarding the December 5, 2006 Public Forum to 100 residents in Toronto, and 20 other Aboriginal Service Agencies in the GTA. | |
| | <i>February 26, 2008</i> | <ul style="list-style-type: none"> Meeting materials from CLC Meeting #6 provided. | |
| | <i>April 2009</i> | <ul style="list-style-type: none"> Sent out agenda and invitation for CLC meeting #7. | |
| | <i>April 30, 2009</i> | <ul style="list-style-type: none"> Invitation to the May 9, 2009 Public Forum sent which included a copy of the DMNP EA Project newsletter #7. | |
| | <i>December 2009</i> | <ul style="list-style-type: none"> Sent out invitation and draft agenda for CLC #8. | |
| | <i>January 27, 2010</i> | <ul style="list-style-type: none"> Emails were sent to Miziwe Biik providing a copy of the DMNP EA Project Newsletter edition # 8. | |

10.3.5 Consultation with other First Nation Associations and Alliances

A number of other First Nation groups received notices, flyers, newsletters and public meeting materials as part of the official Public Consultation Record. These included the Association of Iroquois and Allied First Nations, the Chiefs of Ontario, the Toronto and York Region Métis Council, the Métis Nation of Ontario (MNO Region #8), and the Native Canadian Centre. The Anishnabek Nation was also approached during the DMNP EA ToR phase, but they informed us we needed to consult with the specific First Nations communities with an interest in the project. **Table 10-22** provides a summary of the information that was released during the EA.

Table 10-22 Summary of Consultation with other First Nation Associations and Alliances

| Forum | Date | Description |
|--|----------------------------------|---|
| Waterfront Toronto – First Nations Workshop | July 5, 2006 | <ul style="list-style-type: none"> Ms. Sharon John and Ms. Rolanda Elijah of the Association of Iroquois and Allied First Nations were in attendance at the Workshop and site tour to hear about the update for the DMNP EA (and other Waterfront projects). |
| | August 17, 2006 | <ul style="list-style-type: none"> Notice of Approval of DMNP EA ToR released to Chiefs of Ontario, Toronto Métis, and Association of Iroquois and Allied First Nations. |
| | September 28, 2006 | <ul style="list-style-type: none"> Released flyers for upcoming Site Walk and Boat Tour (Oct. 14, 2006) to Chiefs of Ontario, Toronto Metis, and Association of Iroquois and Allied First Nations as part of Public distribution. |
| | December 5, 2006 Public Forum | <ul style="list-style-type: none"> Meeting invitation, materials and DMNP EA Newsletter were sent to Chiefs of Ontario, Toronto Métis, and Association of Iroquois and Allied First Nations as part of Public distribution. |
| | January 25, 2007 | <ul style="list-style-type: none"> Meeting materials from Oct. 14, 2006 Site Walk and Boat Tour made available to Chiefs of Ontario, Toronto Métis, and Association of Iroquois and Allied First Nations as part of Public distribution. |
| | March 29, 2008 Public Forum | <ul style="list-style-type: none"> Meeting notices and newsletters sent to Chiefs of Ontario, Toronto Métis Council, and Association of Iroquois and Allied Indians, as part of Public Contact List in advance of the Public Information Forum. |
| | June 6, 2008 | <ul style="list-style-type: none"> All meeting materials and public feedback generated on Public Forum #4 from March 28, 2008 published on TRCA website. Chiefs of Ontario, Toronto Métis, Association of Iroquois and Allied First Nations, and Native Canadian Centre advised of the postings. |
| | November 10, 2008 | <ul style="list-style-type: none"> All meeting materials and public feedback generated from Don Narrows Workshop from May 24, 2008 published on TRCA website. Chiefs of Ontario, Toronto Métis, Association of Iroquois and Allied First Nations, and Native Canadian Centre advised of the postings. |
| | April 30, 2009 | <ul style="list-style-type: none"> Email invitation sent to Chiefs of Ontario, Toronto Métis, Association of Iroquois and Allied First Nations, and Native Canadian Centre for the May 9, 2009 Public Forum including a copy of the DMNP EA Project newsletter #7. |
| | January 2010 | <ul style="list-style-type: none"> Email advertisement flyer sent to Chiefs of Ontario, Toronto Métis, Ontario Métis Nation #8, Association of Iroquois and Allied First Nations, and Native Canadian Centre in advance of Public Forum on January 27, 2010. |
| | January 27, 2010 | <ul style="list-style-type: none"> Emails with DMNP EA Newsletter #8 (including Public Forum advertisement) were sent to Chiefs of Ontario, Toronto Métis, Ontario Métis Nation #8, Association of Iroquois and Allied First Nations, and Native Canadian Centre advised of the postings. |
| | May 13, 2010 | <ul style="list-style-type: none"> Meeting with Métis Nation of Ontario Regional Office #8: Informed that there is a new Toronto elected council in addition to the Oshawa and Credit councils. The DMNP EA will be presented to the councils. The Métis Nation of Ontario staff were excited with the project and were seeking to partner with the TRCA to mobilize their political membership to advocate that the Province obtain funding for the project.. The Métis Nation of Ontario expressed interest in discussing opportunities for research on Métis archaeology which they believe is a field that has been neglected for a long time. |
| | September 15, 2010 | <ul style="list-style-type: none"> Meeting with the Toronto and York Region Métis Council of Métis Nation of Ontario to provide an update on the status of the DMNP. A letter was sent by the Toronto and York Region Métis Council following the meeting indicating that if the DMNP were to proceed, there would be no immediate impacts to Métis rights, culture or Way of Life. The DMNP has the potential to enhance the Métis way of life within the urban sector of Toronto under the stipulations that: <ul style="list-style-type: none"> The DMNP proceeds as presented; The MNO and the Council are presented the opportunity to participate in the planning process for heritage and park design along with housing development; The TRCA regularly informs the MNO of the project's timeline, EA bench marks and any new developments; Consultation with MNO continues to occur; MNO and/or the Council may request additional project information or a meeting at any time. |

10.3.6 Summary of Aboriginal Issues and Responses

Table 10-23 summarizes the key issues raised by Aboriginal groups through the consultation activities described in this section.

Table 10-23 Summary of Aboriginal Comments Received and Response Provided

| | Comments Received | Consideration of Comments |
|-------------------------------------|---|--|
| Land Claims | <ul style="list-style-type: none"> Mississaugas of the New Credit First Nation are the only First Nation with a recognized Specific Claim in the area. | <ul style="list-style-type: none"> Given the status of the Toronto Purchase Specific Claim, TRCA has been consulting with the Mississaugas of the New Credit First Nation since the DMNP EA ToR process. |
| Engagement in the EA Process | <ul style="list-style-type: none"> Form letter from Huronne-Wendat First Nations advising, that due to a lack of funding and resources to effectively participate in consultations, the Huronne-Wendat do not authorize any activity to proceed on the file. | <ul style="list-style-type: none"> Huronne-Wendat will continue to receive Project Newsletters as they are developed and they will be re-engaged once capacity building funding has been provided. |
| Funding and Implementation | <ul style="list-style-type: none"> Funding and availability to implement the project. | <ul style="list-style-type: none"> Funding for implementation of the project is a major issue that TRCA, Waterfront Toronto and the City of Toronto recognize is critical. The project implementation will be phased over several years. |
| Soil Contamination | <ul style="list-style-type: none"> Soil contamination is an issue. | <p><u>During Construction</u></p> <ul style="list-style-type: none"> Excavation of valley system, including low flow channel, wetlands and adjacent terrestrial environments, will improve soil quality by removing soils that are contaminated with inorganic compounds. Oil from abandoned pipelines will be removed and all uncovered abandoned pipelines will be cut and capped. A spill response plan will be prepared and will be followed and if any leakage or spillage is to occur, it will be reported immediately. <p><u>During Establishment/Post-Establishment</u></p> <ul style="list-style-type: none"> Soils within the new floodplain will meet applicable generic site conditions standards or property specific standards derived through a risk assessment and will therefore be suitable as a growing medium and as habitat for terrestrial and aquatic wildlife. Any remaining contaminated soils will be separated from clean material by an impermeable barrier to eliminate the risk of migrating contaminants. |
| Cultural Heritage Artifacts | <ul style="list-style-type: none"> Additional monitoring during construction along the original Cherry Street Spit alignment to ensure that impacts to possible heritage artifacts are mitigated. | <ul style="list-style-type: none"> A professional archaeologist will be on site to monitor excavation in areas of archaeological potential. If artifacts are found, the Ministry of Culture will be notified and construction in the area of the find will cease until the value of the find can be ascertained. If Aboriginal artifacts are discovered, the Ministry of Culture will provide guidance on which Aboriginal groups would likely be interested in the finds, and these groups will be notified. Mitigation of construction-related disturbance to built heritage resources and cultural heritage landscapes through landscaped buffering, stabilization, and maintenance of vehicular access as required. |
| Naturalized Areas | <ul style="list-style-type: none"> Native wild rice should be incorporated into the design of the DMNP EA, if an area free of carp could be established. | <ul style="list-style-type: none"> DMNP EA Team would be very interested in establishing conditions that could allow for wild rice to grow – Don Greenway wetlands. |

10.4 Review of Draft EA Report

The Draft EA report was submitted to the MOE for review on July 8, 2010. The Draft EA report was also circulated to the following members of the Government Review Team and other stakeholders:

- Bell Canada;
- CEA Agency;
- City of Toronto;
- Enbridge Gas Distribution Inc.;
- Environment Canada;
- Enwave District Energy Limited;
- DFO;
- GO Transit;
- Health Canada;
- Hydro One Networks Inc.;
- Indian and Northern Affairs Canada;
- Local Councillors, MPs and MPPs;
- Ministry of Aboriginal Affairs and Housing;
- Ministry of Culture;
- Ministry of Natural Resources;
- Ontario Realty Corporation;
- Rogers Cable;
- Toronto Hydro Corporation;
- TPA; and
- Transport Canada.

The Draft EA report was also submitted to members of the CLC and to First Nations.

10.4.1 Comments Received from Review Agencies

Table 10-24 below summarizes the comments received regarding the Draft EA report from review agencies and the responses to those comments.

Table 10-24 Disposition of Comments Received from Review Agencies on the Draft EA Report

| Comment | Section | Response |
|---|-----------------|---|
| MOE Central Region Technical Support (Kathleen Anderson/Jamila Dhanji)- August 19, 2010 | | |
| All regulatory requirements should be included within the text of the environmental assessment document and not embedded in the appendices. The draft is inconsistent in the mentioning of various regulatory requirements and bringing to the forefront would facilitate ease of reading and transparency. | General Comment | Agreed. Please see revised Sections 1.5 in the Final EA. |
| Soil placement must comply with Ontario Regulation 153/04 if Record of Site Conditions are being filed. | Section 6.5.1 | Agreed, soil placement will comply with O.Reg 153/04 as amended by O.Reg 511/09 if Records of Site Conditions are being filed. |
| States “use of a risk assessment to determine property specific standards for soil contamination may be adopted”. Please clarify what standards or approach is being used to determine lakefilling requirements. The draft environmental assessment refers to both the Lakefill Guidelines and risk assessed standards. | Section 6.5.1.2 | Lakefill guidelines will be used for fill up to the high water mark. Risk assessment to determine property specific standards will be used as appropriate on land, including within the promontory above the high water mark. |
| Please make reference to Appendix K for specifics. | Section 6.5.1.2 | Please see revised section; additional references have been provided. |
| Include that the conditions with respect to soil brought to Record of Site Conditions properties will be carried out in compliance with Ontario Regulation 153/04 as amended. | Section 6.5.1.4 | Agreed; change has been made to reflect compliance with O.Reg 153/04 as amended as reasonably applicable. |

Table 10-24 Disposition of Comments Received from Review Agencies on the Draft EA Report

| Comment | Section | Response |
|---|------------------------------|---|
| Discharges (also reference in Appendix K) must comply with the Ontario Water Resources Act (OWRA) if required. | Section 6.5.2.3 | Agreed; appropriate edits have been made to sections 6.5.2.3 and Appendix K. |
| Constructed settlement lagoons will require Section 53 OWRA approval. | Section 6.5.2.3 | Agreed; the appropriate reference will be added to Section 6.5.2.3. |
| Please reference Appendix K in this section. | Section 6.5.2.3 | Please see revised section; additional references have been provided. |
| Please note that a Part V approval under the Environmental Protection Act is required and not “may” as the Designated Waterfront Area is not considered to be one site. | Appendix K | Agreed; the reference to Part V approval has been deleted from Appendix K and has been added to the list of required approvals in Section 1.5 and to the principles outlined for phasing and construction in Section 6.5. |
| Please provide regulatory information in support of the quality of soil that will be used for lakefilling as well as the requirements for dredged material. | Appendix K | As referenced in Section 6.6.1, clean construction rubble that is considered suitable for lakefilling as unconfined fill material under the MOE Fill Quality Guidelines will be used. Re-use of trapped sediments will only apply to dredged materials that are uncontaminated or readily treated, based on the Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act. |
| The storage of hazardous material must meet the requirements of Ontario Regulation 347. | Appendix K | Agreed |
| There are no Ministry of the Environment “dust control licenses” as stipulated in Appendix K. | Appendix K | The reference to dust control licenses has been removed from Appendix K. |
| MOE Central Region Technical Support (Dan Delaquis)- August 19, 2010 | | |
| All maps, diagrams and tables in the Final EA should appear in colour, black and white format makes these figures difficult to interpret. Additionally, we recommend increasing the font size to assist with readability. | General comment | Efforts have been made to increase font sizes on figures and provide figures in colour to improve readability. |
| Please correct the names and numbers of the ESAs on Figure 3-9 and page 3-23, as they do not correspond. | Figure 3-9 and page 3-23 | The figure and corresponding text has been updated to match. |
| Figures 4-2 through 4-8 do not have a scale. | Figure 4-2 through 4-8 | A scale has been added to Figures 4-2 to 4-8 |
| Recommend that the proponent discuss how the objectives are assessed and weighted in the selection of the preferred alignment. | Table 5-24 | As discussed in Section 5.4 and its subsections, for the short list evaluation the objectives were assessed using criteria and indicators which measured the ability of each alternative to achieve each project objective. Neither the objectives nor the criteria and indicators were weighted in undertaking the evaluation. This approach has been clarified in the text. |
| Section states that the proponent’s commitment to test and handle soils in accordance with Ontario Regulation 511/09. Please note that O. Reg 511/09 is an amendment to O.Reg 153/04, and it is the latter regulation which is still in effect. Recommend that it be stated that soils will be tested in accordance to O. Reg. 153/04 and all amendments. | Section 6.5.1.2, Paragraph 3 | Agreed; change has been made to reflect compliance with O.Reg 153/04 and all amendments. |

Table 10-24 Disposition of Comments Received from Review Agencies on the Draft EA Report

| Comment | Section | Response |
|--|----------------------|--|
| States that approximately 12 hectares of low quality terrestrial habitat will be permanently removed. We recommend that the proponent state whether or not these lands comprise any of the ESA's or ANSIs in the area. | Page 7-36, "effects" | This clarification has been added. Please see the revisions to Section 7.4.7. |
| Part of the stated objective for this undertaking is "transform the existing mouth of the Don River including the Keating Channel, into a healthier, more naturalized river outlet to the Toronto Inner Harbour and Lake Ontario, while at the same time removing the risk of flooding..." Given that an existing flood risk is from the build-up of sediment in the Keating Channel, we recommend that sedimentation potential be included as a screening criterion. It would be preferable to develop "alternatives to", or "alternatives" that eliminate the need to regularly dredge the new river mouth after implementation. | Section 5.2.2.3 | <p>Sediment is transported from within the Don River watershed to its current outlet at the Keating Channel in quantities averaging between 30,000-40,000 cubic metres annually. The Keating Channel EA (1983) resulted in a better understanding of overall flood risks and identified three spill zones affecting in the order of 440 hectares of existing developed areas under the regulatory flood. Sediment management in the form of continued dredging within the Keating Channel was also identified as providing partial relief especially in terms of more frequent flooding. Continued dredging was an activity that came out of this work but it was also recognized that it alone could not provide a complete solution to the overall flood risk.</p> <p>The ToR for the DMNP EA identified the need to provide for ongoing dredging activities in order to manage the sediment generated on a watershed basis. On page 14 of the ToR, the 3rd objective dealt with this need and is reiterated in Sections 1.2 and 2.1.2 of this EA.</p> <p>The second objective defined in the ToR is to contain and safely convey the regulatory flood. It was recognized early on that achieving conveyance would require widening of the channel between the Lake Shore Boulevard bridge and the CN Rail crossing, as this reach contains the hydraulic pinch point within the system. Widening the channel to increase hydraulic capacity results in slower stream velocities, which in turn causes sediment deposition within this reach. Therefore, the sediment trap is proposed to be constructed immediately downstream of the CN Rail bridge. This feature is common to all of the alternatives that were considered.</p> <p>Watershed based activities underway through implementation of the Don Watershed Management Plan and the Wet Weather Flow Management Master Plan will have long term positive effects on reducing the annual sediment loads that must be managed.</p> |
| Recommend that the proponent consult with the MOE Central Permit to Take Water Co-ordinator prior to detailed design to confirm any approval requirements for water takings during construction or operation. This includes groundwater or surface water extraction, and the active diversion of surface water flows by pumping in exceedance of 50,000 LPD. If a PTTW is required for construction dewatering, a site specific monitoring program for discharge water quality and quantity, as well as a mitigation program may need to be developed. | Section 6.5.2 | At the time of detailed design and in advance of construction, the MOE Permit to Take Water Co-ordinator will be consulted with respect to any approval requirements for water takings during construction. |

Table 10-24 Disposition of Comments Received from Review Agencies on the Draft EA Report

| Comment | Section | Response |
|---|--|---|
| <p>Please identify how run-off will be prevented from entering the lake and/or river during the excavation of contaminated soils, and during construction.</p> | <p>Page 7-21 “mitigation measures”</p> | <p>In Chapter 7 Section 7.4.4.1, page 7-21, “Mitigation Measures” refers to the requirement to manage surface runoff and erosion that may be created to ensure that any sediment is contained on site and does not enter into the river or lake. Standard mitigative measures assumed for this assessment are discussed in Chapter 6 and detailed in Appendix K. This section states that any contractor on site must adhere to best management practices for stormwater control design and management. These practices will be identified through both detailed design and the development of site specific and overall environmental management plans. As noted in Chapter 8, Section 8.1.2, ensuring adequate design and operation of all types of sediment and runoff management designs will also be a component of the overall compliance monitoring requirements for this project.</p> |
| <p>With the exception of the proposal to install barriers between new fill and existing contaminated soils, there is no mention of the possible, longer-term issue of the creation of new pathways, or the enhancement of existing pathways, for the migration of contaminated groundwater from the existing sources that are currently known or yet to be detected. This needs to be examined further.</p> | <p>General comment</p> | <p>In addition to the installation of the barrier beneath the river channel and the wetlands to prevent the migration of contaminated groundwater into surface water, we have further assumed the over-excavation of the river channel footprint and wetlands by 1.0 to 1.5 metres to facilitate the installation of such a barrier. This depth will be confirmed through the RA/RM to accommodate whatever form of barrier is adopted. The flexibility and maximum degree to which downcutting is permissible will be set by the depth of cover over contaminated soils as defined by the RA/RM.</p> <p>To ensure that no new pathways are created, our phasing plan requires that all proposed crossings of the valley system (that may require excavation through contaminated soils) either be constructed simultaneously with the valley system (in the case of bridge structures) or be accommodated within underground utility conduits for providing servicing across the floodplain. This approach is intended to:</p> <ul style="list-style-type: none"> • Mitigate the impact of future utility crossings on the river valley by providing encased crossings with spare capacity and the ability to replace linear plant by means of no-dig methods; • Minimize disruptions and inconvenience to recreational users and the public from repeat construction activities within the valley system; and • Minimize environmental impacts of repeated excavation. <p>It is expected that any utility crossings of the floodplain be designed to minimize or avoid disturbance of the future naturalized system and to avoid exposure of underlying contaminated soils and groundwater to the naturalized surface system, especially during maintenance of utilities or installation or new utilities.</p> |

Table 10-24 Disposition of Comments Received from Review Agencies on the Draft EA Report

| Comment | Section | Response |
|---|-------------------|--|
| There is a considerable amount of unknown information pertaining to the outcomes of ongoing studies, namely the Groundwater Master Plan for Projects within the Designated Waterfront Area. Of particular concern is the management and mitigation of surface water that may come into contact with contaminated sediments and groundwater. As per the Municipal Class EA process identified for the undertaking of a Master Plan, we recommend that the Groundwater Master Plan for Projects within the Designated Waterfront Area be circulated to our office as soon as it is available for review, as the findings of this document are pertinent to the Lower Don Lands Infrastructure and Keating Channel Precinct plans. | General comment | Agreed; a final draft version of this document was circulated by WT to the MOE in March 2010. |
| MOE EA and Approvals Branch (Solange Desautels)- August 19, 2010 | | |
| In addition to mitigation, it is recommended that all commitments with respect to such matters as undertaking additional study; additional proposed consultation with stakeholders; and submission of additional materials to stakeholders, agencies and this ministry be clearly articulated in the EA and should be also located in one place in the documentation in order to facilitate compliance. Also, where specifics are to be determined during the detailed design, this should be clearly stated as well as a commitment to consult with relevant stakeholders and the Ministry of the Environment about the specific details where warranted. | General comment | A table of commitments has been prepared and is included in the executive summary, as well as in section 8.1.2 (EA Compliance Monitoring). |
| The final EA must include an executive summary and appropriate maps as required by Regulation 334. The executive summary should also reference the list of studies, or reports under the control of the proponent which were done for the undertaking or the list of the studies/reports that are related to the undertaking that are not under control of the proponent which are noted elsewhere in the EA document. | Executive summary | The executive summary has been prepared to address the requirements of Regulation 334. |
| The executive summary would also benefit by providing an overview of your Terms of Reference (ToR) commitments and where and how these are addressed in the EA. This can be completed in a tabular format. This should also include any additional commitments made in response to comments provided in the ToR submission, if applicable. | Executive summary | This information is contained in the executive summary |
| Other Approvals – land use designations and zoning should be described as well as specific nature of the Planning Act approvals (e.g. OPA, rezoning, site plan approvals) | Chapter 1 | This information has been added to Section 1.5 of the Final EA. The existing land use designations are described in Section 3.4.6.2 (land use planning). |
| Clarification is required with respect to the mitigation measures and net effects associated with the comparative evaluation provided for in Chapter 5. | Chapter 5 | Clarification has been provided in Section 5.4.2.2. |

Table 10-24 Disposition of Comments Received from Review Agencies on the Draft EA Report

| Comment | Section | Response |
|---|-------------------------------------|--|
| While detailed descriptions are provided in various tables in Chapter 5 of each main objective by criteria and the ranking of each criteria is generally understood, the ranking of the overall objective summaries is not always clear when the various criteria summaries are evenly ranked (e.g. two least preferred and two most preferred-summary = most preferred; Table 5-23) | Chapter 5, Table 5-23 | Additional detail has been added to Sections 5.4.2.2 and 5.4.2.3 to clarify how the rankings were combined. |
| Table 5-24 should explain that this is an overall summary of all previous tables in Chapter 5. | Chapter 5, Table 5-24 | This clarification has been added to Section 5.4.3.8 in reference to Table 5-24. |
| Figures 5-6 and 5-7 are missing from Chapter 5. | Chapter 5, Figures 5-6 and 5-7 | These figures have been included in the final EA report. |
| Reference being made here appears to refer to figure 6-30 but should be 6-29 as this is the figure which shows 5g. | Chapter 6, pg 5-29, last paragraph. | The reference has been changed. |
| First two paragraphs should be deleted as this is not applicable and does not clearly represent what is required. | Chapter 9, Section 9.1.1 | These paragraphs have been deleted in Section 9.1.1. |
| Any technical reports and/or any Addendum, particularly those which are more significant would be required to be submitted to the ministry for the public record. Documentation and compliance with modification procedures and clarification of the assessment of any proposed change may be subject to a ministry review where warranted which is not clearly stated in this section. | Chapter 9 | Section 9.2 has been edited to include this information. |
| Consultation Record – Final EA should be updated with any government, agency, public and Aboriginal comments provided on the draft EA as well as how and where these comments are addressed in the EA. The final consultation record should also provide an overview summary of all key issues identified and how responded to and/or addressed. | Chapter 10 | This information has been included as Section 10.4 in this Final EA. |
| Prior to final submission, it is recommended that we discuss your proposed Government Review Team and agency circulation list and timing and administration of the submission of documents and notice requirements. | General comment | Agreed. |
| MOE EA and Approvals Branch (Thomas Shevlin Air and Noise Unit) - August 12, 2010 | | |
| Current plans for the West Don Lands should be included in the EA as areas containing potential Points of Reception for post-construction noise from the sediment management activities. | Chapter 7 | The sediment management area will be located on a wedge of land between the Don Rail yard and the Gardiner Expressway. The closest residential development in the West Don Lands is over 300 metres away from this location, and separated by the existing rail berm, and therefore was not included as a potential point of reception. Furthermore, it is proposed that a hydraulic dredge will be used to remove the sediment from the bottom of the sediment trap. This type of dredge will be quieter than the existing clam dredge. |
| It is further suggested that this post-construction noise source be added to the Section 8.2 list of activities to be subjected to the EA Compliance Monitoring. | Section 8.2 | Post-construction noise has not been identified as an effect of the project and therefore has not been included as part of EA Compliance Monitoring. |

Table 10-24 Disposition of Comments Received from Review Agencies on the Draft EA Report

| Comment | Section | Response |
|--|---|---|
| MOE EA and Approvals Branch (Hitesh Vaja, W&W Unit CofA Review section)- August 30, 2010 | | |
| More details on the design of the proposed stormwater management facility noted in Section 6.2.1.2 (along the water's edge promenade between Jarvis Street to Parliament Street) should be provided. Such facilities should be designed to provide an "Enhanced Level of Treatment". | Section 6.2.1.2 | This facility is not part of the Preferred Alternative. Therefore, any reference to this facility has been removed from the EA report. |
| With respect to stormwater quality and quantity management (Section 7.4.4.1), more details are required to assess any potential impacts to the environment. The impact of storm runoff in contact with contaminated soils should be assessed in more detail to ensure it does not discharge to the natural environment and furthermore, how will the contaminated storm runoff be treated. What best management practices are to be employed? | Section 7.4.4.1 | Best management practices related to the management of stormwater are described in Appendix K. |
| Environment Canada -August 17, 2010 | | |
| Environment Canada will not be submitting any comments on the draft EA report. | General comment | Comment acknowledged. |
| Toronto Hydro Electrical Systems Limited - August 6, 2010 | | |
| There are no issues of concern from Toronto Hydro subsequent to a review of the 5 points under the conceptual design for the DMNP and 8 requirements of subsection 6.1(2) of the EA Act and the review of its attached CD. | Chapter 6, Appendices and Section 6.1 (2) of EA Act | Comments acknowledged. |
| Standards and Policy is currently unable to provide any specifics on its proposed future overhead and underground plant for this major redevelopment of the region. From this conversation report's CD we have from its specific 'Draft EA Report' of July, 2010 noted under its section 3.4, subsection 3.4.9.4 a reference to Toronto Hydro U/G electrical conduits measuring 2080 metres for Lake Shore (Don to Cherry), 200 metres for Cherry Street and 200 metres for Villiers Street. Should these figures change, Standards and Policy would appreciate being advised. | General comment | Comments acknowledged. |
| Ontario Realty Corporation - September 28, 2010 | | |
| Potential Triggers Related to MEI's Class EA: The alternative EA needs to fulfill the minimum criteria of the MEI Class EA. When evaluating an alternative EA there must be explicit reference to the corresponding undertaking in the MEI Class EA (e.g., if the proponent identifies the need to acquire land owned by MEI, then "acquisition of MEI-owned land", or similar statement, must be referenced in the EA document). Furthermore, sufficient levels of consultation with MEI's/ORC's specific stakeholders, such as the Ontario Ministry of Natural Resources, must be documented with the relevant information corresponding to MEI's/ORC's | General comment | The DMNP EA identifies the need to acquire property north of Lake Shore Boulevard that is owned by the Province of Ontario. However, the acquisition of Provincial property is not expected to take place within the next ten years. Therefore, there is no trigger of the MEI's Class EA at this time. In advance of property acquisition, the project proponent at that time will initiate the MEI Class EA and will fulfill the minimum criteria of the Class EA, including the seven point analysis described in the letter. |

Table 10-24 Disposition of Comments Received from Review Agencies on the Draft EA Report

| Comment | Section | Response |
|--|------------|--|
| undertaking and the associated maps. In addition to archaeological and heritage reports, a Phase I Environmental Site Assessment (ESA), on ORC lands should also be incorporated into the alternative EA study. Deficiencies in any of these requirements could result in an inability to defer to the alternative EA study and require completing MEI's Class EA prior to commencement of the proposed undertaking. | | |
| Toronto Port Authority – October 31, 2010 | | |
| The Project Study Area does not appear to be large enough to capture the promontories which have become part of the Project | Chapter 2 | The Project Study Area reflects the area in which alternatives were proposed. Any expansion of the Project Study Area is consistent with Section 5.2 of approved ToR. Chapter 7 (Detailed Assessment of the preferred Alternative) captures the effects associated with construction and establishment of the promontories. |
| I am concerned with the lack of recognition of the ownership of the waterlots where the promontories are proposed. Although land ownership seems to have been addressed in general, the ownership of waterlots within the Keating Channel and the Inner Harbour have not been discussed | Chapter 7 | A description of waterlot ownership, including where the promontories are proposed within the Inner Harbour, has been added to Chapter 3 (Description of Potentially Affected Environment) and to Chapter 7. |
| In the consultation with land owners, there is no mention of discussion with the waterlot owner, TPA on the impacts of the project. | Chapter 10 | Consultation with the TPA, including regarding impacts of the project, is described in Section 10.2.5. |
| It appears that the construction of the promontories will have material which will contain some level of contaminants. | Chapter 6 | As referenced in Section 6.6.1, clean construction rubble that is considered suitable for lakefilling as unconfined fill material under the MOE Fill Quality Guidelines will be used for the base of the promontories (i.e., approximately 1 metre above the normal lake water level). Soils that do not meet MOE Fill Quality Guidelines may be used for constructing the portion of the base above the high water mark based on the results for the RA/RM. Otherwise, soils will need to meet the applicable standards of O. Reg. 153/04 and O. Reg. 511/09. |
| The navigation risk analysis does not take into account finger piers which I believe are contemplated as part of the East Bayfront Master Plan. Under this consideration and also the impact of mooring practices by Redpath, the turning circle proposed by Baird is inadequate with the proposed promontories. | Chapter 6 | The finger piers that are contemplated as part of the East Bayfront Master Plan have no official status in terms of either <i>Planning Act</i> or Ontario <i>EA Act</i> approvals and were therefore not considered in the navigation risk analysis. The turning circles identified in the analysis meet Transport Canada's applicable design guidelines (Termpol Review Process 2001) and would meet the guidelines even if the proposed finger piers were present. Based on the feedback received from Redpath during the stakeholder interviews, the turning circles will also accommodate their current mooring practices. |

10.4.2 Comments Received from Public and Other Stakeholders

Table 10-25 summarizes the comments received from public and other stakeholders and the responses provided to those comments.

Table 10-25 Disposition of Comments Received from the Public / Stakeholders on the Draft EA Report

| Comment | Section | Response |
|---|------------------------------------|--|
| Bell Canada - August 17, 2010 | | |
| We have undertaken a preliminary review of the Draft EA, and are pleased to note that the Draft EA recognizes the number and extent of utility crossings of the floodplain, including telecommunications (S. 6.2.1.1). We understand that possible crossing locations have been identified that minimize the length required to service the future development blocks and facilitate connections with existing infrastructure, while minimizing or avoiding disturbance of the future naturalized system. | Section 6.2.1.1 | Comments acknowledged. |
| We understand that a component of the mitigation measures during construction is to meet with utility providers to confirm that the utilities may be removed or relocated and to develop an approach to maintain services during construction. We welcome future discussions in this regard. | Chapter 7 | Comments acknowledged. |
| We are currently undertaking a more detailed review of the EA and will provide further comments once that review has been completed. | General comment | Comment acknowledged. |
| Letter from John Wilson, member of CLC - August 17, 2010 | | |
| Suggested editing: "The first objective considers the naturalization of the Don Mouth and Lower Don River by creating a more natural river mouth form, which will over the long term do the following:" | Section 1.2 - P. 1-4, para. 4 | This edit has been made. |
| Re. "The Ashbridges Bay Marsh was the largest coastal wetland in the Great Lakes basin..." This should read "...was one of the largest coastal wetlands on Lake Ontario..." | Section 3.1 - P. 3-5, para 1 | This edit has been made. |
| It must be clear, when you re-evaluate the other alternatives, that you are not giving the new alternative 4WS an unwarranted advantage based upon it having won the Design Competition, making it arguably an emotional favourite. Here it is necessary to clarify that, while insights from the Design Competition provided new opportunities, all "carry forward" alternatives were to be re-evaluated using the same criteria. | Section 5.3.2.1 - P. 5-34, | Edits have been made to relevant sections in Chapter 5 to address this point. |
| It should be stated that this is why Alternative 5 was not re-considered. In effect, Alternative 4WS is Alternative 5 with the refined criteria discussed in Section 5.3.2.1 above. (These two suggestions address comments made by Lafarge's representatives at recent public meetings.) | Section 5.3.2.2 - P. 5-35, para. 1 | This comment is incorrect. Alternative 4WS is not Alternative 5. Alternative 5 included 3 permanently wetted discharge points, resulting in the creation of a naturalized delta. Alternative 4WS has one permanently wetted discharge point and 2 spillways and includes the development of lands between the discharge point and the spillways. |

Table 10-25 Disposition of Comments Received from the Public / Stakeholders on the Draft EA Report

| Comment | Section | Response |
|---|--|---|
| Excellent progressively argued comparison and summary. (Question: When do we address the obvious concern that the Preferred Alternative is the least preferred for operational management and constructability? That seems like a pretty serious flaw.) | Section 5.4 | Thank you. It should be noted that Alternative 4WS is least preferred for operational management and constructability relative to the other alternatives but not in an absolute sense. Therefore, while there are disadvantages with respect to operational management and constructability they can be addressed through design refinements and the application of mitigation as documented in Step 5. |
| Would it be valuable to note that the criteria and indicators had been developed and comments received prior to the Design Competition? Again, this is to underscore that you did not change the rules midstream to give the MVVA design an unfair advantage. (According to my records I submitted comments on the criteria and indicators 12-11-06.) | Section 5.4.2.1 - P. 5-47 | The criteria and indicators used for the Step 4 evaluation described at the end of Chapter 5 were developed prior to the Design Competition and refined following the competition to include criteria that better addressed the ability of each alternative to integrate with the proposed development and to address the larger Project Study Area. |
| “...plants used to establish the naturalized communities will be indigenous <i>to the extent feasible</i> ” [italics mine] Please delete the last four words. Indigenous plants are always feasible, and these wiggle words are unnecessary given the overarching statement, “Although the planting plan is not included in this EA...” which provides more than adequate wiggle room. | Table 6-1 - P. 6-2 – Second Table 6-1 entry on this page, right column | This edit has been made. |
| Sentence beginning “These grades...” seems to need editing to be meaningful. | Section 6.1.1.1, P. 6-6, 2nd para | The following change has been made: These grades, that are a 5 percent dry-side, grade will allow for some continued use and occupation of the existing operations on the property ... |
| See sentence “A flexible pipe will carry the slurry from the Ship Channel wetland to a barge-mounted hydrocyclone...” This seems to suggest that the slurry is deposited in the Ship Channel wetland and is removed from there. A clearer description (as far as I understand it) would be “A flexible pipe will carry the slurry from the fixed piping outlet on the Basin Street causeway to a barge-mounted hydrocyclone...” | Section 6.1.2.2, P. 6-17 | This section has been edited to clarify that the slurry will be moved by pipe to the barge-mounted hydrocyclone located along the north edge of the Ship Channel. |
| Second sentence doesn’t make sense to me. It seems to say that all the bridges noted are exceptions to the rule of “fixed bridges”, but the map (Figure 6-19) says the opposite. – The last sentence in the section ends “where feasible.” Isn’t it clear which bridges must meet navigation requirements? In the case of the main low-flow channel (Reach 3) is there any question of navigation beyond canoes/kayaks under the pedestrian bridges? Could this not be more descriptive/informative? | Section 6.2.1- P. 6-30 | The text has been edited to match Figure 6-19, which is correct. The reference to “where feasible” has been removed. |
| The last paragraph needs something to tie the EBF stormwater information to this EA. Are you suggesting that similar treatment facilities be investigated in the Lower Don Lands? You should state the connection, or leave it out. | Section 6.2.1.2 – P. 6-32 and 6-33 – | The reference to the EBF stormwater facilities has been removed. |

Table 10-25 Disposition of Comments Received from the Public / Stakeholders on the Draft EA Report

| Comment | Section | Response |
|--|-----------------|---|
| Cassels Brock and Blackwell - representatives of Lafarge Canada Inc. – August 19, 2010 | | |
| <p><u>Change in the Goal:</u></p> <p>The EA was fundamentally changed when, in the middle of the environmental assessment process in 2008, the goal was, without approval, changed from one “to establish and sustain the form, features and function of a natural river mouth ... while providing flood protection” to one “to create a river as a centrepiece rather than as an edge” in order to bring a fresh “new perspective” to the Lower Don Lands as a result of Toronto Waterfront’s Innovative Design Competition.</p> | General comment | <p>The Goal Statement for the DMNP EA was developed through public and agency consultation during the EA ToR stage. This Goal Statement has remained consistent throughout the EA and remains the same as shown in paragraph two on Page 1-4 in Chapter 1 of the Draft DMNP EA Report: “The goal of the DMNP is to establish and sustain the form, features, and functions of a natural river mouth within the context of a revitalized City environment while providing flood protection up to the Regulatory Flood.”</p> <p>The goal and objectives have been used consistently throughout the EA process in developing and evaluating alternatives on the basis of how those alternatives met the objectives.</p> |
| <p><u>Improper Evaluation:</u></p> <p>As a result of that Competition, the evaluation was changed retroactively, As stated in the EA at page 5-33-34, after having completed the evaluation of alternatives in Step 3, and almost completing Step 4, and with only Step 5, the Evaluation and Refinement of the Preferred Alternative, remaining to be completed the evaluation of Steps 1-4 was redone with new criteria applied as a result of the injection of results of the Design Competition.</p> | General comment | <p>In response to the Design Competition, all of the alternatives were modified in terms of the area available for naturalization, the composition and optimization of naturalized areas, the area available for development and parkland, and the location of infrastructure. To address these changes, the evaluation criteria as originally envisioned were simplified and revised. Key changes to the evaluation criteria reflect the following issues:</p> <ul style="list-style-type: none"> • Revised study area and alternatives; • Greater integration with built form; • Incorporation of active recreation components originally proposed for Commissioners Park; • Revised approach to consideration of effects on infrastructure; • Naturalization optimization including both wetland and terrestrial opportunities; and • Ensuring alternatives can accommodate planned infrastructure (e.g., grading of bridges to accommodate proposed transit). |
| <p><u>Improper Chosen Alternative:</u></p> <p>With this change to reflect the results of the Design Competition, it is clear that the terms of reference and the evaluation criteria of the EA changed in mid stream. The alternative of a primary discharge into the Inner Harbour and a secondary discharge into the ship channel was originally rejected because “it resulted in the removal of Port facilities (2316 metres of Dock wall lost), removal of recreational opportunities associated with the (entertainment facility) Docks, inconsistency with the Secondary Plan and the removal of 40.76 ha of developable land...”. Moreover, the original Terms of Reference stated that this alternative removes 16 existing businesses or industrial uses including Lafarge and “has a low potential to meet the project objections</p> | General comment | <p>Your statement that the Preferred Alternative is a throwback to an “Alternative To” considered and rejected during the DMNP EA ToR is incorrect. On Page 7, of Appendix A of the DMNP EA ToR, a clear description of this Alternative To (#5) was provided.</p> <p>In summary, Alternative 5 had 3 permanent discharge points to Lake Ontario and the area between the discharge points was identified as a delta marsh exclusively used for naturalization and flood conveyance. This alternative eliminated the ability of the DMNP EA to integrate with the proposed urban fabric for this area, and on that basis, the Alternative was not considered further.</p> <p>As indicated in the DMNP EA, the resulting Preferred Alternative is not a delta marsh, but rather it is a variation of Alternative 4. It has one permanent</p> |

Table 10-25 Disposition of Comments Received from the Public / Stakeholders on the Draft EA Report

| Comment | Section | Response |
|--|------------------------|--|
| <p>and should not be considered further in the EA process.” As a result of the Design Competition, this option of a primary discharge in the Inner Harbour was reintroduced into the EA and became the preferred alternative although it had been eliminated.</p> | | <p>discharge point and two spillway areas with development permitted between the discharge point and spillways.</p> |
| <p>As a result of the changing of the goals, the new criteria and the redoing of completed work, an alternative which has been rejected was then chosen as the preferred alternative with the further result that the Lafarge site which was originally unaffected, is to be park, open space and promenade.</p> <p>While changes in the criteria may be made during the EA process, and the Study Area may indeed be expanded, it is, in our view, improper that the Design Competition should be injected so late into the EA process so as to change the goal of the EA, when that design had not undergone any public scrutiny, evaluation or comments under the Planning Act, or other legislation. The results of the Design Competition were not, in any way, tantamount to an official plan or other public policy ultimately approved through an open and accountable process.</p> <p>This injection is further called into question when it is realized that evaluation in the EA does not take into account specific policies in the Place to Growth Plan and the Mineral Aggregate provisions of the Provincial Policy Statement. Those policies would specifically protect Lafarge’s terminal and, in our view, the EA is not consistent with and is in conflict with them.</p> | <p>General comment</p> | <p>The DMNP EA process has been innovative, fair, open and appropriate. As a result, it meets the requirements under the provincial EA Act.</p> <p>The International Design Competition was not designed to be a land use planning mechanism. Rather the Competition provided an innovative forum to give more detailed consideration to the Project Study Area and demonstrate the potential for comprehensive City building that was complementary to and in keeping with the ongoing DMNP EA. The public and stakeholders were engaged during the Competition. At its conclusion, the concept proposed by the winning design team underwent significant refinement, study and public consultation as part of the development and evaluation of alternatives through the DMNP EA process. The studies and evaluations were conducted in conformance with the approved EA framework.</p> <p>The DMNP EA is entirely consistent with the intent of the Places to Grow and the Provincial Policy Statement, and implements a number of the goals and objectives set forth by the Province. It makes use of existing infrastructure, emphasizes environmental sustainability, and avoids sprawl.</p> |
| <p>Julie Beddoes, member of CLC, August 23, 2010</p> | | |
| <p>Reading through the draft EA report, I am again awed by the project and also by the fabulous work you have all done. The report is a great achievement and speaks volumes about the professional skill, integrity and dedication of the team. It has been a nostalgia trip too, reliving all those evenings in Metro Hall. I have noticed phrases that were produced after hours of nitpicking by the community reps and I thank you all for your endless patience and courtesy and the way you have responded to our various quirks and obsessions. I long for the day when we will walk together through our beautiful new river valley and that the people who deserve it will be the ones who get the recognition and thanks.</p> | <p>General comment</p> | <p>Comments acknowledged.</p> |

10.4.3 Comments Received from Aboriginal Communities and Associations

Table 10-26 summarizes the comments received aboriginal communities and associations and the responses provided to those comments.

Table 10-26 Disposition of Comments Received from the Public / Stakeholders on the Draft EA Report

| Comment | Section | Response |
|--|-----------------|---|
| Toronto and York Region Métis Council of Métis Nation of Ontario - September 20, 2010 | | |
| <p>Meeting with the Toronto and York Region Métis Council of Métis Nation of Ontario to provide an update on the status of the DMNP. A letter was sent by the Toronto and York Region Métis Council following the meeting indicating that if the DMNP were to proceed, there would be no immediate impacts to Métis rights, culture or Way of Life. The project has the potential to enhance the Métis way of life within the urban sector of Toronto under the stipulations that :</p> <ul style="list-style-type: none"> • The project proceeds as presented • The MNO and the Council are presented the opportunity to participate in the planning process for heritage and park design along with housing development • The TRCA regularly informs the MNO of the project's timeline, EA bench marks and any new developments. • Consultation with MNO continues to occur; MNO and/or the Council may request additional project information or a meeting at any time. | General comment | TRCA will continue to consult with MNO and the Council throughout the design process of the project and will regularly provide information regarding the project's schedule, EA bench marks and any new project developments. |

10.5 Post-Approval Consultation

As described throughout this chapter, public involvement has been a key element of the DMNP EA process. There is an involved community associated with the DMNP who expect to remain involved throughout the remainder of the project. At this point the core group has a vested interest in the success of the project going forward.

Once the DMNP is approved by the MOE, it is recommended that the following public consultation mechanisms occur during detailed design, Construction and Establishment of the DMNP:

1. Waterfront Toronto continues to provide project updates in their Annual Report and Newsletters regarding the process towards implementation in conjunction with TRCA;
2. During the formal detailed design process, a Public Forum be held to review the DMNP and seek public input on any new information that is available to feed into the process, including similar engagement with other agencies and land owners;
3. A Public Forum be held to provide construction details and schedules when the information is available;
4. An advisory committee of local stakeholders be established to review construction progress, particularly as it relates to soils and groundwater management issues relating to public health and risk;

5. A mechanism be established to ensure the reporting and investigation of complaints arising from construction activities;
6. Regular project updates will continue to be posted to the project webpage coordinated between TRCA and Waterfront Toronto ; and
7. DMNP newsletter updates to be provided summarizing progress on detailed design and construction-related work.

Information gathered from the public and stakeholders through these mechanisms will be incorporated into the overall AEM cycle, as would other sources of monitoring data as described in **Chapter 8**.