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May 24, 2021

By Email and regular mail

Mr. Malcolm Horne
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Ministry of Heritage, Sport, Tourism and Culture Industries,
Heritage, Tourism and Culture Division,
Programs and Services Branch,
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Dear Mr. Horne.

Re: MTO's Bradford Bypass to now pass directly over the Historic Lower Landing

As you are likely aware, MTO is in the process of conducting a Class EA for the Bradford Bypass Controlled Access Freeway. This is based on a 2002 EA approval for this highway that was previously abandoned by the Liberal Government.

While preparing my comments for MTO's first Public Information Center for this project, (April 22- May 6), I came across the attached letter you sent to MTO in 1996.[1] In that letter you expressed your concern about the archaeological potential associated with the proposed route of the Bradford Bypass at the East Bank of the Holland River. You also reference: "A Protocol for Dealing with Archaeological Concerns on Ministry of Transportation Undertakings."

MTO subsequently conducted both phase 2 and phase 3 archaeological assessments where their proposed route crosses the east bank of the Holland River. Significant archaeological items were found and the site was registered in the appropriate archaeological database. The site was called the East Holland River Site and given the designation BaGv-42. The phase 3 assessment determined that the site was of such significance that phase 4 mitigation measures, including total avoidance were required. This assessment went to some length to discuss the nature of activities attributed to the Lower Landing:

[1] Letter from Malcolm Horne to S Jacobs - re archaeological resources - Nov 1996

> "There was some concern that the East Holland River site contained the remains of the early 19lh century Lower Landing site. The creamware and pearlware sherds recovered from East Holland River date to about this time period. As well, the English trade axe (which was recovered from the west end of the site) may also be evidence of this occupation. However, no trade beads or trade silver was recovered, nor was any evidence of the historic native camp which was reportedly associated with the Lower Landing site. Our reading of the historic information compiled by Nancy Eves Robinson in the "The History of Holland Landing" suggests that the Lower Landing site may have been located further south along the river. Given the above, it is unlikely that the Lower Landing is located at the East Holland River site, however this can only be determined if the site is completely excavated."[2]

MTO are now proposing to move the highway route in this area 150 meters to the south to totally avoid BaGv-42.[3] It appears that they are relying on the representations made to MOE when the 1997 EAS was submitted for EA Approval. Those representations stated that the Lower Landing was 1.5 miles south of the planned highway route.[4] My concern is that MTO has indicated that, although the final report of the Class EA will not be submitted for approval until 2023, they intend to proceed with construction of one or more, non-waterway bridges this year.[5] This matter is included in the provinces current budget.

My concern is that it appears MTO proposes to rely upon its misrepresentation concerning the location of the Lower Landing to adopt this new alignment without any further archaeological investigation. I say this because they have had soil drilling equipment on Yonge St. testing both the old and new route crossings of Yonge St.[6] Their next step could very well be the construction of an overpass bridge over Yonge St. this year. If they do that, they will then argue that they found an archaeological on their original proposed route and are avoiding it as required. Based on the original EAS, they are relying on their belief that the Lower Landing is 1.5 miles south and it was not at BaGv-42. They will claim that they are justified in assuming the East Holland River Site is all there is in the area and that further archaeological assessments in the vicinity of BaGv-42 are not required.

Once they start bridge construction, if pressed, they may argue that they, in good faith, avoided BaGV-42 and now that construction has commenced, they can't stop it. They will further argue that the bridge is an integral component of the final route and hence they can no longer adjust the route. They will probably say they are sorry if the highway impacts some ancient artifacts. They will also argue that they have to balance all constraints they encounter in the design and routing of this highway. Archaeological sites are not as important to the public as other compelling constraints they are

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[2] New Directions Archaeology Inc. Executive Summary East Holland River Site (BaGv-42)
[3] Bradford Bypass Mainline Refinement – Holland River East Branch Crossing – BRADFORD BYPASS
[4] MTO misrepresentation to MOE, MCCR and HSMB of location of Lower Landing
[5] Pic 1 - 6 - early work
[6] Soil Drilling Equipment on Yonge St. May 2021

contending with. They will point to the ranking of public concerns in a survey they conducted in conjunction with PIC 1. Archaeology was ranked as the least important evaluation criteria.[7]

New Information concerning the location of the Lower Landing

We have found a deed for Lots 117 and 118 which essentially deal with expropriation of the river shoreline for the proposed, but subsequently abandoned, Trent Canal. The deed transfers the expropriated river shoreline property from Duncan Bell to King Edward VII. Attached to the Indenture is a survey which clearly depicts the Lower Landing along the north boundary of Mr. Bell's portion of Lot 118. The Indenture was registered in the Registry Office on January 3, 1914.[8]

I believe it goes without question that this proof far outweighs the view of MTO's 1997 Archaeological Consultant who based his 1.5 miles south argument on a different name given the Lower Landing on some historic map. This is addressed by David Smyth in his Historic Sites and Monuments Board Agenda Paper[9]

> In the 1988 Archaeological Services Incorporated report, the Lower Landing is stated to be located, without any doubt, on Lot 118. Cooper's 1997 report seems to be based, understandably, on the assumption that Lot 118 contains the site of the Lower Holland Landing, though it does not come right out and say so. However, in a discussion with this author and in a memorandum to Ecoplans Limited, the apparent original contractor for the environmental impact assessment, Cooper for some reason has tried to withdraw from this position. Apparently based on the 1860 Tremaine map (Figure 6), which labels the Lower Holland Landing site on Lot 118 simply as "Old Indian Landing," and nothing else, Cooper now argues that the Lower Holland Landing is actually one and a half miles farther up the river from Lot 118. This new argument flies in the face of all evidence known to this author.

Mr. Smyth also questioned at which Landing the Navel Stores and Fort were located. We have since located a water colour for the Landing from a book in the Royal Ontario Museum.[10] While the written description refers only to the Holland Landing, it is clear from the expanse of water in front of these structures that they were located at the Lower Landing on Soldier's Bay. The Upper Landing is quite narrow and upstream from Soldier's Bay. It could not accommodate the supply ships needed to transport military stores to Fort Michilimackinac.

The attached map shows MTO's proposed new route together with my estimated positions of both BaGv-42 and the Lower Landing.[11] Also enclosed is an extract from a Deputation made by the late Willard Petersen, principal of Canadian Heritage

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[7] PIC 1 - Polling Results - Top 5 evaluation criteria
[8] Deed of land Duncan Bell to His Majesty King Edward VII
[9] HSMB Agenda Paper – 1997 – 9th page
[10] Royal Ontario Museum ROTUNDA – Winter -2003 -2004 edition
[11] Site map showing GaBv-42 and approximate area of the Lower Landing

Landscapes, to East Gwillimbury Council in December 2011. This shows Mr. Petersen's estimated placement of the naval depot along the shoreline of Lot 118.[12]

Contrary to MTO's current representations, the Bradford Bypass is not a done deal.

There has never really been a need for this four lane freeway other than it was a government policy / planning initiative. This highway is not being built to address travel demand that cannot otherwise be addressed. MTO have steadfastly refused to consider anything other than a controlled access freeway.

This type of policy initiative now flies in the face of modern transit focused planning and climate control initiatives designed to dramatically reduce carbon emissions from automobiles by making vehicular transportation less desirable.

The Bradford By-Pass Environmental Assessment Approval is based on what are now obsolete facts.

The need for a four lane freeway has reduced significantly and therefore, justification for this level of service is likely no longer valid. The EAS outright dismissed the possibility of expanded commuter rail transportation as an alternative to their proposed four lane freeway. When the EAS was being conducted, GO transit served Bradford with two morning and evening trains. There was no passenger service north of Bradford and CN rail had filed for abandonment of its rail line north of Bradford. Cole Sherman's Highway 404 / 89 Overview Study (1989) found that most of the travel demand in the area between south Lake Simcoe and northern Newmarket was for north – south commuter travel to the GTA. They recommended that any east / west linkage be located as far north (close to Cook's Bay) as possible. Today, GO Transit's rush hour service has numerous trains serving two stations in Barrie, and one in each of Bradford, East Gwillimbury and Newmarket. All day train service is in the process of being implemented for this entire corridor. In December 2019, Metrolinx reported average daily ridership of 2,343 persons serving these stations. This represents a very significant and increasing, reduction of travel demand for the Bradford Bypass.

Reasonable "Alternatives To"

The residual travel demand in the Bradford Bypass study area can likely now be appropriately addressed by:

- Connecting Queensville Sideroad, via Bathurst St. and Hochreiter Road with 8th line in Bradford,
- If further east / west travel demand remains, this would best be addressed by connecting Ravenshoe Road to Line 12 or,
- Resurrecting MTO's previously preferred Highway 89 Extension route to Ravenshoe Road.

[12] Extract of Presentation by Willard Petersent to EG Council showing approximate location of military stores

These routes are shown on the attached maps.[13] The Green highlights on the Hochreiter Road Bridge show the doubling of traffic capacity through Bradford.

All of these alternative routes conform to MTO's stated preference to separate long distance travel from local traffic. The Bradford Bypass will combine this traffic.

Advantages of these proposed alternative routes include:

- Out-of-the-way travel between Barrie and Keswick / Brechin will be minimized. (Increased travel time caused by a two lane highway or regional road will be offset by the elimination of 12 km of out-of-the-way travel necessary to utilize the Bradford Bypass).
- Dramatically decreased impact on the provincially significant Keswick Marsh - i.e. addition of one two-lane bridge over the Holland River / Holland Marsh in Bradford instead of two, large, four lane bridges crossing the east and west branches of the Holland River.
- Costs: Elimination of 5 interchanges and 4 overpasses over all north/south roads between Hwy 400 and Hwy 404 together with an, as yet unknown, number of concrete columns supporting the freeway through the Holland Marsh.
- 16.2 Km of four lane paved freeway corridor avoided. The proposed solutions require a relatively short two-lane arterial roadway to connect Queensville Sideroad / Bathurst St. / Hochreiter Road with Bradford's 8th line. If the Hwy 89 route is also adopted this will require a relatively short new two-lane highway connecting Hwy 89 / 11 Line to Ravenshoe Road.
- Substantially reduced carbon impact with respect to both construction and subsequent vehicle usage.

To date, MTO have refused to conduct travel studies for the Bradford Bypass with alternative route options other than "freeway" or "no freeway". They are ignoring requests to consider the above alternative routes for which we have requested:

- Comparisons of estimated travel times for typical trips from both Barrie and Bradford to points at or east of Highway 404 such as Keswick and Oshawa,
- Comparisons of costs for each of the alternatives,
- Carbon emissions for both construction and anticipated daily traffic volumes, and
- The cost of the Bradford Bypass versus the cost of the best alternative route or routes and the incremental cost / benefit of the Bradford Bypass versus the selected alternative(s)

These studies would facilitate a value for money analysis to determine whether this highway is even needed. None of this important analysis will be available should MTO proceed to construct bridges that commit the province to this highway before a proper analysis and consideration of alternatives has been conducted and the current class EA study is completed. We have managed without this freeway for some 25 years so far

[13] Maps showing alternative routes

without enduring traffic chaos, it won't hurt to wait a further period to ensure we are doing the right thing.

I am also aware that steps are being taken to see if the east shoreline of Soldier's Bay (Lots 117 and 118 / Lower Landing) can be designated as a National Historic Site. I don't know how long this will take but stress my concern that this will be for naught if MTO builds a bridge over Yonge St. now to nail down their Bradford Bypass route for this area.

If at the end of the day, MTO proceeds with this highway, they can protect archaeological sites by rerouting the Bradford Bypass along the northern perimeter of Silver Lakes Golf Course. This route, however, is along the edge of the wetland so it is not their preferred route.

I respectfully beseech you to take whatever steps are available to you to ensure the protection of both site BaGv-42 and the adjacent Lower Landing. Please, also provide me with copies of any relative correspondence with MTO or its consultants on this project.

Thank you for considering my request.

Respectfully submitted.

C.W.D. Foster

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Archaeology and Heritage Planning Unit
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20 November 1996

Steve Jacobs
Senior Project Manager
Planning Office, Central Region
Ministry of Transportation of Ontario
3rd Floor, Atrium Tower
1201 Wilson Avenue
Downsview ON M3M 1J8

RE: Highway 400 - Highway 404 Extension Link, Bradford Bypass

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This office has previously indicated its concerns for cultural heritage resources that may be impacted by this project by letters of August 22, 1994, and April 23, 1996. Further review based on information concerning the preferred alternative has emphasised the high potential of this project for impacting cultural heritage resources.

Using the available heritage databases and mapping in this office, and following consultation with several parties, including several professional archaeologists, and based on the information received, it has been determined that this project has the potential to cause impacts to cultural heritage resources. This determination is based on the crossing of the Lake Algonquin strandline at two or more points, the proximity of the corridor to several reported archaeological sites from the late eighteenth and early nineteenth century, the crossing of the Holland River and East Holland River and several minor watercourses, topography suitable for settlement, and a lack of modern disturbances.

In general, the area around and along the lower reaches of the Holland River was the scene of much activity in the late eighteenth and early nineteenth centuries, including visits by Governor Simcoe, activities associated with the War of 1812, and activities associated with First Nations occupation of the area including cemeteries and gift giving sites. The Holland Marsh represents an embayment of glacial Lake Algonquin and as such is an area of high potential for the recovery of evidence concerning the earliest

human occupation (11,000 year before present) of the province by PaleoIndian peoples. This area has been a focus of travel and transportation including the terminus of the prehistoric and early historic Rouge Portage, the terminus of the original Yonge Street, and the site of a great deal of early historic shipping activity between Holland Landing and the mouth of the Holland River.

Given the generally high potential of the area around the lower reaches of the Holland River, and thus the high potential for impacts to cultural heritage resources to be caused by this project, this Ministry recommends that archaeological assessment for this project take place as soon as practicable. Documenting any archaeological sites that may be present as soon as possible will permit a greater range of mitigative options to be considered. Such early documentation will further prevent any emergencies arising around the discovery of any highly signficant site(s) shortly before the commencement of construction. It is expected that such an initiative and any further archaeological work will as usual comply with the policies and procedures contained in A Protocol for Dealing with Archaeological Concerns on Ministry of Transportation Undertakings.

It is recommended that any archaeological assessment include thorough and comprehensive background research regarding the cultural heritage resources along the proposed corridor. This will necessarily include consultation regarding any undocumented sites or related information with the numerous researchers that have worked in the area over the past several decades. Extensive historical archival research will be necessary to identify any potential locations for early historical archaeological sites.

Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

Malcolm Horne
Heritage Planner

c. Steve Schijns, McCormick Rankin, 2655 North Sheridan Way, Mississauga ON L5K 2P8
David LaDell, 20866 Yonge Street, R.R. #1, Newmarket ON L3Y 4V8

TAB 9

Klowak, John (MTO)

From: Carscallen, Charlton (MTO)
Sent: December 12, 2005 10:43 AM
To: Klowak, John (MTO)
Subject: FW: ehr executive summary

EXECUTIVE SUMMARY.doc

-----Original Message-----
From: Phil Woodley [mailto:pwoodley@execulink.com]
Sent: September 17, 2004 3:03 PM
To: Charlton Carscallen
Subject: ehr executive summary

Charlton,
As requested, it is in the mail. And attached.
Phil