

March 3, 2021



Advance copy sent by Email: Jonathan.Wilkinson@parl.gc.ca

Minister Jonathan Wilkinson
Ministry of Environment and Climate Change
House of Commons
Ottawa, ON K1A 0A6

Dear Minister Wilkinson:

RE: GTA West Highway and Transmission Corridor Project, Highway 413

I am writing to you today to request that the Impact Assessment Agency of Canada designate this project (IAAC reference number 81381) under the Federal Impact Assessment Act (IAA).

Background on Designation Requests:

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

As the project has not substantially begun nor has federal authority exercised a power or performed a duty or function that would permit the project to be carried out, in whole or in part, and therefore you are not prohibited from designating this Project pursuant to subsection 9 (1) A of IAA.

Background on the Project

Proponent: Ministry of Transportation, Government of Ontario

The Ontario Ministry of Transportation is proposing to construct and maintain a new highway located in the northwest Greater Toronto Area. As proposed, the GTA West Project, which will be called highway 413 upon completion, would be 59 kilometres in length and pass through the municipalities of Vaughan, Caledon, Brampton, and Halton Hills. It would connect highway 400 (between Kirby Road and King-Vaughan Road), to the highway 401/407 interchange area, located near the northern end of highway 403.

The GTA West Project is a proposed fully separated 400 series highway in the northwest Greater Toronto Area **within MCFN Treaty Lands**. The highway would have freeway-to-freeway connections at Highways 401, 407, 410, 427 and 400. The GTA West Project also includes highway widening and expansions along existing highway corridors.

The project would consist of 8.8 million square metres of new paved surfaces. The paved surface would be approximately 170 metres wide (110 m for vehicle lanes, 60 for transit lanes) and approximately 52 km long. Once the "right of way" is established, the corridor would be available for other linear facilities including transmission lines, telecommunication lines, and pipelines as has happened with Highway 407. **The highway would bisect the sensitive headwaters of four watersheds from west to east,**



Chief and Council

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including the easternmost Sixteen Mile Creek, the entire width of Etobicoke Creek, and the Humber River, and a stretch of the Credit River.

The GTA West Project is also proposed to be co-located with a Northwest Greater Toronto Area Electricity Transmission Corridor. The proponent of the associated transmission corridor is the Ontario Ministry of Northern Development and Mines (ENDM). The proposed corridor would potentially include a 60 metre or wider right of way with two double-circuit 239kV transmission lines. **No environmental assessment for the transmission corridor has been undertaken to date.**

The GTA West Project may cause significant adverse environmental effects. The highway will develop a rural area and bisect a number of features such as significant woodlands, endangered species habitat and wetlands which are designated as protected “natural heritage features”. It will bisect and seriously compromise a number of major river corridors that provide critical wildlife connections north to the major natural areas of the Oak Ridges Moraine and the Niagara Escarpment. These include a major twin crossing of the Humber River and the adjacent East Humber River valleys, another three crossings of East Humber valleys, four crossings of West Humber valleys, two crossings of Etobicoke Creek and a major crossing of the main Credit River valley. The Toronto Region Conservation Authority (TRCA) has estimated 85 crossings are required.

The highway and its corridor, as currently proposed, will destroy a combined 5.95 km length of forests that support many sensitive forest bird species, and other wildlife and plants. This includes destroying seven entire woodlots, portions of other woodlots, and bisecting numerous forested valleys. The single biggest loss will be a 1.5 km stretch of forests around the twin valleys of the Humber and East Humber Rivers in Vaughan. Over 1,000 ha of land identified as important for local wildlife movement, some of which is also important at a regional scale, will either be removed or intersected by the proposed highway.

Items for consideration as the issue relates to the relationship with, and the rights of the Mississaugas of the Credit First Nation:

MCFN Treaty Rights, recognized Constitutional Rights and inherent Rights

- The Consultation Protocol signed between Canada and MCFN (September 6, 2018) as part of the Recognition of Indigenous Rights and Self Determination tables
- The substantial work completed between MCFN and Canada on the Agreement to Advance Reconciliation and Establish a Renewed Relationship (August 2019)
- The MCFN Title Claim to Water within Traditional Lands of MCFN (June 2016): filed an action for its water claim with the Superior Court of Justice in December 2020. We are in the process of putting the action into abeyance while we await the completion of the SON litigation. However, Canada and Ontario still have a heightened duty to consult with MCFN due to our claim

I would be pleased to discuss the issue further at your convenience. I acknowledge that this process will take time and I hope that the environmental concerns and rights of the Mississaugas of the Credit First Nation will be considered and upheld. I look forward to further discussion on the issues.



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<Original signed by>

Giima (Chief) R. Stacey Laforme
Mississaugas of the Credit First Nation

Cc:

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David MCGovern, President of Impact Assessment Agency of Canada, David.mcgovern@canada.ca

Hon. Doug Ford, Premier of Ontario, Premier@ontario.ca

Hon. Caroline Mulroney, Ministry of Transportation, caroline.mulroney@pc.ola.org

Hon. Greg Rickford, Ministry of Energy, Northern Development and Mines and Ministry of Indigenous Affairs Greg.Rickford@ontario.ca

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