

APPENDIX A – Draft Terms of Reference Review Comment Disposition Tables

Agency Comment Disposition Table

Summary Disposition of Agency Comments
Scarborough Bluffs West Project – Terms of Reference

Table A-2: Agency Comment Disposition Table

Terms of Reference Comment Summary		
ToR Section Reference	Summary of Comment	Response
Ministry of Citizenship and Multiculturalism (MCM)		
S.5.3.7 Cultural Heritage/Archaeology	<p>Archaeological Resources Section 5.3.7 of the Terms of Reference indicates that the Scarborough Bluffs West (SBW) study area was determined to have archaeological potential and contains two registered archaeological sites. This section also indicates that a Stage 2 Archaeological Assessment (AA) is required for all areas within the study area boundaries that were determined to have archaeological potential.</p> <p>The methodology used to determine the archaeological potential of the SBW study area is not clearly identified in this Terms of Reference. As outlined in MCM’s initial letter dated November 29, 2023, the Terms of Reference should indicate what archaeological assessments have been undertaken to date. Our records indicate that a Stage 1 archaeological assessment (under Project Information Form P338-0116-2016) was undertaken for the proposed project and the report has been entered into the Ontario Public Register of Archaeological Reports. The report recommends that Stage 2 archaeological assessment be undertaken for part(s) of the study area. The information presented in this Stage 1 report should be summarized in the Terms of Reference (please see comment #2 in the attached table for more information on how this can be presented).</p> <p>Built Heritage Resources and Cultural Heritage Landscapes Section 5.3.7 also states that the study area contains known and potential built heritage resources and cultural heritage landscapes which have the potential to be impacted by the SBW project.</p> <p>This section includes a list of twelve properties located within the study area that are designated under the Ontario Heritage Act and/or listed on the City of Toronto’s Municipal Heritage Register. Aside from listing these properties, this section provides no information on the existing conditions for built heritage resources and cultural heritage landscapes and does not include a discussion of potential impacts to these resources. Although known resources have been identified, it is unclear if the study area has also been screened for potential built heritage resources and cultural heritage landscapes. The Terms of Reference needs to be updated to clearly outline the process by which known and potential built heritage resources and cultural heritage landscapes will be identified, whether these resources will be impacted by the project, and how impacts will potentially be mitigated.</p> <p>As known built heritage resources and cultural heritage landscapes have been identified within the study area, a Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment should be undertaken for the entire study area as part of the environmental assessment process. This study will:</p> <ol style="list-style-type: none">1. Describe the existing baseline cultural heritage conditions within the study area by identifying all known or potential built heritage resources and cultural heritage landscapes, including a historical summary of the study area. The Ministry has developed screening criteria that may assist with this exercise: Criteria for Evaluating for Potential Built Heritage Resources and Cultural Heritage Landscapes.	<p>The Terms of Reference (ToR) document has been updated to reference the Stage 1 Archaeological Assessment as the source of the information.</p> <p>With respect to Built Heritage Resources and Cultural Heritage Landscapes, given that most project activities are anticipated to occur along the shore and within public parks and open spaces the team anticipates that no additional resources will be identified. Once the Alternatives have been developed each Alternative will be assessed to determine if there are additional resources potentially affected. Should additional resources be identified they will be described in the Environmental Assessment (EA) document. In the absence of Alternatives it is not possible to determine if resources will be impacted by the Project and how the impacts may be mitigated.</p> <p>During the EA we will assess the need for additional studies based on the potential impacts of the Preferred Alternative.</p>

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	<p>2. Identify preliminary potential project-specific impacts on the known and potential built heritage resources and cultural heritage landscapes that have been identified. The report should include a description of the anticipated impact to each known or potential built heritage resource or cultural heritage landscape that has been identified.</p> <p>3. Recommend measures to avoid or mitigate potential negative impacts to known or potential built heritage resources and cultural heritage landscapes. The proposed mitigation measures are to inform the next steps of project planning and design.</p> <p>Given that the SBW project covers a large study area, MCM recommends that the Cultural Heritage Report be carried out so that step 1 described above is undertaken early in the planning process. Then, steps 2 and 3 can be undertaken once the preferred alternatives have been selected.</p> <p>Cultural Heritage Reports will be undertaken by a qualified person who has expertise, recent experience, and knowledge relevant to the type of cultural heritage resources being considered and the nature of the activity being proposed.</p> <p>Community input should be sought to identify locally recognized and potential cultural heritage resources. Sources include, but are not limited to, municipal heritage committees, historical societies and other local heritage organizations.</p> <p>Cultural heritage resources are often of critical importance to Indigenous communities. Indigenous communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Indigenous communities includes a discussion about known or potential cultural heritage resources that are of value to them.</p> <p>To support due diligence documentation, we have included some additional section-specific comments on the draft Terms of Reference in the attached table.</p>	
Table 2 – Draft Comparative Evaluation Criteria & Indicators p. 31	<p>The given text reads as follows:</p> <p>Criteria - Potential impact on archaeological resources, built heritage resources, and cultural heritage landscapes</p> <p>Indicators - Potential to impact known or potential archaeological resources</p> <p>Indicator Definitions - Impacts to archaeological resources (terrestrial and/or marine) need to be minimized or mitigated. Alternatives that best achieve this will be considered as preferred.</p> <p>The information included in this table is vague and needs to include a more detailed description of how impacts to all archaeological resources, built heritage resources, and cultural heritage landscapes within the study area will be considered in the section of the preferred alternative.</p> <p><u>Proposed Action/Solution:</u></p>	In Table 2, now Table 4.1, we have created separate indicators for archaeological resources and built heritage/cultural heritage landscapes as suggested.

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	<p>Add separate lines for archaeological resources, and built heritage resources and cultural heritage landscapes. Suggest revising text as follows:</p> <p>Indicators – Potential to impact known or potential archaeological resources and areas of archaeological potential.</p> <p>Indicator Definitions – Disturbance or destruction of archaeological Resources</p> <p>Indicators – Potential to impact known or potential built heritage resources and cultural heritage landscapes.</p> <p>Indicator Definition - Displacement of known and/or potential built heritage resources and/or cultural heritage landscapes by removal and/or demolition and/or disruption.</p>	
5.3.7 – Cultural Heritage/Archaeology p. 75	<p>Archaeological resources, built heritage resources, and cultural heritage landscapes are all considered to be cultural heritage resources. For clarity, we suggest revising this section heading to ‘Cultural Heritage Resources’, with subheadings discussing archaeological resources, and built heritage resources and cultural heritage landscapes.</p> <p>As discussed in the cover letter, the existing conditions of the study area as they relate to archaeological resources, built heritage resources, and cultural heritage landscapes were determined are not entirely clear. This section should be revised to clearly articulate the results any technical studies that have been previously undertaken, including the Stage 1 archaeological assessment, as well as outlining any future technical cultural heritage studies to be undertaken during the EA process.</p> <p><u>Proposed Action/Solution:</u> Revise this section as follows:</p> <p>5.3.7 Cultural Heritage Resources Cultural heritage resources include archaeological resources, built heritage resources and cultural heritage landscapes.</p> <p>5.3.7.1 Archaeological Resources A Stage 1 archaeological assessment (under Project Information Form number xx) was undertaken on [date] by [consultant archaeologist] for the Scarborough Bluffs West Study Area. A Stage 1 AA consists of a review of geographic, land use and historical information for the property and the relevant surrounding area, a property visit to inspect its current condition and contacting MCM to find out whether, or not, there are any known archaeological sites on or near the property. Its purpose is to identify areas of archaeological potential and further archaeological assessment (e.g. Stage 2-4) as necessary. The Stage 1 AA has been entered into the Ontario Public Register of Archaeological Reports maintained by MCM and is included in Appendix X.</p> <p>[Then include the outcomes and recommendations of the report, as in Executive Summary]</p>	<p>We have reviewed these comments and made several changes to the noted sections to align with your comments. Note: technical studies are not being included as appendices, as such we have not included the Stage 1 Archaeological Assessment as an appendix as recommended. Appropriate technical reports will be included as appendices in the Environmental Assessment document.</p>

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	<p>5.3.7.1 Built Heritage Resources and Cultural Heritage Landscapes</p> <p>As known (and potential?) built heritage resources and cultural heritage landscapes have been identified within the study area, a Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment should be undertaken for the entire study area as part of the environmental assessment process. This study will:</p> <ol style="list-style-type: none">1. Describe the existing baseline cultural heritage conditions within the study area by identifying all known or potential built heritage resources and cultural heritage landscapes, including a historical summary of the study area. The Ministry has developed screening criteria that may assist with this exercise: Criteria for Evaluating for Potential Built Heritage Resources and Cultural Heritage Landscapes.2. Identify preliminary potential project-specific impacts on the known and potential built heritage resources and cultural heritage landscapes that have been identified. The report should include a description of the anticipated impact to each known or potential built heritage resource or cultural heritage landscape that has been identified.3. Recommend measures to avoid or mitigate potential negative impacts to known or potential built heritage resources and cultural heritage landscapes. The proposed mitigation measures are to inform the next steps of project planning and design. <p>The Cultural Heritage Report will be completed by qualified person(s) during the planning phase of the EA process and its findings and recommendations will inform the EA report and project. Cultural Heritage Report will be submitted for review and comment to the Ministry of Citizenship and Multiculturalism (Heritage Planning Unit), City of Toronto Heritage Preservation Services, Indigenous communities and other interest parties as part of the EA process.</p>	
Section 7 – Commitments and Monitoring p. 80	<p>The information presented in this section is vague. More information should be included which specifically outlines the requirements for any future technical cultural heritage studies.</p> <p><u>Proposed Action/Solution:</u></p> <p>The final Terms of Reference needs to include more detailed information on technical cultural heritage studies that are to be completed (i.e., Stage 2 archaeological assessment, Cultural Heritage Report), including a timeline identifying when these studies will be completed during the EA process, professional to undertaken and any review process.</p>	<p>During the EA we will assess the need for additional studies based on the potential impacts of the Preferred Alternative. Based on experience with similar projects, it is anticipated that there will be no impacts to these resources and no additional studies may be required. If additional studies are required, they will be completed during detailed design when the precise areas of ground disturbance are known.</p>
Ministry of Environment Conservation and Parks (MECP) - Climate Change Branch		
Page 16 S.2.4 Project Vision and Objectives	<p>Lack of any explicit reference to or consideration of climate change and its impacts. Suggestion to include some consideration of climate change within objective 1: “Conserve, create & enhance terrestrial & aquatic natural features & linkages”</p> <p><u>Proposed Action/Solution:</u></p>	<p>Climate change considerations are captured under Objective 4: Consistency, Compatibility & Coordination with Other Initiatives. And specifically, one of our indicators will evaluate Alternatives based on their consistency with the City of Toronto’s Net Zero Strategy and Resilience Strategy.</p> <p>Within Section 4, Step 1 has been rewritten to be explicit that shoreline protection works will be designed to be resilient to climate change particularly high-water levels and extreme weather events.</p>

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	The referred-to guide sets out expectations for considering climate change in the preparation, execution and documentation of EA studies. Available at: https://www.ontario.ca/page/considering-climate-change-environmental-assessment-process and https://ero.ontario.ca/notice/012-5806	Climate change considerations particularly the changes to coastal conditions are inputs to the coastal engineering which will be a key component in developing the Alternatives.
General	Unclear that mitigation measures in respect of GHG emissions will be identified and considered. Proposed Action/Solution: Clarify that recommended air quality and GHG review will include consideration of climate change mitigation measures.	No GHG emissions will be created during the operations phase as the anticipated Preferred Alternative will be some form of multi-use trail used for active transportation.
Page 44 S.5.1.13 Existing Shoreline Protection	“Based on the review of all the shorelines in the study area, none of the shorelines are at high risk of consequential erosion at this time or within 10 to 15 years of the EA competition, assuming normal coastal conditions over that time. ” Proposed Action/Solution: Include analysis of risk erosion <u>without</u> assuming normal coastal conditions. Proposed EA ToR notes that “additional modelling was used to assess the vulnerability of the beaches to profile changes during severe storm conditions at a higher design high water level” – include data and modelling in report. Consider that severe storm conditions/weather may be more likely with climate change.	The coastal analysis completed for this project considered the newly determined, and adopted by TRCA, high water level. This water level has not occurred in the past and its determination considered climate change. Water level is the determining factor for the maximum wave height along the shore within the Study Area. This is referred to as “depth limited wave conditions”. These wave heights were considered in the assessment. The statement “..., assuming normal coastal conditions over that time” does not mean that average conditions are expected. It means that coastal conditions, specifically water levels, will be within the range considered, which includes the climate change impact. The durability of the existing structures, as it relates to climate change, was also considered when the high-risk areas were being assessed. The duration and frequency of the waves, due to climate change, would be considered further in the detailed design of any new structures and improvements to existing structures in the detailed design phase by selecting appropriate material, such as igneous rocks as opposed to sedimentary rocks, as an example. Within Section 4, Step 1 has been rewritten to be explicit that shoreline protection works will be designed to be resilient to climate change particularly high-water levels and extreme weather events.
Ministry of Environment Conservation and Parks (MECP) – Adaption and Resilience Branch, Climate Change and Resiliency Division		
p. 7/Sec 2.1	MECP’s guide on considering climate change in the environmental assessment process, 2017 is not referenced as part of the planning context or in ToR references. This is a companion document to the ministry’s codes of practice which provide guidance on key aspects of the environmental assessment process. Proposed Action/Solution: Consider referencing MECP’s guide on considering climate change in the environmental assessment process, 2017 .	We have added a reference to this document.
p. 16/Sec. 2.4	Project vision and objectives make no reference to climate change, resilience, or adaptation. The project vision is to “Conserve and enhance natural features and minimize hazards, while improving how the public accesses, moves through, and experiences the waterfront.” Resilience to changing climate, and extreme temperatures and weather events is essential to longevity and effectiveness of proposed designs. The risks described such as waves and high-water levels continue to intensify with climate change. To meet objectives 1 and 2, proposed designs will need to consider future conditions rather than relying on historic data.	Climate change considerations are captured under Objective 4: Consistency, Compatibility & Coordination with Other Initiatives. And specifically, one of our indicators will evaluate Alternatives based on their consistency with the City of Toronto’s Net Zero Strategy and Resilience Strategy. Within Section 4, Step 1 has been rewritten to be explicit that shoreline protection works will be designed to be resilient to climate change particularly high-water levels and extreme weather events.

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	<p>Further rationale for including language on climate change/climate resilience in the objectives can be found on p. 3 of ToR - “A report outlining a renewed vision for the next phase of waterfront revitalization was approved in July 2022 which better reflects today’s priorities across the “wider waterfront” from Etobicoke to Scarborough (City of Toronto, 2022):</p> <ul style="list-style-type: none">• Strategic and inclusive economic development.• Truth, justice, and reconciliation, including through Indigenous engagement.• Equity, inclusion, and access, including through housing and community benefits.• Climate resilience and sustainability.” <p>Consider including reference to climate change adaptation and resilience in objective 1 and/or 2.</p> <p><u>Proposed Action/Solution:</u> Since “The Vision and Objectives inform the range and type of Alternatives to be considered and provides a baseline for the evaluation criteria or factors to be used to select from the Alternatives” and that resilience to changing climate and extreme weather events is essential to meeting objectives 1 and 2, consider including language that allows the resilience of alternatives to be included in evaluation criteria.</p>	
p. 21/ Sec 2.5.2.2	<p>Section 2.5.2.1 identifies climate change as part of the problem – “Climate change is also having an impact on rates of erosion...”, but addressing the risk posed by climate change is not identified in the key opportunities.</p> <p><u>Proposed Action/Solution:</u> Consider including language such as there is opportunity to enhance:</p> <ul style="list-style-type: none">• “the resilience of the shoreline to climate change impacts, such as high water levels and increased storm intensity” or• “adaptive capacity by implementing solutions that allow the shoreline to adjust and respond to changing climate and weather conditions.	<p>Section 2.5.2.2 has been edited to include language that addresses the opportunities related to climate change resiliency.</p> <p>Within Section 4, Step 1 has been rewritten to be explicit that shoreline protection works will be designed to be resilient to climate change particularly high-water levels and extreme weather events.</p>
p. 32/Table 2	<p>Climate change adaptation and resilience not considered in the Draft Comparative Evaluation Criteria & Indicators aside from potentially as a subcomponent of the TransformTO Net Zero Strategy and Resilience Strategy indicator.</p> <p>See comment 2 for additional rationale for inclusion of climate change resilience specific criterion.</p> <p><u>Proposed Action/Solution:</u> Consider including resilience to climate change impacts such as greater wave action, storm intensity, and water level fluctuations as one of the criteria for evaluation.</p>	<p>As noted above, climate change considerations, particularly the changes to coastal conditions, are inputs to the coastal engineering which will be a key component in developing the Alternatives. Coastal modelling already considers wave action, storm intensity, and water level fluctuations (irrespective of if those are a result of climate change or other factors) as part of the design of the Alternatives. Therefore, all Alternatives will be resilient to climate change related changes to coastal conditions. In addition, climate change is already captured in the indicator for consistency with TransformTO Net Zero Strategy and Resilience Strategy.</p>
Ministry of Environment Conservation and Parks (MECP) – Conservation and Source Protection Branch (CSPB)		
S.2.4 Project Vision and Objectives	<p>The Scarborough Bluffs West Revitalization Study project is located in the Toronto and Region Source Protection Area and is therefore subject to the approved Credit Valley – Toronto and Region – Central Lake Ontario Source Protection Plan (CTC) Source Protection Plan.</p>	<p>We have added language on Source Water Protection as indicated.</p>

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	<p>The study area is not located in any wellhead protection zones (WHPA). However, the area is located in an intake protection zone (IPZ-2) for the R.C. Harris Water Treatment Plant, and the maximum vulnerability score is 4.8. The site is also located in a highly vulnerable aquifer (HVA) with a maximum vulnerability score of 6 (see Appendix 1). Although the preferred alternative is located in these surface water intake protection zones, natural revitalization construction projects and activities associated with normal use are not considered significant threats under the Clean Water Act.</p> <p>While the construction of the Scarborough Bluffs West Revitalization project is not a significant drinking water threat, activities could pose a risk during this phase of the project. This means activities can be identified as low or moderate threats to drinking water and source protection plan policies may apply. Activities during the construction phase of the project that may pose a moderate or low risk to sources of drinking water include: the storage and application of road salt; the storage of snow; the handling and storage of fuel; the handling, storage and application of pesticides and fertilizers; the handling and storage of organic solvents and dense non-aqueous phase liquids (DNAPLs).</p> <p>EA projects should protect sensitive hydrologic features including current or future sources of drinking water not explicitly addressed in source protection plans, such as private systems – individual or clusters, and designated facilities within the meaning of O. Reg. 170/03 under the Safe Drinking Water Act – i.e., camps, schools, health care facilities, seasonal users, etc.</p> <p>In the Scarborough Bluffs West Revitalization study, the proponent has mentioned source water protection briefly as part of: Section 2.4, Objective 4 and Section 4, Table 2. The proponent does not outline that the project is part of the CTC Source Protection Plan (SPP) and that it is located within a Highly Vulnerable Aquifer (HVA) or Intake Protection Zone 2 (IPZ-2).</p> <p>In Section 2.4, Objective 4, the report states “Finally, this objective will examine the ability of Alternatives to protect source water protection areas...”. However, the only discussion of source water protection is in Section 4, Table 2 where the “Potential for impacts on water quality at water intake pipe locations” is acknowledged, and “Water supply intake pipe locations are considered as source water protection areas by the Province. Water quality within these source water protection areas cannot be negatively impacted.” Though it is valuable to provide these indicators, the report does not detail the threats (if any) or mitigation measures taken in order to protect the source water within the IPZ.</p> <p>The Study should identify that the project would be occurring within the Toronto Region Source Protection Area, and that the CTC Source Protection Plan applies. The Study should also identify whether any policies apply to activities related to the construction, operation, or maintenance of the project. The Study should note whether the proponent has discussed the project with the CTC Source Protection Authority.</p>	<p>The ToR document is only intended to outline existing conditions that are known at the time of writing. Impacts and mitigation measures cannot be determined until we have Alternatives to evaluate, which will come during the EA phase once the ToR has been approved.</p>

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	<p>If they have not done so already, the proponent should contact the Project Manager for drinking water source protection at the CTC Source Protection Authority. The Source Protection Authority (SPA) can provide proponents with assistance in determining whether an activity associated with the construction or operation of the project may be considered a drinking water threat as per the Clean Water Act, 2006. The SPA will be able to help determine whether there are policies in the source protection plan that may apply. Even if the project activities in a vulnerable area are deemed to not to be significant threats to drinking water, there may be other low and moderate threat policies that apply, therefore consultation with the local source protection authority is important.</p>	
Ministry of Environment Conservation and Parks (MECP) – Technical Support Section, Central Region		
	<p>This report appears to be in its preliminary stages of preparation. Additionally, it lacks sufficient groundwater information relevant to the nature of the project. Based on my regional knowledge and experience, I offer the following comments and recommendations.</p> <ol style="list-style-type: none">1. This draft report lacks an assessment and consideration of Source Protection with respect to this project. According to the MECP Source Protection Atlas, this project intersects at least one Intake Protection Zone 2. Therefore, a Source Protection assessment should be part of the Term of Reference for this project and the Source Protection Authorities should be consulted regarding the implementation of this project. <p>(SEE INCLUDED DRAWING AT THE BOTTOM OF THIS DOCUMENT)</p> <p>Intake Protection Zone 2 along the proposed project. The image is from the MECP Source Protection Atlas website (https://www.lioapplications.lrc.gov.on.ca/SourceWaterProtection/index.html?viewer=SourceWaterProtection.SWPViewer&locale=en-CA)</p> <ol style="list-style-type: none">2. The two primary causes of slope instability near lakes are wave action at the base of the slope and the seepage of shallow groundwater at the upper part of the slope, both of which can lead to landslides. To enhance slope stability, it is typically necessary to protect the slope toe from wave action (as indicated in Section 5.1.5) and to intercept and redirect shallow groundwater in the upper part of the slope into a designated drainage system. This dual approach significantly improves the safety of these slopes. The objective of this draft study only addresses wave action and water levels at the base of the slopes. However, Section 5.1.5 of the report confirms the existence of groundwater seeps along the slope of this project. In addition, MECP Water Well Records of the area indicate of a clay layer at the depth of 3 to 5 m below ground surface. The design of this project should include precautionary measures for both causes, especially intercepting and redirecting these groundwater seeps and ensuring proper slope drainage into a designated drainage system to significantly improve the safety of these slopes.	<p>While the report is a draft, it is not preliminary and contains all the intended information. However, the project is still in a very preliminary stage with more work to come during the EA.</p> <ol style="list-style-type: none">1. We have added language on Source Water Protection as indicated.2. Alternatives will review both erosion and slope stability measures as outlined in Step 2 of Section 4.3. A contaminated site survey will not help to evaluate Alternatives or assess impacts of a Preferred Alternative. These types of studies will be completed during detailed design, as required.4. Same as #3.5. Comment noted.6. Comment noted.

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	<ol style="list-style-type: none">3. The report lacks detailed information on potential contaminated sites in the vicinity of the project. An official potential contaminated site survey (such as an Ecolog survey) should be conducted as part of this study.4. The results of the official potential contaminated site survey should be used in the management of excess soils from the site as per O. Reg. 406/19, On-Site and Excess Soil Management.5. Any construction dewatering needs for this project that exceeds 50,000 L/day requires obtaining water-taking approval from this Ministry.6. I recommend that this draft report be reviewed again when it is finalized.	
	<p>It is an extensive document that provides a project background, vision and framework for the future studies, planning and revitalization for the Scarborough Bluffs area between R.C. Harris Water Treatment Plant and Bluffer’s Park in the eastern part of Toronto.</p> <p>I do not have any specific surface water related comments. However, as a general comment, I would like to note that the provided document is very long. An EA Terms of Reference should not be so lengthy (86 p.). A large chunk of information belongs to the EA report, not to the TOR.</p> <p>In addition, in Section 3 – Alternatives to the Undertaking, the proponents have provided an alternative “Do Something” (?). It is a strange name for the alternative with a vague description of possible activities.</p>	<p>The length of this ToR and the content included is in line with other projects of this nature.</p> <p>This ToR was completed as set out in Section 17.4(1) of the Ontario <i>EA Act</i> and follows the “Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario” (MOECC, 2014). Within this ToR, the evaluation of Alternatives To has been undertaken and therefore we reviewed two Alternatives (“Do Nothing” and “Do Something”). The “Do Something” Alternative is backed by years of planning history on access to waterfront, as outlined in the ToR.</p>
Ministry of Environment Conservation and Parks (MECP) – Environmental Permissions Branch		
	<p>The following noise and vibration study items should be considered when preparing the Environmental Assessment for the Scarborough Bluffs West Revitalization project, where applicable:</p> <ol style="list-style-type: none">1. Noise Limits shall comply with:<ol style="list-style-type: none">a. Publication NPC-115, “Construction Equipment”;b. Publication NPC-118, “Motorized Conveyances”;c. Publication NPC-300, “Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300”, August 2013;d. “Environmental Guide for Noise” prepared by the Ministry of Transportation, February 2022;e. City of Toronto Municipal Code Chapter 591; andf. City of Toronto By-Law 1400-2007.2. Noise Reports shall be prepared in accordance with:<ol style="list-style-type: none">a. Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October 1995 as amended; andb. "Basic Comprehensive Certificates of Approval (Air), User Guide, Appendix A - Supporting Information for an Acoustic Assessment Report or Vibration Assessment Report Required by a Basic	<p>During the operations phase, there will be no noise/vibration created as the anticipated Preferred Alternative will be some form of multi-use trail used for active transportation. As such, no noise/vibration study will be completed during the EA.</p> <p>Dependent on the Preferred Alternative and required construction methodology, construction noise and vibration studies may be completed during detailed design.</p>

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	<p>Comprehensive CofA" prepared by the Environmental Assessment and Approvals Branch, Version 2.1, March 2011.</p> <p>3. Vibration Limits shall comply with:</p> <p>a. Publication NPC-207, "Impulse Vibration in Residential Buildings", November 1983; and</p> <p>b. City of Toronto Municipal Code Chapter 363.</p> <p>4. Vibration Reports shall be prepared in accordance with:</p> <p>a. Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October 1995 as amended; and</p> <p>b. "Basic Comprehensive Certificates of Approval (Air), User Guide, Appendix A - Supporting Information for an Acoustic Assessment Report or Vibration Assessment Report Required by a Basic Comprehensive CofA" prepared by the Environmental Assessment and Approvals Branch, Version 2.1, March 2011.</p>	
	<p>Overall the summary of consultation looks good. Proponent is reminded to submit full consultation records when required and to keep detailed notes of meetings, calls, emails, etc.</p> <p>It's unclear as to what is referred to, in the summary, as Notice of Consultation Round One- is this the Public Information Centres? Similarly, there is the Notice of Consultation Round Two. If these are for the PIC, it should be listed as such. The entire process of engaging First Nations, from submitting Notice of Commencement, through the PICs, and so on is consultation and forms the basis of the consultation record. Should be clarified as to what is meant by Notice of Consultation. It is noted, if these refer to PICs, in general these are not attended by First Nations, often preferring meetings separate from Open houses, PICs, etc.- separate from the 'public' process.</p>	<p>Notice of Consultation Round XX was used in preference for Public Information Centre because these were not single events but instead signaled the beginning of online and in person events, including surveys, online interactive mapping, virtual presentations, and the PIC style of an in-person drop-in open house (during Round Two).</p> <p>A separate section of the Consultation Record details all correspondence and meetings with Indigenous Communities/First Nations. Notice of Consultation Rounds were provided to ensure transparency, but separate meetings were offered (and held) with communities that requested them.</p>
	<p>MECP Permissions staff note that the project may negatively impact species at risk. Species at Risk studies and permissions may be required. A separate letter brief outlining impacts to species at risk and specific to an <i>Endangered Species Act</i> review should be submitted to MECP Permissions by the proponent, at the appropriate time in the development process.</p> <p>The proponent may need some form of permission if species at risk or their habitat will be adversely affected. To this end, studies and assessments may be required.</p>	<p>Comment noted.</p>
	<p>The ToR should contain a brief or preliminary description of the existing environment in order to gain a contextual understanding of the problem or opportunity as well as an understanding of the potential environmental effects that should be examined.</p> <p>There is no section in the draft ToR following the study area and description of the environment that summarizes potential environmental effects (including direct and indirect effects).</p>	<p>A section has been added to Section 5, new Section 5.4, which outlines the potential effects from the undertaking based on the description of the environment and describes the studies, tests, surveys etc. that will be undertaken during the EA to predict impacts and further define the environment within the Project Study Area.</p>

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	<u>Recommendation:</u> Include a section that outlines the potential environmental effects from the undertaking based on the description of the environment.	
Section 1 – Introduction Section 1.3.1 – EA Act	The term ‘individual’ EA is no longer used in the Environmental Assessment Act (EAA). <u>Recommendation:</u> For continuity, introduce the term in Section 1 – Introduction as comprehensive EA (formally individual EA) and replace the term ‘individual’ with ‘comprehensive’.	This change has been made throughout Section 1.
	The draft ToR does not include a commitment that the EA will be prepared in accordance with section 17.4(1) requirements of the EAA. Recommendation: Include a direct statement that the EA will be prepared in accordance with the requirements set out in section 17.4(1) of the EA.	This statement is already in Section 1.3.1. No edit required.
	The draft ToR reads as follows: “Phase 2 involves the preparation and submission for approval of the Individual EA in accordance with the EA ToR.” Proposed rewording for clarity. <u>Recommendation:</u> <i>“Phase 2 involves the preparation and submission for approval of the comprehensive EA in accordance with the approved ToR and consistent with the purpose of the EAA and public interest”</i>	Proposed edit has been made to Section 1.3.1.
Section 2.5 – Problem/ Opportunity Assessment	There is no commitment to further refining the problem/opportunities in the EA, that will provide the foundation for the development of alternatives. <u>Recommendation:</u> Include a statement of commitment that the problem/opportunities will be further defined in the EA.	The problem/opportunities for this project have been documented in the key studies outlined in Section 2. While it is not anticipated that those problems/opportunities will need further definition a commitment has been added to the text that they will be further refined during the EA should additional information become available.
Section 3 – Alternatives to the Undertaking	Further details on what the ‘do nothing’ alternative is and what it means for the ‘do something’ alternative. Clarity/further details on why there is no ‘alternatives to’ evaluation based on the studies mentioned prior in the ToR. <u>Recommendation:</u> Provide a clarity statement for the ‘do nothing” alternative, that it is a benchmark used to evaluate the effects of doing nothing, versus ‘do something”. Provide a summary on why no ‘alternatives to’ analysis as prior studies have already been undertaken. List the key studies that support this.	Additional clarity has been added to Section 3 as to why key studies support the need to “Do Something” and these studies have been listed.
Section 4 – Description, Evaluation & Rationale for “Alternative Methods”	No commitment that the alternative methods will be refined and provided in the EA. No statement that the EA will include the advantages and disadvantages analysis for each alternative method. <u>Recommendation:</u> Include commitment that the ‘alternative methods’ will be refined and provided in the EA.	These commitments have been added to Section 4 of the ToR.

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	Include a commitment that the EA will include the determination and assessment of the advantages and disadvantages of the undertaking for each alternative method.	
Section 4 – Description, Evaluation & Rationale for “Alternative Methods” Table 2	The draft ToR includes criteria and indicators in Table 2, however there is no reference to the definition of the environment as per the EAA. <u>Recommendation:</u> Reframe the criteria and indicators or add a commitment that these will be expanded in EA to fit definition of the environment under the EAA.	Within Table 2 (now Table 4-1) has been revised to include the corresponding component of the environment in brackets next to each objective, where applicable, and a new criteria column has been added to identify the component of the environment that applies.
Section 4 – Description, Evaluation & Rationale for “Alternative Methods” Table 2 Section 7 – Commitments and Monitoring	As per MECP’s previous comments provided on the draft ToR and the criteria and indicators table, the draft ToR does not include a list and brief explanation of the tools (for example, studies, tests, surveys, mapping) that will be used to provide a more detailed description of the environment in the environmental assessment, nor does the ToR include a work plan that would typically outline what will be done during the EA to generate a more detailed description of the environment and how that information will be utilized in the assessment and evaluation of alternative methods/project site configurations, as well as the assessment of impacts associated with the preferred alternative. An explanation of what work will be done and a commitment to this work needs to be included in the ToR.	A section has been added to Section 5, new Section 5.6, that outlines the studies, tests, surveys, etc. that were undertaken to develop the description of the environment, and further describes the studies, tests, surveys, etc. that will be undertaken during the EA to predict impacts as part of the evaluation of Alternatives and further define the environment within the Project Study Area. An additional column was also added to Table 2 (now Table 4-1) to outline the studies, tests, surveys, etc. that will be undertaken during the EA to predict impacts as part of the evaluation of Alternatives.
Section 4 – Description, Evaluation & Rationale for “Alternative Methods” Table 2	Could refer to this as "Preliminary" instead of draft in the final ToR. Be sure to include a commitment in the ToR that the criteria and indicators, and their data sources, may change and will be further refined in the EA through consultation.	Table 2 (now Table 4-1) caption has been revised as suggested.
Section 4 – Description, Evaluation & Rationale for “Alternative Methods” Table 2	Criteria should mean the environmental components that you will be evaluating during your EA investigations, such as; air, hydrology, groundwater, surface water, climate change, noise/vibration, cultural and natural heritage, built environment, species at risk and habitat, vegetation, climate change, cumulative effects, etc. The list of criteria should be aligned as much as possible to each component of the environment (natural, social, economic, and cultural environments) as the effects of the alternative methods/project site configurations on the environment will need to be described later in the EA. Each criterion should have one or more indicators that will identify how the potential environmental effects will be measured for each criterion.	Table 2 (now Table 4-1) columns, criteria and indicators have been reorganized as suggested.
Section 4 – Description, Evaluation & Rationale for “Alternative Methods” Table 2	This would actually be your criteria: "Natural Environment", and what you have in your criteria column should really be considered subcomponents to the main criterion (i.e. aquatic ecosystem, terrestrial habitat, etc.). [Certain items currently listed as criteria] would actually be your indicator because it's related to determining the extent of impacts to the criterion and sub-criterion (which is the natural environment and terrestrial habitat). Considering my comments above, it would be easier to follow the chart if the columns were reorganized.	Table 2 (now Table 4-1) columns, criteria and indicators have been reorganized / reclassified as suggested.
Section 4 – Description, Evaluation & Rationale for “Alternative Methods”	Comment applies to entire column regarding data sources: When you say your data sources are measurements, you should describe at least a high level what you plan on doing to get this information. Are you using existing baseline studies? Could field research be involved? Will you rely on consultation with agencies to gather information? You can include all of these as options for	A section has been added to Section 5, new Section 5.6, that outlines the studies, tests, surveys, etc. that describes the studies, tests, surveys, etc. that will be undertaken during the EA to predict impacts and further define the environment within the Project Study Area.

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Table 2	how you could get information in the ToR as it will be determined and documented in your EA later what you used and consulted on. I suggest including more information on where data will come from. If unknown, a commitment should be included in the ToR that data sources will be further developed in the EA.	
Section 6.1 – Consultation on the ToR	<p>The Indigenous community consultation list can be reorganized for better clarity.</p> <p>Recommended list organization:</p> <ul style="list-style-type: none">Haudenosaunee Confederacy (HDI)Six Nations of the Grand River<ul style="list-style-type: none">Both the elected council and the Haudenosaunee Confederacy Chiefs Council (HCCC)Mississaugas of the Credit First NationWilliams Treaties First Nations: (NOTE: the 7 communities below make up the Williams Treaties First Nations)<ul style="list-style-type: none">Alderville First NationBeausoleil First NationCurve Lake First NationChippewas of Georgina Island First NationHiawatha First NationMississaugas of Scugog Island First NationChippewas of Rama First Nation<ul style="list-style-type: none">CC: Coordinator, Williams Treaties First NationsHuron Wendat- if there is the potential to impact archaeological resources <p><u>Recommendation:</u> Ensure that all Indigenous community consultation details are documented, including emails and meetings with dates and key topics discussed. The EA should include a descriptive summary of consultation, outside of the Appendix.</p> <p>It is also recommended that pre-assessments or summaries of the proposed project, potential impacts of the project and mitigation measures are sent to Indigenous communities alongside project documents.</p>	We have reorganized the list as recommended. Recommendations noted for EA.
Section 6.2 – Consultation Plan for the EA	The ToR Code of Practices says that a ToR consultation plan should outline: the general consultation methods proposed; how input from interested persons will be obtained; a description of key decision-making milestones during the preparation of the environmental assessment when consultation will occur (for example, when the preferred alternative is chosen); and, an issues resolution strategy. Please revise your ToR to provide details on your consultation plan’s issues resolution strategy.	A section has been added to Section 6, new Section 6.2.3, that describes the proposed issues resolution strategy.
Section 7 – Commitments and Monitoring	<p>There is no work plan that lists and explains the studies, tests, surveys, mapping etc. that will be completed during the EA to predict impacts and further define the environment.</p> <p><u>Recommendation:</u></p>	A section has been added to Section 5, new Section 5.6, that outlines the studies, tests, surveys, etc. that were undertaken to develop the description of the environment, and further describes the studies, tests, surveys, etc. that will be undertaken during the EA to predict impacts and further define the environment within the Project Study Area.

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	Expanded in more detail to include a workplan, or list, that explains the studies, tests, surveys etc. that will be undertaken during the EA to predict impacts and further define the environment within the project study area.	
Section 7 – Commitments and Monitoring	MECP recommends that ToR’s include a list of all commitments that you have made in the ToR. Because the ToR is a workplan for how the EA will be completed, it is important to track the commitments you make in your ToR either in the body of the document or an appendix so it is transparent how and where the commitment is addressed at the EA stage.	A new Appendix (Appendix D) has been added to include the proposed ToR Commitments Table, with additional reference to the table made at the beginning of Section 7.
General	<p>As part of the Ministry’s recent EA Modernization initiatives, the <i>Environmental Assessment Act</i> (EAA/Act) has moved to a project list approach with respect to the application of the Act. The project list approach is a shift from focusing on who is undertaking the project to what the project is.</p> <p>Projects that are subject to the comprehensive EA requirements of the EAA are listed in Ontario Regulation 50/24 (Part II.3 Projects - Designations and Exemptions) under the EAA, commonly referred to as the Comprehensive Project List. The only type of waterfront project that is included in the Comprehensive Project List is establishing one or more works that, taken together, alter at least one kilometre of shoreline in the Great Lakes-St. Lawrence River system and require at least four hectares of lakebed or riverbed in that system to be filled (see s. 26 (1) of Ontario Regulation 50/24). It is noted that some SBW Project components may be subject to the Municipal Class EA and the Class EA for Remedial Flood and Erosion Control Projects.</p> <p>Based on the Ministry’s review, the draft ToR for the SBW Project does not pertain to the preparation of a comprehensive EA for a project that is of a type listed in the Comprehensive Project List or otherwise subject to the comprehensive EA requirements of the EAA. This is because the ToR does not describe the project as one which satisfies the above noted criteria for waterfront projects. As such, it is unclear if the Minister would have the authority to approve the ToR or subsequent EA.</p> <p>As discussed, there are different ways of addressing this matter, including revising the draft ToR such that the comprehensive EA requirements of the Act can apply, or by entering into a “voluntary agreement” with the Minister under s. 3.0.1 of the EAA to have the comprehensive EA provisions of the EAA apply.</p>	TRCA and the City acknowledge the recent changes to the <i>EA Act</i> and shift to a project list approach that now requires a waterfront project to alter at least one kilometre of shoreline the Great Lakes-St. Lawrence River system and require at least four hectares of lakebed or riverbed in that system to be filled, in order to be captured under the Comprehensive EA Project List. However, our team intends to explore a reasonable range of Alternatives to provide safe, equitable access to and along the Scarborough waterfront, in addition to minimizing public safety risk and enhancing terrestrial and aquatic habitats, where possible. To maintain flexibility in developing the most appropriate Alternatives, and to ensure that a comprehensive study of this shoreline with a robust consultation process is undertaken to the same degree taken for similar approved waterfront projects within TRCA’s jurisdiction, we would like to enter into a “voluntary agreement” with the Minister under s. 3.0.1 of the <i>EA Act</i> to have the Comprehensive EA provisions apply.
General	I suggest a subheading after section 1.3 in this document for “Description of and Rationale for the Project” to include the [project] description [as per the “voluntary agreement”]. The project description should be separate from the alternatives and is typically at the beginning of the ToR after identifying the proponent and which parts of the EAA are being followed. The ToR Code of Practice also requires that proponents include a statement that the final description of the project will be included in the EA.	The project description, as per the “voluntary agreement” has been added as the new Section 1.3.3.
Ministry of Natural Resources (MNR)		
Section 5.2 – Natural Environment	<p>1. Provincially significant Areas of Natural and Scientific Interest (ANSI) - located in the vicinity of Bluffer’s Park.</p> <p>MNR can provide the following information regarding ANSI’s found in the study area described in the Terms of Reference.</p>	Comment noted. A description of these ANSIs will also be included in the EA. As indicated in Table 4-1, impacts to vegetation communities of concern (a key criteria for designation of ANSIs) will be considered as part of the evaluation of Alternatives. The EA will also address how the earth and life science values, features and functions will be protected and maintained, if impacted by the Preferred Alternative.

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	<p>The easternmost 1.8 kilometres of bluffs in the study area from the ravine on the west side of Scarborough Heights Park to Bluffers Park is included in the provincially significant Scarborough Bluffs Life Science ANSI. The easternmost 800 metres of the bluffs in the study area next to Bluffers Park is included in the provincially significant Scarborough Bluffs Earth Science ANSI. The life science ANSI extends from the base of the bluffs to the top of the bluffs. It's mix of open bluffs, thickets and forests and seeps are considered the best examples of Lake Ontario bluffs on the western side of Lake Ontario. The earth science ANSI extends from the base of the bluffs to the top of the bluffs and sets aside type sections of Pleistocene deposits that are considered one of the best examples in North America.</p> <p>These open bluffs display a noteworthy sequence of glacial and inter-glacial sediments. The stabilization of the bluffs around the landfill used to create Bluffers Park could eventually stabilize the bluffs causing them to slump and become covered in vegetation - and possibly result in the loss of the open exposures for which the bluffs were set aside. MNR recommends that the EA address how the earth science and life science values, features and functions of these provincially significant ANSIs will be protected and maintained.</p> <p>MNR has attached the reports for the two ANSIs located in the study area. The boundaries for these two ANSIs are available in MNR data layers in GeoHub.</p> <p>The City of Toronto also carried out an analysis of its ANSIs including these two Scarborough Bluffs ANSIs. The report should be obtained from the city: North-South Environmental Inc. 2010. Review of Provincially Significant and Regionally Significant Areas of Natural and Scientific Interest (ANSIs) in the City of Toronto City of Toronto Planning Department.</p>	
General	<p>2. Other Natural Heritage comments</p> <p>MNR also has the following comments regarding natural heritage in the study area:</p> <p>Vegetation Mapping: MNR recommends that the EA map all vegetation communities in the study area using Ecological Land Classification (ELC) so features and impacts to vegetation communities can be appropriately assessed. We note that TRCA has existing ELC mapping available from 2016, which may need updating to reflect current conditions. MNR also recommends that the EA process include identifying locations for locally and provincially significant flora and fauna. The location of locally and provincially significant fauna should be updated as part of the EA if it is more than a few years old.</p> <p>Maintaining Areas of Open Bluff: MNR recommends that the EA develop options that ensure a careful balance between enhancing public access to the shoreline through shoreline stabilization and preserving the open bluff features and functions in the study area. These dynamic open bluffs are maintained by erosion and support noteworthy open bluff plant communities and provide critical habitat for sensitive borrowing bird species such as various swallows.</p>	<p>As per TRCA's best practices based on field observations, vegetation community data is updated every 15 years, while fauna data is updated every 10 years, although we will explore opportunities to update data earlier, where possible.</p> <p>We note that the Study Area has been impacted by past and on-going human use, including modification of 94% of the shoreline with erosion protection works that have altered the natural bluff erosion processes west of the Needles formation to the Fallingbrook shoreline. Further to this, people are accessing the shoreline via informal paths, often trespassing on private property to do so. This unmanaged use impacts the existing vegetation communities along the bluff face and shoreline, while also causing public safety issues. However, as required by the <i>EA Act</i>, all reasonable Alternatives will be considered and will include trail connections at the bottom and top of bluffs, or a combination of both, across the entire Study Area.</p> <p>As indicated in Table 4-1, impacts to vegetation communities of concern will be considered as part of the evaluation of Alternatives.</p>

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	<p>MNR recommends that the EA develop a series of options, including consideration of a trail system located on top of the Scarborough Bluffs. Figure 1 shows there is already a considerable amount of public lands on top of the bluffs. The option of a continuous shoreline trail system at the base of the bluffs may require placing a considerable amount of fill and armouring it with stones to provide a large enough platform for a trail system on the water’s edge. Something similar has already been done in the eastern portion of the study area at the foot of the Scarborough Heights Park that was accessed by putting a road through the ravine on the western side of the park. If a similar broad platform along the shore is being contemplated for the rest of the study area to accommodate a shoreline trail, there could be further loss of lakebed and its associated aquatic fish habitat. As well, a shoreline trail could result in negative impacts to terrestrial habitats including its rare beach strand communities and open bluffs communities. A shoreline trail would also have to contend with the safety hazard of mass wasting which naturally occurs on these bluffs and maintains the open bluff features that make them significant. MNR recommends that the EA consider these potential impacts to help identify the best alternative that balances public access with protecting and enhancing ecological functions.</p> <p>Rare beach strand communities Most of the current shoreline in the study area west of the Scarborough Heights Park consists of a mix of areas with sandy beaches created by groynes, and other areas that just have a narrow band of large artificially installed boulders on the toe of the bluffs. Based on TRCA’s Ecological Land Classification (ELC) mapping these dynamic beaches support locally/regionally rare beach strand plant communities with such characteristic plants as Great Lakes Sea-rocket and Seaside Spurge. These beaches represent the largest known example of these rare beach strand communities in the City of Toronto and are some of the largest in the Greater Toronto Region.</p> <p>MNR recommends that the EA identify alternatives that retain these significant and rare dynamic beach communities. Increased foot traffic on these beaches brought about by such a public trail could result in the loss of these beach strand communities by trampling.</p> <p>Invasive species Shoreline work has been known to result in the spread of invasive species. Such invasives as European Reed and others are known to occur in the study area, and they are impacting negatively on native flora and fauna. MNR recommends that the EA identify measures to prevent the spread of invasive species, such as ensuring that all equipment and material is free of invasives. MNR also recommends that the EA consider measures that remove the more aggressive invasives from the study area to enhance the ecological functions of the study area.</p>	
General	<p>2. Potential impacts to fish and fish habitat in the Lake Ontario portion of the subject lands. (related to point #3 below)</p> <p>MNR has the following input regarding fish and fish habitat:</p>	<p>The EA will include information regarding Lake Trout and Round Whitefish spawning areas. Where an Alternative includes lakefill, aquatic habitat enhancement opportunities will be explored to promote suitable spawning and foraging habitat.</p>

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	<p>The north shore of Lake Ontario is the only area of the lake that supports spawning areas for Lake Trout and Round Whitefish. As native coldwater species, these spawning areas are critical to the survival of these highly significant species. MNR recommends that the EA accurately map the location of these spawning areas. As part of the protection and enhancement objectives, compensation should be provided for the loss of lakebed and its warmwater and coldwater fish spawning habitat. This should entail creating suitable spawning habitat such as longshore shoals for coldwater spawning. Any in-water works proposed through the EA will need to adhere to the Province’s in-water timing window guidelines to minimize impacts to fish. The Department of Fisheries and Oceans (DFO) should be consulted to assess any potential impacts to fish habitat as part of the project.</p>	<p>Through the EA phase, MNR and DFO will continue to be consulted to comment on potential impacts to fish habitat as part of the project.</p>
General	<p>3. Crown land considerations and potential approvals under the Public Lands Act</p> <p>We’d like to highlight that a substantial part of the subject lands are considered Crown lands, being the Lake Ontario bed portion of the study area and the associated shoreline. We note that the Map of Property Ownership Figure 5-13 (page 57) in the Terms of Reference document indicates that the only Crown land shown is the actual shoreline – and does not include the Lake Ontario bed portion of the study area. We understand there are two water lots (and potentially others) that include sections of the shoreline and parts of the bed of Lake Ontario. With the exception of those water lots, the full extent of the shoreline and the bed of the lake should be considered Crown lands for EA planning purposes.</p> <p>A work permit under the <i>Public Lands Act</i> must be obtained from MNR to undertake certain activities on public land and shore lands managed by MNR. Public lands include the beds of most lakes and rivers. To occupy public lands in Ontario, you must receive prior approval from MNR unless the use is permitted by regulation.</p>	<p>Comment noted. The reference to Crown land has been removed from Figure 5-13, and will be updated in consultation with mapping provided by MNR during the EA phase. Appropriate approvals will be obtained in consultation with the applicable agencies prior to any future construction works. Funding for detailed design and construction has not yet been obtained for the SBW Project.</p>
General	<p>4. Petroleum well identified adjacent to the subject lands</p> <p>We are aware of one petroleum well adjacent to the subject lands according to data available from LIO/Geohub. We note that we didn’t see any reference to a petroleum well in the Terms of Reference document. We have received additional information on this well from MNR’s Petroleum Operations Section (POS):</p> <ul style="list-style-type: none">• Well number is 32069, Well Name is Martin Roffey, and License ID is FO19821• Coordinates are questionable (library states an accuracy within 1000 m) – record describes a location near a Seminary, near the intersection of Chine Drive and Glenridge Road in Scarborough.• It’s a shallow well, drilled in the 1930’s. The well is not licenced (historic permit does not exist on record). Well mode is listed as unknown (there’s no record of decommissioning during that time).• There’s limited information on well construction (record states it was drilled to approx. 330 ft).• Records indicate that shallow gas shows were encountered in gravels at the base of the drift.• Notably, POS staff stated from a safety and environmental protection standpoint, “we advise against future development/construction near the well (wherever it might land).	<p>Comment noted. Information regarding the petroleum well can be included in the EA, as appropriate; however, it is not anticipated at this time that the well will be affected by any of the future Alternatives given the described location. Should the Alternatives that are developed during the EA phase have a potential conflict with the well, impacts will be evaluated.</p>

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	<ul style="list-style-type: none">Well conditions can change over time and given the nature of information we do not have enough information to accurately assess the current risk.” MNR recommends that the location of the well be confirmed and any potential human-made hazards it presents be considered in the EA. <p>Notably, POS staff stated from a safety and environmental protection standpoint, “we advise against future development/construction near the well (wherever it might land). Well conditions can change over time and given the nature of information we do not have enough information to accurately assess the current risk.”</p> <p>MNR recommends that the location of the well be confirmed and any potential human-made hazards it presents be considered in the EA.</p>	