

OIC 2828/94

RE: TTC Bloor Danforth Westerly Extension of Subway

Having considered the purpose of the Act, the Environmental Assessment of the undertaking as accepted and the submissions received, I hereby give approval to proceed with the undertaking subject to the following terms and conditions:

1. Except as otherwise provided by these conditions, the undertaking shall be carried out in accordance with the EA, including any written commitments made by the proponent to the EA Branch or the review agencies which are incorporated herein by reference.
2. The written commitments referred to in Condition 1 include:
 1. Letter from Mr. Tom Middlebrook, of the Toronto Transit Commission, to Dr. Leah Lambert, of the Metropolitan Toronto Police, dated November 16, 1994.
 2. Letter from Mr. Tom Middlebrook, of the Toronto Transit Commission, to Mrs. Alyson Deans, of the Metropolitan Toronto Police, dated February 7, 1994.
 3. Letter from Mr. Tom Middlebrook, of the Toronto Transit Commission, to Mr. Mel Plewes, of the Ministry of Environment and Energy, dated November 22, 1993.
 4. Letter from Mr. Tom Middlebrook, of the Toronto Transit Commission, to Mr. John MacDonald, of the Ministry of Culture, Tourism and Recreation, dated April 11, 1994.
3. The revised draft amending procedure as submitted by the proponent to the EA Branch on February 14, 1994, replaces the amending procedure described in Chapter 9 of the EA.
4. In the event a Transit Class Environmental Assessment (Class EA) has been accepted, and if an approval relating to it has been issued which can apply to addressing changes in the undertaking, that method and Class EA may be used instead of that provided for in Condition 3.
5. The proponent shall consult with the Metropolitan Toronto and Region Conservation Authority and the Ministry of Natural Resources regarding any works proposed within or adjacent to the valley corridors of the Etobicoke Creek and the Little Etobicoke Creek.
6. Prior to the commencement of construction of this undertaking, the TTC, in consultation with the Ministry of Culture, Tourism and Recreation shall conduct an archaeological assessment, by a licensed consultant archaeologist, of lands that will

be impacted due to this undertaking within 500 metres of Etobicoke Creek and Little Etobicoke Creek.

If significant remains are identified during this assessment, then any negative impacts will be mitigated by either avoidance or excavation to MCTR satisfaction before the start of construction work.

7. In order to address concerns raised by the Ministry of Environment and Energy, the proponent shall carry out the following prior to the commencement of the construction and the completion of the detailed construction design of each stage:

Air Quality

- a) Prior to the commencement of construction of the surface facilities of each station of the undertaking, the proponent shall prepare, and submit to the satisfaction of the Director, MOEE Central Region, an air quality study for the construction and operation of the station. This study shall evaluate, but not be limited to, the nitrogen oxides (NO_x), carbon monoxide (CO), suspended particulate matter (SPM) and odour levels around each of the proposed stations.

Soils Management, Decommissioning and Stormwater Management

- b) Prior to commencement of construction under each construction contract of this undertaking, the proponent shall prepare and submit a material and soil management strategy for the excavation and movement of any contaminated material for each phase of the proposed construction. The proponent shall show the exact location of closed landfill sites (other than Site 3052) which will be affected by the construction, and where applicable, consider the implications of these sites in the strategy. The strategy will employ a phased approach and shall include focused intrusive investigations and remedial design and implementation, including comprehensive geotechnical and hydrogeological investigation, where applicable. The results of each investigation of the materials and soil management strategy for the phase should be incorporated in a report. This report shall be submitted to the satisfaction of the Director, MOEE Central Region.
- c) Prior to the commencement of construction under each construction contract of this undertaking, the proponent shall obtain any permits under section 20(3) of the Ontario Water Resources Act which will be required. The application for any permit shall be accompanied, if applicable, by a letter from the relevant municipality acknowledging its permission to permit the discharge of the dewatering effluent into the sanitary or storm sewer.

- d) Prior to commencement of construction on any contract for which dewatering will be required the proponent shall prepare a report predicting the volumes of water which will be produced and setting out the methods of treating and disposing of such water. The report shall describe any mitigative measures proposed including those to protect any surface water to which the water will be discharged. The report shall be submitted to the Director MOEE Central Region. Construction on the contract shall not commence until the Director has advised the proponent in writing that the Director is satisfied with the report and its proposals and the proponent has obtained any approvals or permits under the OWRA for the proposals. Except as agreed in writing by the Director, the proponent shall carry out dewatering activities in accordance with the report.

Noise and Vibration

- e) Prior to construction of a station of the undertaking, the proponent shall provide to the Director, MOEE Approvals Branch, a new and detailed noise impact assessment, and receive written notice from the Branch that the noise impact assessment is satisfactory. This condition shall not preclude the proponent from demolishing buildings, levelling the site and initiating utility relocation and servicing.
- f) In applying Part B of the MOEE/TTC Noise and Vibration Protocol, dated June 17, 1993, the proponent shall identify preferred locations for the special trackwork, if possible, sited in undeveloped or industrial areas and away from sensitive receptors described in Part B of the Protocol. Special trackwork shall be sited in a preferred location, unless for reasons not related to the control of noise and vibration, an item of special trackwork should be located elsewhere.
- g) The TTC shall use continuous welded track, and for all underground alignments, a double-tie trackbed system.

General Note

It should be noted that where a subcondition of Condition 7 requires a report to be submitted to the satisfaction of a Director, in order to satisfy the condition, the Director must have filed in the Public Record a notice in writing to the proponent indicating that the Director is satisfied that the proponent has adequately addressed the matter. In determining whether the matter has been adequately addressed, the Director shall consider whether or not potential adverse effects have been avoided or sufficiently minimized. The proponent's responsibility to carry out this undertaking in an environmentally sound manner with no adverse impacts on the environment other than

those specified is not reduced by the Director giving such notice of satisfaction. The proponent shall carry out the undertaking in accordance with the report, with such amendments as agreed from time to time by the Director.