

6. COMMITMENTS TO FUTURE WORK

In preparation of this EPR Addendum, YRRTC and TTC have worked closely with key stakeholder agencies to address and resolve any issues or concerns.

Additional consultation with key stakeholders was undertaken to review the design changes described in this EPR Addendum. However, not all issues can be addressed within the context of a Transit Project Assessment since the design of the YSE within the area affected by this TSF Addendum has been prepared at a conceptual level and further details are required to finalize property requirements, construction issues and permits/approvals. The subsections following this paragraph summarize the Proponent's commitments to future action during preliminary and detail design, of the Project in the areas affected by this Addendum.

Commitments identified in the 2009 EPR that pertain to sections of the Project not covered by this Addendum remain in effect (unless modified through other means).

6.1 Permits and Approvals

The Proponent, in the 2009 EPR has committed to securing necessary permits for the implementation of the Transit Project, including, but not limited to:

- 1) Planning approvals (including Site Plan Approval) for above-grade structures and facilities (through York Region and Town of Richmond Hill);
- 2) Building permits for the stations, Emergency Exit Buildings or other ancillary features (Town of Richmond Hill);
- 3) Obtain a subsurface easement from CN Rail and associated agreement.
- 4) Permit to Take Water from the MOECC if dewatering exceeds 50,000 litres per day;
- 5) TRCA permits and approvals for work within a regulated area;
- 6) Stormwater management, in accordance with Town of Richmond Hill and TRCA requirements;
- 7) Sewer discharge approvals, in accordance with Town of Richmond Hill and York Region requirements;
- 8) Certificates of Approval for noise and air quality related impacts resulting from vent shafts, stations, and parking lots from MOECC.

These commitments remain in effect, and also apply to the works proposed in this Addendum.

6.2 Property Acquisition

The preliminary property impacts identified in **Section 5.2.1** will be reviewed and confirmed during the detailed design phase of the study. The Proponent will continue with the property acquisition activities identified in the 2009 EPR, and commits to incorporate the new impacted properties identified under this EPR Addendum. The property acquisition activities include:

- Proceed with a Property Protection Study during the early stages of the design of the Transit Project with the intention of ensuring that, regardless of the timing of the initiation of the Transit Project, developments in the corridor do not impact the feasibility of implementing the recommended concept;
- Continue negotiations with the owner of property required for the Richmond Hill Centre Station;
- For properties required within the Town of Richmond Hill (including temporary easements to facilitate construction), the Proponent will acquire property by negotiation or expropriation (as required).

6.3 Construction Issues

In addition to the various construction issues identified in the 2009 EPR and within this report, the Proponent will conduct further research and analysis related to the construction of the Transit Project. The 2009 EPR identified a number of additional studies to be undertaken during the design/construction phase of the project, and these also apply to the works proposed under this EPR Addendum. Specific tasks include, but are not limited to the following activities:

- Developing traffic, transit and pedestrian management strategies to be included in construction contract documents;
- Undertaking an existing building condition survey prior to, during and post construction;
- Preparing and implementing tree and streetscape protection and restoration plans;
- Developing procedures for disposal of excavated materials, including contaminated soils as part of a Soil Management Strategy Plan;
- Preparing mitigation, monitoring and contingency plans for groundwater protection and dewatering discharges for the protection of surface water in consultation with and accordance with TRCA's Guidelines for Dewatering Needs Assessment and Environmental Management Plan; and
- Preparing an erosion and sediment control plan, which complies with prevailing TRCA, York Region and Town of Richmond Hill water guidelines and requirements.

The following additional activities were identified as part of the EPR Addendum, and apply to the works presented herein.

- Developing Bantry Avenue Bridge temporary closure/staging plan;
- Developing construction access plan for multiple construction contracts within a confined urban area;
- Where there are property acquisitions that will be directly impacted by construction of the TSF (i.e. impacted properties) footprint or in the areas immediately adjacent to the railway line, Phase I and/or Phase II Environmental Site Assessments (in accordance with O.Reg.153/04, as amended) will be completed for these properties. These studies will support both property acquisition and construction activities.
- For moderate APECs where there are no property impacts, soil contaminant investigation will be completed in areas where excavation may be required, to assess soil quality and soil management options during construction. Some investigations have already been completed through the Contaminant Investigation (**Appendix D**).
- Along existing road right-of-ways there is the potential for residual salt impacts, metals and Petroleum Hydrocarbons to be present in the shallow soil and groundwater resulting from winter road salting operations, vehicular exhausts, transportation accidents and spills. Where works are required along existing road right-of-ways appropriate management of salt, metal and Petroleum Hydrocarbons impacted soils (and groundwater) may be required with regard to environmental regulations.
- Soil and groundwater quality will be evaluated for the area where the Train Storage Facility is proposed to be constructed south of Bantry Avenue. This area was not evaluated as part of the Contaminant Investigation due to difficulties in locating a storm sewer.
- Additional groundwater sampling will be completed in wells MW4 and MW5 and wells to be installed during future investigations in the area south of Bantry Avenue, to provide recommendations for groundwater discharge options during dewatering for the TSF construction.
- Development of an Excess Materials Management Plan (includes the Soil Management Strategy Plan) to provide a mitigation strategy to effectively manage any contaminated excess materials (both soil and groundwater) encountered during construction;
- Ensure that off-site contamination (i.e. contamination outside of the subway corridor excavation area) does not migrate back into the corridor. This may require engineered containment barriers/walls such as grout curtains and sheet piling; and/or hydraulic traps to contain, capture and treat contaminant plumes. These requirements will be integrated into the detailed design of the subway corridor.
- Protection of railway corridor immediately adjacent to work zone to allow for continued railway operations;

- Development of a staged large storm sewer relocation plan including two potential crossings over the YSE and two crossings under the railway corridor;
- Prepare a mitigation plan to reduce the dust emissions generated during construction processes with guidance from Environment Canada's *"Best Practices for the Reduction of Air Emissions from Construction or Demolition Activities"*, 2005;
- A Construction Noise mitigation plan should be prepared based on the measures included in **Appendix C**. Although for some periods and types of temporary construction noise will be noticeable, with adequate controls impacts can be minimized;
- Pre-construction consultation, vibration monitoring, and site inspections will likely be required. Monitoring will be required during construction; and
- Post construction Noise and Vibration measurement will be undertaken to confirm "no adverse impact" as predicted in the noise and vibration impact analysis undertaken as part of this process (see **Appendix C**).

6.4 Consultation

Section 6.12 of the 2009 EPR includes a commitment for continued consultation between the Proponent and the public, property owners and stakeholder agencies (including Town of Richmond Hill, York Region Police, Fire and other emergency service providers) during the detailed design of the Transit Project, including the TSF and ancillary facilities proposed in this EPR Addendum.

6.5 Sustainable Development

As part of a separate environmental initiative, TTC has developed an Environmental Plan which will guide all TTC projects in terms of sustainable development.

York Region has also developed a Sustainability Strategy which will influence the detailed design phase of this project.

6.6 Canadian Environmental Assessment Act (CEAA) Monitoring

The 2009 EPR included a commitment to monitor the YSE project for potential *Canadian Environmental Assessment Act* triggers, as was appropriate given the legislative framework at the time. On July 6, 2012 an updated *Canadian Environmental Assessment Act* (CEAA) came into effect. With the revisions in 2012 CEAA has undergone significant changes and is no longer "trigger" based and instead focuses on assessment of "designated projects" as defined by the *Regulations Designating Physical Activities*.

After reviewing the *Regulations Designating Physical Activities*, it is understood that the proposed works are not considered to be a "designated project". Therefore, a formal assessment under the *Canadian Environmental Assessment*

Act (2012) is not required. CEAA 2012 also outlines requirements for determination of the likelihood of significant environmental effects for a physical activity that is carried out on federal lands, or outside Canada, in relation to a physical work and that is not a designated project⁸. As the proposed works outlined in this EPR Addendum will not be carried out on federal land the associated federal significance determination is not required.

Readers interested in obtaining additional information about the CEAA (2012) are encouraged to refer to: www.ceaa-acee.gc.ca.

YRRTC and TTC will continue to monitor the Transit Project for potential CEAA requirements, and, in the event that the CEAA applies to the Transit Project, YRRTC and TTC will consult with the appropriate federal agencies during design.

6.7 Mechanism for Changes to the Approved Plan

The Project presented in this EPR Addendum is not a static plan, nor is the context in which it is being assessed, reviewed, approved, constructed, and used. Given the potential for changes to the Project resulting from the approvals, detailed design, and construction processes, it is prudent to include in the EPR Addendum a comment on the responsibilities of the proponent should changes be required in the Project. The following sections outline how such changes will be addressed.

6.7.1 Design Refinements

This EPR Addendum identifies the impacts associated with the Project presented herein, and the property envelope within which the Project can feasibly be constructed. The actual layout of project elements are subject to detailed design and any variation from that shown in this EPR Addendum, unless it results in an environmental impact which cannot be accommodated within the committed mitigation measures, do not require additional approval under O. Reg 231/08.

6.7.2 TPAP Addendum Process

If a significant change is made to the project that is inconsistent with the approved Project documented in the 2009 EPR or this EPR, an Addendum must be prepared that follows the process outlined in O. Reg. 231/08, Section 15.

If the proposed change is significant, a Notice of Environmental Project Report Addendum will be issued in accordance with O. Reg. 231/08, including publication in the local newspaper(s) and posting the notice online. The notice must also be provided to the Ministry of the Environment and Climate Change (Regional Director and Director of the Environmental Assessment and Approvals Branch), every property owner within 30 metres of the site of the change,

⁸ For additional information see the Canadian Environmental Assessment Agency Operational Policy Statement: Projects on Federal Lands and Outside Canada under the *Canadian Environmental Assessment Act, 2012* (available online at: <https://www.ceaa-acee.gc.ca/default.asp?lang=En&n=816DD520-1>)

Aboriginal communities that were given a Notice of Commencement, and any other person who the proponent thinks may be interested in the change to the transit project.

If the proposed change is not significant the Addendum will be documented and placed in the proponent's file.