

C. William D. Foster
<Personal information removed>
East Gwillimbury Ontario
L9N 0J6

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Via: Mail and Email

Ms. Jill Adams,
Director, Ontario Region
Impact Assessment Agency of Canada
600-55 York Street
Toronto, Ontario
M5J 1R7
Email: iaac.ontarioregion-regiondontario.aeic@canada.ca

Dear Ms. Adams.

Re: Bradford Bypass Project

I am writing in support of EcoJustice's February 3rd letter to The Honourable Jonathan Wilkinson, Minister of the Environment and Climate Change requesting that the Bradford Bypass be designated under s.9 of the Impact Assessment Act.

I was one of the Directors of Forbid Roads Over Green Spaces, the community organization referenced in the second paragraph of page 4 of EcoJustice's letter. I was very actively involved in overseeing the conduct of MTO and its consultants McCormack Rankin from the 1993 first draft Bradford Bypass Environmental Assessment Study Proposal until final EA approval was granted by the Minister of Environment in 2002.

In 2019, I was shocked to learn that the Ontario Government was attempting to resurrect this obsolete project. I expressed my concerns to Hon. Caroline Mulroney, Minister of Transportation of Ontario in a letter dated September 3, 2019. It was my understanding that the government had abandoned this project. It was intentionally omitted from the Places to Grow Plan because of the planned expanded GO Train service to Barrie.

I used the Freedom of Information and Protection of Privacy Act to determine if MTO had complied with the terms and conditions of the original approval. I determined that they had not and, as I understand matters, as a consequence, the EA approval became void in 2008. I learned this information one day before the expiry of the comment period for the Government's Environmental Registry #019-1883 - Proposal to exempt various Ministry of Transportation projects from the requirements of the Environmental Assessment Act, July 2020. As a result, I made a submission to the subsequent Environmental Registry # 019-2377 – Proposed Project List for comprehensive environmental assessments under the Environmental Assessment Act. My submission identifies the numerous shortcomings in the original Environmental Assessment Study and requests an entirely new, open minded, Environmental Assessment Study be undertaken by a truly independent (agnostic) party. My reason for this request is that I believe the current Ontario government considers all environmental protection matters as nothing more than useless red tape standing in their way of implementing their outdated ideas in a very autocratic manner. Not surprisingly, the Ontario Government has ignored both my letter to the Minister of Transport and my Environmental Registry submission.

I fully appreciate that there is a serious out-of-way travel problem in the South Lake Simcoe Basin. This problem was identified as early as 1978. Unfortunately a number of previous

attempts by MTO to address this problem have failed. These failures are primarily for reason of public pressure and the statutory requirement to obtain approval from an essentially independent Environmental Assessment Board. Some time prior to commencement of the Bradford Bypass EAS, the Government eliminated this impediment (Board) through changes to the legislation. It now plans to enact a new regulation to overcome any further impediments to their planned expedited construction of this improper, unnecessary, highway.

My objective is not to stop appropriate, necessary roadway development in the area! I am simply looking to the government to comply with the fundamental principles of what is, or should be, a robust Environmental Assessment Act:

- Identify a compelling need,
- Consider all reasonably possible alternatives to address the need,
- Adopt the least-worst solution to address the need. (i.e. balance importance and satisfaction of the need against the injurious impact on the environment),
- Only proceed with the project where both “need” and “justification” have been clearly demonstrated.

Attached is a copy of my Environmental Registry # 019-2377 Submission:

Summary of Submission:

1. Ontario’s Environmental Assessment Act sets out a detailed series of steps to be used in the analysis of significant projects, such as the Bradford Bypass. This detailed process is intended to ensure that the solutions to identified compelling problems will be designed, constructed and operated in such a manner as to minimize the impact on the environment in a responsible manner. Essentially the project proponent must prove both “need and justification” for the proposed project prior to receiving Environmental Assessment approval to proceed.
2. The Bradford By-Pass Environmental Assessment Approval is based on what are now obsolete facts. The need has changed significantly and therefore, justification is no longer valid. As a result of MTO’s failure to comply with the Conditions of the 2002 EA approval, the approval became void in 2008. The province is now proposing to simply ignore these fatal flaws by way of what is likely an illegal regulation.
3. MTO’s Bradford Bypass Environmental Assessment Study (EAS), was commenced in 1993. It only addressed potential solutions within MTO’s mandate. MTO designed and conducted its EAS to justify its predetermined solution: a four lane freeway skirting the presumed northern boundaries of Bradford and Queensville.
4. From the very outset, at best, MTO paid lip service to considering lesser environmentally invasive solutions. The study outright dismissed the possibility of expanded commuter rail transportation. When the EAS was being conducted, GO transit served Bradford with two morning and evening trains. There was no passenger service north of Bradford and CN rail had filed for abandonment of its rail line north of Bradford. Cole Sherman’s 1989 Travel Demand Analysis found that most of the travel demand in the area between south Lake Simcoe and northern Newmarket was for north – south commuter travel to the GTA. Today, GO Transit’s rush hour service has numerous trains serving two stations in Barrie, one in Bradford and a new Station in East Gwillimbury. Off-peak service is currently provided by excellent GO bus service. All day train service is in the process of being

implemented for this entire corridor. In December 2019, Metrolinx reported average daily ridership of 2,343 persons serving these stations plus Newmarket. This represents a very significant and further increasing reduction of travel demand for the Bradford Bypass.

5. The following environmental protection statutes protecting the South Lake Simcoe basin were enacted following the 2002 approval of the Bradford Bypass EAS:
 - Lake Simcoe Protection Act, 2008 – Plan issued 2009,
 - Oak Ridges Moraine Conservation Plan, 2002,
 - Greenbelt Plan, 2005,
 - Places to Grow Act, 2005 – Growth Plan for the Greater Golden Horseshoe, 2006.

None of the protections incorporated in these statutes are addressed in the Bradford Bypass EAS. Until the Conservative government came into being, the Bradford Bypass was excluded from the Greater Golden Horseshoe Growth Plan. This was because the previous government wanted to promote public transit and was satisfied that the Barrie Go Train service addressed a major portion of the travel demand the Bradford Bypass was supposed to address. Apparently, without any public consultation, the Conservative government arbitrarily added the Bradford Bypass to the Growth Plan notwithstanding the fact that the EA approval was then legally void.

6. The residual travel demand in the Bradford Bypass study area can likely now be appropriately addressed by connecting Queensville Sideroad, via Bathurst St. with 8th line in Bradford. Traffic on Yonge St., north of Bathurst St. to the intersection of Holland St. W and Barrie St. / Hwy 11 carries a mix of north / south and east / west traffic. By connecting Queensville Sideroad with 8th line, east / west traffic will now follow that route thus substantially relieving the traffic on Yonge St. north of Bathurst St.
7. If further east / west travel demand remains, this would best be addressed by MTO's previously preferred Highway 89 Extension (connecting to Ravenshoe Road in the southern part of Keswick. This route would conform to MTO's stated preference to separate long distance travel from local traffic.
8. Neither of these proposed solutions were considered in the Bradford Bypass EAS.
9. Advantages of these proposed alternative solutions include:
 - Out-of-the-way travel between Barrie and Keswick / Brechin will be minimized. (Increased travel time caused by a two lane highway will be offset by the significant reduction in out-of-the-way travel required to divert south to the Bradford Bypass).
 - Dramatically decreased impact on the provincially significant Keswick Marsh - i.e. addition of one two-lane bridge over the Holland River / Keswick Marsh instead of two, large, four lane bridges crossing the east and west branches of the Holland River.
 - Costs: Bridge overpasses not required over all north south roads between Hwy 400 and Hwy 404. Only one small bridge over the Holland River would be required.

- 16.2 Km of four lane paved freeway corridor avoided. The proposed solutions require a relatively short two-lane arterial roadway to connect Queensville Sideroad with 8th line and a stretch of new two-lane highway connecting Hwy 89 to Ravenshoe Road.

I will be pleased to answer any questions you may have concerning this submission.

Respectfully submitted.

C.W.D. Foster

Enc. - Environmental Registry # 019-2377 Submission

November 6, 2020

Subject: Environmental Registry of Ontario # 019-2377 – Proposed Project List for comprehensive environmental assessments under the Environmental Assessment Act.

Recommendation:

That the Highway 400 – Highway 404 Link (Bradford Bypass) project, which is currently the subject of a Preliminary Design & Class Environmental Assessment Study, be included in MECP's list of projects requiring Comprehensive Environmental Assessments.

And: the current Preliminary Design & Class Environmental Assessment Study be terminated.

And: the entire area between highways 400 and 404 south of Lake Simcoe and north of Queensville Sideroad be subject to a new comprehensive Environmental Assessment to identify all appropriate solutions to all current and anticipated travel requirements within this highly environmentally sensitive area.

Rationale: The Bradford Bypass Environmental Assessment (approved August 2002) (BBEA) is no longer valid:

Please refer to the enclosed letter to the Minister of Transportation, dated September 3, 2019, which outlines major deficiencies in the Bradford Bypass Environmental Assessment which was approved by your Minister in August 2002. [Tab 1]

Since writing that letter, the writer learned that MTO failed to comply with your Minister's Conditions of Approval thus causing the approval to become void. As a condition of your Minister's approval of the BBEA, MTO was required to submit project status updates to your ministry. MTO only filed two such updates, the last being in 2006. This was because the Bradford Bypass was intentionally excluded from the overriding Provincial Growth Plan for the Greater Golden Horseshoe issued under the superseding provisions of the Places to Grow Act, 2005.

MTO is now conducting a Preliminary Design & Class Environment Study for the Bradford Bypass. This type of study is required for Environmental Assessment Act (EAA) approved projects that have not been commenced within ten years following approval of the project. In this case, however, as the approval for the Bradford Bypass was allowed to terminate, the Province is now proposing to exempt this project from the requirements of the EAA by way of regulation. Reasons why this writer did not comment on ERO Notice 019-1883 which addresses this proposed exemption can be found at: [Tab 2]

By way of summary, the proposed Bradford Bypass controlled access highway should be subject to a new full Environmental Assessment for the following reasons:

1. The BBEA is over 25 years out of date – the first draft of the EAS Terms of Reference originated in 1993. These Terms of Reference, which rely upon now significantly out of date information, set out the legal roadmap for the conduct of the entire EAS leading to its final approval under the EAA. [Please see Appendix 1 for a description of the importance of these Approved Terms of Reference]
2. The following land use and environmental protection statutes did not exist in 2002 when the BBEA was approved:
 1. Lake Simcoe Protection Act, 2008 – Plan issued 2009.
 2. Oak Ridges Moraine Conservation Plan, 2002
 3. Greenbelt Plan, 2005
 4. Places to Grow Act, 2005 – Growth Plan for the Greater Golden Horseshoe, 2006
3. The Go Transit Barrie train and bus service was not considered in the BBEA as an alternative method of undertaking. As of December 2019, Metrolinx reported average daily ridership of 2,343 persons from stations associated with the study's Problem / Opportunity Statement¹. Once we recover from the current COVID-19 restrictions, this ridership level is forecast to increase significantly as a result of electrification of the Barrie train line and implementation of frequent all day service. This will have a significant impact on the need and justification for the proposed Bradford Bypass controlled access highway or any other major controlled access highway 400 – 404 linkage highway in this area. The key question now is: how MTO or the Province can possibly justify the need for a controlled access highway anywhere north of Highway 9. The only other controlled access highway linking Highways 400 and 404 is the 407. This highway is a major, long distance, east – west toll highway in a far more populated portion of the GTA. There are many more areas north of Hwy 407 which would likely have a much higher need for a dedicated controlled access highway link between highways 400 and 404 than Bradford and none of these corridors would cross a provincially significant wetland such as the Keswick Marsh.
4. MTO conducted their Bradford Bypass EAS with extreme tunnel vision. MTO refused to consider any undertaking that was outside their mandate:
 1. Study Objectives: “to prepare a preliminary design for those aspects of any transportation improvements that may be associated with the preferred alternative and **which fall within the jurisdiction of the MTO.**”² [emphasis added]

¹ <https://metrolinx.files.wordpress.com/2020/02/click-here-to-see-the-above-ridership-map-in-detail.pdf>

Associated stations: Barrie - Newmarket

² Bypass Bradford Environmental Assessment Proposal September 1994 – Para. 2.4

- “it is recognized that there is not likely to be a single facility or improvement which addresses all of the problems and opportunities noted above. Consequently, a combination of measures may therefore be appropriate. In this context, however, the current study can only deal with those elements of the total solution which fall under the MTO’s proponentcy or mandate”³.
5. The Bradford Bypass route is the last choice of MTO. The fundamental transportation problem set out below and incorporated into the BBEA has been known and studied since 1979:

“to resolve the problem of “out-of-the-way” travel for both local and long distance traffic. In resolving this problem it is also intended to improve the existing problems associated with the congestion of the intersection of Highway 88 and Highway 11 in the centre of Bradford and along Davis Drive in the Town of Newmarket.”⁴

This problem / opportunity statement and proposed undertaking was the focus of the following studies. The identified problems and proposed solutions were accepted by The Environmental Assessment Board:

- 1) Highway 89. Highway 400 to Highway 12 Route Location Study (1979)
- 2) Highway 89 Extension Environmental Assessment Study (1984)
- 3) MTO /Municipal Liaison (1986)
- 4) Highway 404 / 89 Overview Study (1989)

6. In conducting its BBEA, MTO refused to reconsider the Highway 89 / Ravenshoe Road route for which they had conducted extensive studies and for which they had obtained substantial approval from the Environmental Assessment Board. Only two sections of MTO’s proposed route required further approval.

“The purpose of the project, and its “need and rationale* were presented and discussed during the 1981 Environmental Assessment Board hearing. In the Board’s July 1981 “Reasons for Decision” it stated:

“The Board is of the opinion that the proponent has proven the need for the undertaking and has also, in Appendix D of the EA Report-Type 1, carefully evaluated and documented the advantages and disadvantages of the alternative routes within the Highway 89 - Ravenshoe Road Corridor. The proponent has, therefore, met the requirements of the Act insofar as purpose, rationale and alternatives are concerned”.

“Three alternative corridors were considered for proposed Highway 89, as follows:

- Highway 89 - Ravenshoe Road Corridor

³ Ibid – Para. 2.1

⁴ Highway 89, Highway 400 to Highway 12 Route Location Study (1979) - Para. 2.2.1.1

- Queensville Sideroad Corridor
- Highway 9 - Davis Drive Corridor

Each of these corridors was assessed against the four traffic objectives of:

Resolving the local out-of-the-way traffic problem.

- Resolving the long distance out-of-the-way traffic problem.
- Resolving the Bradford congestion problem.
- Alleviating the traffic congestion problem along Davis Drive in Newmarket.

The Environmental Assessment Board stated in its September 1981 decision that;

"...Only the Highway 89 - Ravenshoe Road Corridor appears to meet all four objectives, ...it is clear that the alternative corridors are not real alternatives to the Highway 89 - Ravenshoe Road Corridor, in that only the latter fulfills all four objectives....".

"Environmental Assessment approval granted to overall Highway 89 – Ravenshoe Road Corridor.

The EA Board decided on the following:

- Environmental Assessment approval granted to overall Highway 89 – Ravenshoe Road Corridor.
- Three sections of the proposed route had Route Designation and Property Acquisition approved: the portion of the route between York Regional Road 12 and Highway 12, the proposed 89/400 interchange, and the portion of the route along 12th Line in West Gwillimbury."⁵

7. It appears that, because of public concerns raised over the proposed crossing of the Keswick Marsh, a further EA Board hearing was required. MTO's Form 1 submission to the board on this matter is attached: [Tab3]
Rather than face another hearing, MTO abandoned the project in its entirety.

This proposed solution deserves a fresh look for the following reasons:

1. Given the high volume of travel demand served by the present and ensuing Go Transit rail and bus service in the entire south Lake Simcoe Area, it is likely that, improvements to arterial roads in Bradford and perhaps, a two lane highway, such as the previously proposed Hwy 89 extension is all that will be required to address the out of the way portion of the remaining long distance travel needs in this area.
2. The Environmental Assessment Act has been significantly modified to essentially eliminate the possibility of future Environmental Assessment Hearings as most contentious issues are now addressed by the Minister of Environment, Conservation and Parks.

⁵ Bypass Bradford Environmental Assessment Proposal September 1994 – Para. 2.2.1.1.

3. Construction techniques have improved significantly over the last 20/30 years. This should enhance MTO's ability to cross the Holland River / Keswick Marsh in an environmentally responsible manner. It should be noted that, the BBEA route crosses two branches of the Holland River and related Keswick Marsh areas whereas the Highway 89 routing only crosses the Holland River once.
 4. The Corridor Alternatives Map included in the original draft Bradford Bypass Environmental Assessment Proposal and shown to the public at the June 1994 Public Information Centre, depicted five corridor alternatives. The comments for the Hwy / 89 Ravenshoe Road Corridor state: "SET ASIDE IN 1988 DUE TO IMPACT ON KESWICK MARSH. CURRENT PROPOSAL WOULD HAVE GREATER IMPACT. It is, perhaps, indicative of the integrity of this entire Environment Assessment Study, that MTO's consultants deleted the words "CURRENT PROPOSAL WOULD HAVE GREATER IMPACT" in their final Environmental Assessment Study Proposal which subsequently became the approved Terms of Reference for this Environmental Assessment Study. [Tab 4]
 5. The Highway 89 / Ravenshoe Road solution will be less environmentally intrusive, and because it would be a two lane roadway with fewer bridges, the overall cost of the project will be significantly cheaper.
8. When MTO abandoned its proposed Hwy 89 / Ravenshoe Road highway, the Minister promised to not cross the Keswick Marsh again. This promise has already been broken. The Bradford bypass crosses the marsh with higher impact than the previously proposed Hwy 89 / Ravenshoe Road two lane highway.
1. The likelihood of a hazardous chemical spill from a tanker truck upset on any of the bridges over the Holland River is reasonably remote. It is, however, not totally unforeseeable. If such a spill were to occur, it would be much less harmful to the Keswick Marsh for it to happen at the mouth of the river, near Ravenshoe Road. Here, the hazardous liquid could flow into Lake Simcoe and be relatively quickly diluted. Any spill, along the currently proposed Bradford Bypass route, would result in this hazardous substance being absorbed through much of the marsh as the spilled fluid made its way downstream towards Lake Simcoe. Given everything we know about the extreme importance of wetlands such as the Keswick Marsh, it is a huge derogation of our environmental stewardship responsibilities to provide a platform for such a significant contamination event to possibly occur.
9. If the BBEA were conducted today by a truly open-minded proponent having jurisdiction over the entire area, such as the Ministry of Municipal Affairs and

Housing⁶ (MAH), the solution or solutions would be dramatically different for the following reasons:

1. MTO disregarded the findings and recommendations of Cole Sherman's November 1989 Highway 404/ 89 Overview Study by choosing an extremely narrow study area well south of Cooks's Bay. The study area essentially runs just north of Bradford. MTO also insisted that the only solution they would consider was a high speed controlled access freeway.

“The east/west corridor (Highway 400 to Highway 12) should also minimize out of way travel in an east/west direction which suggests that the corridor be located as far north as possible (ie close to Cooks Bay as possible). In selecting a corridor for the east/west facility, it will be necessary to provide a balance between these network objectives, as well as with the physical and environmental impact associated with the construction of such a facility. A study area from Highway 88 northerly to the Ravenshoe sideroad seems appropriate for route location and environmental assessment.”⁷ [emphasis added]

- Cole Sherman's travel demand analysis found that most of the travel demand in the area was for north – south commuter travel to the GTA. This demand is now being largely met by the Barrie Go train.⁸

10. While MTO's stated mandate is long distance travel, due to its proximity to the northern boundaries of both Bradford and East Gwillimbury, the proposed Bradford Bypass will mix local and short distance inter-municipal travel (Bradford to Newmarket) with long distance, commercial and cottage travel.

“Projections show the Connecting Link will be heavily used in 2041, with 3,700 vehicles travelling in the peak direction during morning rush hour. Although currently planned as a four-lane highway, projections indicate a six lane highway may be required by 2041.”⁹

11. An open minded EAS proponent would be guided by the following policy:

“The transportation system should reflect the needs of all of the segments of the market by providing a full range of facilities and services. Although some segments may be smaller in size than others (e.g. long distance traffic vs local commuters), the system must still meet their needs.”¹⁰

Recommendations:

The following alternatives, and perhaps others, should be considered in a new full EAS:

⁶ MAH has jurisdiction over all major infrastructure projects pursuant to its mandate under the Places to Grow Act. It is for this reason that the Bradford Bypass project was originally put on hold to comply with the 2006 Greater Golden Horseshoe Growth Plan. Policies for Infrastructure to Support Growth are attached as Appendix 2.

⁷ Cole Sherman Highway 404 / 89 Overview Study – November 1989 - page xi)

⁸ Ibid – Page 32

⁹ Bradford West Gwillimbury – Making the Connection - <https://www.townofbwg.com/400-404-connecting-link>

¹⁰ Bypass Bradford Environmental Assessment Proposal September 1994 – Para. 4.1.1

1. Connection of Queensville Sideroad to 8th line in Bradford. By separating east-west traffic from north-south traffic, this would relieve traffic on Bridge St. / Hwy 11 where it crosses the Holland River south of Bradford and also at the intersection of Hwy 88 / Holland St W. and Barrie St. / Yonge Street in the center of Bradford. East-west traffic would use Queensville Sideroad / 8th line while north-south traffic would use Bridge St. / Hwy 11¹¹.
2. Construction of a two-lane provincial highway on the Highway 89 Extension Environmental Assessment Study (1984) route as set out in MTO's Form 1 submission to the Environmental Assessment Board. [Tab 3]. This proposal has previously received a significant degree of EA Board approval which should significantly reduce the lead time needed to bring this project to fruition.
3. A light duty local road with bridge over Holland River at / near Ravenshoe Road at the crossing shown in the attached map to serve the local farming community if warranted by local demand. [Tab 5]
4. If the need for a controlled access freeway is still determined to be necessary, a mid-tier location such as that recommended in the writer's attached letter to Minister Mulroney should be considered as, unlike the current routing, this would separate local / inter municipal travel from long distance travel.
5. Your Ministry and the Province are encouraged to seriously consider these recommendations for the following reasons:
 - Significantly smaller environmental impact,
 - Significantly lower cost,
 - Local / inter municipal travel is separated from long distance travel, thus relieving the likely pressure for additional HOV lanes on a controlled access freeway in the foreseeable future,
 - The connection of Queensville Sideroad and 8th line could be "shovel ready" reasonably quickly.

Respectfully Submitted:

C.W.D. Foster

Attachments:

<https://drive.google.com/file/d/1MzRn8LbPftXMTthKK7UVi3FnCo2ypjieD/view?usp=sharing>

¹¹ Currently during evening rush hour, traffic on Yonge St / Hwy 11 north of Bathurst carries both northbound traffic from Newmarket / Hwy 9 – Bathurst St. and Westbound traffic from Queensville Sideroad. This traffic continues westbound through the center of Bradford, with some branching off onto the parallel 8th line. Congestion is relieved somewhat in the center of town where traffic turns right and proceeds northbound on Barrie St. (Yonge St. North). This process reverses in the morning rush hour.

Attachments

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Statutory Framework

The statutory requirements for approval of an environmental assessment are set out in Section 6 of the Environmental Assessment Act R.S.O. 1990 (EAA).¹ These requirements are designed to ensure that any proposed project (undertaking) subject to the EAA, will satisfy a proven need and that the need is sufficiently strong that it justifies the Proponent's proposed undertaking. Justification must be established by showing that the proposed project is the optimal solution to satisfy the need. This is accomplished by proving that the proposed solution is the best of all reasonably available potential solutions and that the proposed project will be designed, constructed and operated in such a manner as to minimize the impact on the environment in a responsible manner.

The planning methodology set out in the EAA calls upon the Proponent to firstly submit, to the Minister, a proposed Terms of Reference for the conduct of a comprehensive Environmental Assessment Study (EAS). These Proposed Terms of Reference must state an identified need and include all steps the Proponent will take in conducting the EAS to determine, describe and justify a final proposed undertaking. The EAS can only commence once approval of the Terms of Reference is granted by the Minister.²

The EAA directs the proponent to follow a series of steps to determine the optimal method of satisfying this identified need. The proponent's optimal solution becomes the proponent's proposed undertaking. Having completed this step of the analysis, the proponent is then required to identify harmful impacts the proposed undertaking may or will have on the environment and specify the steps the proponent will take to mitigate these harmful impacts.

At the conclusion of this EAS, the proponent is required to document all steps it has taken to comply with the approved Terms of Reference of the EAS and submit these to the Minister in the form of a comprehensive Environmental Study Report. This report must demonstrate that the proponent, having conducted its EAS in a comprehensive, open-minded, professional manner has proven both need and justification for the proposed undertaking. Only then does that EAA authorize the Minister to grant formal Environmental Assessment Approval, with or without conditions, for the project.

MTO's approved terms of reference for this EA Study are set out and addressed in MTO's:

Bypass Bradford Environmental Assessment Proposal

Bradford Bypass Environmental Assessment Study
Highway 400 to Highway 404 Extension
Environmental Assessment Study
September 1994

¹ Pertinent portions of this section are produced at tab 1

² Currently: Minister of Environment, Conservation and Parks

These Terms of Reference, dictate the study methodology to be followed by MTO. It took a full eight years from the time the Terms of Reference were approved for the EAS Report to be approved by the Minister. This approved EAS Report is now 18 years old and its identified need and analysis of alternatives to the proposed undertaking are based on information that existed at the start of the EAS, some eight years prior to the completion of the EAS Report. In other words, basic information employed to analyze alternatives to this project rely on information that is now a full 26 years old.

Greater Golden Horseshoe Growth Planⁱ

3.2 Policies for infrastructure to support growth

3.2.1 Integrated planning

1. *Infrastructure* planning, land use planning, and *infrastructure* investment will be co-ordinated to implement this Plan.
2. Planning for new or expanded *infrastructure* will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental planning and financial planning, and will be supported by relevant studies and should involve:
 - a. leveraging *infrastructure* investment to direct growth and development in accordance with the policies and schedules of this Plan, including the achievement of the minimum intensification and density targets in this Plan;
 - b. providing sufficient *infrastructure* capacity in *strategic growth areas*;
 - c. identifying the full life cycle costs of *infrastructure* and developing options to pay for these costs over the long-term; and
 - d. considering the *impacts of a changing climate*.
3. *Infrastructure* investment and other implementation tools and mechanisms will be used to facilitate *intensification* and higher density development in *strategic growth areas*. Priority will be given to *infrastructure* investments made by the Province that support the policies and schedules of this Plan.
4. Municipalities will assess *infrastructure* risks and vulnerabilities, including those caused by the *impacts of a changing climate*, and identify actions and investments to address these challenges, which could be identified as part of municipal asset management planning.
5. The Province will work with public sector partners, including Metrolinx, to identify strategic *infrastructure* needs to support the implementation of this Plan through multi-year *infrastructure* planning for the *transportation system and public service facilities*.

3.2.2 Transportation – general

1. *Transportation system* planning, land use planning, and transportation investment will be co-ordinated to implement this Plan.
2. The *transportation system* within the *GGH* will be planned and managed to:
 - a. provide connectivity among transportation modes for moving people and for moving goods;

- b. offer a balance of transportation choices that reduces reliance upon the automobile and promotes transit and *active transportation*;
 - c. be sustainable and reduce greenhouse gas emissions by encouraging the most financially and environmentally appropriate mode for trip-making and supporting the use of zero- and low-emission vehicles;
 - d. offer *multimodal* access to jobs, housing, schools, cultural, and recreational opportunities, and goods and services;
 - e. accommodate agricultural vehicles and equipment, as appropriate; and
 - f. provide for the safety of system users.
3. In the design, refurbishment, or reconstruction of the existing and planned street network, a *complete streets approach will be adopted that ensures the needs and safety of all road users are considered and appropriately accommodated.*
 4. Municipalities will develop and implement *transportation demand management policies in official plans or other planning documents or programs to:*
 - a. *reduce trip distance and time;*
 - b. *increase the modal share of alternatives to the automobile, which may include setting modal share targets;*
 - c. *prioritize active transportation, transit, and goods movement over single-occupant automobiles;*
 - d. *expand infrastructure to support active transportation; and*
 - e. *consider the needs of major trip generators.*

3.2.3 Moving people

1. Public transit will be the first priority for transportation *infrastructure* planning and major transportation investments.
2. All decisions on transit planning and investment will be made according to the following criteria:
 - a. aligning with, and supporting, the priorities identified in Schedule 5;
 - b. prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels;
 - c. increasing the capacity of existing transit systems to support *strategic growth areas*;
 - d. expanding transit service to areas that have achieved, or will be planned to achieve, *transit-supportive densities and provide a mix of residential, office, institutional, and commercial development, wherever possible;*
 - e. facilitating improved linkages between and within municipalities from nearby neighbourhoods to *urban growth centres, major transit station areas, and other strategic growth areas*;
 - f. increasing the *modal share* of transit; and

- g. contributing towards the provincial greenhouse gas emissions reduction targets.
- 3. Municipalities will work with transit operators, the Province, Metrolinx where applicable, and each other to support *transit service integration within and across municipal boundaries*.
- 4. Municipalities will ensure that *active transportation* networks are comprehensive and integrated into transportation planning to provide:
 - a. safe, comfortable travel for pedestrians, bicyclists, and other users of *active transportation*; and
 - b. continuous linkages between *strategic growth areas, adjacent neighbourhoods, major trip generators, and transit stations, including dedicated lane space for bicyclists on the major street network, or other safe and convenient alternatives*.

3.2.4 Moving goods

- 1. Linking *major goods movement facilities and corridors*, international gateways, and *employment areas* to facilitate efficient goods movement will be the first priority of highway investment.
- 2. The Province and municipalities will work with agencies and transportation service providers to:
 - a. co-ordinate, optimize, and ensure the long-term viability of *major goods movement facilities and corridors*;
 - b. improve corridors for moving goods across the *GGH* in accordance with Schedule 6;
 - c. promote and better integrate *multimodal* goods movement and *freight-supportive* land use and *transportation system* planning; and
 - d. accommodate agricultural vehicles and equipment, as appropriate.
- 3. Municipalities will provide for the establishment of priority routes for goods movement, where feasible, to facilitate the movement of goods into and out of *employment areas* and other areas of significant commercial activity and to provide alternate routes connecting to the provincial network.

3.2.5 Infrastructure corridors

- 1. In planning for the development, optimization, or expansion of existing and *planned corridors* and supporting facilities, the Province, other public agencies and upper- and single-tier municipalities will:
 - a. encourage the co-location of linear *infrastructure* where appropriate;
 - b. ensure that existing and *planned corridors* are protected to meet current and projected needs in accordance with the transportation and *infrastructure* corridor protection policies in the PPS;
 - c. where applicable, demonstrate through an *agricultural impact assessment* or equivalent analysis as part of an environmental assessment, that any impacts on

- the *Agricultural System* have been avoided or, if avoidance is not possible, minimized and to the extent feasible mitigated;
- d. where applicable, demonstrate through an environmental assessment, that any impacts on *key natural heritage features* in the *Natural Heritage System for the Growth Plan*, *key hydrologic features* and *key hydrologic areas* have been avoided or, if avoidance is not possible, minimized and to the extent feasible mitigated; and
 - e. for existing or *planned corridors* for transportation:
 - i. consider increased opportunities for moving people and goods by rail;
 - ii. consider separation of modes within corridors; and
 - iii. provide opportunities for inter-modal linkages.
2. The planning, location, and design of *planned corridors* and the land use designations along these corridors will support the policies of this Plan, in particular that development is directed to *settlement areas*.

¹ <https://www.ontario.ca/document/growth-plan-greater-golden-horseshoe/infrastructure-support-growth#section-1>

C.W.D. Foster
<Personal information removed>
East Gwillimbury
Ontario
<Personal information removed>

September 3, 2019

Hon. Caroline Mulroney
Minister of Transportation of Ontario
5th Floor
777 Bay St.
Toronto, ON
M7A 1Z8

Dear Minister;

RE: Hwy 400 to Hwy 404 (Extension) Link / Bradford Bypass

I learned from The East Gwillimbury Express, our local paper, than the province has given the green light to immediately begin updating the existing environmental assessments for this proposed highway. The article goes on to state that the update is required because legislation has changed since the studies were first completed.

Background

Given that you are new to both your ministry and this project, I thought it might be helpful to give you an overview of the history of MTO's activities in this area. The Bradford Bypass Environmental Assessment Study (EAS) for this proposed 16.2 km controlled access freeway originated with a draft Environmental Assessment Proposal issued in May 1993. Final MOE approval was granted in August 2002. It took MTO and its consultants, nine years to complete their EAS and obtain MOE approval. Seventeen years have gone by since then. I expect many, if not all, of your Ministry's staff with direct knowledge of these studies are now retired.

I am one of a group of local residents who were extensively involved with your Ministry's Bradford Bypass (EAS) and related studies. Our group took issue with the fact that MTO specifically excluded both the Green Lane / Highway 9 and the Highway 89 / Ravenshoe Road corridors from the study area for this EAS.

In their Bradford Bypass EAS, MTO's consultant's McCormick Rankin, did everything they could to support MTO's selection of an extremely limited study corridor for the Bradford Bypass EAS in the East Holland River area. Their actions included glossing over other potential alternative corridors located outside the MTO mandated study area.

Improvements in the Highway 9 corridor are not considered a reasonable "alternative to the undertaking" with respect to the Problem / Opportunity Statement in Section 2.1 and will not be dealt with in the Bradford Bypass EA Study...¹

The Highway 89 / Ravenshoe Road corridor was not considered a reasonable alternative due to the significant impacts to the natural environment where it crossed the Keswick Marsh immediately to the south of Cooke's Bay in Lake Simcoe. The proponent had made a commitment at the time of the withdrawal of the Highway 89 EA to not consider any new highway crossing through this Marsh area in the future.²

MTO's first formal initiative to address the problems of discontinuous long distance travel south of Cooks Bay (Lake Simcoe) was undertaken in its 1979 Highway 89 Extension EAS. As there were a number of local objections to the proposed undertaking, the matter was referred to the Environmental Assessment Board. I understand that this process was a requirement of the Environmental Assessment Act in effect at that time. In 1981, following an extensive hearing, the board approved the study corridor and even property acquisition but required further work be done by MTO to address the final routing design and mitigation measures for the project. The board declined to approve the Keswick Marsh segment for reason that the proponent had not done sufficient work on assessing the environmental features of this area and what was referred to as the Madhill section which consisted of farmlands located between Hwy 11 and Hwy 404. Ultimately MTO withdrew its application for the Hwy 89 Extension.

The need for this undertaking, as part of the overall Highway 89 proposal (Highway 400 to Highway 12), is to resolve the problems associated with:

- Out-of-the-way travel for both local and long distance traffic, south of Lake Simcoe resulting in increased costs in terms of time, energy and convenience.
- Traffic congestion in the Town of Bradford.
- Traffic congestion on Davis Drive in the Town of Newmarket.

These reasons for constructing the highway were accepted by the Environmental Assessment Board in its decision dated September 14th, 1981,

"...The Board is of the opinion that the proponent has proven the need for the undertaking..."³

The Hwy 89 Extension EAS also considered alternative routes, all of which the EA Board found did not adequately address the accepted Need for the highway.

CORRIDORS

Three alternative corridors were considered for proposed Highway 89, as follows:

- Highway 89 - Ravenshoe Road Corridor
- Queensville Sideroad Corridor

¹ Bradford Bypass Draft EA Proposal May 27, 1993 – Page 9

² MOE review of EAS: Highway 400 – Highway 404 Extension Link (Bradford Bypass May 2001. Page 10

³ Form 1 Summary Form for Environmental Assessment Submission – Highway 89 Extension Environmental Assessment Report, One Stage Submission, July 1984

- Highway 9 - Davis Drive Corridor

Each of these corridors was assessed against the four traffic objectives of resolving the local out-of-the-way traffic problem.

- Resolving the long distance out-of-the-way traffic problem.
- Resolving the Bradford congestion problem.
- Alleviating the traffic congestion problem along Davis Drive in Newmarket.

The Environmental Assessment Board stated in its September 1981 decision that;

"...Only the Highway 89 - Ravenshoe Road Corridor appears to meet all four objectives, ...it is clear that the alternative corridors are not real alternatives to the Highway 89 - Ravenshoe Road Corridor, in that only the latter fulfills all four objectives...".⁴

These are basically the same traffic objectives that were addressed by the Bradford Bypass EAS. It should be noted that the Queensville Sideroad Corridor (which extended north to Holborn Road) encompasses the same study corridor as the Bradford Bypass EAS at the East Holland River Crossing.

The important issue to note with respect to the entire Hwy 89 Extension process is that the most environmentally sensitive section of the route was the Keswick Marsh / Holland River crossing. It is apparent that the study corridor was chosen by MTO to align with Hwy 89 while the treatment of these environmentally sensitive features was at best, a tertiary consideration. The choice of the Bradford Bypass study corridor suggests that MTO employed the same thinking when it established the extremely restricted study corridor for the Bradford Bypass crossing of the East Holland River. Given our current knowledge of the vital function wetlands perform in protecting our environment, I would submit that, to the greatest extent possible, the study corridor for any Hwy 400 – Hwy 404 Link should be located to have the smallest possible impact on these critically important environmental features.

At the same time they were conducting the Bradford Bypass EAS, McCormick Rankin, the same consultants who worked on the Hwy 89 Extension EAS, were undertaking an EAS for York Region. This concurrent EAS was to upgrade Green Lane to act as a bypass of Davis Drive in Newmarket. The Bradford Bypass EAS was required to satisfy the projected travel demand for that undertaking. In the absence of the Bradford Bypass, the Green Lane undertaking would not be able to satisfy the identified travel demands for that area and would thus not satisfy the requirements for an EA Approval. The upgraded Green Lane was subsequently approved and built. It connects with Hwy 9 at Bathurst Street.

I was one of a number of local residents who questioned why the Green Lane Corridor could not be considered as an alternative to MTO's chosen Bradford Bypass Study Corridor. Ultimately, McCormick Rankin completed a corridor comparison study to address these citizen concerns. McCormick Rankin's findings and MTO's related policy statements are pertinent to the current situation. MTO's position was that it is inappropriate to mix heavy local traffic with long distance travel and MTO's mandate is

⁴ *ibid*

not to address local traffic volumes. Local traffic volumes are the responsibility of regional governments.

August 2002 EA Approval for the Hwy 400 to Hwy 404 Link no longer valid

MOE’s approval for the Bradford Bypass EAS included the requirement for a Stage III Archeological Assessment of the part of Lot 118 at the east branch of the Holland River that would be crossed by the proposed new highway.

“The Proponent shall prepare at the commencement of individual design studies a Stage III Archeological Assessment for review and comment by the Ministry of Culture (MC). The Stage III Archeological Assessment shall comply with the Protocol established between the Proponent and MC. The Stage III Archeological Assessment shall be reviewed by MTO and reviewed and approved by the MC. The proponent shall implement the recommendations and findings of the approved Stage III Archeological Assessment in the design and construction of the undertaking⁵.

It should be noted that this archaeological location is known locally as the historic Lower Landing. It was an extensive camp location used by the Chippewa natives when traveling to Georgina Island. It is also believed to be the location of the British army’s annual native gift giving ceremony. The Chippewas’ formal objection to the use of this land by MTO was essentially ignored by MTO.

A great deal has occurred since August 2002 when the Bradford Bypass EAS was approved. Not only has the legislation changed but also the fundamental need and justification of the previously approved highway location has dramatically changed:

- Lake Simcoe Protection Act, 2008 – Plan issued 2009.
- Oak Ridges Moraine Conservation Plan, 2002
- Greenbelt Plan, 2005
- Places to Grow Act, 2005 – Growth Plan for the Greater Golden Horseshoe, 2017
- Both York Region’s and Simcoe County’s populations have grown exponentially since the Bradford Bypass EAS was completed. This exponential growth is expected to continue⁶.

	2001	2011	2021	2031	2041
	(Approximate values - 000's Omitted)				
York Region	750	1,050	1,275	1,600	1,790
Simcoe County	400	461	575	675	796
Total	1,150	1,511	1,850	2,275	2,586

- Projected travel demand has skyrocketed thus making previous travel demand studies used in the Bradford Bypass EAS as justification for the need for this highway in the proposed corridor obsolete.

⁵ MOE: NOTICE OF APPROVAL TO PROCEED WITH THE UNDERTAKING AND ORDER UNDER SUBSECTION 12.4(3) dated August 28, 2002

⁶ Bradford West Gwillimbury – Making the Connection - <https://www.townofbwg.com/400-404-connecting-link>

Projections show the Connecting Link will be heavily used in 2041, with 3,700 vehicles travelling in the peak direction during morning rush hour. Although currently planned as a four-lane highway, projections indicate a six lane highway may be required by 2041.⁷

- Go Transit's rail service, consisting of one morning and one evening train, was the extent of public rail transit when the Bradford Bypass EAS was completed. Your government's promised implementation of frequent full day service on the Barrie Go line will have an important impact on future travel demand.

The above changes have rendered the original Bradford Bypass EAS obsolete and the proposed solution to the EAS Problem / Opportunity Statement untenable. Local and Regional governments are lobbying the province to build the Hwy 400 to Hwy 404 Link because they don't want to be saddled with the cost of expanding their regional road network. MTO changed the name of the proposed highway from the Bradford Bypass to the Hwy 400 to Hwy 404 (Extension) Connecting Link in recognition that, as a result of Bradford's growth, the proposed road would now go through, rather than bypass, Bradford.

We are now in a situation analogous to the one faced with the original Bradford Bypass EAS. Both the Green Lane / Hwy 9 upgrade and the Bradford Bypass were necessary to efficiently address the known and projected volumes of local traffic and long distance traffic to properly satisfy the Bradford Bypass study's Problem / Opportunity Statement. As Bradford West Gwillimbury points out in their Making the Connection Report⁸, during rush hours, the proposed four lane 400-404 Connecting link will be at capacity practically as soon as it is built and over capacity by 2041. This is due to the mix of long distance and substantial volumes of local traffic. The need and justification for this project, in its currently proposed location, will fail to satisfy the stated need for this project as long distance out-of-the-way travel problems will not be addressed.

If we had only one level of government responsible for all transportation, whatever roadway solution(s) were implemented would be both cost effective and totally agnostic with respect to political mandates and funding allocations.

Your government has shown the courage to take this approach with respect to the Toronto subway / smart track fiasco. I encourage you to press your cabinet colleagues to adopt the same line of thinking in addressing this matter and come up with some way to assist Simcoe County and York Region to address their shared regional roads disconnect in the Hwy 88 / Queensville Sideroad area.

While there have been numerous transportation studies for this area the Problem / Opportunity Statement has remained essentially the same. Only the proposed optimal solutions have changed. I believe the solutions have, for the most part, been a function of politics rather than agnostic, rational engineering.

⁷ *ibid*

⁸ *ibid*

Proposed Transportation Solutions

As I mentioned earlier, I believe the problem MTO is now facing is very similar to that when the Bradford Bypass EAS was first undertaken. Like Newmarket, Bradford is suffering from traffic congestion caused by both a rapidly growing local population and out-of-the-way long distance travel through their community. The optimal solution is to separate these two diverse streams of traffic as much as possible.

This separation can best be achieved by the construction of both an enhancement to the existing discontinuous regional roads between East Gwillimbury and Bradford and a controlled access freeway located as far north as environmentally possible.

I respectfully request that you direct your staff to seriously consider my enclosed proposed routings for:

- An extension of the Queensville Sideroad to 8th line in Bradford (ultimately connecting to Hwy 88 west of the town limits at 10th Sideroad)
- A more northern Hwy 400 – Hwy 404 Link crossing the Holland River at the environmentally optimum location.

Advantages of Proposed Routes

Queensville Sideroad Extension

- The East Branch of the Holland River is already crossed by a bridge on the Queensville Sideroad thus only one new bridge will be required to cross the West Branch of the Holland River.
- Both Queensville Sideroad and 8th line have sufficient road allowances to permit lane expansion in the future when required.
- This route has minimal impact on marsh lands as most of the property being traversed by the proposed undertaking appears to be on solid ground with a few farms.
- The undertaking could likely receive EA approval as a Class EA. Given the short length of the road extension, the EAS should be able to be completed in a short amount of time thus allowing construction to begin likely during your government's current term of office.

New location for Hwy 400 to Hwy 404 Link

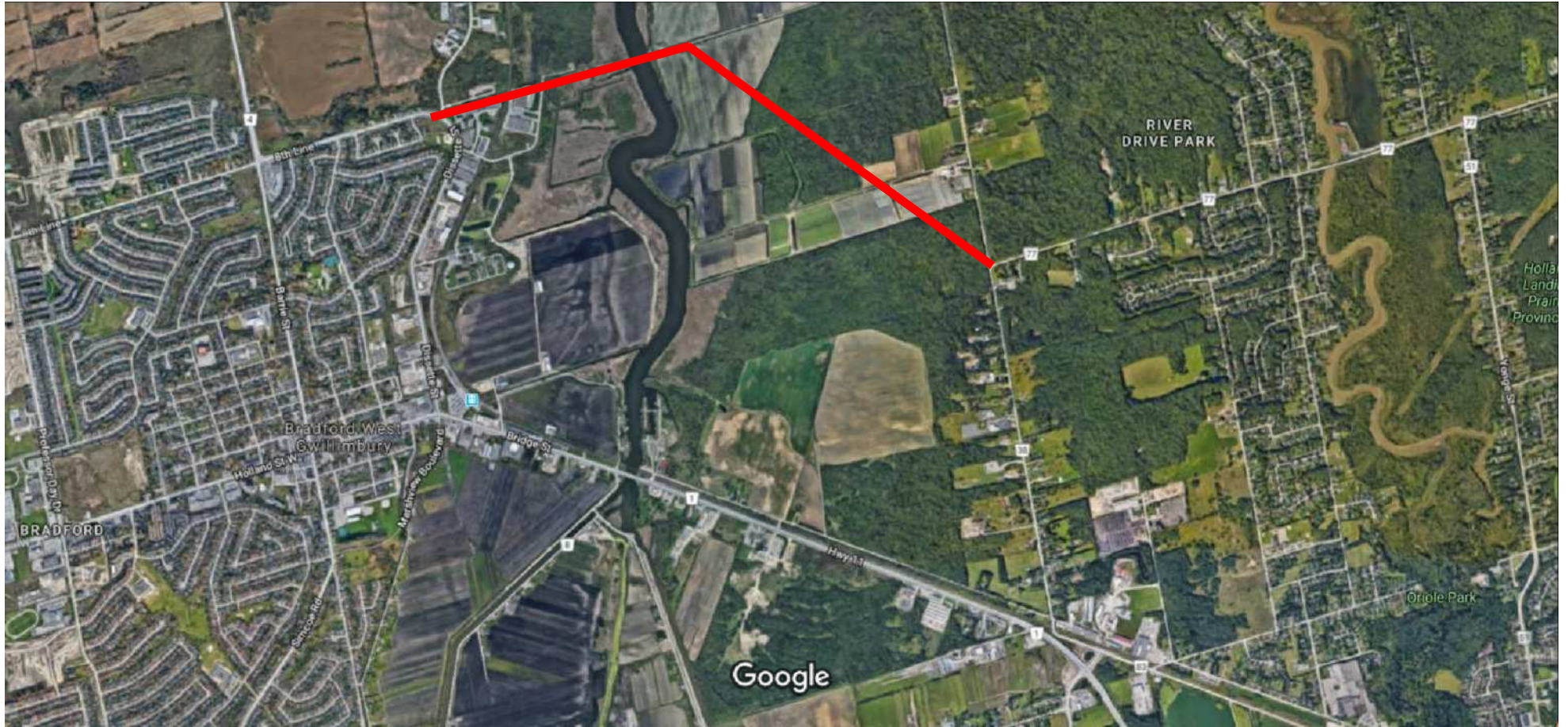
- Satisfies MTO's primary mandate of addressing long distance travel.
- Reduced out-of-the-way travel for traffic on Hwy 89 and trips around the south of Lakes Simcoe (including Gravel trucks from Brechin to Barrie).
- Only one bridge required to cross combined branches of the Holland River.
- No bridges / overpasses required for Yonge Street and Bathurst Street.
- This corridor has never before been considered hence history of other studies should not be an impediment.
- Avoids the requirement for enhanced consultation with the Chippewa's concerning Lot 118.
- Gives MTO the opportunity to take a professionally fresh approach to this EAS by engaging a consultant other than McCormick Rankin. McCormick Rankin appears to have been the lead consultant for virtually all other MTO Studies

concerning out-of-the –way travel south of Lake Simcoe. McCormick Rankin's extensive history may be an impediment to their ability to address this problem / opportunity with a fresh perspective. From my perspective and experience, McCormick Rankin's performance with the Bradford Bypass EAS was significantly inferior to the work of Cole Sherman, who handled the Hwy 404 extension study or Aecon who, I understand, handled the York Region Water Reclamation EAS.

Thank you for taking the time to consider my comments and recommendations.

Yours Truly

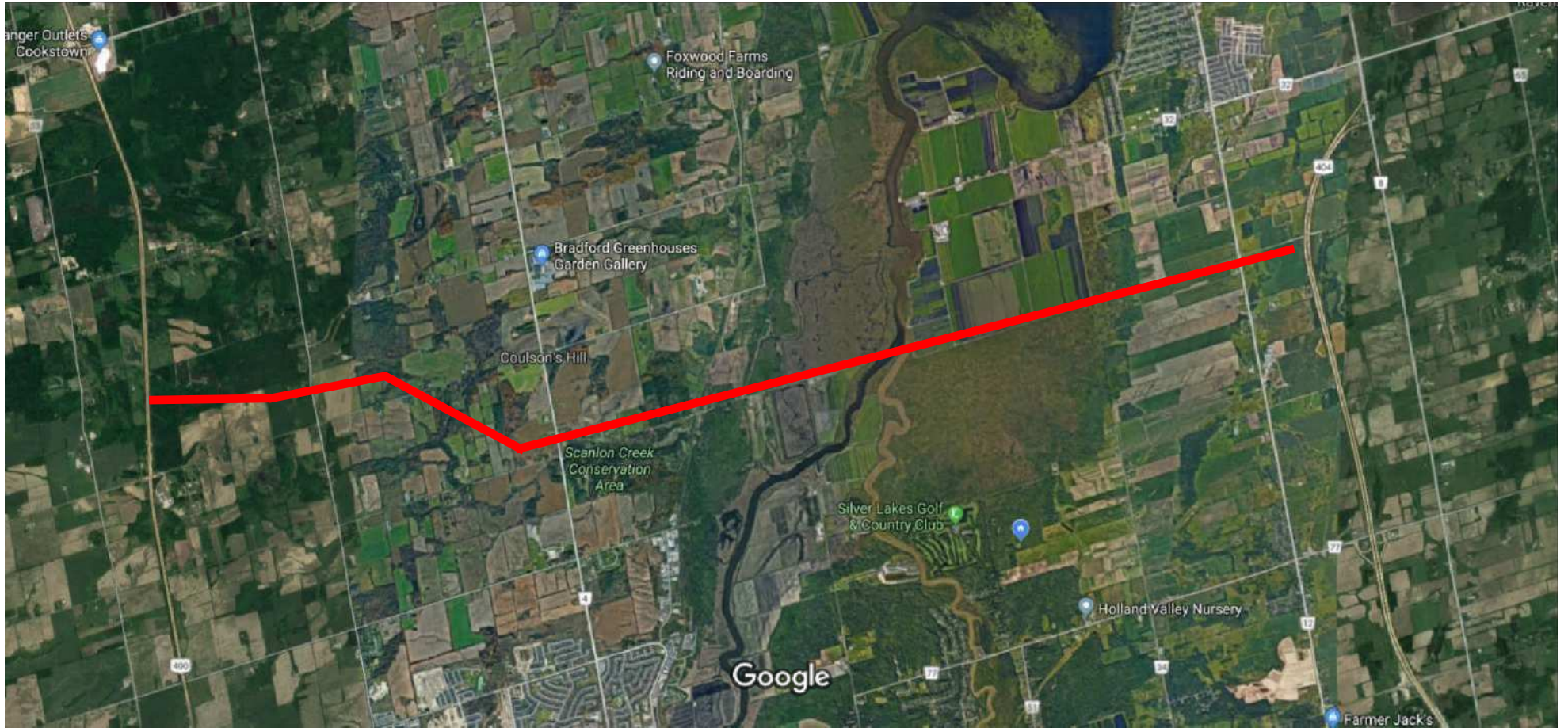
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Imagery ©2019 Google, Imagery ©2019 CNES / Airbus, First Base Solutions, Landsat / Copernicus, Maxar Technologies, Map data ©2019 Google 500 m

**Suggested route corridor for extension of Queensville Sideroad to 8th Line
(8th Line connects to Hwy.88 at 10th Sideroad)**

This is a similar arrangement to Green Lane's connection to Hwy. 9 at Bathurst Street.



Imagery ©2019 Google, Imagery ©2019 CNES / Airbus, First Base Solutions, Landsat / Copernicus, Maxar Technologies, Map data ©2019 Google 1 km

Suggested route corridor for Hwy 400 to Hwy 404 Link

Reason for commenting on the subject EBR proposal rather than proposal #019-1883

I was not made aware of MECP's July 8, 2020 ERO number 019-1883 - Proposal to exempt the Bradford Bypass from the requirements of the Environmental Assessment Act until after the comment period had closed.

Upon learning, from my local newspaper, that the Ministry of Transportation (MTO) was proposing to proceed with the Bradford Bypass, I submitted an application for information to MECP pursuant to the Freedom of Information and Protection of Privacy Act (FOIPPA). My request for information was submitted on January 20, 2020. The request was for the biannual reports submitted by MTO to MECP pursuant to the requirements of then Minister's August 2002 approval of the Bradford Bypass Environmental Assessment.

Because MECP did not respond to my request for information, I filed an appeal with the Information and Privacy Commissioner (IPC) on March 12, 2020. The appeal was subsequently sent to mediation. The entire process was significantly delayed due to COVID-19 impacts on the IPC's operations. I ultimately received a Notice of Extension of Time Limits from MECP dated August 20, 2020. This extension was to give MECP time to consult with MTO. MECP's September 16, final decision letter included the following comments:

The only records responsive to your request are those dated from 2004 and 2006 at which time the Bradford Bypass project appears to have been put on hold. The ministry was not able to locate any responsive records since then.

In addition, the ministry is proposing a regulation to exempt the Bradford Bypass project from the requirements of the Environmental Assessment Act subject to complying with certain conditions. Notice of this proposal was posted on the Environmental Registry of Ontario (ERO number 019-1883). As such, the ministry does not anticipate that further responsive records will be created during the continuing access period.

ERO number 019-1883 - Proposal to exempt various Ministry of Transportation projects from the requirements of the Environmental Assessment Act included the Bradford Bypass as its first item. The comment period for this Proposal was from July 8 to August 22, 2020. I only became aware of MECP's proposed resurrection of their expired Environmental Assessment Approval for the Bradford Bypass upon receipt of their August 20, 2020 letter. The comment period for this proposal ended August 22. I received MECP's shortly thereafter.

It is for this reason I did not provide comments on ERO number 019-1833 and am therefore providing these comments.

FORM 1
 THE ENVIRONMENTAL ASSESSMENT ACT
 SUMMARY FORM FOR AN ENVIRONMENTAL
 ASSESSMENT SUBMISSION

RE: An Environmental Assessment received from the Ministry of Transportation and Communications for the Highway 89 Extension, from "Highway 11 to York Regional Road #12 (6.0 miles), W.P. 40-77-01, Districts 5 (Owen Sound) and 6 (Toronto), Township of West Gwillimbury, County of Simcoe, Town of East Gwillimbury, Township of Georgina, the Regional Municipality of York".

Environmental Assessment Number _____.

1. Background

In 1979, the Ministry of Transportation and Communications, submitted an Environmental Assessment Report for the proposed Highway 89 Extension from Highway 400, in the County of Simcoe, to Highway 12, in the Region of Durham.

Comments received at that time led to a Hearing, before the Environmental Assessment Board, which was held in the spring of 1981. The decision of the Board, (Appendix A in the Environmental Assessment Report), gave partial approvals for the work proposed, and required that the Ministry of Transportation and Communications carry out further studies and submit additional Environmental Assessment Reports to fulfill the remaining review and approval requirements under the Environmental Assessment Act.

Based on the approvals received, and a pragmatic organization of engineering and environmental considerations, the overall project length was separated into three geographic sections for the purpose of further study, documentation and formal submission for review and approval under the requirements of the Environmental Assessment Act. This is discussed in Section 2.1.3 of the Environmental Assessment Report. The three geographic sections which are shown on Map #1 (attached) are as follows:

- o Highway 400 to Highway 11, (4.3 miles),
W.P. 40-77-04, District 5 (Owen Sound),
Township of West Gwillimbury, County of Simcoe;
- o Highway 11 to York Regional Road 12, (6.0 miles),
W.P. 40-77-01, Districts 5 (Owen Sound) and 6 (Toronto),
Township of West Gwillimbury, County of Simcoe,
Township of Georgina, Town of East Gwillimbury,
Regional Municipality of York;
- o York Regional Road 12 to Highway 12 (20.8 miles),
W.P. 40-77-02, 03 & 14, Districts 5 (Owen Sound) and
6 (Toronto)
Township of Georgina, Town of East Gwillimbury
Regional Municipality of York
Township of Brock, Township of Uxbridge
Regional Municipality of Durham.

Although they are individual Environmental Assessment Submissions, they have been submitted at the same point in time for the convenience of the reviewers.

This Form 1 and the Environmental Assessment Submission it summarizes are the documentation of the section:

- o Highway 11 to York Regional Road 12 (6.0 miles),
W.P. 40-77-01, Districts 5 (Owen Sound) and 6 (Toronto),
Township of West Gwillimbury, County of Simcoe,
Township of Georgina, Town of East Gwillimbury,
Regional Municipality of York.

2. The Undertaking

Partial approval for the section of proposed Highway 89 between Highway 11 and York Regional Road #12 was received from the Environmental Assessment Board in its decision of September 1981. This partial approval provided for designation and property acquisition beyond the limits of the "Keswick Marsh area". (See Section 2.1 of the Environmental Assessment Report).

The undertaking for which additional approval is now being sought by this submission is the:

- o designation of the proposed Highway 89 for the section through the "Keswick Marsh area" for which no prior approval has been received. The designation will be such that the subsequent consideration of detailed design and construction alternatives can be essentially contained within the identified right-of-way;
- o purchase of the property necessary for project implementation, as associated with the above designation; and
- o construction and operation of the proposed Highway 89 between Highway 11 and York Regional Road #12.

3. Purpose of the Undertaking

The distance between Highway 7, north of Metropolitan Toronto, and Cook's Bay, the southern most point of Lake Simcoe, is 25 miles (40 km). In this area there is no continuous east-west highway linking Highway 400 in the west to Highway 12 in the east.

The lack of continuous east-west service south of Cook's Bay has resulted in the need for traffic to follow routings that result in both local and long distance traffic having to make "out-of-the-way" travel. Journeys are circuitous and not all of the roads are paved. As a result, trips on the existing network are costly in terms of time, energy and convenience.

The choice of routings caused by this "out-of-the-way" travel has resulted in the ongoing congestion in the centre of Bradford and along Davis Drive in Newmarket. For example, traffic originating west of Newmarket and destined for locations north and east of Lake Simcoe can either follow routes through Bradford and/or Newmarket, whereas a new continuous roadway south of Cook's Bay would allow the avoidance of these congested areas.

The purpose of this undertaking as part of the overall Highway 89 proposal (from Highway 400 to Highway 12) is to resolve the problem of "out-of-the-way" travel for both local and long distance traffic. In resolving this problem it is intended to improve the existing problems associated with the congestion of the intersection of Highway 88 and Highway 11 in the centre of Bradford and along Davis Drive in the Town of Newmarket. See Map #1 (attached).

A further discussion of the purpose of the undertaking is included in Sections 2.2 and 2.3 of the Environmental Assessment Report.

4. Description of the Undertaking

The overall Highway 89 proposal will provide for a 2 lane roadway extending 31.1 miles (49.8 km) from Highway 400 to Highway 12. Within this context this specific undertaking will provide for the construction of 6 miles (9.6 km) of this roadway extending from Highway 11 in the west to York Regional Road #12 in the east.

Within this area seven routes were evaluated, of which three were identified as prime alternatives. These were alternatives A1, B and D as shown on Map #2 (attached). All three alternatives would meet Ministry of Transportation and Communications objectives but alternative B was identified as the recommended one. It is described below.

To the east of Highway 11, proposed Highway 89 will follow the alignment of an existing township gravel road (12th Line) as far east as 20th Sideroad. At 20th Sideroad, the highway will pass over the Canadian National tracks with a bridge.

To the east of the 20th Sideroad, the roadway will be constructed on new alignment as far east as the east limit of the Keswick Marsh lowlands where it will connect to existing Ravenshoe Road.

On the west side of the Holland River, the alignment will utilize part of an unopened road allowance through the northerly section of the Holland Marsh Wildlife Management Area.

At the Holland River the highway will be constructed on a bridge that will provide for a minimum 22' (6.7 m) vertical and minimum 50' (15.2 m) horizontal clearance for navigation along the River. The bridge will be approximately 2,300' (700 m) long. This will be comprised of 500' (152 m) over the river, 600' (183 m) to the east of the river to span an area of deep organic deposits and 1200' (365 m) to the west of the river to span the majority of a fen located in this area.

To the east of the Holland River the highway will follow the boundary between "muck" farms until it approaches the Cook's Bay shoreline. In this area it will swing to the southeast to connect to an existing paved road (Ravenshoe Road).

From the east limit of the Keswick Marsh lowlands, the proposed highway will follow the existing Ravenshoe Road easterly to York Regional Road #12.

The basic design criteria for the proposed highway call for the development of a 2 lane highway within a basic right-of-way of 120 feet (36.5 m) and with a posted speed limit of 80 km/h.

A detailed description of the undertaking is included in Section 6.1 of the Environmental Assessment Report.

5. Need for the Undertaking

The need for this undertaking, as part of the overall Highway 89 proposal (Highway 400 to Highway 12), is to resolve the problems associated with:

- o Out-of-the-way travel for both local and long distance traffic, south of Lake Simcoe resulting in increased costs in terms of time, energy and convenience.
- o Traffic congestion in the Town of Bradford.
- o Traffic congestion on Davis Drive in the Town of Newmarket.

These reasons for constructing the highway were accepted by the Environmental Assessment Board in its decision dated September 14th, 1981,

"...The Board is of the opinion that the proponent has proven the need for the undertaking..."

This is discussed in Section 5.1 of the Environmental Assessment Report.

6. Alternatives to the Undertaking

Four alternatives to this undertaking as part of the overall Highway 89 proposal (Highway 400 to Highway 12) were reviewed:

- o Do nothing
- o The provision of transit
- o The improvement of existing roadways
- o A causeway crossing Cook's Bay

None of these alternatives would satisfy the purpose of the undertaking and the Environmental Assessment Board accepted the rejection of these alternatives in its 1981 decision. This acceptance was documented in the Board's decision related to the need for the undertaking as discussed above.

A discussion of the alternatives to the undertaking is included in Section 5.1 of the Environmental Assessment Report.

7. Alternative Methods of Carrying out the Undertaking

CORRIDORS

Three alternative corridors were considered for proposed Highway 89, as follows:

- o Highway 89 - Ravenshoe Road Corridor
- o Queensville Sideroad Corridor
- o Highway 9 - Davis Drive Corridor

Each of these corridors was assessed against the four traffic objectives of:

- o Resolving the local out-of-the-way traffic problem.
- o Resolving the long distance out-of-the-way traffic problem.
- o Resolving the Bradford congestion problem.
- o Alleviating the traffic congestion problem along Davis Drive in Newmarket.

The Environmental Assessment Board stated in its September 1981 decision that;

"...Only the Highway 89 - Ravenshoe Road Corridor appears to meet all four objectives,...it is clear that the alternative corridors are not real alternatives to the Highway 89 - Ravenshoe Road Corridor, in that only the latter fulfills all four objectives....".

In the intervening period since the Board's decision in September 1981 there have been no significant changes in the study area in terms of land use, roadway network or municipal objectives that would affect the existing and future traffic conditions that were considered by the Board in making its decision.

The discussion of alternative corridors is included in Section 5.2 of the Environmental Assessment Report.

ROUTES

Seven alternative routes were analyzed and evaluated through the Keswick Marsh area.

These alternatives were developed in consideration of the sections of proposed Highway 89, on the east and west limits of the Keswick Marsh area, that were approved by the Environmental Assessment Board in its September 1981 decision.

The north limit of the range of alternatives was constrained by Cook's Bay and the south limit by approximately the confluence of the Holland and Schomberg Rivers in order to remain within the approved Highway 89 - Ravenshoe Road Corridor.

Within these constraints, all alternatives passed through both the natural area of the Marsh on the west side of the river and the agricultural area on the east side of the river.

The analysis and evaluation of the seven alternatives were reviewed extensively with interested parties. Three prime alternatives, all of which would meet Ministry of Transportation and Communications objectives, were identified. These were alternatives A1, B and D, as shown on Map #2 (attached). All three of these alternatives received both support and opposition from various agencies, interest groups and the public.

Alternative B was selected as the recommended alternative following consideration of external comments (as summarized in Table 40 of Section 5.3.3.2 of the Environmental Assessment Report), technical analysis and evaluation of environmental and engineering aspects and the feasibility of being able to mitigate the effects on several "environmentally significant issues".

DESIGN FEATURES OF RECOMMENDED ALTERNATIVE - 'B'

Alternative design features that were considered for the recommended route include:

- o Alignment variations along existing roadways
- o Cross-section alternatives
- o Bridge lengths at the Holland River
- o Construction techniques through the Marsh
- o Ditching alternatives through the Marsh
- o Drainage schemes at the Holland River bridge

Proposed alignments along existing roadways were established to minimize the effects on adjacent buildings, retain existing hedge rows where feasible and optimize the acquisition of adjacent lands.

Cross-section alternatives to a basic two lane highway 24' (7.5 m) of asphalt were considered to the east of the Keswick Marsh. In this location the cross-section will be widened to provide for 35' (11 m) of asphalt to accommodate left turning traffic access to numerous private driveways in this area.

Alternative bridge lengths were considered at the Holland River. These ranged in length from approximately 1500' (457 m) to 2300' (700 m). The longest structure was recommended in recognition of the sensitivity of the fen located to the west of the Holland River and the ability to largely bridge this fen with the longest structure. In addition the longer structure would have more predictable ongoing maintenance costs and more predictable construction requirements than the shorter structures. The recommended structure would extend from approximately 1200' (365 m) west of the Holland River to 600' (183 m) east of the river and would include an actual river crossing of approximately 500' (152 m).

Alternative construction techniques through the Marsh included either "floating" the roadway on a geotextile or excavating and backfilling with a granular type material. On the basis of depth of organic material, the ability to manage ground water movement and the anticipated long term maintenance of the roadway it is proposed to construct the roadway by means of excavating the organic material and replacing it with a granular type backfill.

Ditching alternatives that were considered through the Marsh were different in the natural areas on the west and in the agricultural areas on the east of the Holland River. It is proposed not to provide ditches on the west side of the river in order to minimize the potential effects on the movement of surface and near surface ground water flows within the natural area. On the east side of the river it is proposed to provide a ditch that will be separate from the drainage ditches that are used by the "muck" farmers to drain and irrigate their lands.

Alternative drainage schemes were considered for the bridge crossing of the fen on the west side of the Holland River. These included draining the roadway run-off directly into the fen, to a point to the west of the fen or to a direct discharge into the Holland River. The alternative that will discharge into the Holland River was selected as the one that would have the least effect on the fen.

A discussion of alternative design features is included in Section 5.4 of the Environmental Assessment Report.

8. Study Area

Generally the area extends from Highway 11 in the west to York Regional Road #12 in the east and from the confluence of the Holland and Schomberg Rivers in the south to Cook's Bay in the north.

The specific study area is described in Section 3.1.3 of the Environmental Assessment Report.

9. Potential Effects and Mitigating Measures

Within the study area the identified "environmentally significant issues" related to the effects on the natural environmental features and on the agricultural activities within the Keswick Marsh. In general, these effects and the identified mitigating measures are as follows:

<u>Potential Effect</u>	<u>Proposed Mitigation</u>
o Impedance to groundwater, near surface and surface water movement through marsh.	o Organic material will be excavated and replaced with granular type material to maintain groundwater flows. Frequent culverts will provide for surface flows.
o Loss and severance of fen and long term effects on fen.	o Holland River bridge will be extended across the fen. Roadway run-off will be diverted away from the fen.
o Introduction of contaminants to natural areas.	o Herbicide applications will be prohibited. Roadway run-off will be diverted from fen area.
o Effects on fish spawning.	o Constraints on construction activities will be applied and erosion control measures will be implemented to avoid sedimentation.
o Effects on wildlife.	o Habitat removal will be limited to right-of-way. Deer crossing signs will be placed along the roadway.
o Interference with agricultural activities and loss of farm lands.	o Farm boundaries are followed wherever feasible. Access will be maintained. Right-of-way will be kept to a minimum.

Potential EffectProposed Mitigation

- | | |
|--|---|
| <ul style="list-style-type: none"> o Severance of Holland Marsh Wildlife Management Area. | <ul style="list-style-type: none"> o As per discussions with M.N.R. concerning property acquisition (See Section 6.2.10 of the Environmental Assessment Report). |
|--|---|

A full description of potential effects and specific mitigating measures is included in Section 6.2 and is summarized in Section 6.3 of the Environmental Assessment Report.

10. Advantages and Disadvantages of the Undertaking

The advantages associated with the undertaking are related to improved traffic service in terms of:

- o Eliminating out-of-the-way travel for both local and long distance traffic south of Lake Simcoe.
- o Serving as a bypass of the Town of Bradford, by attracting vehicles that would otherwise pass through the Town.
- o Providing relief to the traffic congestion on Davis Drive in the Town of Newmarket.

The disadvantages associated with the undertaking are primarily related to those "environmentally significant issues" that were discussed previously as potential effects. These effects related primarily to the natural environmental activities of the Keswick Marsh. Extensive mitigating measures are proposed to minimize the identified disadvantages.

The Ministry of Transportation and Communications weighed the advantages and disadvantages of the various alternatives and considers that the selected alternative 'B' is the most acceptable alternative based on all aspects of the study including technical analysis, external comments and the incorporation of the feasible mitigating measures.

The advantages and disadvantages of the various alternatives that were reviewed are discussed throughout Section 5 of the Environmental Assessment Report.

11. Associated Studies

This summary relates to the Environmental Assessment document for the section of Highway 89 between Highway 11 and York Regional Road #12. Similar Environmental Assessment Reports have been prepared for the two other sections as follows:

- o Highway 89 Extension
Highway 400 to Highway 11 (4.3 miles)
W.P. 40-77-04, District 5 (Owen Sound)
Township of West Gwillimbury
County of Simcoe

- o Highway 89 Extension
York Regional Road 12 to Highway 12 (20.8 miles)
W.P. 40-77-02 & 03 & 14, District 5 (Owen Sound) and 6 (Toronto)
Township of Georgina, Town of East Gwillimbury
Regional Municipality of York
Township of Brock, Township of Uxbridge
Regional Municipality of Durham.

Other directly related reports include the following:

- o Functional Planning Report
Holland River Crossing
Toronto and York Roads Commission and County of Simcoe
- November 1968
- o Highway 89
Highway 400 to Highway 12
Route Location Study
W.P. 40-77-00
Districts 5 & 6
Environmental Assessment Report - Type 1
- January 1979
- o A submission of the
Ministry of Transportation & Communications
in response to the
Ministry of Environment's
Notice of Intent to Require Further Research
on Highway 89
Type 1 Environmental Assessment
- August 4, 1979
- o An addendum to the January 1979 report
- April 18, 1980
- o Reasons for Decision of the
Environmental Assessment Board
- July 9, 1981
- o Decision of the Environmental Assessment Board
- September 14, 1981

12. External Contacts and Public Participation

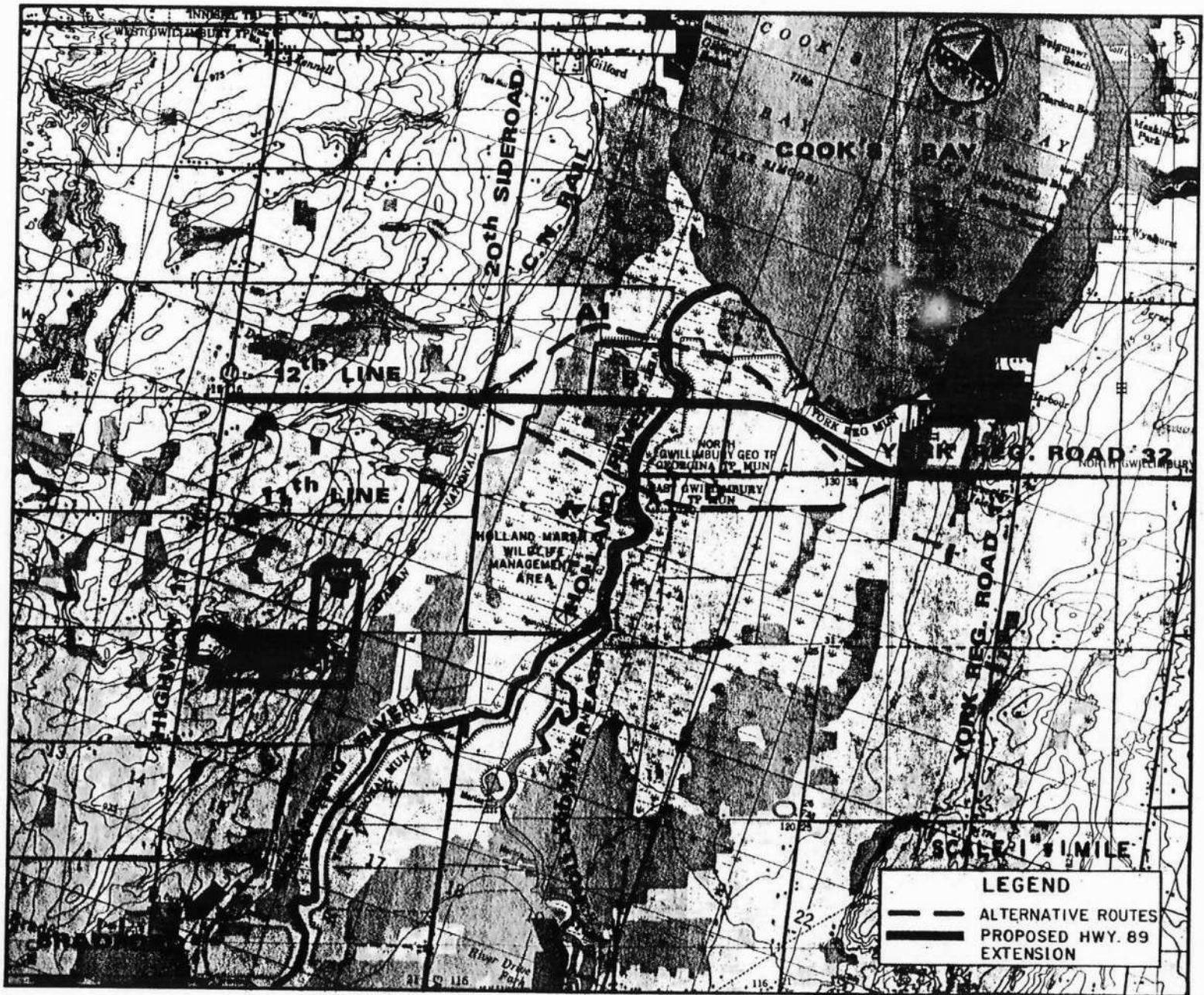
Numerous working meetings were held with external agencies, councils, interest groups and the public throughout the study.

Formal presentations and/or meetings were held as follows:

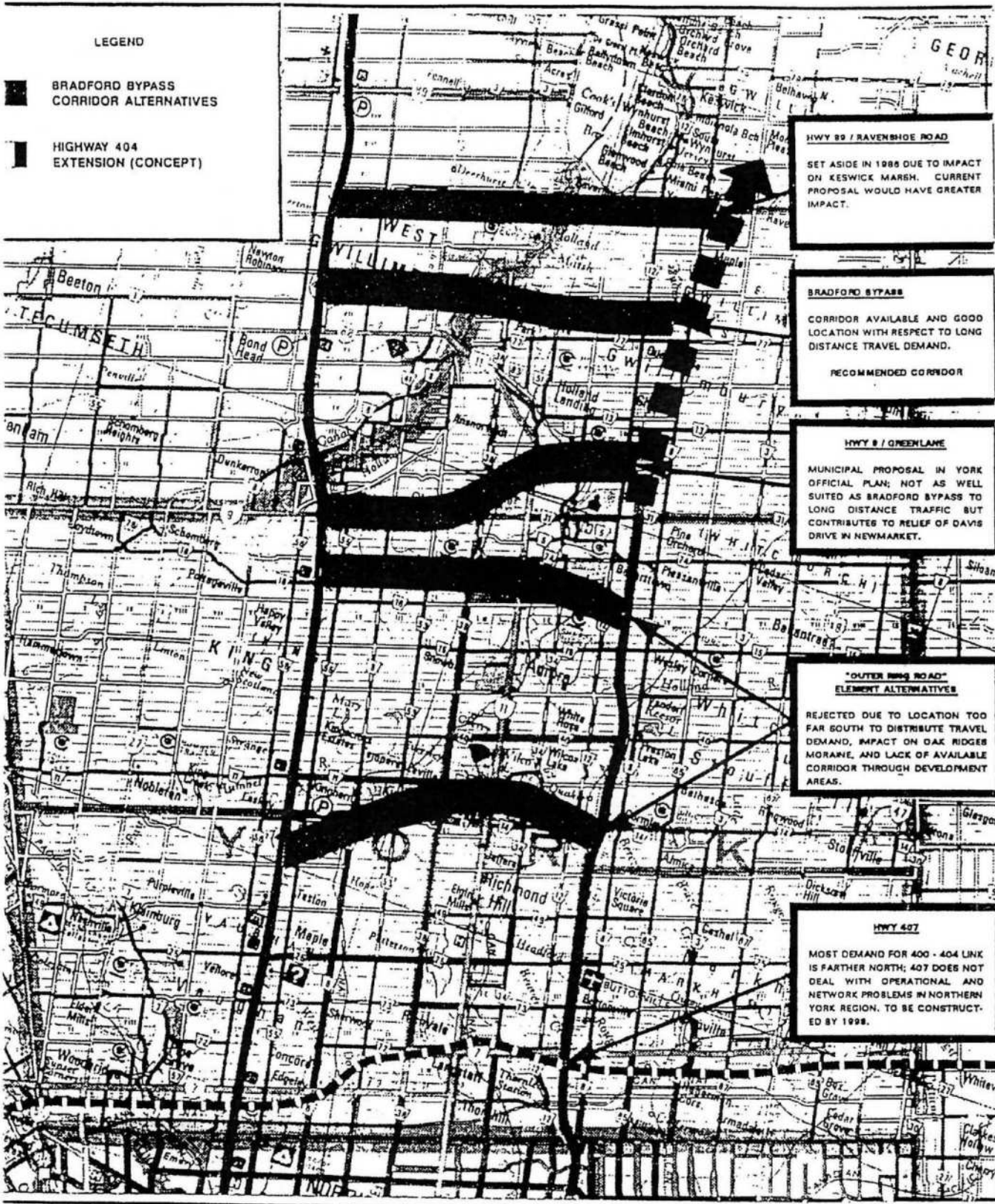
- o Government Review Team
 - o November 1982
 - o May 1983
- o Municipal Councils
 - o January 1983
 - o May 1983

- o Public Information Centres
 - o January/February 1983 (110± in attendance)
 - o May 1983 (80± in attendance)

A full description of contacts that were made throughout the study is included in Section 3.1 and summarized in Table 1 of the Environmental Assessment Report.



Map 2



CORRIDOR ALTERNATIVES

Google Maps



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