

**To:** Chair and Members of  
Regional Council

**Date:** January 17, 2022

**From:** Kealy Dedman,  
Commissioner of Public  
Works, Region of Peel

**Subject:** Highway 413 Federal  
Impact Assessment  
Process Update

**CC:** Janice Baker; Executive  
Leadership Team; Adrian  
Smith, Terry Ricketts

REFERRAL TO \_\_\_\_\_  
RECOMMENDED \_\_\_\_\_  
DIRECTION REQUIRED \_\_\_\_\_  
RECEIPT RECOMMENDED ☒

Dear Members of Regional Council,

This memo is to provide an update on the Ministry of Transportation's ("MTO") Highway 413 Environmental Assessment Study, formerly known as the GTA West Transportation Corridor.

On May 3<sup>rd</sup>, 2021, the MTO's Highway 413 Study was designated under section 9(1) of the Federal Impact Assessment Act.

In accordance with the first phase of the Federal Impact Assessment Process, the MTO is required to submit an Initial Project Description ("IPD") report to the Federal Impact Assessment Agency ("the Agency") which provides a summary of the project, engagement efforts, potential effects of the project, and key issues raised by stakeholders throughout the course of the project.

The MTO is currently in the process of developing the IPD and is seeking municipal and public feedback on the Highway 413 project. Regional staff have participated in the municipal stakeholder consultations, reviewed the draft IPD, and provided the enclosed staff comments to the MTO and the Agency as input. The comments convey the following key messages which have been either received or endorsed by Council through previous staff reports or resolutions, respectively:

- Regional Council's opposition regarding Highway 413 project
- The need to evaluate alternatives to a highway in the corridor
- Concerns regarding the proposal to streamline the EA for the project
- An overview of Peel's growth and land use context
- The project's impact on public health, climate change, natural environment, and agriculture in Peel

Following MTO's submission of the IPD and confirmation that it meets Federal regulations, the Agency will use the information contained in the IPD to conduct their own engagement with impacted stakeholders and develop a Summary of Issues. Subsequently, the MTO will be required to respond to the Summary of Issues through the submission of a Detailed Project Description which the Agency will then use to determine whether a Federal Impact Assessment is required. Should the

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Agency determine that a Federal Impact Assessment is required, phase two of the Impact Assessment Process will be initiated.

Regional staff will continue to participate the in MTO's Highway 413 Project and Federal Impact Assessment Process and provide Council with timely updates. Should you have any questions, please do not hesitate to contact me.

Sincerely,



**Kealy Dedman P.Eng., MPA**

Commissioner of Public Works, Region of Peel

Encl: Region of Peel Comment Letter – MTO Highway 413 Initial Project Description

December 16, 2021

**Martin Michalek (By Email Only)**

Head, Major Planning Project Section  
Ministry of Transportation  
159 Sir William Hearst Ave  
North York, ON  
M3M 1J8

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Dear Mr. Michalek,

Thank you for the opportunity to review and provide input into the Draft Initial Project Description for the Ministry of Transportation's Highway 413 Project, formerly referred to as the GTA West Transportation Corridor Environmental Assessment.

Regional staff have reviewed the information provided and offer the below input for consideration into the Federal Impact Assessment Process:

**Overall Regional Position:**

While the Region understands its obligation to plan for and protect for the corridor, Regional Council has approved strong opposition to a highway in the corridor and is requesting that the Province study alternatives such as the Brampton Boulevard to replace the highway.

The Ministry's initial project description and presentation materials identifies that the Brampton Boulevard is not compatible with the functional and capacity objectives for the Highway 413 due to lower operating speeds and intersections and that alternatives to a highway were explored and screened out during stage 1 of the EA process. However, while the alternatives explored the optimization of existing networks, new and expanded non-road infrastructure (i.e. transit), widening of existing roads, and new transportation corridors (i.e. highways), they did not explore urban solutions that respect the planning visions of the impacted municipalities. As such, the Region requests that the Province adjust the EA process to include considerations for alternatives transportation solutions.

**Streamlined EA Process:**

The Ministry of Environment, Conservation and parks has proposed a regulation that would create a streamlined EA process for assessing and consulting on environmental impacts for the GTA West project. However, in order to ensure a thorough evaluation of environmental impacts and alternatives, Regional Council has also expressed strong opposition to any and all advanced construction associated with preparations for the highway. In response to this concern, the Initial Project Description identifies that environmental protection would be maintained through the streamlined process and that there is no commitment to construct the corridor at this time. Given that limited details were provided regarding how environmental protection would be maintained through the EA process and lack of a commitment to review alternatives, Regional staff continue to view this concern as outstanding. Further details regarding Regional staff's concerns can be found in the

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attached letter titled “Region of Peel Comment Letter Regarding the Proposal to Streamline the GTA West”.

### **Investment in Sustainable Modes:**

The Initial Project Description identifies that there is currently no funding commitment for the construction of the Highway 413, however, the recent Provincial Fall Economic Statement identified that the Province is investing an additional \$1.6 billion over the next six years to support large bridge rehabilitation projects and advance key highway expansion projects, including the Bradford Bypass and Highway 413. Regional council has requested to the provincial government that money budgeted for the GTA West Transportation Corridor be invested into regionally connected transit, active transportation, and other sustainable modes of transportation. As such, Regional staff are seeking clarity regarding the status of funding and commitment to construct the Highway 413 and continue to advocate for the reinvestment of any allocated funds into sustainable modes of transportation.

### **Active Transportation:**

Regional staff have requested that an active transportation facility be included as a part of the GTA West Transportation Corridor. While the initial project description acknowledges the merits of adding a multi-use trail alongside the highway, it defers the decision to the outcome of the Ministry of Energy’s Northwest GTA Transmission Corridor Identification Study. As such, Regional staff view this issue as outstanding at this time.

### **Growth Management & Land Use:**

The Initial Project Description commentary on land uses in the study area is largely focused around growth in existing settlements like Bolton, Mayfield West, or northeast and northwest Brampton greenfield development areas, all of which is growth which extends only to the year 2031. To the year 2051, the Region is planning for significant growth in the process of identifying new designated greenfield area lands to accommodate community and employment area growth to 2051 through the [Settlement Area Boundary Expansion Study](#) (SABE) as part of the Peel 2051 MCR. The GTA West/Highway 413 study should consider the reality of what Brampton, Caledon and Peel will look like in the future with the accommodation of growth over the next 30 years. Understanding the location of new communities is also critical for the siting and planning of potential transitway stations and multi-modal connections to them.

Further, the Region has requested that the Province explore other new transit services in the greenfield growth areas in the Region (as part of the GTA West Corridor / Highway 413 project or external to it) to provide multimodal travel choices to residents and prevent the settling of auto-oriented habits.

The designated greenfield areas in Peel are being built at higher densities than in previous planning horizons and can better support transit and reduce greenhouse gas emissions. As such, Regional staff recommend revisiting the alternatives studied for the GTA West Corridor by exploring alternative transportation solutions to a freeway that would support complete communities and sustainable transportation such as adding transit in rapidly growing designated greenfield areas and new settlement expansions or ensuring that the permeability of the facility in the GTA West Corridor supports complete communities.

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### **Climate Change & Air Quality:**

Regional staff have requested the Province include comprehensive accounting of GHG emissions and Criteria Air Contaminants (CAC) resulting from the GTA West Transportation Corridor in the EA and Federal Impact Assessment Process. In response, the initial project description identifies that an air quality impact assessment will be conducted to analyze embodied carbon, GHG emissions, and CAC related to construction and operation. Regional staff are pleased to note the addition of this assessment to the EA process and request that this metric be used in evaluating the alternatives requested by Regional Council compared to the highway.

The initial project description speaks to the social, environmental, and health context of the study area. Regional staff note that the data that has been used to inform this section is out of date. There are newer Air Quality Ontario reports that should be used. Additionally, only data from the Brampton station was used. Given that the GTA West covers more than Brampton, all stations impacted and adjacent areas to the GTA West should be included. Regional staff suggest looking at 2015 Air Quality data along with the most recent data, as extensive AQ monitoring was done for the Pan Am games. Further, any Health Evaluations should also examine cumulative impacts, health impacts, and the incremental impact of highways on contaminants.

Regional staff also request that the project consider that it could be more fiscally responsible to assess optimizing the use of existing corridors to avoid costly infrastructure expansion and additional operational costs due to climate. Specifically, additional operation and maintenance activities (ex. snow removal, stormwater management, road maintenance) that will see their costs amplified by the impacts of climate change (extreme precipitation (snow/rain), freeze thaw/ice).

Lastly, Regional staff also requested that the EA process consider the impact of new technologies such as electric vehicles which may impact climate change over time. While the initial project description identifies that electric vehicles are expected to reduce GHG emissions overtime, few details are provided on the impact of new technologies as a whole including autonomous vehicles which present the opportunity to have fewer vehicles on the road. Regional staff view consideration of electric vehicles in the EA process as increasingly important in light of the Federal Government's recent decision to ban the sale of fuel-burning new cars and light-duty trucks from 2035.

### **Health Considerations and Health Impact Assessment:**

The Initial Project Description identifies that a Human Health Scoping Report will be developed to address health impacts however clarification is requested on whether this report is intended to inform the scope of a broader Health Impact Assessment or cover the broad health impacts that have been identified by stakeholders throughout the study. Regional staff recommend that any Health Impact Assessment (HIA) or study be scoped to include, but not be limited to, the following health outcomes and impacts that relate to transportation behaviours and exposures:

- Cardiovascular health;
- Respiratory health;

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- Cancers associated with traffic-related air pollution and other transportation exposures;
- Diabetes;
- Behaviours that influence health outcomes (e.g., physical activity)
- Mental health and well-being;
- Health equity and;
- Injuries and death

Regional staff also encourage reviewing a HIA to provide direction on the potential health impacts on communities from a transportation network. An example of a HIA for use is linked below:

<http://www.metrovancouver.org/services/regional-planning/PlanningPublications/HIA-Guidebook.pdf>

### **Natural Environment:**

According to the Initial Project Description, environmental impacts of route alternatives were evaluated in 2015 and informed the selection of the Technically Preferred Route. The Initial Project Description goes to identify that field investigations of the Preferred Route were also initiated in 2020 however, work is still underway and no results have been shared with stakeholder agencies at this time.

In Peel, approximately 163 hectares of Greenlands System natural features and areas within the preferred route are potentially impacted. The route alignment requires 22 crossings of defined valley corridors in Peel and 26 crossings of watercourses. Significant crossings include the Credit River, Etobicoke Creek and West Humber River tributaries. Connectivity and function of the Greenlands System along valleylands and watercourses for the movement of plants and animals is potentially impacted.

The linear nature and design of the highway/transitway make it difficult to avoid loss of sensitive environmental features. In some cases, impacts can be mitigated to minimize or avoid impacts. As environmental assessment processes typically consider a range of financial, social, and environmental considerations, Regional staff continue to advocate for a detailed analysis of environmental impacts, examination of the net environmental effects of the Preferred Route, and substantive effort to avoid and minimize impacts along with the consideration of compensation for loss of habitat where warranted.

### **Agricultural Considerations:**

Large portions of the GTA West study area are comprised of Class 1 to 3 prime agricultural lands. Prime agricultural lands have the highest capability to support sustained production of common field crops. In Peel, approximately 708 ha of prime agricultural land is potentially impacted in the preferred route area, resulting in loss and fragmentation. The highway and transitway will require property acquisitions and this will have the potential to fragment farm parcels, remove farm buildings and impact farm infrastructure. Regional staff are pleased to note the addition of an Agricultural Impact Assessment to the scope of the EA and look forward to working with the province to ensure that the scope of the assessment

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ensures that any subsequent EA planning process applies compensation and mitigation considerations in the design of the corridor.

### Public Feedback:

On March 11, 2021, Regional Council received numerous communications items from members of the public to inform the motion proposing Regional opposition to a highway in the corridor. All communications items can be found through the link below for consideration in the Federal Impact Assessment Process:

<https://pub-peelregion.escribemeetings.com/Meeting.aspx?Id=07635824-13c5-4829-88d2-2a80590cf657&Agenda=PostAgenda&lang=English>

Regional staff appreciate the opportunity to participate and provide comments on the initial project description and look forward to further engagement as the Federal Impact Assessment Process continues.

Should you have any questions regarding the comments enclosed in this letter or require further information, please contact me or Terry Ricketts, Director of Transportation [terry.ricketts@peelregion.ca](mailto:terry.ricketts@peelregion.ca).

Sincerely,



Adrian Smith, Chief Planner  
Region of Peel

### Attachments:

- 1) Region of Peel March 11, 2021 Council Resolution
- 2) Region of Peel Comment Letter Regarding the Proposal to Streamline the GTA West Transportation Corridor Environmental Assessment

CC: Kealy Dedman, Commissioner of Public Works  
Terry Ricketts, Director of Transportations  
Hossein Hosseini, Project Manager, GTA West Study  
Curtis Beyer, Project Manager, GTA West Study  
Jonathan McGarry, Project Manager, GTA West Study  
Anjala Puvananathan, Director – Ontario Region, Federal Impact Assessment Agency

**APPROVED AT REGIONAL COUNCIL  
March 11, 2021**

**22. NOTICE OF MOTION/MOTION**

**22.5 Motion Regarding Greater Toronto Area West Highway Corridor**

**Resolution Number 2021-291**

**Moved by** Councillor Parrish

**Seconded by** Councillor Medeiros

*Whereas tens of thousands of jobs and billions in agriculture-related economic activity are at risk if the proposed construction of the GTA West Highway (413) is approved;*

*And whereas, Ontario farming and food processing together employ one million persons and generate \$35 billion annually, the Golden Horseshoe being the third largest agricultural producer in North America after California and Chicago;*

*And whereas, the proposed Hwy 413 will slash a broad 52 km swath through agricultural, natural heritage and environmentally sensitive lands - bisecting 85 streams (10 of which are ecologically high priority) destroying seven entire wood lots including a 5.95 km length of forest, significantly fragmenting valley lands, disrupting 1,000 ha of land significant to wildlife movement - making serious incursions into areas protected under the Green Belt Plan;*

*And whereas, the 413 project would create 8.8 million square metres of highway and transitway right of way including paved surfaces (880 hectares/2174 acres), the equivalent of 13.59 functioning Ontario farms without consideration of the co-located Northwest Greater Toronto Area Electricity Transmission Corridor (transmission corridor);*

*And whereas, the 413 project will include a minimum of 60 metre right of way for an adjoining transitway, in addition to 110 metre highway right of way along with a co-located transmission corridor to support the sprawling employment buildings and residential subdivisions that will follow the highway;*

*And whereas, a significant number of reputable organizations have demanded the cancellation of the project, including: Environmental Defence, the David Suzuki Foundation, the Federation of Urban Neighbourhoods, Gravelwatch, Halton Environmental Network, National Farmers' Union- Ontario Rescue Lake Simcoe Coalition, Sustainable Vaughan, Transport Action Ontario, the Wilderness Committee and Sustainable Mississauga; as well as formal votes from the municipalities of Halton Hills and Orangeville;*

*And whereas, Environmental Defence has filed a request for designation under Section 9 of the Federal Impact Assessment Act requesting the GTA West proposed project and associated Transmission Corridor to be considered within federal jurisdiction by way of it's meeting the criteria for public concern, particularly since the Province is proposing a shortened EA process as well as the construction of bridges and other significant environmental disrupters in advance of the completion of the EA process;*



*And whereas, the 3 year EA undertaken by the previous provincial government was shelved because of strong objection to the 413 by experts in the fields of rural development, renewable cities, agriculture, environment and efficient transportation who sounded alarms over predicted irreversible ecological harm caused by the uncontrolled, low density urban sprawl the 413 would cause;*

*And whereas, the EA process was halted by the previous government and a three person expert panel was appointed that unanimously recommended the cancellation of the GTA West Highway 413, a recommendation that resulted in the project's termination;*

*And whereas, the Region of Peel is currently undertaking a Municipal Comprehensive Review process which will allocate residential and employment numbers to 2051 as well as areas of concentration for both, within the greenfield development designated for the Town of Caledon - a process which has already been affected by the proposed highway;*

*And whereas, the current lack of opposition to the GTA West Highway by the Council of the Region of Peel has been cited as one of the provincial government's key assets in pushing the highway forward;*

*And whereas, the Region of Peel plays a significant political, financial and leadership role;*

*Therefore be it resolved, that the Council of the Region of Peel approve the following:*

- *Strong opposition to any and all advanced construction associated with preparations for a GTA West highway and Transmission Corridor.*
- *Strong opposition in principle to construction of any transportation corridor traversing the Region of Peel, but specifically the currently proposed GTA West 413 highway and Transmission corridor which will wreak havoc on the environment, encourage residential sprawl and dependence on the car as a significant means of transportation.*

**Carried**

#### **Resolution Number 2021-292**

**Moved by** Councillor Parrish

**Seconded by** Councillor Medeiros

*That the Council of the Region of Peel approve the following:*

- *That the provincial government study alternatives to the GTA West Transportation Corridor, such as the Brampton Boulevard, to replace the currently intended highway.*

**Carried**

**Resolution Number 2021-293****Moved by** Councillor Parrish**Seconded by** Councillor Medeiros*That the Council of the Region of Peel approve the following:*

- *Full support of the Environmental Defence request for a Federal Environmental Assessment pursuant to 9(1) of the Impact Assessment Act (I.A.A.).*

**Carried****Resolution Number 2021-294****Moved by** Councillor Parrish**Seconded by** Councillor Medeiros*That the Council of the Region of Peel approve the following:*

- *That the Region of Peel request to the provincial government that money budgeted for the GTA West Transportation Corridor be instead invested into regionally connected transit, active transportation, and other sustainable modes of transportation.*
- *The motion be shared with Brampton, Caledon and Mississauga Councils, the Premier of Ontario, the Minister of Transportation, the Honourable Jonathan Wilkinson – Minister of Environment and Climate Change, Mississauga MPs and MPPs, Councils of the Regions through which the proposed GTA West Highway will travel.*
- *A response to the federal government request for comments be completed by March 3, 2021 and be sent to the Impact Assessment Agency of Canada.*

**Carried**



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Friday, August 21, 2020

Antonia Testa  
Ministry of Environment, Conservation & Parks  
77 Bay Street, College Park 5<sup>th</sup> Floor  
Toronto, Ontario  
M7A 2J3

**Re: Proposed regulation for a streamlined environmental assessment process for the Ministry of Transportation's Greater Toronto Area West Transportation Corridor project (ERO #019-1882)**

Ms. Testa:

Regional staff appreciate the opportunity to review and comment on the details regarding the proposed regulation to streamline the GTA West Transportation Corridor Environmental Assessment outlined in ERO Posting #019-1882.

Throughout the last several years, the Region of Peel has been advocating to the Province to expedite the completion of the GTA West Transportation Corridor Environmental Assessment (EA) and move forward with construction in order to provide greater certainty around land use and transportation planning matters in Peel, minimize impacts to developable lands, improve the movement of people and goods and provide greater economic benefits.

Regional staff are pleased to note the Province's acknowledgement of the need to expedite the EA and support, in principle, the Province's efforts to shorten the timeline for the completion of the project. Notwithstanding, Regional staff would like to request additional details on the proposed regulation as the information provided in the ERO Posting did not provide insight as to how exactly specific processes would change. Receipt of these additional details would enable Regional staff to provide more fulsome comments on the proposed regulation. The Region's request for more information and clarification regarding the proposal are outlined below.

### Streamlined EA Timelines

The existing GTA West EA schedule identifies that the EA is expected to be completed by 2022 however the ERO posting indicates that the streamlined approach would shorten the project schedule by completing preliminary design in 2022 instead of 2023 and beyond. If the current project schedule already identifies that the project should be completed by 2022, how does the proposed regulation and streamlined approach impact the current project schedule?

### Streamlined Approach

The preliminary/detail design section of the posting identifies that the Ministry of Transportation (MTO) would be required to publish an Environmental Conditions

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Report, an Environmental Impact Assessment report, an Early Works report and an addendum for the Early Works Report and the Environmental Impact Assessment Report. Additional information is needed from the Province on the chronology of these steps and what the process looks like.

### Issues Resolution Process

The proposal identifies that the MTO would be required to develop an issues resolution process that replaces the public objections process and later states (under the “after detail design” section) that this process will be administered by the MTO.

Regional staff question whether this process is intended to replace the existing appeal process for individual EAs or whether this simply means that the Province will resolve all issues prior to the completion of the EA. Regional staff also seek further clarity on what is to be included in the proposed issues resolution process, how will it differ from the existing public objections process, and when stakeholders will be given an opportunity to raise objections.

Finally, if the proposed issues resolution process is intended to replace the existing appeal process for individual EAs, how does moving the process under the MTO from the Ministry of Environment, Conservation & Parks change the tests for evaluating the public’s objections and how will impartiality be maintained as the MTO is the proponent of the EA?

### Advancement of Early Works

The proposal states that the regulation would permit early works to proceed to construction before the completion of the draft Environmental Impact Assessment Report and that these early works could include new bridge construction, bridge replacement or expansion, transitway station construction, and utility relocation. At what stage of the EA Process will early works be permitted to proceed and how will the Province ensure that any early works do not predetermine or unduly influence the final route alignment?

Further, Regional staff request that the Province coordinate and consult with municipalities on the advancement of any early works to ensure those areas are appropriate to be advanced, that they do not have major environmental or agricultural concerns, and that the activities are coordinated with municipal infrastructure planning.

### Consultation Requirements

The proposal indicates that minor changes in the addendum could proceed without further consultation and that significant changes will require an opportunity for public comment. What distinguishes a minor change from a significant change?

Further, clarification is required as to what sections of the Environmental Assessment Act that provide for public participation will be amended by the Regulation and whether the proposed requirements for consultation with government agencies, stakeholders,

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the public, and indigenous communities will be comparable, stronger, or weaker to those required by the environmental assessment process that the project is currently advancing under.

### Other Comments

While Regional staff are generally supportive of the Province's efforts to expedite the GTA West EA, it should be ensured that the environment and resources are appropriately considered and protected in decision making and implementation, and that impacted government agencies, stakeholders, the public, and indigenous communities are provided reasonable and adequate time to review and comment on any reports and documents developed throughout the EA process.

Regional staff also reiterate the need for the MTO to complete a traffic analysis, health impact assessment, agricultural impact assessment, and appropriate environmental evaluations in the preliminary design phase of the GTA West EA and ask that the Province confirm that the streamlined approach would not preclude these assessments from taking place and that these will be reflected in the Environmental Conditions Report, Environmental Impact Assessment report, and Early Works report.

Assessment	Purpose
Traffic Impact Assessment	To understand the impacts of the GTA West Corridor and interchange locations on the Regional and local road network
Health Impact Assessment	To understand the impacts of the GTA West Corridor on health outcomes including but not limited to the list below, and identify mitigative solutions: <ul style="list-style-type: none"> <li>• Cardiovascular health;</li> <li>• Respiratory health;</li> <li>• Cancers associated with traffic-related air pollution and other transportation exposures;</li> <li>• Mental health;</li> <li>• Health equity and;</li> <li>• Injuries and death</li> </ul>
Agricultural Impact Assessment	To understand the impacts of the GTA West Corridor and interchange locations on prime agricultural lands within the Region and identify opportunities for avoidance and minimizing or mitigating impacts.
Environmental Evaluations	To ensure that impacts to natural heritage features, sensitive groundwater features, sensitive surface water features, water resources, and prime agricultural lands are avoided if possible, and if avoidance is not possible, minimized or mitigated to the extent feasible.

The completion of the GTA West Transportation Corridor Environmental Assessment will provide greater certainty around land use and transportation planning initiatives

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within the Region of Peel and such as the Region's Official Plan review and other documents related to growth management, including the Long-Range Transportation Plan and Water and Wastewater Master Plans.

Regional staff look forward to continuing to engage with the Province as the GTA West Transportation Corridor EA advances through preliminary and detailed design. Should you have any questions regarding the Region of Peel's submission or for more information, please contact Richa Dave at [Richa.Dave@peelregion.ca](mailto:Richa.Dave@peelregion.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'Tina Detaramani', is written over a large, faint, stylized 'P' graphic that serves as a background for the signature.

Tina Detaramani, MCIP, RPP  
Manager, Sustainable Transportation and Strategic Initiatives