

APPENDIX 9

TRCA

 **TORONTO AND REGION
Conservation**
for The Living City

June 6, 2008

CFN 40738

BY MAIL AND EMAIL (gary.carr@trca.ca)

Gary Carr, P.Eng.
Toronto Transit Commission
5160 Yonge Street, 9th Floor
Toronto, Ontario M2N 6L9

Dear Mr. Carr:

**Re: Response to Data Request and Project Commencement
Sheppard East Light Rail Transit
Municipal Class Environmental Assessment - Schedule C
Don and Highland Watersheds; City of Toronto; Scarborough**

Toronto and Region Conservation Authority (TRCA) staff received the request for data and a copy of the Study Area for the above noted Environmental Assessment (EA) application on May 6, 2008.

It is our understanding that this undertaking involves a Class EA study to find the best way of improving the speed and reliability of transit service on Sheppard Avenue, from Don Mills subway station easterly, in a manner that makes transit a much more attractive travel alternative relative to the private automobile and supports the City's objective of more dense, transit-oriented development in this corridor.

TRCA Areas of Interest

Staff has identified the following Areas of Interest within the study area:

Regulated Areas

- Regulation Limit
- Crest of Slope
- Meander Belt
- Regulatory Flood Plain
- Regulated Wetlands
- Watercourses

TRCA Program and Policy Areas

- Aquatic Species and Habitat
- Aquifers and Hydrogeological Features
- Archaeological and Heritage Resources
- Conservation Land (TRCA property)
- Environmentally Significant Areas

- Living City Programs:
 - Renewable Energy
 - Sustainable Communities
 - Sustainable Technologies
 - Living City Trails
- Rouge Park and Rouge Park North
- Terrestrial Natural Heritage Strategy
- Terrestrial Species and Habitat

Provincial and Federal Program Areas

- Areas of Natural and Scientific Interest
- Asian Long-Horned Beetle Regulated Area
- Greenbelt

Available mapping and program information regarding these Areas of Interest have been sent for your reference. Please ensure that the status, potential impacts and opportunities for enhancement related to these Areas of Interest are documented and assessed through a review of background material, technical study, field assessment and detailed evaluation, as appropriate.

Member of Conservation Ontario

5 Shoreham Drive, Downsview, Ontario M3N 1S4 (416) 661-6600 FAX 661-6898 www.trca.on.ca



Selection of Alternatives

In consideration of TRCA's *Valley and Stream Corridor Management Program*, Ontario Regulation 166/06, and TRCA's other programs and policies, staff requires that the preferred alternative meets the following criteria:

1. Prevents the risk associated with flooding, erosion or slope instability.
2. Protects and rehabilitates existing landforms, features and functions.
3. Provides for aquatic, terrestrial and human access.
4. Minimizes water/energy consumption and pollution.
5. Addresses TRCA property and heritage resource concerns.

TRCA Review

Prior to selecting the preferred alternative solution and design, please arrange a meeting to discuss issues that relate to our program and policy concerns. In addition, please add TRCA's Watershed Specialist, Amy Thurston to the project mailing list to receive any public information updates.

A copy of the TRCA Environmental Assessment Review Program Service Delivery Standards and a summary chart is enclosed for your reference. We recommend you refer to these submission standards during the study to facilitate TRCA review. Please provide the following submissions to expedite TRCA review.

- Notices of public meetings and display material and handouts
- Four hard copies of the Phases 1 and 2 Report
- Four hard copies of the Phase 3 Report
- Four hard copies of the Draft EA Document, and
- One hard copy and one digital copy of the Final EA Document.

Should you have any questions, please contact me at extension 5714 or by email at rafoom@trca.on.ca.

Yours truly,



Renée Afoom
Planner II, Environmental Assessments
Planning and Development

encl.: TRCA Areas of Interest Summary Table
Service Delivery Standards - Recommended TRCA Contact Points

BY EMAIL

cc: Greg Neill, LGL Limited (gneill@lgl.ca)
Carolyn Woodland, TRCA, Director of Planning and Development
Steve Heuchert, TRCA, Manager, Planning and Development Regulation
Amy Thurston, TRCA, Project Manager, Watershed Planning
George Leja, TRCA, Real Estate Coordinator
Margie Kenedy, TRCA, Assistant Archaeologist
Gord MacPherson, TRCA, Manager, Restoration and Environmental Monitoring Projects

EA Requirements

Document and assess the status, potential impacts and opportunities for enhancement that relate to the following Areas of Interest through a review of background material, technical study, field assessment and detailed evaluation, as appropriate. Make reference to the applicable Program and Policy documents. Include in the EA Document appendices any minutes, structure summary sheets for watercourses or wetlands, or other material collected through meetings with TRCA staff. Natural features may need to be confirmed on site by TRCA staff.

Area of Interest / Data Availability	Program and Policy Concerns
TRCA REGULATED AREAS	
Regulation Limit	<p>In accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), a permit is required from the TRCA prior to any development (e.g. construction) if, in the opinion of TRCA, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected. The Regulation Limit defines the greater of the natural hazards associated with Ontario Regulation 166/06 (listed below).</p> <p>NOTE: The Regulation Limit provides a geographical screening tool for determining if Ontario Regulation 166/06 will apply to a given proposal. Through site assessment or other investigation, it may be determined that areas outside of the defined Regulation Limit require permits under Ontario Regulation 166/06.</p> <p>Any development within the Regulation Limit must comply with the applicable sections of TRCA's <i>Valley and Stream Corridor Management Program</i>.</p>
Crest of Slope	<p>Valley and stream corridors are dynamic systems that provide important natural functions and linkages for the physical, chemical and biological processes of wildlife, watercourses, and other natural features. The Crest of Slope identifies the physical limit of these corridors; however, due to ecological sensitivities, development restrictions typically extend beyond the actual Crest of Slope.</p>
Meander Belt	<p>Channel migration has a significant impact on infrastructure, structures and property located near river systems. Determining channel stability is important to ensure that damage from erosion, down-cutting or other natural channel processes is avoided.</p> <p>TRCA may require a meander belt delineation study or fluvial geomorphology analysis to confirm that any development does not conflict with natural channel processes.</p>
Regulatory Flood Plain	<p>The Regulatory Flood Plain is the approved standard used in a particular watershed to define the limit of the flood plain for regulatory purposes. Within TRCA's jurisdiction, the Regulatory Flood Plain is based on the greater of the regional storm, Hurricane Hazel, and the 100 year flood.</p> <p>Any development or alterations to existing structures within the Regulatory Flood Plain may introduce risk to life or property, and may not be compatible with existing natural features. TRCA's framework for Flood Plain Management is the <i>Valley and Stream Corridor Management Program</i>.</p> <p>TRCA may require a flood study or hydraulic update to confirm that there will be no impacts to the storage or conveyance of flood waters.</p>
Regulated Wetlands	<p>Wetlands are sensitive natural habitats that play an important role in numerous physical, chemical and biological processes, including storm water control, natural habitat and water quality improvement. Most wetlands are designated by the Ministry of Natural Resources as Provincially Significant or Locally Significant. Other wetlands have also been identified on a site specific basis by TRCA. All of these are regulated under Ontario Regulation 166/06.</p>
Watercourses	<p>Typically, watercourses are associated with aquatic species and habitat. Any alteration or interference to a watercourse (e.g. straightening, diverting, realigning, altering baseflow) has the</p>

	potential to impact fish communities, but may also affect the Regulatory Flood Plain, erosion or other natural channel processes.
TRCA PROGRAM AND POLICY AREAS	
<i>Note: Additional program and policy information may be available at www.trca.on.ca, or by request.</i>	
Aquatic Species and Habitat	<p>Under the <i>Fisheries Act</i>, the Harmful Alteration, Disruption or Destruction (HADD) of fish habitat is prohibited, unless authorized by Fisheries and Oceans Canada (DFO). TRCA reviews projects under the <i>Fisheries Act</i> based on our Level III Agreement with DFO to ensure that any potential impacts to fish habitat are appropriately mitigated, or that adequate compensation is provided where a HADD is unavoidable. Alternatives should be designed with appropriate mitigation measures to avoid a HADD. If a HADD is unavoidable, a suitable compensation plan must be developed, and Authorization from DFO will be required.</p> <p>TRCA may require a quantification and assessment of existing conditions and proposed changes to fish habitat and communities to confirm impacts to these resources.</p>
Aquifers and Hydrogeological Features	<p>The extraction and discharge of groundwater has the potential to negatively impact surrounding natural features. Even small amounts of groundwater extraction may reduce contributions to groundwater dependent features such as wetlands, springs, or fish spawning habitat. In addition, the discharge of groundwater must be controlled to avoid impacts to watercourses and fish habitat from erosion, sedimentation and water quality concerns.</p> <p>TRCA may require geotechnical or hydrogeological investigations to confirm dewatering and discharge requirements, and to identify appropriate mitigation measures.</p>
Archaeological and Heritage Resources	<p>TRCA watershed strategies include recommendations for the management of archaeological and heritage resources in accordance with Ministry of Culture and Municipal standards. Preserve and protect archaeological resources where possible.</p> <p>TRCA may require a Stage 1, 2, 3, or 4 archaeological assessment to confirm impacts to these resources. Note that an archaeological investigation by TRCA's archaeological staff must precede any disturbance to TRCA property, at the cost of the proponent. Scheduling will be subject to weather, seasonal programs and other field work.</p>
Conservation Land (TRCA Property)	<p>If TRCA property is needed for the implementation of the preferred alternative, permission and approval from TRCA and the Minister of Natural Resources are required. The design must demonstrate that TRCA program and policy objectives are met. Formal approval typically takes 12 to 18 months from the completion of the EA document. As noted above, an archaeological investigation by TRCA's archaeological staff must precede any disturbance to TRCA property.</p> <p>Applicable programs and strategies for works on TRCA property may include: <i>TRCA Strategy for Public Use of Authority Lands</i>, <i>TRCA Greenspace Strategy</i>, <i>Archaeological Resource Management Procedures: Guidelines</i>, master plans for specific conservation lands, watershed strategies, or other programs or policies referenced in this document.</p>
Environmentally Significant Areas	Environmentally Significant Areas have been identified by TRCA based on a set of ecological criteria regarding the function, significance and rarity of the features or species found in the area.
Habitat Implementation Plans	<p>TRCA staff has identified management opportunities for habitat restoration and enhancement on TRCA property and some privately owned lands. The Habitat Implementation Plans target priority sites to improve natural form and function based on targets in the watershed strategies.</p> <p>Detailed plans have been developed or implemented for certain sites, while other locations have been identified for future work. Consultation with TRCA should take place to ensure that impacts to priority areas are avoided, or that opportunities to implement restoration plans are identified.</p>
Living City	The Living City is a vision adopted by TRCA for a new kind of community, where human settlement

Programs	<p>can flourish forever as part of nature's beauty and diversity. The key objectives of the Living City are: healthy rivers and shorelines; regional biodiversity; sustainable communities; and business excellence.</p> <p>Programs associated with TRCA's Living City include: trails enhancement, renewable energy, sustainable communities, and the <i>Sustainable Technologies Evaluation Program (STEP)</i>.</p>
Rouge Park and Rouge Park North	<p>The Rouge Park lands south of Steeles Avenue are managed in accordance with the <i>Rouge Park Management Plan</i> to ensure the protection, restoration and enhancement of the natural, scenic and cultural values of the park in an ecosystem context, and to promote public responsibility, understanding, appreciation and enjoyment of the park.</p> <p>The <i>Rouge North Management Plan</i> identifies a number of progressive ecological criteria for determining the Rouge Park North boundary to provide a framework for the extension of the Rouge Park into Markham along the tributaries of the Rouge watershed.</p>
Terrestrial Natural Heritage Strategy	<p>TRCA has identified the need to improve both the quality and quantity of terrestrial habitat. TRCA's <i>Terrestrial Natural Heritage Strategy</i> sets measurable targets for attaining a healthier natural system by creating an expanded and targeted land base. It includes strategic directions for stewardship and securement of the land base, a land use policy framework to help achieve the target system, and other implementation mechanisms.</p>
Terrestrial Species and Habitat	<p>The terrestrial system includes landscape features, vegetation communities and flora and fauna species. Terrestrial species and habitat should be assessed based on their conservation status according to sensitivity to disturbance and specialized ecological needs, as well as rarity.</p> <p>TRCA may require a site assessment and terrestrial inventory to confirm impacts to these resources. TRCA's <i>Terrestrial Natural Heritage Strategy</i> may be applicable to any work that impacts terrestrial species and habitat. In addition, relevant legislation (e.g. <i>Migratory Bird Convention Act</i>, <i>Species at Risk Act</i>) should be applied.</p>
PROVINCIAL AND FEDERAL PROGRAM AREAS	
Areas of Natural and Scientific Interest	<p>Areas of Natural and Scientific Interest are designated areas of land and water containing natural landscapes or features identified as having values in the life or earth sciences related to protection, scientific study or education. Contact the Ministry of Natural Resources for more details.</p>
Asian Long-Horned Beetle Regulated Area	<p>The Canadian Food Inspection Agency (CFIA) has established a regulated area in parts of Toronto and Vaughan to prevent the spread of the Asian Long-Horned Beetle. The <i>Asian Long-horned Beetle Infested Place Order</i> prohibits the movement of any tree materials out of or through the regulated area unless authorized by a Movement Certificate issued by the CFIA.</p>
Greenbelt	<p>The Greenbelt consists of approximately 728,000 hectares of environmentally sensitive land and agricultural land in the Golden Horseshoe. The <i>Greenbelt Plan</i> identifies limits to urbanization to provide permanent protection to the agricultural land base and the ecological features and functions occurring within this landscape. Contact the Ministry of Municipal Affairs and Housing for more details.</p> <p>Alternatives must conform with Section 4.2 of the <i>Greenbelt Plan</i>.</p>

Service Delivery Standards Recommended TRCA Contact Points in the Municipal Class EA Planning & Design Process

