

APPENDIX 2

Consultation Material and Selected Correspondence

NOTICE OF STUDY COMMENCEMENT

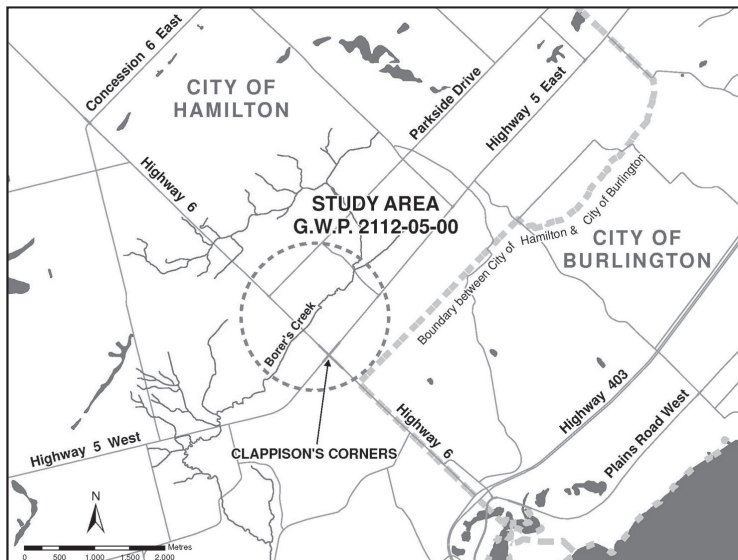
FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS IN THE CITY OF HAMILTON (CLAPPISON'S CORNERS) G.W.P. 2112-05-00

THE STUDY

The Ministry of Transportation (MTO) has retained IBI Group to conduct the Detail Design of a new Highway 5 and Highway 6 interchange and associated Municipal road network in the City of Hamilton as well as a new commuter parking lot in the vicinity of the interchange. This study additionally includes Preliminary Design for the various Municipal roads and new commuter parking lot. A key plan of the study area is presented below. The study website providing information on the study can be accessed at <http://www.lgl.ca/Highway5and6Interchange/>.

The study currently includes the following components:

- realignment of Highway 6 slightly to the east in the vicinity of the Highway 5 and Highway 6 intersection;
- realignment of Highway 5 slightly to the north in the vicinity of the Highway 5 and Highway 6 intersection;
- provision of new interchange ramps and a new Highway 5 over Highway 6 interchange bridge structure, as part of the new Highway 5 and Highway 6 interchange;
- construction of a concrete median barrier (Tall Wall) within the interchange limits;
- provision of full illumination within the interchange limits;
- installation of new traffic signals;
- extension of the three cell box culvert under Highway 6 at Borer's Creek and other culvert replacements/extensions;
- widening and fully paving of shoulders within the interchange limits;
- construction of concrete curb and gutter within the interchange limits;
- provision of a closed drainage system within the interchange limits;
- provision of Municipal road connections in the vicinity of the proposed new Highway 5, and Highway 6 interchange;
- reconstruction of existing Municipal roads; and,
- provision of a new commuter parking lot.



MTO completed a Preliminary Design Study for the currently planned Highway 5 and Highway 6 interchange, including the submission of a Transportation Environmental Study Report (TESR) in 2003 and obtained the appropriate environmental approvals at that time. The 2003 study examined the provision of a new interchange to replace the existing Highway 5 and Highway 6 intersection in order to accommodate future traffic demand. However, no environmental approvals for the associated Municipal roads and a commuter parking lot were obtained. Therefore, this Preliminary and Detail Design Study will examine the Municipal road and commuter parking lot aspects associated with the proposed new Highway 5 and Highway 6 interchange. The results of the study will be documented in a TESR Addendum.

THE PROCESS

The study will follow the approved planning process for Group "B" projects under the *Class Environmental Assessment for Provincial Transportation Facilities* (MTO 2000), with the opportunity for public input throughout. As noted above, a TESR Addendum will be prepared to document proposed changes and additions to the Preliminary Design contained in the 2003 TESR. The TESR Addendum will be released for public review and comment. Notification of submission of the TESR Addendum will be advertised in this newspaper.

Upon completion of the Detail Design portion of this study, a Design and Construction Report (DCR) will be prepared to document the study results. The DCR will be released for public review and comment. Notification of study completion and submission of the DCR will be advertised in this newspaper.

Two (2) Public Information Centres (PICs) are planned for this study, with the first PIC tentatively scheduled for the Fall of 2011. The date, time and location of the PICs will be advertised in this newspaper.

COMMENTS

We are interested in hearing any comments that you may have about this study. Comments and information regarding this study are being collected to assist the study team in meeting the requirements of the *Environmental Assessment Act*. Information will be collected in accordance with the *Freedom of Information and Protection of Privacy Act*. With the exception of personal information, all comments will become part of the public record.

Please send all comments or requests to any of the following:

Ms. T. Audrey Steele
Consultant Environmental Planner
LGL Limited
22 Fisher Street, P.O. Box 280
King City, ON L7B 1A6
tel: 905-833-1244
fax: 905-833-1255
e-mail: asteele@lgl.com

Mr. Stephen Chiu
Consultant Project Manager
IBI Group
30 International Boulevard
Toronto, ON M9W 5P3
tel: 416-798-5521
fax: 416-675-4620
e-mail: stephen.chiu@ibigroup.com

Mr. Martin Michalek
MTO Project Manager
Planning and Design
Ministry of Transportation
1201 Wilson Avenue
4th Floor, Bldg D
Downsview, ON M3M 1J8
tel: 416-235-5606
fax: 416-235-3576
e-mail: martin.michalek@ontario.ca

Initial Contact Letter Template

January 20, 2011

«Title» «FirstName» «LastName»
«JobTitle»
«Company»
«Address1»
«Address2»
«City», «Province»
«PostalCode»

Dear «Title» «LastName»:

**RE: Future Highway 5/Highway 6 Interchange and Associated Municipal Roads
in the City of Hamilton, G.W.P. 2112-05-00.**

The Ministry of Transportation (MTO) has retained IBI Group to conduct the Detail Design of a new Highway 5 and Highway 6 interchange and associated Municipal road network in the City of Hamilton, as well as a new commuter parking lot in the vicinity of the interchange. This study additionally includes Preliminary Design for the various Municipal roads and new commuter parking lot. A key plan of the study area is attached. The study website providing information on the study can be accessed at <http://www.lgl.ca/Highway5and6Interchange/>.

The study currently includes the following components:

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- provision of a new commuter parking lot.

MTO completed a Preliminary Design Study for the currently planned Highway 5 and Highway 6 interchange, including the submission of a Transportation Environmental Study Report (TESR) in 2003, and obtained the appropriate environmental approvals at that time. The 2003 study examined the provision of a new interchange to replace the existing Highway 5 and Highway 6 intersection in order to accommodate future traffic demand. However, no environmental approvals for the associated Municipal roads and a commuter parking lot were obtained. Therefore, this Preliminary and Detail Design Study will examine the Municipal road and commuter parking lot aspects associated with the proposed new Highway 5 and Highway 6 interchange. The results of the study will be documented in a TESR Addendum.

The purpose of this letter is to introduce the study, to request your participation, and to obtain available background information related to the study area. Information that would be of interest includes any description of existing conditions or sensitivities within the study area, issues or concerns that your organization may have and any approval requirements that may be necessary.

IBI Group is managing the study on behalf of MTO. LGL Limited is providing environmental design and planning services on behalf of IBI Group.

The study will follow the approved planning process for Group "B" projects under the *Class Environmental Assessment for Provincial Transportation Facilities* (MTO 2000), with the opportunity for public input throughout. Two (2) Public Information Centres (PICs) are planned for this study, with the first PIC tentatively scheduled for Fall 2011. The date, time and location of the PICs will be advertised in local newspapers, and you will be mailed an invitation.

As noted above, a TESR Addendum will be prepared to document proposed changes and additions to the Preliminary Design contained in the 2003 TESR. The TESR Addendum will be released for public review and comment. Notification of submission of the TESR Addendum will be advertised in local newspapers and you will be mailed a contact letter to inform you of opportunities to review the TESR Addendum.

Upon completion of the Detail Design portion of this study, a Design and Construction Report (DCR) will be prepared to document the study results. The DCR will be released for public review and comment. Notification of study completion and submission of the DCR will be advertised in local newspapers and you will be mailed a final contact letter to inform you of opportunities to review the DCR.

Please complete the attached form and return it to my attention. We respectfully request a response by **February 21, 2011**.

Thank you for your co-operation.

Yours sincerely,

LGL Limited
environmental research associates

T. Audrey Steele, B.A., M.E.S.
Senior Environmental Planner

c.c. Martin Michalek, MTO Project Manager
Chris Barber, MTO Environmental Planner
Stephen Chiu, Consultant Project Manager, IBI Group

Attach

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

«Title» «FirstName» «LastName»
«JobTitle»
«Company»
«Address1»
«Address2»
«City», «Province»
«PostalCode»

Update contact information if necessary

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

☐

I have no concerns about the study and I can be removed from your contact list.

☐

I will be commenting on this study by the date specified.

☐

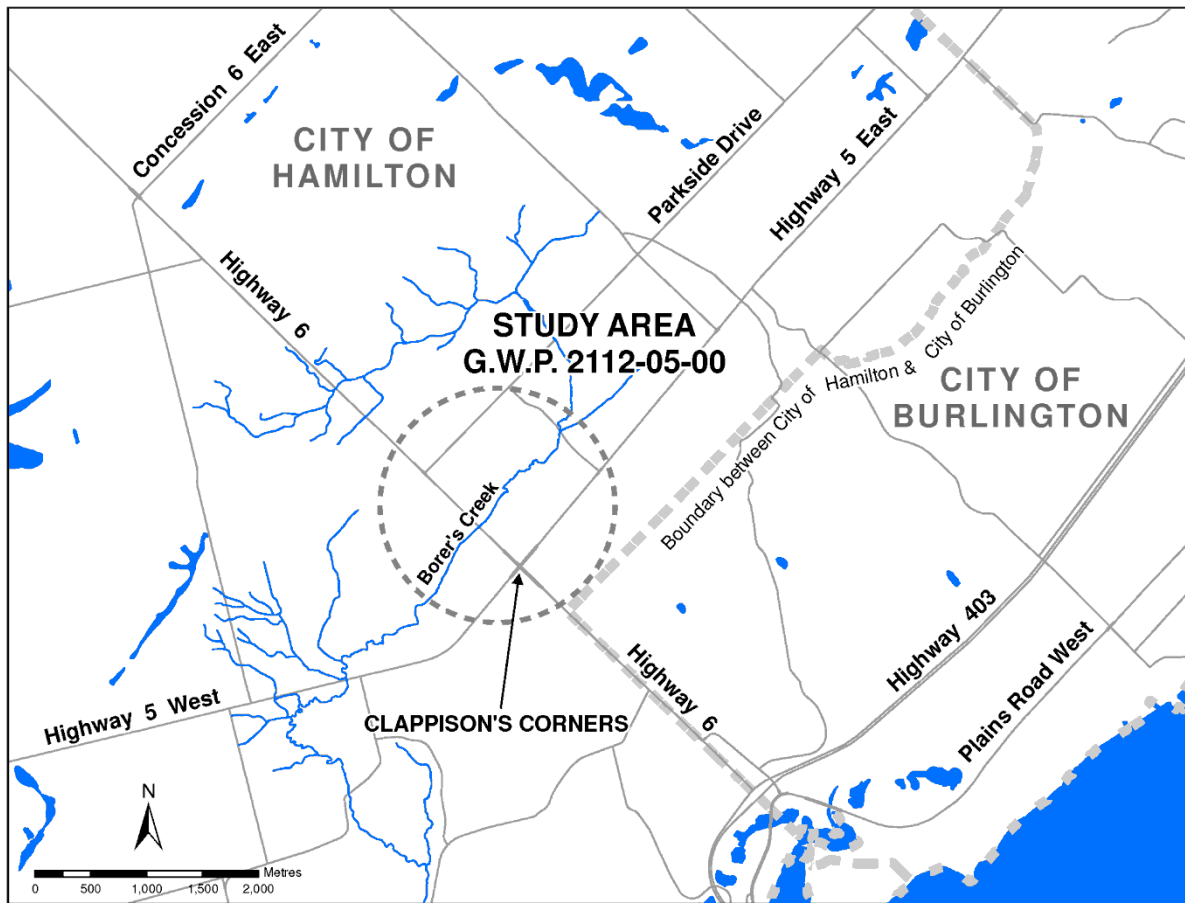
I will be providing background information related to this study by the date specified.

☐

I am interested in receiving the following additional information about the study:

☐

Please return this completed form by February 21, 2011 to:
Ms. T. Audrey Steele, B.A., M.E.S.
Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com



KEY PLAN OF THE STUDY AREA

Initial Contact Letter Template – Aboriginal Communities

January 20, 2011

«Title» «FirstName» «LastName»
«JobTitle»
«Company»
«Address1»
«Address2»
«City», «Province»
«PostalCode»

Dear «Title» «LastName»:

**RE: Future Highway 5/Highway 6 Interchange and Associated Municipal Roads
in the City of Hamilton G.W.P. 2112-05-00**

The Ministry of Transportation (MTO) has retained IBI Group to conduct the Detail Design of a new Highway 5 and Highway 6 interchange and associated Municipal road network in the City of Hamilton, as well as a new commuter parking lot in the vicinity of the interchange. This study additionally includes Preliminary Design for the various Municipal roads and new commuter parking lot. A key plan of the study area is attached. The study website providing information on the study can be accessed at <http://www.lgl.ca/Highway5and6Interchange/>.

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MTO completed a Preliminary Design Study for the currently planned Highway 5 and Highway 6 interchange, including the submission of a Transportation Environmental Study Report (TESR) in 2003, and obtained the appropriate environmental approvals at that time. The 2003 study examined the provision of a new interchange to replace the existing Highway 5 and Highway 6 intersection in order to accommodate future traffic demand. However, no environmental approvals for the associated Municipal roads and a commuter parking lot were obtained. Therefore, this Preliminary and Detail Design Study will examine the Municipal road and commuter parking lot aspects associated with the proposed new Highway 5 and Highway 6 interchange. The results of the study will be documented in a TESR Addendum.

The purpose of this letter is to introduce the study, to request your participation, and to obtain available background information related to the study area. Information that would be of interest includes any description of existing conditions or sensitivities within the study area and any issues or concerns that your community may have.

IBI Group is managing the study on behalf of MTO. LGL Limited is providing environmental design and planning services on behalf of IBI Group. As part of this study, archaeological assessment will be undertaken, and an inventory of built heritage and cultural heritage landscapes within the study area will be completed to help identify potential impacts. The Project Team will also be conducting a natural sciences review of the study area. Background information relating to natural heritage features will be collected to characterize the vegetation communities, fish and fish habitat, as well as wildlife and wildlife habitat.

The study will follow the approved planning process for Group “B” projects under the *Class Environmental Assessment for Provincial Transportation Facilities* (MTO 2000), with the opportunity for public input throughout. Two (2) Public Information Centres (PICs) are planned for this study, with the first PIC tentatively scheduled for Fall 2011. The date, time and location of the PICs will be advertised in local newspapers, and you will be mailed an invitation.

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If you would like further information regarding this study, please feel free to contact me at 416-235-5606. In addition, if you are interested in meeting as a result of receiving this letter, please contact me to arrange for a meeting at your earliest convenience. You may also complete the attached form and return it to my attention.

Thank you for your co-operation.

Yours sincerely,

Martin Michalek
Project Manager

c.c. Sarah De Decker, MTO Regional Archaeologist
Chris Barber, MTO Environmental Planner
Stephen Chiu, Consultant Project Manager, IBI Group
T. Audrey Steele, Consultant Environmental Planner, LGL Limited

Attach

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

Update contact information if necessary

«Title» «FirstName» «LastName»
«JobTitle»
«Company»
«Address1»
«Address2»
«City», «Province»
«PostalCode»

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

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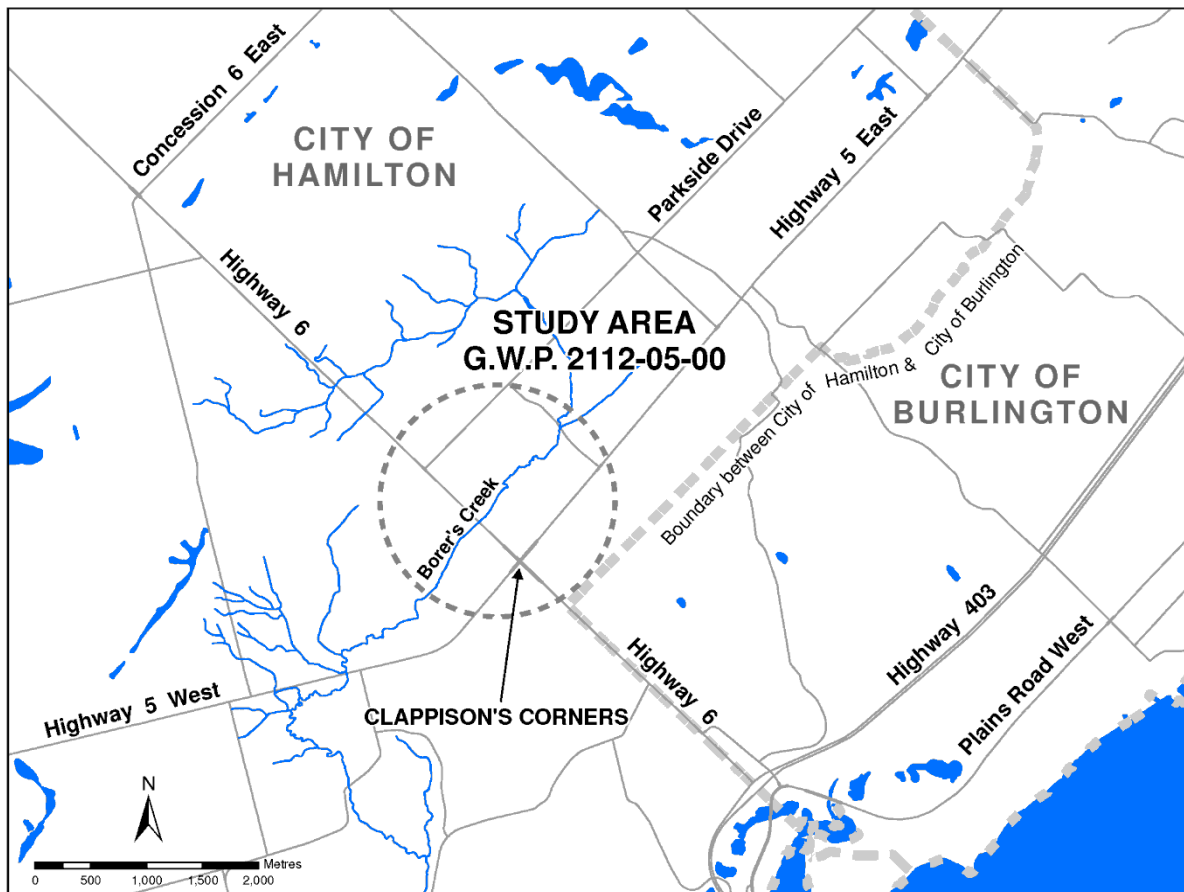
☐

I am interested in receiving the following additional information about the study:

☐

Please return this completed form and send to:

**Martin Michalek
Project Manager
Planning & Design
Ministry of Transportation
1201 Wilson Avenue
4th Floor, Bldg D
Downsview, Ontario M3M 1J8
Tel: 416-235-5606 Fax: 416-235-3576
Email: martin.michalek@ontario.ca**



KEY PLAN OF THE STUDY AREA

January 20, 2011

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The purpose of this letter is to inform you of this study and to encourage you to contact the study team if you have any comments/questions regarding this study. IBI Group is managing the study on behalf of MTO. LGL Limited is providing environmental design and planning services on behalf of IBI Group.

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Thank you for your co-operation.

Yours sincerely,

Martin Michalek
Project Manager

c.c. Chris Barber, MTO Environmental Planner
Stephen Chiu, Consultant Project Manager, IBI Group
T. Audrey Steele, Consultant Environmental Planner, LGL Limited

Attach

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

«Title» «FirstName» «LastName»
«JobTitle»
«Company»
«Address1»
«Address2»
«City», «Province»
«PostalCode»

Update contact information if necessary

Please check the most appropriate statement.

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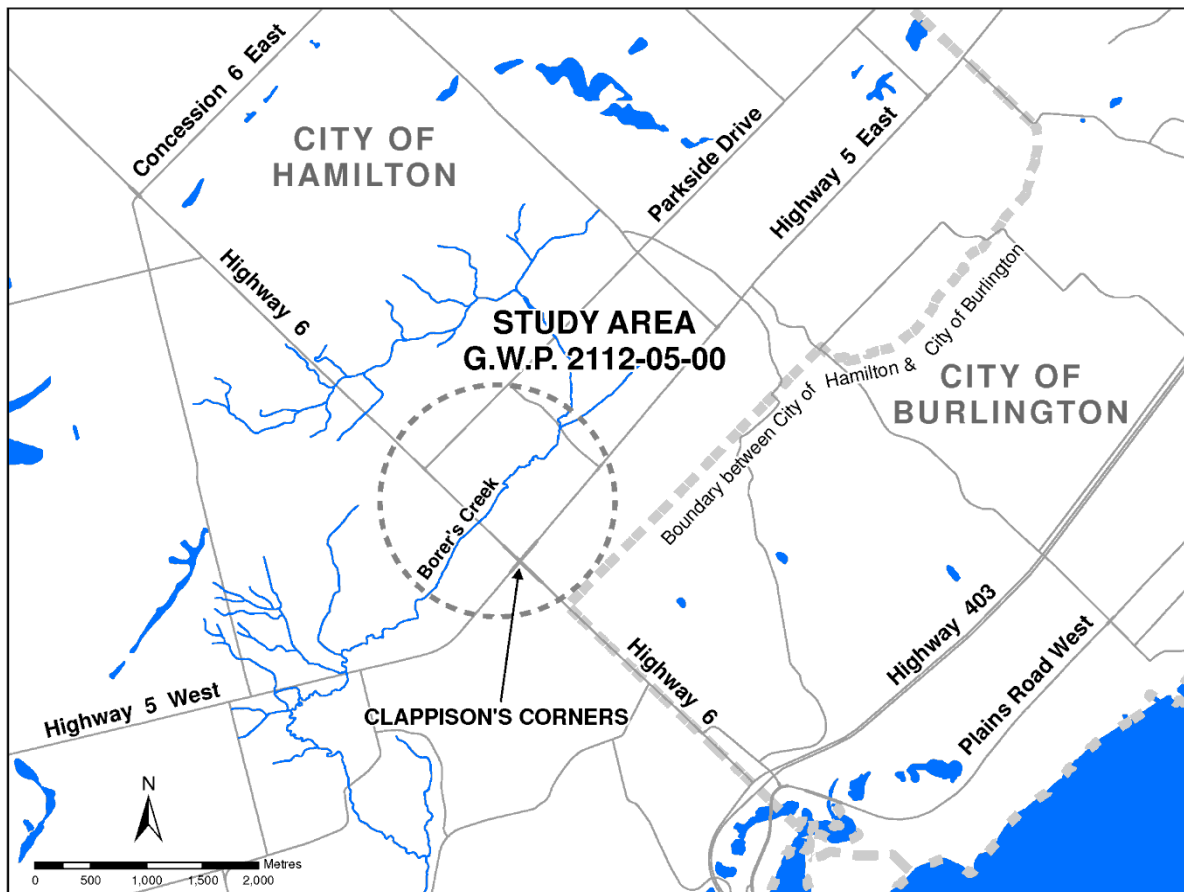
☐

I am interested in receiving the following additional information about the study:

☐

Please return this completed form by February 21, 2011 to:

**Martin Michalek
Project Manager
Planning & Design
Ministry of Transportation
1201 Wilson Avenue
4th Floor, Bldg D
Downsview, Ontario M3M 1J8
Tel: 416-235-5606 Fax: 416-235-3576
Email: martin.michalek@ontario.ca**



KEY PLAN OF THE STUDY AREA



Chippewas of Georgina Island
R.R. #2, P.O. Box N-13
Sutton West, Ontario, L0E 1R0
Phone: (705) 437-1337
Fax: (705) 437-4597

January 28, 2011

RE: Future Highway 5/Highway 6 Interchange and Associated
Municipal Roads in the City of Hamilton G.W.D. 2112-0544

To whom it may Concern:

This letter is to thank you and acknowledge the information received.

Sincerely,

Brett Mooney

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Chief Donna Big Canoe
Chippewas of Georgina Island First Nation
R.R. #2
P.O. Box N13
Sutton West, Ontario
L0E 1R0**

Update contact information if necessary

Please check the most appropriate statement.

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☒

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☐

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☐

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☐

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**Martin Michalek
Project Manager
Planning & Design
Ministry of Transportation
1201 Wilson Avenue
4th Floor, Bldg D
Downsview, Ontario M3M 1J8
Tel: 416-235-5606 Fax: 416-235-3576
Email: martin.michalek@ontario.ca**



Hiawatha First Nation

Business Centre, 517 Hiawatha Line, Hiawatha, ON K0L2G0

Telephone (705) 295 4421 Fax (705) 295 7144

FAX TRANSMISSION

To: Martin Michalek Date: January 28, 2011

Fax#: 416-235-3576 Pages: 2, including this cover sheet

From: Lori Ritter

Subject: Future Highway 5/Highway 6 Interchange

COMMENTS

IF ANY INFORMATION IS MISSING OR DOES NOT PRINT OUT CLEARLY, PLEASE CALL OUR OFFICE
AND WE WILL GLADLY SEND ANOTHER COPY.

FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00

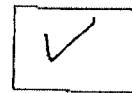
Chief Laurie Carr/Councillor Lorne Paudash
Hiawatha First Nation
123 Paudash Street
Hiawatha, Ontario
K0L 2G0

Update contact information if necessary

Lori Ritter/Diane Sheridan

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.



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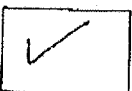
I will be commenting on this study by the date specified.



I will be providing background information related to this study by the date specified.



I am interested in receiving the following additional information about the study:



- completed EA reports
- completed Archaeological Assessment Reports
- Project Updates

Thanks

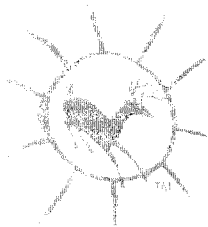
Lori Ritter

Please return this completed form and send to:
Martin Michalek
Project Manager
Planning & Design
Ministry of Transportation
1201 Wilson Avenue
4th Floor, Bldg D
Downsview, Ontario M3M 1J8
Tel: 416-235-3606 Fax: 416-235-3576
Email: martin.michalek@ontario.ca

RECEIVED

JAN 28 2011

BY LGL LIMITED



Chippewas of RAMA
First Nation

A Proud Progressive First Nation Community

5884 Rama Road, Suite 200

Rama, Ontario L0K 1T0

T 705.325.3611 F 705.325.0879

RECEIVED

FEB 07 2011

MITO-CENTRAL
PLANNING & DESIGN
ENGINEERING GROUP

January 31, 2011

Ministry of Transportation
Engineering, Central Region
4th Floor, Bldg. D
1201 Wilson Avenue
Downsview, ON M3M 1J8

Attention: Martin Michalek, Project Manager

**Re: Future Highway 5/Highway 6 Interchange and Associated Municipal Roads
in the City of Hamilton G.W.P. 2112-05-00**

Dear Mr. Michalek:

As a member of the Williams Treaties First Nations, Rama First Nation acknowledges receipt of your letter of January 20, 2011 which was received on January 26, 2011.

A copy of your letter has been forwarded to Karry Sandy-McKenzie, Barrister & Solicitor, Coordinator for Williams Treaties First Nations for further review and response directly to you. Please direct all future correspondence and inquiries, with a copy to Rama First Nation, to Ms. Sandy-McKenzie at 8 Creswick Court, Barrie, ON L4M 2J7 or her e-mail address at k.a.sandy-mckenzie@rogers.com. Her telephone number is (705) 792-5087.

We appreciate your taking the time to share this important information with us.

Sincerely,

Chief Sharon Stinson Henry

c: Council, Rama First Nation
Jeff Hewitt, General Counsel
Karry Sandy-McKenzie, Coordinator Williams Treaties First Nations
Chief Roland Monague Portfolio Chief for Williams Treaties Nations



ALDERVILLE FIRST NATION
P.O. Box 46
11696 Second Line
Roseneath, Ontario K0K 2X0

Chief:	James R. Marsden
Councillor:	Dave Mowat
Councillor:	Pam Crowe
Councillor:	Leonard Gray
Councillor:	Randall Smoke

February 9th, 2011

4th Floor, Bldg. D
1201 Wilson Avenue
Downsview, Ontario
M3M 1J8

Att: Martin Michalek

Re: Future Highway 5/Highway 6 Interchange and Associated Municipal Roads in the City of Hamilton G.W.P. 2112-05-00

Dear Martin,

Thank you for your consultation request to Alderville First Nation regarding the **Future Highway 5/Highway 6 Interchange and Associated Municipal Roads in the City of Hamilton**, which is being proposed within our Traditional and Treaty Territory. We appreciate the fact that **The Ministry of Transportation** recognizes the importance of First Nations Consultation and that your office is conforming to the requirements within the Duty to Consult Process.

As per the Alderville First Nation Consultation Protocol, your proposed project is deemed a level 3, having minimal potential to impact our First Nations' rights, therefore, please keep Alderville apprised of any archaeological findings, burial sites or any environmental impacts, should any occur.

Although we may not always have representation at all stakeholders meetings, it is our wish to be kept apprised throughout all phases of this project. I can be reached at the contact information below.

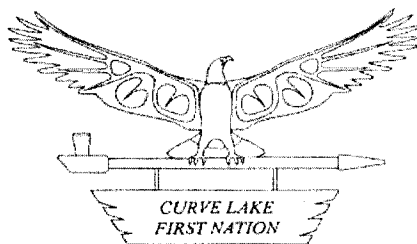
In good faith and respect,

Dave Simpson
Lands and Resources
Communications Officer
Alderville First Nation

dsimpson@aldervillefirstnation.ca

Tele: (905) 352-2662
Fax: (905) 352-3242

GOVERNMENT SERVICES BUILDING
AND CULTURAL CENTRE



CURVE LAKE, ONTARIO K0L 1R0

PHONE (705) 657-8045
FAX (705) 657-8708

RECEIVED

MAR 17 2011

MTO-CENTRAL REGION
PLANNING & DESIGN
ENGINEERING SECTION

March 13, 2011

Martin Michalek
Ministry of Transportation
1201 Wilson Avenue
4th Floor, Building "D"
Downsview Ontario M3M 1J8

Dear Martin Michalek,

Re: Notice of Study Commencement - Future Highway 5/Highway 6 Interchange (G.W.P. 2112-05-00)

We would like to acknowledge receipt of your correspondence dated January 25th, 2011 regarding the above noted project.

As you may be aware, the area in which your project is proposed is situated within the Traditional Territory of Curve Lake First Nation. Our First Nation's Territory is incorporated within the Williams Treaty Territory and is the subject of a claim under Canada's Specific Claims Policy. We strongly suggest that you provide Karry Sandy-Mackenzie, Williams Treaty First Nation Claims Coordinator with a copy of your proposal as your obligation to consult to also extend to the other First Nations of the Williams Treaty.

Although we have not conducted exhaustive research nor have we the resources to do so, Curve Lake First Nation Council is not currently aware of any issues that would cause concern with respect to our Traditional, Aboriginal and Treaty rights.


Please note that we have particular concern for the remains of our ancestors. Should excavation unearth bones, remains or other such evidence of a native burial site or any Archaeological findings, we must be notified without delay. In the case of a burial site, Council reminds you of your obligations under the *Cemeteries Act* to notify the nearest First Nation Government or other community of Aboriginal people which is willing to act as a representative and whose members have a close cultural affinity to the interred person. As I am sure you are aware, the regulations further state that the representative is needed before the remains and associated artifacts can be removed. Should such a find occur, we request that you contact our First Nation immediately.

If any new, undisclosed or unforeseen issues should arise, that has potential for anticipated negative environmental impacts or anticipated impacts on our Treaty and Aboriginal rights we require that we be notified regarding these as well.

Thank you for recognizing the importance of consultation and respecting your duty to consult obligations as determined by the Supreme Court of Canada.

Should you have further questions, please feel free to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Keith Knott". The signature is fluid and cursive, with the first name "Keith" and last name "Knott" clearly distinguishable.

Chief Keith Knott
Curve Lake First Nation
(705)657-8045

Ministry of the Environment
West Central Region

Ministère de l'Environnement

119 King Street West
12th Floor
Hamilton, Ontario L8P 4Y7
Tel.: 905 521-7640
Fax: 905 521-7820

119 rue King ouest
12^e étage
Hamilton (Ontario) L8P 4Y7
Tél. : 905 521-7640
Télééc. : 905 521-7820



RECEIVED

FEB 02 2011

BY LGL LIMITED

January 26, 2011

Ms T. Audrey Steele
LGL Limited
22 Fisher Street, P.O. Box 280
King City, Ontario
L7B 1A6

Dear Ms Steele:

**Re: Future Highway 5/Highway 6 Interchange and associated improvements
City of Hamilton
Your file no. G.W.P. 2112 -05-00**

Thank you for your letter of January 20, 2011 describing the commencement of the detailed design stage being undertaken by IBI Group and its partner consultants on behalf of MTO, to prepare an addendum to the 2003 environmental assessment. It is understood that the original environmental assessment did not include improvements to municipal roads that would need to be undertaken nor did it include the commuter parking facility. The work that you are now undertaking will consider these aspects of the project and result in an addendum.

Please be advised that we do not appear to have a copy of the original environmental assessment on file. If you have a copy of the 2003 document, I would appreciate receiving it, along with copies of any correspondence that had been provided by this ministry. This will assist us in our review of the addendum for completeness.

In terms of available background information or issues that may be relevant to this addendum exercise, the following comes to mind:

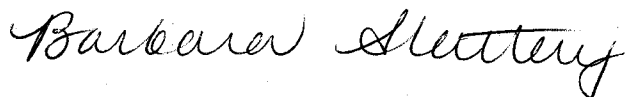
- The City of Hamilton and Halton Region are attempting to finalize a master transportation plan that is entitled the Waterdown/Aldershot Transportation Master Plan, East-West Road Class EA, Phase 3 and 4 report. A great deal of controversy has arisen because of conflicting information regarding MTO's plans for the intersection of Parkside Drive and Highway 6. I note that this intersection is within the Study Area of this addendum exercise so I urge you to visit the City's website on their EA, to see the proposed modifications to Parkside Drive as it may have some bearing on this project. A useful link on the City's initiative is at: http://www.hamilton.ca/NR/rdonlyres/514D85AF-7E93-431E-B468-DB73DDDE0A4D/0/Jun14EDRMS_n89838_v1_7_2_PW08063b.pdf
- Work that was undertaken to construct the "big box" development within the study area may have contributed to water supply issues for residents generally within this area, that are still reliant on private, individual water supplies. Therefore it is recommended that as part of the addendum exercise, the scope be broadened to evaluation how this project may affect groundwater recharge, quantity and quality.
- Because of the presence of Borer's Creek, it is our expectation that the addendum study will be cognizant of this surface water body and how any of the work that is being contemplated might affect it, or any of the other surface water features within this area.

As part of the required stakeholder and agency consultation, proponents are advised to contact the following agencies to determine potentially affected Aboriginal communities in the project area. You are encouraged to visit the ministry's website at <http://www.ene.gov.on.ca/en/eaab/aboriginal-resources.php> for the most up to date contact list in this

regard. Once identified, you are advised to provide notification directly to the Aboriginal communities who may be affected by the project and provide them with an opportunity to participate in any planned public consultation sessions and comment on the project.

Thank you for bringing this project to our attention. During the course of the EA process, I am your MOE contact. All documentation (ie. Notices of upcoming PICs, final TESR) should be filed with the ministry and provided to my attention. If you have any questions about the requirements of the environmental assessment process, please contact me at (905) 521-7864 or at Barbara.slattery@ontario.ca

Sincerely,

A handwritten signature in cursive script that reads "Barbara Slattery". The signature is written in dark ink and is positioned above the printed name and title.

Barbara Slattery, EA/Planning Coordinator
West Central Region

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

Mr. Mark Dunn
Area Supervisor
Ministry of the Environment – Hamilton District
119 King Street West
9th Floor
Hamilton, Ontario
L8P 4Y7

Update contact information if necessary

ANTONIS GAZEAS
SENIOR ENVIRONMENTAL OFFICER
MINISTRY OF THE ENVIRONMENT
119 KING ST. W.
9th FLOOR
HAMILTON, ON
L8P 4Y7

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

☒

I have no concerns about the study and I can be removed from your contact list.

☐

I will be commenting on this study by the date specified.

☐

I will be providing background information related to this study by the date specified.

☐

I am interested in receiving the following additional information about the study:

☒

- CONSTRUCTION SCHEDULES

- CONTACT INFORMATION FOR CONSTRUCTION COMPANY AND
PROJECT/SITE MANAGER.

Please return this completed form by February 21, 2011 to:

Ms. T. Audrey Steele, B.A., M.E.S.
Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

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FEB 18 2011
BY LGL LIMITED

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Ms. Nora Jamieson
Watershed Planner
Hamilton Region Conservation Authority
838 Mineral Springs Road
P.O. Box 81067
Ancaster, Ontario
L9G 4X1**

Update contact information if necessary

MR. DARREN KENNY

WATERSHED OFFICER

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

☐

I have no concerns about the study and I can be removed from your contact list.

☐

I will be commenting on this study by the date specified.

☒

I will be providing background information related to this study by the date specified.

☐

I am interested in receiving the following additional information about the study:

☒

Details pertaining to any in-water works including new
culvert installations / extensions for review and comment with
regard to flooding / erosion concerns. Borer's Creek and
tributaries are located within the HCA watershed.

Please return this completed form by February 21, 2011 to:

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Consultant Environmental Planner
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King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com**



2596 Britannia Road West
Burlington ON L7P 0G3
905.336.1158 Fax 905.336.7014
conservationhalton.ca

March 9, 2011

MAIL & EMAIL

Ms. T Audrey Steele
Senior Environmental Planner
LGL Limited
22 Fisher Street, PO Box 280
King City, ON L7B 1A6

Dear Ms. Steele:

**Re: Future Highway 5/Highway 6 Interchange and Associated Municipal Roads
Class EA, GWP 2112-05-00
City of Hamilton
Conservation Halton File: PPR 080a**

Staff of Conservation Halton have reviewed the Notice of Study Commencement for the above noted project and offer the following comments. The purpose of the study is to conduct the Detail Design of a new Highway 5 and Highway 6 interchange and associated Municipal road network in the City of Hamilton, as well as a new commuter parking lot in the vicinity of the interchange.

Staff recognize that the MTO is not subject to Ontario Regulation 162/06, and we appreciate the Ministry's consideration of Conservation Halton's concerns associated with the proposed interchange and parking lot addendum and detailed design.

The Letter of Commencement has provided a rough outline as to the study area limits however it does not identify the location of the municipal roads and parking lot being considered. Based on limit of the study area and the limit of Natural Heritage Features and associated adjacent lands, staff have identified a number of natural heritage features that may be impacted by the works. As a result, the following information is preliminary and is based on the general location identified, some of the comments below may not be applicable once the study area has been further refined.

As part of this study, IBI Group intends to create an addendum to the April 2003 "Transportation Environmental Study Report Highway 6 – 500 m South of Highway 5 to 5th Concession East." Staff request that as part of the addendum, more detail is provided with respect to any technical studies completed, (i.e. input and output files should be provided for all hydrologic and hydraulic modeling, and field data sheets and pictures should be provided to support geomorphologic assessments, etc.). Additionally, please ensure that all field studies are completed during the



appropriate field season to give an accurate representation of the study area. Survey methodology should be completed according to standard, province wide accepted protocols. All field data sheets should be included in the submission for review. This includes but is not limited to ELC, breeding bird, amphibian, reptile, insect and vegetation inventory data sheets. Please refer to Conservation Halton's EIS guidelines and associated appendices (available online at: <http://www.conservationhalton.on.ca/ShowCategory.cfm?subCatID=898>) for further assistance in this regard.

The following checklist identifies a list of issues and criteria that Conservation Halton staff foresee as being important to evaluate during the study. The list is not meant to be exhaustive and additional requirements may become evident as the study progresses. Our comments are preliminary at this time since it has not been determined how the proposed development is to occur. Staff will contact you shortly with regards to future meetings and to arrange a site walk of the project area and once additional information is available for the various alternatives, additional comments may be provided.

The following list identifies the areas of interest or concern that Conservation Halton may have with the subject EA:

While Conservation Halton recognizes that Environmental Assessments are not subject to and/or limited to the policies outlined in the Provincial Policy Statement (PPS), we do believe that the PPS provides Provincial direction on how natural resources should be managed in Ontario. Furthermore, it is useful for identifying some of the key natural heritage features, water resources, and natural hazards that should be considered when evaluating any sort of development proposal. As such, some PPS related items have been outlined below, as we believe these items should be acknowledged and addressed as part of the EA study.

Ontario Regulation 162/06



A large portion of the study area is within the Hamilton Conservation Authority's jurisdiction and we recommend that they be contacted for further information. The portion of the study area within Conservation Halton's jurisdiction is within the Grindstone Creek Watershed. One tributary (located on the south west side of study area), its meander belt and the associated adjacent 15 metres is regulated pursuant to Ontario Regulation 162/06. There are an additional three hydrologic features within the study area that may be regulated and will need to be verified by a site visit. We note that in the south east section of the study area there are likely three regulated headwater tributaries that may be affected by the study, this can be confirmed if the study limits are further refined. Ontario Regulation 162/06 requires that a Permit be obtained from Conservation Halton prior to development, interference with wetlands or alterations to shorelines and watercourses. A copy of Ontario Regulation 162/06 and the associated Policy document, *Policies, Procedures and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document* can be found at www.conservationhalton.ca. Please ensure that the EA contains sufficient information to allow Conservation Halton staff to determine whether permission could be supported at detailed design. While staff recognizes that the MTO is exempt from Conservation Halton's regulatory process, we recommend that the Authority's

administrative permit process be followed. Should MTO elect not to submit permit applications to Conservation Halton, we ask that the regulated limits and other areas of increased environmental sensitivity still be shown on the final contract drawings, along with appropriate mitigation measures to protect these areas during construction.

- ☒ Staff has enclosed Approximate Regulation Limit (ARL) mapping for your information.

As part of the Addendum:

- ☒ The EA Addendum should identify areas where Permits pursuant to Ontario Regulation 162/06 will be required and include such Permits as future commitments in the ESR. Some details related to future Permits may not be deferred to detailed design.

It is recommended that 'potential impacts to natural hazards' (flooding and/or erosion hazards) should be one of the evaluation criteria. At a minimum, a proposed alternative must have no negative impacts on flooding and erosion hazards in order for Conservation Halton to issue a future approval under Ontario Regulation 162/06. Opportunities to improve any deficiencies with respect to flooding and erosion should be investigated.

- ☒ A hydrologic and/or hydraulic analysis will be required in the Environmental Study Report.

As part of the Detailed Design:

- ☒ Please survey all drainage features, watercourse ditchlines, culverts, etc.

Please consider MTO's flooding criteria, guidelines and/or the municipal engineering standards for flooding along/over roads. At a minimum, safe access & egress as defined in the MNR's 2002 *Technical Guide: River & Stream Systems – Flooding Hazard Limit*, should be provided.

- ☒ If a roadway is considered by the Province or local municipality to be an Emergency Route then there should be no overtopping of the road with flood waters.

As part of both the Addendum and the Detailed Design:

- ☒ Please review the requirements of Policy 3.51 (Public Infrastructure – Utilities, Trails and Transportation) of Conservation Halton's *Policies Procedures and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document* (see enclosed).

- ☒ Please plot all areas regulated by Conservation Halton on drawings. ARL mapping may be utilized if more detailed study is not required at this time, however, please ensure that drawings indicate that limits shown are an approximation of the regulated area.

- ☒ Please identify any potential areas of unstable bedrock, karst or unstable soils within the study area. These areas are regulated by Conservation Halton pursuant to Ontario

Regulation 162/06.

Natural Heritage

As part of the Addendum:

- ☒ When undertaking any fieldwork and/or when making recommendations related to natural heritage and/or natural hazards, staff recommend that reference be made to the following guidelines prepared by the Ministry of Natural Resources: *Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005, 2nd Edition, 2010; Significant Wildlife Habitat Technical Guideline*; and, *Natural Hazards Technical Guide and Understanding Natural Hazards*.

- ☒ The study area limit will need to be accurately identified as it may contain or pass between natural features. As per Policy 2.1.2 of the Provincial Policy Statement, the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features. Where applicable, the use of ecopassages or other measures to facilitate wildlife movement should be evaluated.

- ☒ The study area limit will need to be accurately identified as it may contain the habitat of Endangered or Threatened species. As per Policy 2.1.3 of the Provincial Policy Statement, development and site alteration shall not be permitted in the habitat of Endangered/Threatened Species. The provincial *Endangered Species Act* and/or federal *Species at Risk Act* may also apply. Please contact Graham Buck (graham.buck@ontario.ca, (519)-826-4505 of Guelph District MNR) for further information on *Endangered Species Act* requirements.

- ☒ The study area contains the King City Quarry Earth Science Area of Natural and Scientific Interest (ANSI). As per Policy 2.1.4 of the Provincial Policy Statement, development and site alteration shall not be permitted in an ANSI unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Please contact the MNR for further information on ANSI's. The study is additionally adjacent to the Clappison Escarpment Woods Life Science ANSI.

- ☒ The study area may contain significant wildlife habitat. As per Policy 2.1.4 of the Provincial Policy Statement, development and site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Please refer to the Ministry of Natural Resource's *Significant Wildlife Habitat Technical Guidelines*.

- ☒ The study area contains a significant woodland as identified by the City of Hamilton. As per Policy 2.1.4 of the Provincial Policy Statement, development and site alteration shall not be permitted in significant woodlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Please contact the City of Hamilton for further information on significant woodlands.

- ☒ Development and site alteration shall not be permitted on adjacent lands to the natural

heritage features and areas identified in Policies 2.1.3, 2.1.4 and 2.1.5 of the Provincial Policy Statement unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

- ☒ The Ministry of Natural Resources' Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement 2005, Second Edition (2010) considers adjacent lands to be within 120 metres.
- ☒ The study area contains the Clappison Escarpment Woods ESA. The Environmental Study Report must address impacts to the ESA. Please contact the City of Hamilton for further information on the ESA.
- ☒ Please use Ecological Land Classification to map natural and semi-natural features to vegetation type and identify protection/mitigation measures. ELC data sheets are required with the ESR submission (please include digital species spreadsheets).
- ☒ Please refer to Conservation Halton's *Environmental Impact Study Guidelines* for information on general study requirements, impact assessment and appropriate timing and protocols for surveys. These guidelines can be found at www.conservationhalton.ca.
- ☒ Conservation Halton's *Landscape Guidelines* should be consulted at detailed design. These guidelines can be found at www.conservationhalton.ca.

Fish Habitat

As part of the Addendum:

- ☒ As per Policy 2.1.5 of the Provincial Policy Statement, development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

As part of the Detailed Design:

- ☒ Please include fish habitat mapping as per MTO Protocol "Environmental Guide for Fish and Fish Habitat, 2006"
- ☒ Please include photo documentation of the study area with a key map indicating photo locations.
- ☒ Please note that Conservation Halton's Level II Agreement does not apply to Provincial projects. Please contact the Department of Fisheries and Oceans.

Groundwater

As part of the Addendum:

- ☒ All proposed works must consider Policies 2.2.1 and 2.2.2 of the Provincial Policy Statement regarding water.

- As part of the Detailed Design:
- ☒ Please identify groundwater recharge/discharge areas.
 - ☒ Please identify hydrological impacts.
 - ☒ Please complete a water balance assessment to determine any infiltrative deficit. If a deficit is identified, all potential impacts should be identified and assessed.
 - ☒ Please identify recommended mitigation measures for groundwater impacts and if appropriate, any opportunities to improve infiltration.

Stormwater Management/Drainage

- As part of the Addendum:
- ☒ Please discuss quality/quantity/erosion controls within the Stormwater Management Section of the Environmental Study Report.
- As part of the Detailed Design:
- ☒ Please be advised that the quality requirements are Enhanced Level I
 - ☒ Please examine the potential to combine SWM with adjacent development, if possible.
 - ☒ Please consider stormwater management as it applies to fish habitat, both the treatment level and potential direct impacts from construction.
 - ☒ Please identify existing vs. proposed drainage areas. Every effort should be taken to maintain existing drainage divides. Any proposed diversions must be clearly identified and the potential impacts fully assessed as part of the project's evaluation.
- As part of both the Addendum and the Detailed Design:
- ☒ Please discuss the mitigation of thermal impacts.

Other

- As part of the Detailed Design:
- The following considerations are also recommended:
- ☒
 - Prefer culvert replacements over extensions
 - Prefer open bottom versus closed bottom culverts
- Infiltrate runoff to the greatest extent possible
- As part of both the Addendum and the Detailed Design:
- Recommendations and requirements from the Grindstone Creek Watershed Study should be followed:
- ☒
 - Control the release rate of runoff to mimic the most desirable pre-development landscape

type which would have naturally occurred on the development site (post-pre)

Recommendations and requirements from the Cootes to Escarpment Park System Study

- ☒ The EA study area is also within the Cootes to Escarpment Park System Study area. One of the recommendations within the Final Phase II Report (Jan 2009) identified the study area as a proposed wildlife crossing (see attached map). We recommend that this proposed wildlife crossing be considered and incorporated into any future design for the area.
- ☒ Please assess the impacts of utility relocation (i.e. telephone poles, union gas, etc.) on natural heritage features, natural hazard areas and fish habitat. This should not be left to detailed design as the relocation can have a significant impact on natural heritage features.
- ☒ Please provide a figure with proposed works and/or alternatives overlaid on an airphoto.
- ☒ In order to allow sufficient time to review the Draft Environmental Study Report, staff would appreciate it if a review timeline of 8 weeks could be incorporated into the project schedule. We would like to request 4 copies of the ESR for review.

We trust the above is of assistance. If you require additional information please contact the undersigned at extension 260.

Yours truly,

mcharles

Margaret Charles, MCIP, RPP
Environmental Planner, Watershed Management Services
MC/ *[signature]*

Encl: 5

Cc: Martin Michalek, MTO Project Manager, email
Chris Barber, MTO Environmental Planner, email
Stephen Chiu, Consultant Project Manager, IBI Group, email
Gavin Norman, City of Hamilton, email
Cathy Plosz, City of Hamilton, email
Nora Jamieson, Hamilton Conservation Authority, email

FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00

Mr. David Johnston
Planner
Niagara Escarpment Commission
232 Guelph Street
Georgetown, Ontario
L7G 4B1

Update contact information if necessary

Telephone (905) 877-7815

Fax (905) 873-7452

email: david.johnston@ontario.ca

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

☐

I have no concerns about the study and I can be removed from your contact list.

☐

I will be commenting on this study by the date specified.

☐

I will be providing background information related to this study by the date specified.

☐

I am interested in receiving the following additional information about the study:

☒

The Addendum TESR and Detailed Design/
Design and Construction Report

- NEC advised MTD by letter in 2003 (and also consultant) that
it accepted the conclusions and recommendations in the TESR
dated April, 2003 but reserved the right to review and provide
additional comment on detailed Design Drawings (when available).

Please return this completed form by February 21, 2011 to:

Ms. T. Audrey Steele, B.A., M.E.S.
Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

If you would like a copy of letter,
I can send to you.

David Johnston

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FEB 18 2011

BY LGL LIMITED

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Mr. Joseph Choi
Manager of Transportation Design and
Construction
Regional Municipality of Halton
Public Works – Transportation Services
1151 Bronte Road
Oakville, Ontario
L6M 3L1**

Update contact information if necessary

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

☒

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☐

Please return this completed form by February 21, 2011 to:
Ms. T. Audrey Steele, B.A., M.E.S.
Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteel@lgl.com

RECEIVED
JAN 28 2011
BY LGL LIMITED

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Mr. Andrew Head
Project Manager
Regional Municipality of Halton
Public Works – Transportation Services
1151 Bronte Road
Oakville, Ontario
L6M 3L1**

Update contact information if necessary

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

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Please return this completed form by February 21, 2011 to:
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Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
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RECEIVED

FEB 10 2011

BY LGL LIMITED

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

~~Mr. Doug Dalgarno~~

**Manager of Design and Construction
Engineering Department
City of Burlington
426 Brant Street
P.O. Box 5013
Burlington, Ontario
L7R 3Z6**

Update contact information if necessary

SCOTT HAMILTON

MANAGER OF DESIGN / CONSTRUCTION

CITY OF BURLINGTON

426 BRANT ST. P.O. BOX 5013

BURLINGTON, ONTARIO

L7R-3Z6

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.



I have no concerns about the study and I can be removed from your contact list.



I will be commenting on this study by the date specified.



I will be providing background information related to this study by the date specified.



I am interested in receiving the following additional information about the study:



Please return this completed form by February 21, 2011 to:

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Consultant Environmental Planner
LGL Limited
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King City, Ontario L7B 1A6
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Email: asteele@lgl.com

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FEB 01 2011

BY LGL LIMITED

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Ms. Cathy Robertson
Director of Roads and Parks Maintenance
City of Burlington
426 Brant Street
P. O. Box 5013
Burlington, Ontario
L7R 3Z6**

Update contact information if necessary

Please check the most appropriate statement.

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Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

mailed Feb. 1/11

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**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

Mr. Greg Sage
Director of Emergency Medical Services
Halton EMS
1179 Bronte Road
Oakville, Ontario
L6M 3L1

Update contact information if necessary

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

☒

I have no concerns about the study and I can be removed from your contact list.

☐

I will be commenting on this study by the date specified.

☐

I will be providing background information related to this study by the date specified.

☐

I am interested in receiving the following additional information about the study:

☐

Please return this completed form by February 21, 2011 to:

Ms. T. Audrey Steele, B.A., M.E.S.
Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

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**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Chief Glenn De Caire
Chief of Police
Hamilton Police Service
155 King William Street
Box 1060 LCD1
Hamilton, Ontario
L8N 4C1**

Update contact information if necessary

Please check the most appropriate statement.

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**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

~~S/Sgt Jan Idzenga~~
~~Staff Sergeant~~
OPP – HSD Burlington
1160 North Shore Boulevard East
Burlington, Ontario
L7S 1C5

Update contact information if necessary

INSPECTOR ROBIN McELARY - DOWNER
DETACHMENT COMMANDER

Address same

Please check the most appropriate statement.

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King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

Please return to
Tom

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**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Fire Chief Shayne Mintz
City of Burlington Fire Department
1255 Fairview Street
Burlington, Ontario
L7S 1Y3**

Update contact information if necessary

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Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com**

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Mr. Joe Taylor
Superintendent, District Commander
Halton Regional Police Service, 3 District
30 Division
3800 Southhampton Boulevard
Burlington, Ontario
L7M 3Y2**

Update contact information if necessary

Please check the most appropriate statement.

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King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

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**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

Mr. Don Hull
Director of Transit
Hamilton Street Railway, City of Hamilton
Public Works Department, Transit Division
2200 Upper James Street
Hamilton, Ontario
L0R 1W0

Update contact information if necessary

MR. ANDY McLAUGHLIN
MR. FABIAN DICESARE
PLANNING — H.S.R.
PUBLIC WORKS DEPARTMENT
CITY OF HAMILTON
2200 UPPER JAMES ST. RR#1
MOUNT HOPE ON LOR 1WC

Please check the most appropriate statement.

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I will be providing background information related to this study by the date specified.

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I am interested in receiving the following additional information about the study:

☒

→ preliminary design for roads & (P) lot.

Please return this completed form by February 21, 2011 to:
 Ms. T. Audrey Steele, B.A., M.E.S.
 Consultant Environmental Planner
 LGL Limited
 P.O. Box 280, 22 Fisher Street
 King City, Ontario L7B 1A6
 Tel: 905-833-1244 Fax: 905-833-1255
 Email: asteele@lgl.com

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**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Mr. Chris Foster
Supervisor of Transit Planning
Policy and Specialized Services
Burlington Transit
3332 Harvester Road
Burlington , Ontario
L7N 3M8**

Update contact information if necessary

905-337-7600 ext 7797
mobile 289-208-6568
foster@burlington.ca

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

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Please return this completed form by February 21, 2011 to:
Ms. T. Audrey Steele, B.A., M.E.S.
Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

*Feb 23/11
sent by fax*

**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

Mr. David Euale
Director of Education
Halton District School Board
P.O. Box 5005 STN LCD 1
Burlington, Ontario
L7R 3Z2

Update contact information if necessary

Domenico Exella
Manager of Planning
P.O. Box 5005 STN LCD 1
Burlington, Ontario
L7R 3Z2

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

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Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

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**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

~~Ms. Donna Evans~~
~~Coordinator~~
~~Bell Canada Access Network~~
~~20 Hunter Street West~~
~~Hamilton, Ontario~~
~~L8N 3H2~~

Update contact information if necessary

CAROL GUSSENS
IMPL. MGR. O.P.
BELL CANADA
20 HUNTER ST. W. FLR 6
HAMILTON, ONT
L8N 3H2

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

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Ms. T. Audrey Steele, B.A., M.E.S.
Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

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**FUTURE HIGHWAY 5/HIGHWAY 6 INTERCHANGE AND ASSOCIATED MUNICIPAL ROADS
IN THE CITY OF HAMILTON
G.W.P. 2112-05-00**

**Head Office
Horizon Utilities Corporation
P.O. Box 2249
Station LCD 1
Hamilton, Ontario
L8N 3E4**

Update contact information if necessary

CHARLES HOWELL
HORIZON UTILITIES CORPORATION
CAPITAL PROJECTS
55 JOHN STREET NORTH
HAMILTON ONTARIO
L8R 3M8
email: charles.howell@horizonutilities.com.

Please check the most appropriate statement.

I have no concerns about the study at this time, but I wish to remain informed about the study's progress.

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I will be providing background information related to this study by the date specified.

☐

I am interested in receiving the following additional information about the study:

☒

MORE DETAILED PLAN PROPOSAL WITH RESPECT TO
ACTUAL PRELIMINARY ENGINEERING ROAD DESIGN TO
IDENTIFY CONFLICTS WITH HORIZON UTILITY EXISTING
DISTRIBUTION ASSETS. IDENTIFY RELOCATIONS DUE
CONFLICTS.

Please return this completed form by February 21, 2011 to:
Ms. T. Audrey Steele, B.A., M.E.S.
Consultant Environmental Planner
LGL Limited
P.O. Box 280, 22 Fisher Street
King City, Ontario L7B 1A6
Tel: 905-833-1244 Fax: 905-833-1255
Email: asteele@lgl.com

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FEB 18 2011

BY LGL LIMITED

**Property Owner Meeting Notes
Highway 5/6 Interchange and Associated Municipal Roads
Monday, April 11th, 2011**

Attendees:

Chris Barber (MTO)
Makael Kakakhel (MTO)
Stephen Chiu (IBI Group)
Don Drackley (IBI Group)
Tanya McKenna (City of Hamilton)
Diana Morreale (City of Hamilton)
27 Property Owners (see attached sign-in list)

Meeting Purpose:

On April 11, 2011 the MTO and City of Hamilton, along with the project consultant, IBI Group met with invited property owners from the Highway 5 and 6 area. The purpose of this meeting was to provide an overview on the TESR Addendum and to discuss the possible impacts with potentially affected property owners.

Questions and Answers:

Q: Is there going to be a median up Highway 6?

The approved interchange design from 2003 includes a centre median barrier up Highway 6 to Parkside Drive.

Q: There is concern that an extension of Coreslab Drive to the NW Quadrant (Alternative #3) would facilitate cut-through traffic to Parkside Drive.

Alternative 3 that would cross over Borer's Creek would not connect to Parkside Drive. It would only connect the residential properties on the west side of Highway 6 on Garwood Avenue and Woodsworth Avenue to Highway 5.

Q: Has property been acquired by MTO in the NW and SW quadrants?

MTO has been purchasing lands for the widening of Highway 6 and interchange ramp construction in the NW, NE and SE quadrants. No property has been acquired in the SW quadrant.

Q: Will the properties fronting onto Highway 6 still have access to Highway 6?

No, eleven (11) properties that have direct access to/from Highway 6 have been identified for possible purchase because this section of Highway 6 is expected to become a restricted access highway.

Q: What happens if the properties don't have access?

They will be acquired by MTO.

Q. I own my home and have no mortgage. If my property is purchased, I will want to stay in the Flamborough/Waterdown area, but homes in this area will cost more than what I get for my property. I do not want another mortgage, so what do I do?

The project team said they would provide an answer to this question. The answer is that Section 15 of the Expropriations Act is referred to as the "home for a home" or relocation concept. This section is intended to provide the owners with sufficient funds to enable them to obtain accommodation that is at least equivalent to the accommodation expropriated, even if the owners receive a premium over and above the actual market value of the residence acquired. This provision applies to lands used for residential purposes. To be equivalent, the accommodation or comparable property utilized in estimating compensation needs to possess similar amenities. Equivalency applies to the functional utility of the house and property that is characterised by comfort, security, ease and cost of maintenance, privacy and size of the property. It should be noted that equivalent accommodation does not mean a property that is superior to the subject property.

Q. If I have to use a dispute mechanism in an Expropriation process, do I have to pay for a lawyer and/or appraiser?

Entitlements under the Expropriations Act include legal and appraisal costs as well as other associated costs that are determined on a property by property basis.

Q: Can we go on record stating that we don't want a median going up Highway 6?

Yes, and this will be considered in relation to the need for public safety.

Q: We don't want Garwood Avenue and Woodsworth Avenue to be blocked?

The median will more than likely be going up Highway 6 to Parkside Drive. This part of the Highway is expected to become a restricted access highway in terms of access.

Q: Are drawings on-line?

Not at this time, as they are very preliminary and some concepts may be screened out from further consideration.

Q: What is fair market value?

The market value of land is the amount that the land might be expected to sell for if sold on the open market by a willing seller to a willing buyer on a specified date under fair sale conditions. Obtaining an amicable agreement and avoiding expropriation is the ministry's top priority. Where a property is required for the

project, and there is not a willing buyer/seller situation, then the next course of action is expropriation. During expropriation, a property appraisal is required in order to make the first offer and begin negotiations. Only after the first offer is made and Environmental Assessment approval for the ministry's project is obtained does the expropriation process start. If an agreement is not obtained and the ministry proceeds with expropriation, then another report is prepared and the expropriation offer is made as per the Expropriations Act. There is also an appeal process to the Board of Negotiation.

Q: What happens if your land is a business and you lose convenient access?

MTO won't purchase property if access is changed but still provided. However, if your business sees a decrease in revenue because of the project, you have to show MTO your losses and justify it in order to be compensated.

Q: A concern was raised about a new road backing onto residential rear yards with Garwood and Woodsworth extended to Parkside Drive. Some residents were involved with the [REDACTED] appeals and fought for an easement to separate them from such a road and the [REDACTED] expansion. Can the project team look at an option that moves the road in behind the berm?

It was noted that the project team had met with [REDACTED] and their current site plan includes a road allowance abutting the residential properties and then an easement for a berm beside it. The team recognizes that the affected residential property owners want the berm abutting their property, not the road, and this will be reviewed as part of the Environmental Assessment process and [REDACTED] site plan approval.

Q: Would this new rear access road be serviced?

The rear road would be used only to connect Garwood and Woodsworth to Parkside Drive. If this option is selected as the preferred design, then at the detailed design stage the project team would determine if the road is to function as a rural or urban road in terms of lighting and underground services.

Q: Rather than extending a new road from Dundas Street to South Drive at Innovation Drive, can an alternative alignment further north be considered where there is currently a house and empty lot?

The new road alignment shown at the meeting is currently preferred since no homes need to be demolished and the new intersection with Dundas Street is located farther west of the interchange, which is strongly preferred. The project team will consider alternatives only if they satisfy roadway design standards in the area.

Q: What will the speed limit of Highway 6 be?

It is expected to be 100 km/hr with the interchange constructed.

Q: Is Highway 6 to become a 400 series Highway?

No.

Q: Can the project team:

- **Evaluate the options presented by the landowners**
- **Provide Minutes of this Meeting**
- **Provide further information before the planned public meeting in the fall.**

Yes, new options will be considered, these minutes are being provided and a newsletter will be mailed out on the progress of the evaluation of options.

PROJECT INFORMATION SHEET

April 11, 2011

1

Ministry of Transportation FUTURE HIGHWAY 5/6 INTERCHANGE and ASSOCIATED MUNICIPAL ROADS

PROJECT BACKGROUND

Planning and preliminary design to construct an interchange at the intersection of Highway 5/Dundas Street and Highway 6 in the City of Hamilton was completed by the Ministry of Transportation in 2003.

The interchange is needed because Highway 6 is an important transportation link serving communities, businesses and commuters between Highway 401 and 403.

Improvements have also been made to Highway 6 to the north and south of Dundas Street/Highway 5, making Highway 6 a "Controlled Access Highway" through this area.

WHY IS THE INTERCHANGE DESIGN BEING REVIEWED NOW?

The interchange design prepared in 2003 was based on traffic information available at that time. Since then, new traffic information shows that the interchange will have higher traffic volume than previously predicted.

The 2003 design also did not include City of Hamilton municipal roads that will be needed to access property in the surrounding Clappison's Corners area. The need for some of these roads relates to the rapid pace of development that has and will continue to take place in the Clappison's Corner area.

The City of Hamilton and Ministry of Transportation are now working together in the planning of these associated municipal roads.

The ministry is also planning for a car pool parking lot near the interchange that was not considered in the 2003 planning.

WHEN WILL THE PROJECT BE COMPLETED?

Plans for the municipal roads, car pool parking lot location and interchange design revisions will be completed by the end of 2011.

Detailed design of the interchange and municipal roads will be completed by the end of 2012. The projects are currently not included in the ministry's five-year construction program.

WHO CAN I CONTACT ABOUT THIS PROJECT?

Mr. Makael Kakakhel
MTO Project Manager
Ministry of Transportation
Tel: 416-235-5606
Fax: 416-235-3576
e-mail: makael.kakakhel@ontario.ca
OR

Mr. Don Drackley
IBI Group
Tel: 519-745-9455
Fax: 519-745-7647
e-mail: ddrackley@ibigroup.com

WHAT CHANGES ARE PLANNED FOR THE HIGHWAY 5/6 INTERSECTION AREA?

1. Slight realignment of Highways 5 and 6 near the interchange;
2. New interchange ramps;
3. Full illumination at the interchange;
4. New traffic lights where required;
5. New culvert under Highway 6 at Borer's Creek and other locations;
6. Reconstructed and new municipal roads; and
7. A new car pool parking lot.

PROJECT INFORMATION SHEET

April 11, 2011

2

HAVE PROPERTIES BEEN IDENTIFIED FOR PURCHASE?

No, the project is not that far along. Only some early options for possible road and access changes have been developed so far.

WHAT HAPPENS WHEN PROPERTIES FOR PURCHASE ARE IDENTIFIED?

A Public Information Centre meeting anticipated to take place this fall will include a presentation of interchange, municipal roadway and access plans that the ministry and City wish to construct in the Clappison's Corners area.

Once these plans are approved, affected property owners will be contacted by the ministry and City to explain the need for property purchase. This may involve:

- Your approval to permit a survey crew to enter your property;
- Having a real estate appraiser estimate the current market value of the property; and
- Having a ministry real estate officer explain the appraiser's findings, the construction plans, your rights as a property owner and the presentation of a purchase offer value.

CAN I OFFER PURCHASE OF MY PROPERTY BEFORE THEN?

Purchase of property for a ministry project is usually started two to three years before construction is scheduled to start.

However, when construction has not begun, property owners can advance the purchase of their property on a "*willing buyer/willing seller*" basis, and with the owner's demonstration of hardship where the property required is substantially contained within the proposed right-of-way.

The property owner may demonstrate hardship:

- If a permit to develop or redevelop the property that normally would be approved is denied because of the ministry project; or

- If a property has not sold after being listed on the open market at a reasonable price for a reasonable period of time.

Advance property purchases are subject to the demonstration of hardship and the availability of funding within a given program year.

Until these conditions are met, the ministry cannot consider the acquisition of property.

WHAT IF I DISAGREE WITH THE NEED TO TAKE MY PROPERTY?

You can ask for a *Hearing of Necessity* to review if the taking of your property is fair, sound and reasonably necessary. The hearing only deals with the need for the ministry to acquire the land. It does not deal with the matter of property value.

You can also challenge the reason to purchase your property through the Ontario Environmental Assessment Act.

WHAT IS THE BASIS OF COMPENSATION FOR THE LAND REQUIRED?

The ministry is required to compensate a property owner as per the Expropriation Act. Compensation is generally based on the market value of the property, or the loss in market value of the property in the case of a partial acquisition.

If your property is required for this project, the purchase price will be based on the market value of all of the property.

The market value is based on what similar land might be expected to sell for if sold on the open market by a willing seller to a willing buyer.

WHAT IF I DON'T AGREE WITH THE PROPERTY VALUE OFFERED?

Then the Expropriation Act provides a dispute mechanism. You may request that your case be considered by the "*Board of Negotiation*", although recommendations for settlement are not binding on either party. A Board decision can be helpful in resolving any differences between the parties.

