

# 1. Introduction

## 1.1 Project Background

Toronto and Region Conservation Authority (TRCA) is proceeding with the Environmental Assessment (EA) for the Don Mouth Naturalization and Port Lands Flood Protection Project (DMNP) on behalf of and in cooperation with Waterfront Toronto, legally known as the Toronto Waterfront Revitalization Corporation (TWRC). Ultimately this project will transform the ^ ¢ ã • c ã } \* Á { [ ~ Á c @Á [ ~ Á c @^ Á Ö [ } Á Ü ã ç ^ ! Á Ç c @^ Á %Ö [ } Á T [ healthier, more naturalized river outlet to the Toronto Inner Harbour and Lake Ontario, while at the same time removing the risk of flooding to over 230 hectares of urban land to the east and south of the river. This project is a

Figure 1-1

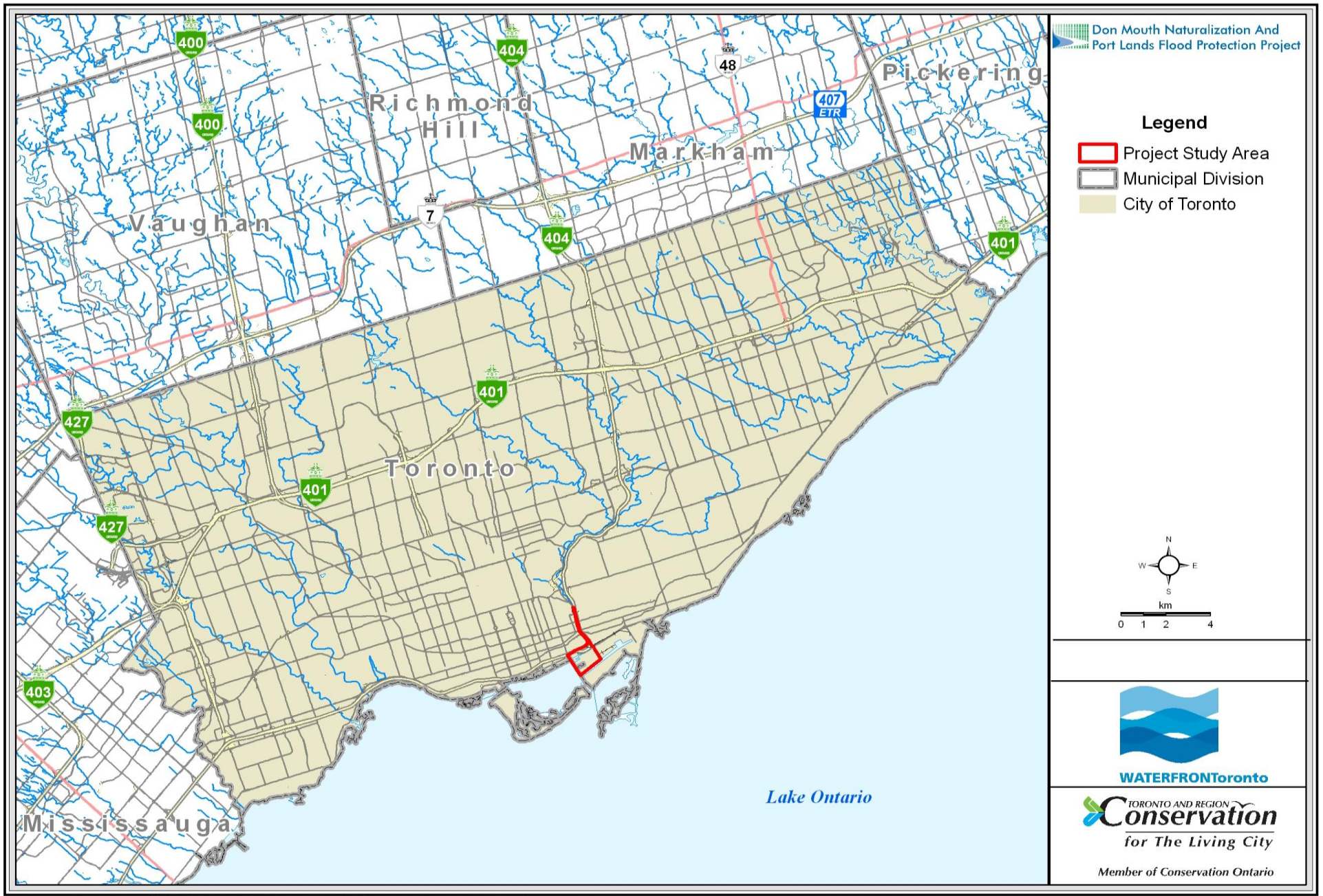


Figure 1-1 Project Location

This project is subject to the requirements of the Ontario *Environmental Assessment Act (EA Act)* as an Individual EA. This document is the EA Report which documents the EA process undertaken for this project in accordance with the Terms of Reference (ToR) that were approved by the Minister of the Environment in June 2006 (refer to **Appendix A**). It also documents all of the public and agency consultation activities undertaken in support of the EA. This EA includes:

- Background information;
- Purpose of the proposed undertaking;
- Project goal and objectives;
- EA and approvals requirements;
- Description and rationale for the proposed undertaking;
- Description of the alternatives considered and how they were evaluated;
- Description of the environment that would be potentially affected by the DMNP;
- Consultation activities in support of the EA; and
- Adaptive management and monitoring framework.

The public, agencies, utilities, interest groups, and landowners have been consulted throughout the development and preparation of the EA.

The DMNP is also subject to the requirements of the *Canadian Environmental Assessment Act (CEAA)*. The CEAA Screening Report is being produced as a separate document.

In addition, there are a number of other projects and EAs underway in the DMNP vicinity with which this EA has been integrated. These are discussed in greater detail in **Section 1.4.3**.

## 1.2 Project Goals and Objectives

The need to naturalize the Don Mouth has been well documented and recognized in planning documents for the revitalized Toronto waterfront. The DMNP has been recognized as a priority project for Waterfront Toronto, its effort to revitalize the waterfront and as such has been incorporated in and is central to all of the revitalization planning to date. The development of the project goal and objectives drew on the history of revitalization efforts for the Don River and recent planning efforts and public consultation with respect to the planning and revitalization of

Since 1991, through other efforts to revitalize the Don River watershed and the Toronto waterfront, the need and desire for a naturalized Don Mouth has been reiterated and discussed. The need to remove flood risk in the Port of Toronto has been a priority for the City of Toronto. The City of Toronto's *Waterfront Revitalization Plan* listed this area as having the greatest risk related to flooding in its jurisdiction. By the early 1990s, an integrated approach to address naturalization and remove flood risk was generally desired by the public and government. Over time the desire for this project has evolved into conceptual ideas of what a naturalized Don Mouth should be. Various stakeholders have different images of what a naturalized Don Mouth should include. This varies from a pristine wetland, to community gardens, to recreational space, and to waterside cafes and shops. In order to manage expectations of what the DMNP should be in the context of the Don River watershed and a revitalized Toronto waterfront, the project goal and objectives were developed in consultation with stakeholders including the public. The goal and objectives have been utilized throughout the EA to further describe the undertaking, to frame the evaluation of alternatives, and to frame the assessment of effects.

The **goal** is a statement of the overriding purpose of the DMNP. The project **objectives** are statements of what the project is trying to achieve once implemented.

The **goal** of the DMNP is to establish and sustain the form, features, and functions of a natural river mouth within the context of a revitalized City environment while providing flood protection up to the Regulatory Flood.

The **objectives** are to:

1. Naturalize and rehabilitate the mouth of the Don River utilizing an ecosystem based approach;
2. Provide flood protection for Spill Zone 1 . the Port Lands, and Spill Zone 2 . east of the Don River and north of Lake Shore Boulevard (see **Section 2.1.2**);
3. Maintain the provision for navigation and existing flood protection through sediment, debris and ice management;
4. Integrate existing infrastructure functions that could not be reasonably moved or removed (including road, rails, utilities, trails, and power);
5. Encourage additional compatible recreation, cultural heritage opportunities and public/handicap accessibility;
6. Contribute to the revitalization and sustainability of the waterfront and coordinate with and inform other planning and development efforts and associated certain and foreseeable infrastructure; and
7. Design and implement the DMNP in a manner consistent with Waterfront Toronto Framework and applicable provincial legislation.

The **first objective** considers the naturalization of the Don Mouth and Lower Don River by creating a more natural river mouth form which will over the long term do the following:

- Improve aquatic and terrestrial habitat;
- Improve linkages between habitats;
- Enhance biodiversity of aquatic and terrestrial species;
- Accommodate future changes in the environment;
- Enhance, to the extent possible, the low flow habitat conditions within the Don Narrows (the Don Narrows extends from Riverdale Park to the north side of the CN Railway); and
- Address the public's risk of exposure to West Nile Virus.

The **first objective** recognizes that there are existing natural areas within the Port Lands, such as Cherry Beach, and Tommy Thompson Park; and other planned land uses, such as Lake Ontario Park which will have a naturalized component. The DMNP should link with these projects and provide complementary habitats for desired species.

The **second objective** is that all options must effectively address flooding issues in the Port Lands and not exacerbate flooding in other areas, while meeting the first objective. The principle areas of concern for flooding are Spill Zone 1 . the Port Lands and Spill Zone 2 . east of the Don River and north of Lake Shore Boulevard (see **Section 2.1.2**). The removal of flood risk protects a number of people, businesses and infrastructure within over 230 hectares in already established communities and will remove the need to provide individual flood protection in all future redevelopment in the Port Lands area. Modelling undertaken during the DMNP has shown that the extent of flooding under existing conditions within Spill Zones 1 and 2 is larger than previously thought, and reflects an area of approximately 290 hectares rather than 230 hectares. Flood protection is anticipated to increase land values west of the Don Roadway by up to approximately \$450 million.

The **third objective** requires the management of sediment, debris and ice to ensure that the DMNP supports required navigation, natural function, and existing or future flood protection works within the Lower Don River. Sediment and debris may be managed through project design to a certain degree; however, it is recognized that some form of active management such as dredging, debris and ice removal will continue to be necessary given the significant quantities of sediment and debris that are delivered to the Don Mouth from the watershed. In addition, the DMNP must address the effects of future hydrologic changes as a consequence of climate change. These river management activities have costs associated with them that must be considered.

The **fourth objective** recognizes that the DMNP exists within a complex City environment. The river itself is crossed with a variety of existing infrastructure including surface roads, a highway, high voltage transmission lines, a works yard operated by the Toronto Port Authority (TPA), trails, rail lines, and various buried utilities. As the Port Lands area is being revitalized, there is infrastructure that is being planned to service new development. The DMNP must integrate with all existing and planned infrastructure that could not be reasonably moved or removed.

The **fifth objective** recognizes that the DMNP can encourage and contribute to the development of compatible recreation, cultural, and heritage opportunities as well as provide for public and handicap accessibility to the Don Mouth. Recreation opportunities include walking and cycling trails, sports fields, and water-based recreation including boating and fishing. In particular, the DMNP should improve pedestrian and bicycle trail linkages between Lake Ontario and the Don River watershed. There are some opportunities to include appreciation of the industrial heritage of the area in the DMNP. The DMNP will also improve local aesthetics.

The **sixth objective** recognizes that there have been 10 to 15 years of planning for the revitalization of the Toronto waterfront and the DMNP has been identified as a priority in an array of many projects going forward. The ongoing and historic planning have sought to recognize the needs of multiple stakeholders including, but not necessarily limited to, the following: businesses, residential communities, recreational users (land and water), environmental interest groups, the City of Toronto, the TPA, Toronto Port Lands Company (TPLC), federal and provincial regulators, and private land owners.

Many of the needs of these groups are conflicting and must be balanced within the limited Port Lands area. The public has been consulted on all of the planning for the waterfront and Port Lands to date. Extensive consultation among the various stakeholders resulted in the Central Waterfront Vision on the future of the Port Lands. The DMNP must coordinate with other planning and development efforts, as well as between the three levels of government as recommended in the Fung Report (Toronto Waterfront Revitalization Task Force, 2000), for the revitalization and sustainability of the waterfront, and associated foreseeable infrastructure in order to ensure that the best outcome is achieved for all projects.

The **seventh objective** addresses the sustainability of the DMNP and its compliance with applicable provincial and federal legislation. Waterfront Toronto has developed a Sustainability Framework (TWRC, 2005c) which seeks to ensure that sustainability principles are integrated into all facets of waterfront revitalization management, operations and decision-making. The Sustainability Framework identifies concrete short-, medium- and long-term actions that will lead to remediated brownfields, reduced energy consumption, the construction of green buildings, improved air and water quality, expanded public transit and diverse, vibrant downtown communities. The framework also addresses long-term operating and maintenance costs to ensure that the projects are economically sustainable.

**Section 2.2.3.1** speaks to the DMNP in the context of the Sustainability Framework.

### 1.3 Proponent

In 2001, TRCA was identified by the three levels of government as the eligible recipient for funding to naturalize the mouth of the Don River (Don Mouth) and provide flood protection for the entire 440 hectares floodplain surrounding the lower Don River and Keating Channel. This work is being undertaken as two separate projects; the first to remove the risk of flooding to over 290 hectares of land and to naturalize the Don Mouth (the subject of this EA process), and the second, the Lower Don River West Remedial Flood Protection Project Class EA, to remove the remaining 210 hectares of land from risk of flooding. This second EA has already been completed, with construction of the Kingston Subdivision railway bridge widening project being completed in October 2007, and the construction of the Flood Protection Landform (FPL) in the West Don Lands being anticipated to be completed in late-2011 (Haley, *pers. comm.*, 2009).

Following the release of the Toronto Waterfront Revitalization Task Force's report in March 2000 (Toronto Waterfront Revitalization Task Force, 2000), the Government of Canada, the Province of Ontario and the City of Toronto moved to jointly announce their support for the creation of the TWRC. The three levels of government created Waterfront Toronto in 2001 to fund, coordinate, and oversee the revitalization of the Toronto Waterfront, including this project, which was one of the original 4 priority projects. Waterfront Toronto is at the forefront of global cities in the 21st century by transforming the waterfront, and its mandate is to oversee an estimated \$17 billion redevelopment of the Toronto Waterfront.

Waterfront Toronto is located west to Coxwell Avenue in the east. The revitalization of the Waterfront will be accomplished by creating prominent cultural institutions, parks, open spaces, and diverse and dynamic commercial and residential communities, and by attracting the industries of the 21st century. Waterfront Toronto is governed by a 10-member Board of Directors appointed by the federal and provincial governments and the City of Toronto.

The waterfront revitalization project will be a major component of the overall waterfront redevelopment.

Waterfront Toronto and the TRCA have been identified as proponents for this project as it relates to EA legislation. TRCA has worked co-operatively with Waterfront Toronto, their consultants, and the three levels of government through appropriate departments and agencies to ensure this project has been coordinated with the many other activities required to revitalize the waterfront.

To this end, TRCA will have overall responsibility for ensuring that the design, construction, operation, maintenance and management of the DMNP is pursuant to this and other EA approvals including taking responsibility for compliance with the terms and conditions of EA approvals. It is understood that the construction, operation, maintenance and management of some project components will require continued integration and cooperation with other agencies, entities and land owners. In addition, Waterfront Toronto may delegate some aspects of the actual design and/or construction to TRCA in addition to the role of providing oversight.

### 1.4 EA Framework

Two separate EA approvals are required to implement the preferred conceptual design for the DMNP. The first EA process meets the provincial EA requirements through an Individual EA, as defined in the Ontario *EA Act*. The second EA process addresses federal concerns using an Environmental Screening process as defined by the *CEAA*. The development of both reports has been coordinated to streamline the process and ensure that all requirements for both levels of government are addressed.

### 1.4.1 The Ontario EA Act

The DMNP has been conducted in two stages for the provincial EA requirements. Stage one involved the development and approval of the Individual EA ToR and the carrying out of the preliminary baseline studies for the impact assessment area. The purpose of the ToR was to describe how the EA would be carried out and to seek public and agency comment before proceeding. The approval of the ToR document in August 2006 by the Minister of the Environment, completed Stage one. A copy of the ToR and the letter of approval from the Minister are included in **Appendix A**. Stage two involved the preparation and submission for approval of the Individual EA in accordance with the EA ToR.

The management of sediment at the mouth of the Don River was the subject of a previous EA, the Keating Channel EA (1983) (Acres, 1983). The Keating Channel EA applies to current dredging activities in the channel and sediment disposal. The DMNP EA, once approved, will supersede the Keating Channel EA with respect to the dredging and management activities in the river mouth and the Keating Channel EA will continue to govern the disposal of dredged material.

TRCA has prepared this EA in accordance with the approved ToR and the requirements of subsection 6.1(2) of the EA Act as set out below. TRCA has submitted the EA for review and approval by the Minister containing the following:

- Purpose of the undertaking;
- Description of the undertaking;
- Rationale for the undertaking;
- Description of the environment potentially affected directly or indirectly;
- Effects that will be caused or might reasonably be expected to be caused to the environment by the undertaking, the alternative methods of carrying out the undertaking and the alternatives to the undertaking;
- Description of mitigation;
- Advantages and disadvantages of the undertaking, the alternative methods of carrying out the undertaking and the alternatives to the undertaking;
- Summary of consultation during the EA;
- An adaptive management monitoring plan; and
- Any maps or documents as required under the EA Act.

**Table 1-1** identifies where each of the commitments set out in the approved ToR are addressed in the EA Report.

**Table 1-1 Approved Terms of Reference Commitments**

Approved Terms of Reference Commitment	Where Requirement/Commitment is Addressed
<p><b>1. The EA will be prepared in accordance with the requirements of subsection 6.1(2) of the EA Act.</b></p> <p>Section 4.1, page 7 of ToR</p>	<p><b>Section 1.4.1 (The Ontario EA Act) of the EA Report</b></p>
<p><b>2. All other EA approvals required for the DMNP to proceed will be outlined in the EA.</b></p> <p>Section 4.1, page 8 of ToR</p>	<p><b>Section 1.5, Table 1-1 (Other Authorizations/Approvals Required for the DMNP) of the EA Report</b></p>

**Table 1-1 Approved Terms of Reference Commitments**

Approved Terms of Reference Commitment	Where Requirement/Commitment is Addressed
<p><b>3. The DMNP will comply with or be consistent with provincial and federal legislation which applies to the project</b> Section 4.1, page 8 of ToR</p>	Section 1.4 (EA Framework) of the EA Report
<p><b>4. Stage two activities of the project will include the preparation and approval of the CEAA Environmental Screening Report.</b> Section 4.1, page 8 of ToR</p>	Section 1.4.2 (The CEAA) of the EA Report
<p><b>5. The provincial and federal EA legislation need to be coordinated to minimize overlap.</b> Section 4.3, page 10 of ToR</p>	Section 1.4.3 (Coordinated EA Process) of the EA Report
<p><b>6. The DMNP EA must be coordinated with other project EAs being undertaken in or having influence on the Toronto waterfront area.</b> Section 4.3, page 10 of ToR</p>	Section 1.4.3 (Coordinated EA Process) of the EA Report
<p><b>7. The DMNP intends to coordinate with and inform other planning initiatives that will impact the DMNP EA.</b> Section 4.3, page 10 of ToR</p>	Section 1.4.3 (Coordinated EA Process) of the EA Report
<p><b>8. The Project Study Area and the Impact Assessment Study Area will be confirmed during the EA.</b> Section 5.2, page 15 of ToR</p>	Section 2.3.1 (Project Study Area) and Section 2.3.2 (Impact Assessment Study Area) of the EA Report
<p><b>9. The Impact Assessment Study Area will be defined in greater detail in the EA once the alternatives and their effects are being assessed.</b> Section 5.2, page 15 of ToR</p>	Section 2.3.2 (Impact Assessment Study Area) of the EA Report
<p><b>10. The rationale for the proposed alternative discharge points shall also be documents in the EA.</b> Section 6, page 19 of ToR</p>	Section 4.1, Table 4-1 (Rationale for Alternative Discharge Points) of the EA Report
<p><b>11. Should other discharge points be identified during the EA, they will be considered by TRCA if they are considered reasonable and if they have a good potential to meet project objectives</b> Section 6, page 19 of ToR</p>	Section 4.1 (Identification of Potential
<p><b>12. The identification and evaluation of the different conceptual X Y g ] [ b g ` c f ` í U` h Y f b U h ] j Y ` a Y h \ c -step` process.</b> Section 7, page 20 of ToR</p>	Chapter 5 (Description, Evaluation and Rational Z c f ` í 5 ` h Y f b U h ] j Y ` A Y h the c X Undertaking) and Figure 5-1 (The Identification and Evaluation of Alternative Methods) of the EA Report
<p><b>13. All aspects of the environment will be inventoried and described in more detail during the EA.</b> Section 8, page 26 of ToR</p>	Chapter 3 (Description of Potentially Affected Environment) of the EA Report
<p><b>14. The current biogeochemical conditions within the Ship Channel will be described as part of the EA.</b> Section 8.1, page 30 of ToR</p>	Section 3.1.4 (Water Quality) of the EA Report
<p><b>15. The results of the built heritage features analysis will be confirmed during the EA stage of the DMNP.</b> Section 8.3, page 40 of ToR</p>	Section 3.4.7 (Cultural Resources) of the EA Report
<p><b>16. The principles listed below will guide the consultation activities during the EA.</b></p> <ul style="list-style-type: none"> <li>• Accountability</li> <li>• Clarity</li> <li>• Openness &amp; Inclusivity</li> </ul> <p>Section 9.2.1, page 41 of ToR</p>	<p>Chapter 10 (Consultation Record) of the EA Report</p> <ul style="list-style-type: none"> <li>Timeliness</li> <li>Flexibility</li> <li>Co-ordination</li> <li>Evaluation</li> <li>Commitment</li> </ul>



**Table 1-1 Approved Terms of Reference Commitments**

Approved Terms of Reference Commitment	Where Requirement/Commitment is Addressed
<p><b>17. Consultation objectives listed in ToR Section 9.2.2 will guide consultation activities during the EA.</b> Section 9.2.2, page 42 of ToR</p>	<p><b>Chapter 10 (Consultation Record) of the EA Report</b></p>
<p><b>18. First Nations: The Mississaugas of New Credit would be the community of interest for this project. Consultation with the community will continue as part of the EA as required, through public meetings, presentations, and invitations to other consultation events.</b> Section 9.2.5, page 43 of ToR</p>	<p><b>Section 10.3 (Aboriginal Consultation Activities and Results) of the EA Report</b></p>
<p><b>19. A monitoring plan will be developed during the DMNP EA which will include the following information:</b></p> <ul style="list-style-type: none"> <li>§ The frequency of the proposed monitoring</li> <li>§ Monitoring methods proposed</li> <li>§ Submission procedures for the results of monitoring activities</li> <li>§ List of the proposed commitments and how and when they will be addressed</li> <li>§ Actions to be taken by the TRCA to ensure they are in compliance</li> <li>§ The location of monitoring documents</li> <li>§ Any applicable emergency response plans</li> </ul> <p>Section 10, page 45 of ToR</p>	<p><b>Section 8.1 (DMNP Monitoring Program) of the EA Report</b></p>
<p><b>20. A monitoring plan will be developed during the DMNP EA which will consider all relevant project phases: planning, detailed design, tendering, construction, establishment and post-establishment.</b> Section , 10 page 45 of the ToR</p>	<p><b>Section 8.1 (DMNP Monitoring Program) of the EA Report</b></p>

Other provincial approvals which may be required to implement the preferred undertaking include those pursuant to the: *Ontario Water Resources Act, Planning Act, Lakes and Rivers Improvement Act*, and Ontario Regulation 153/04 (Records of Site Condition Regulation) under the *Environmental Protection Act*. All other approvals required for the DMNP to proceed are outlined in **Section 1.5**. The DMNP will comply with and/or be consistent with provincial and federal legislation which applies to the project.

### 1.4.2 The CEAA

The DMNP also requires the preparation and approval of the CEAA Environmental Screening Report. In response to the Project Description submitted by TRCA to the federal authorities, Transport Canada (TC) and Fisheries and Oceans Canada (DFO) have determined they are responsible authorities (RA). TC is responsible for the administration of the *Navigable Waters Protection Act*. TC is responsible for the administration of the *Navigable Waters Protection Act* and is responsible for the administration of the *Navigable Waters Protection Act*. Activities associated with the naturalization of the mouth of the Don River and the associated flood protection will require approvals under section 5(1)(a) of the *Navigable Waters Protection Act*. DFO has confirmed its participation as an RA as approval under section 35(2) of the *Fisheries Act* will be required. As such, TC and DFO require an EA of the DMNP pursuant to the CEAA before deciding whether or not to issue their respective permits. Other federal authorities may be involved to provide expert advice in relation to their federal mandate or interest in the project. These include Environment Canada, Health Canada and the TPA.

Since this is a multi-jurisdictional assessment, subject to both provincial and federal EA requirements, the Canadian Environmental Assessment Agency (CEA Agency) is acting as the Federal Environmental Assessment Coordinator (FEAC).

At the present time, there are no other CEAA projects of interest in federal lands to support the DMNP.

Based on the review of the Project Description, the project was not identified in the *Comprehensive Study Regulations* of the CEAA and therefore, the appropriate level of assessment was a Screening EA.

Under the CEAA the following information will be provided in the screening:

- A description of the existing environment;
- Any change that the project may cause in the environment (land, water, air, organic and inorganic matter, living organisms, and the interaction of natural systems);
- Any effects that the project may cause to a listed wildlife species, its critical habitat or residences of individuals of that species, as those terms are defined in subsection 2(1) of the *Species at Risk Act*;
- The effects of a project-related environmental change on: health and socio-economic conditions; physical and cultural heritage; the current use of lands and resources for traditional purposes by aboriginal persons; and any structure, site or thing that is of historical, archaeological, palaeontological or architectural significance;
- Any such project change or effect occurring both within or outside Canada;
- All environmental effects that may result from the various phases of the project (construction, operation, modification, abandonment, and decommissioning);
- The environmental effects of accidents and malfunctions;
- The effects of the environment on the project (including effects due to climate change);
- The cumulative environmental effects of the project that are likely to result from the project in combination with other projects or activities that have been or will be carried out;
- The likelihood of significant adverse environmental effects due to the project;
- The need for and requirements of a follow-up program;
- Comments from the public obtained in accordance with CEAA;
- Any measures to be taken that would mitigate the identified environmental effects of the project; and
- Any other matter that the responsible authority deems to be necessary including those required for a comprehensive study, mediation or panel.

### 1.4.3 Coordinated EA Process

There are two aspects with respect to EA coordination that have been considered for the DMNP. First, the requirements of the provincial and federal EA legislation have been coordinated to ensure that both sets of approval requirements are met efficiently. Second, this EA has been and continues to be coordinated with other project EAs and land use planning studies being undertaken in or having influence on the Toronto waterfront area.

TRCA has worked in a coordinated way with provincial and federal governments to fulfill both sets of EA requirements. It is recognized that ongoing dialogue on the information requirements of both levels of government has been required throughout the EA process as more has been learned about the specifics of the undertaking. One body of work pertaining to alternative identification, analysis and evaluation, and effects assessment has been created that meets all of the information needs of both the federal and provincial governments. To the extent practical, federal/provincial information requirements regarding potential factors to be assessed in the context of this study have been integrated. Project findings have been documented in formats agreed to by relevant agencies and appropriate for distribution and review.

As a result of the activities of Waterfront Toronto and others, there are numerous EAs and planning documents that have been completed or are currently on-going throughout the Port Lands specifically and the waterfront in general. The DMNP EA has been coordinated with and informed by these other EAs. The list of completed EAs and planning documents includes the:

- Keating Channel EA (MTRCA, 1983);
- Central Waterfront Secondary Plan: Making Waves (City of Toronto, 2001);
- Wet Weather Flow Management Master Plan (City of Toronto, 2003);
- Lower Don River West (LDRW) Remedial Flood Protection Class EA (TRCA, 2005);
- West Don Lands Class EA Master Plan (TWRC, 2005);
- West Don Lands Precinct Plan (TWRC, 2005);
- FILMPORT Studios (Toronto Filmport Studios and TEDCO, 2005);
- East Bayfront Precinct Plan (TWRC, 2005);
- East Bayfront Class EA Master Plan (TWRC, 2006);
- Lake Ontario Park Master Plan (Waterfront Toronto, 2008);
- Port Lands Business and Implementation Strategy (Waterfront Toronto, 2009);
- Lower Don Lands Framework Plan (Waterfront Toronto, 2010);
- Lower Don Lands Infrastructure Municipal Class EA and Keating Channel Precinct Environmental Study Report (Waterfront Toronto, City of Toronto and Toronto Transit Commission, 2010);
- Keating Channel Precinct Plan (Waterfront Toronto, 2010); and
- Amendment to the Central Waterfront Secondary Plan (City of Toronto, 2010).

As part of its approvals, the DMNP EA will replace the recommendations outlined for the East Bank Flood Mitigation Works in the LDRW Class EA (2005).

The list of EAs and planning studies currently underway which have been informing and have been informed by the DMNP EA includes the:

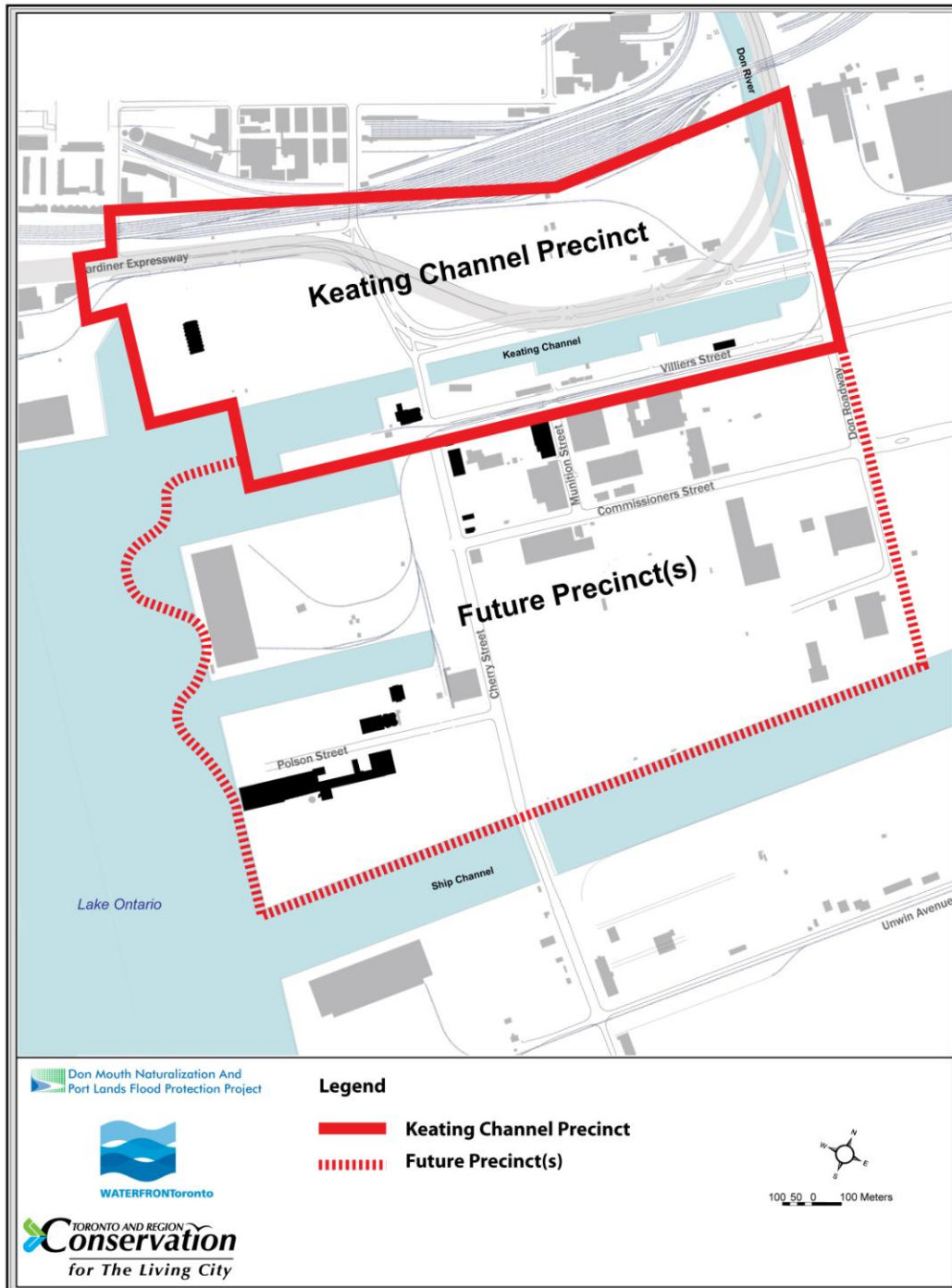
- Don River and Central Waterfront Project (City of Toronto, underway);
- Gardiner Expressway and Lake Shore Boulevard Reconfiguration EA and Integrated Urban Design Study (Waterfront Toronto and City of Toronto, underway); and
- Site planning for Port Lands Sports Centre Project (City of Toronto, underway).

These concurrent plans and EAs are being carried out at the same time as the DMNP EA and address municipal infrastructure (including transportation, transit, trail networks, water, wastewater and stormwater) servicing requirements necessary to support the land uses proposed as part of the revitalization of the Lower Don Lands area. These projects are closely connected to the DMNP EA, as the preferred alternative selected for the naturalized Don River provides the basis for a realignment of the existing infrastructure to be compatible with the new river location. As such, the works proposed in the various plans must be consistent with the final approvals of the Individual EA for the DMNP.

#### 1.4.4 Lower Don Lands Framework Plan

The DMNP facilitates the Lower Don Lands Framework Plan and the Lower Don Lands Infrastructure Municipal Class EA in that the provision of flood protection through the DMNP provides the opportunity for redevelopment envisioned in the other two documents.

The Lower Don Lands Framework Plan is a planning rationale for proposed modifications to the Central Waterfront Secondary Plan. The purpose of these modifications is to enable the revitalization of the Lower Don Lands to better implement and achieve the established principles of the Secondary Plan. Generally, the proposed modifications change the *locations* of where development can occur, without changing the *amount* of development that is described in the Secondary Plan. The implementation of the modifications will be coordinated through the two Precinct Plans (Keating Channel Precinct and Future Precinct) that are currently being developed (see **Figure 1-2**).



**Figure 1-2 Keating Channel Precinct and Future Precinct(s)**

### 1.4.5 Lower Don Lands Infrastructure Municipal Class EA

The Lower Don Lands Infrastructure Municipal Class EA addresses water, sanitary, stormwater and transportation (including transit) infrastructure servicing requirements necessary to support the proposed lands uses, including new and improved public spaces, which are proposed as part of the revitalization of the Lower Don Lands area. The study area for the Lower Don Lands Infrastructure Municipal Class EA is very similar to that of the DMNP EA, and thus there is a great deal of overlap between the two studies.

The preferred alternative chosen for the DMNP EA provides the basis for the realignment of the existing infrastructure, since the existing infrastructure network is not compatible with the new location for the naturalized Don River. The DMNP also depicts the general location and clearance requirements for all infrastructure crossings, defines the preferred or idealized construction phasing of infrastructure in relation to the construction of the river, and directs where stormwater may be discharged. As such, any works that were proposed in the Lower Don Lands Infrastructure Municipal Class EA are subject to final approvals for the DMNP EA.

Throughout the process of the DMNP EA and the refinement of the new river mouth design, information on the alignment of the new river mouth and associated constraints for roads, bridges and utilities was passed on to Waterfront Toronto. This ensured that the two EAs were consistent and approvals could be coordinated appropriately.

## 1.5 Other Approvals

Other environmental authorizations and approvals that will likely need to be secured in support of the DMNP are summarized in **Table 1-2**.

**Table 1-2 Other Authorizations/Approvals Required for the DMNP**

Level of Government	Department/Ministry/Municipality	Authorizations/Approvals
Federal	Department of Fisheries and Oceans (DFO) (Aquatic Habitat Toronto (AHT) to assist)	<ul style="list-style-type: none"> <li>• <i>Fisheries Act</i></li> </ul>
	Transport Canada (TC)	<ul style="list-style-type: none"> <li>• <i>Navigable Waters Protection Act</i></li> </ul>
	Toronto Port Authority (TPA)	<ul style="list-style-type: none"> <li>• Port Authorities Operations</li> <li>• <i>Regulations to the Canada Marine Act</i></li> </ul>
Provincial	Ministry of the Environment (MOE)	<ul style="list-style-type: none"> <li>• Certificate of Approval under <i>Ontario Water Resources Act</i></li> <li>• Record of Site Condition Regulation, Ontario Regulation 153/04</li> <li>• Permit to Take Water</li> <li>• Part V Approval under the <i>Environmental Protection Act</i></li> </ul>
	Ministry of Municipal Affairs and Housing and Ministry of Natural Resources	<ul style="list-style-type: none"> <li>• Amendment to the Lower Don Special Policy Area Policies</li> </ul>
	Ministry of Natural Resources	<ul style="list-style-type: none"> <li>• <i>Lakes and Rivers Improvement Act</i><sup>a</sup></li> </ul>
	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> <li>• Regulation Of Development</li> <li>• Ontario Regulation 166/06, Interference with Wetlands and Alterations To Shorelines and Watercourses Regulation</li> </ul>
	Ontario Realty Corporation	<ul style="list-style-type: none"> <li>• Class Environmental Assessment Process For the Ministry of Energy and Infrastructure for Realty Activities other than Electricity Projects (Category B Class EA for the disposition of land in the location of the future sediment and debris management area)</li> </ul>

**Table 1-2 Other Authorizations/Approvals Required for the DMNP**

Level of Government	Department/Ministry/Municipality	Authorizations/Approvals
Municipal	City of Toronto	<ul style="list-style-type: none"> <li>• Site Plan Approvals under the <i>Planning Act</i> for future sediment and debris management area (if required)</li> <li>• Zoning by-law amendment under the <i>Planning Act</i></li> <li>• Road Occupancy Permit (if required)</li> <li>• Road Cut Permit (if required)</li> <li>• Permit for Installation/Relocation of Public Utilities (if required)</li> <li>• Local Hydro Utility Building Permit (if required)</li> <li>• Building Permit (if required)</li> <li>• Toronto Sewer Use Bylaw</li> <li>• <i>City of Toronto Act</i></li> <li>• Tree-cutting permits</li> </ul>

Note: a. This Act is now managed by TRCA on behalf of MNR. While TRCA does not self-permit, plans led by TRCA must conform to this Act. This Act will only be required in the event of a dam removal or installation.

## 1.6 Overview of EA Report

This report is organized into 11 chapters:

### Chapter 1 Introduction

Briefly describes the background and objectives of the DMNP, introduces the proponent, and provides a summary of the regulatory framework of the EA process and other plans/approvals.

### Chapter 2 Purpose of the Undertaking

Presents the Problem/Opportunity Assessment and describes the DMNP Study Areas and timeline.

### Chapter 3 Description of the Potentially Affected Environment

Describes baseline environmental and socio-economic conditions in the area.

### Chapter 4 8 Y g W f ] d h ] c b ž ` 9 j U ` i U h ] c b ž ` U g b ` X H d F B U ` h H ] \ c Y b ` U I ` b Y X Y Z f c H f U \_ j ] 5 b [ h Y

Describes the process through which functionally different ways of addressing the

### Chapter 5 8 Y g W f ] d h ] c b ž ` 9 j U ` i U h ] c b ž ` U b X ` F X U g H D ] ` c c b Z U ` ` 7 U ` f Z f a m f ] ` b i [ 5 ` ` C h i Y Undertaking

Describes the process through which a preferred alternative (most likely to meet the objectives of the DMNP) was chosen.

### Chapter 6 Description of the Preferred Alternative

Provides a detailed description of the project, including its design, phasing and construction techniques.

### Chapter 7 Detailed Assessment of the Preferred Alternative

Presents the criteria, indicators, and results of the detailed assessment of environmental effects, including an outline of mitigation measures, net effects, and a summary of effects by project objective.

**Chapter 8 Monitoring and Adaptive Environmental Management**

Outlines the framework, strategy and activities of the monitoring and adaptive environmental management process.

**Chapter 9 EA Amendment Process**

Provides a framework to deal with modifications to the DMNP after the completion of the EA.

**Chapter 10 Consultation Record**

Describes the public, agency and Aboriginal consultation program including input from stakeholders.

**Chapter 11 Advantages and Disadvantages**

Summarizes the advantages and disadvantages of the DMNP from an environmental and socio-economic standpoint.