

ENVIRONMENTAL ASSESSMENT ACT

**NOTICE OF ACCEPTANCE OF THE ENVIRONMENTAL ASSESSMENT AND
NOTICE OF APPROVAL TO PROCEED WITH THE UNDERTAKING**

RE: An Environmental Assessment for Highway 410 Extension from Bovaird Drive (City of Brampton) to Highway 10 (Town of Caledon)

Proponent: Ministry of Transportation

EA File No.: TC-CE-02

TAKE NOTICE that the date for receipt by me of submissions or requirements for a hearing on the above Environmental Assessment and/or its Review, provided for in the Notice of Completion of Environmental Assessment Review expired on October 4, 1996. I have received no notices requiring a hearing by the Environmental Assessment Board with respect to the acceptance of the Environmental Assessment and approval to proceed with the undertaking. I do not consider it advisable to require a hearing.

ACCEPTANCE OF THE ENVIRONMENTAL ASSESSMENT

Having considered those matters set out in Section 8 of the Act and having determined that the Environmental Assessment is satisfactory to enable a decision on approval of the undertaking to be made, pursuant to Section 9 of the Act, I accept the environmental assessment.

APPROVAL OF THE UNDERTAKING

Under Section 13 of the Act, before the decision on approval to proceed with the undertaking can be made, the proponent has the opportunity to require a hearing by the Environmental Assessment Board. The proponent has waived this right.

Having considered the purpose of the Act and the environmental assessment of the undertaking as accepted, and no submissions having been 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 provisions of the environmental assessment.
- 2 (1) The design of the Etobicoke Creek crossing will be subject to review and comment by the Metropolitan Toronto and Region Conservation Authority (Authority) staff at the detail design stage. The Ministry of Transportation will consider the Authority's comments within the context of the approved environmental assessment and standard transportation and environmental assessment principles and practices;

- (2) The location of the stormwater management facility which is shown adjacent to the proposed Highway 410 right-of-way on the valleylands will be subject to further siting evaluation and approval by Authority staff at the detail design stage; and,
 - (3) The Design and Construction Reports will be provided to Authority staff for review and comment during detail design.
3. The Ministry of Transportation will, during the detail design of the preferred route, identify a monitoring program for wells within 100 metres of the edge of the right-of-way and shall implement that program.
4. For the recommended route, a further assessment shall be made of the noise impacts and potential for mitigation at all noise sensitive areas in compliance with the Ministry of Transportation/the Ministry of Environment and Energy Noise Protocol. The results of these studies shall be contained in a Noise Impact Assessment Report which will be submitted to the Director of the Approvals Branch of the Ministry of Environment and Energy. The Director shall provide a response indicating any deficiencies within 60 days of receipt of the "draft" Noise Impact Assessment Report. The "draft" Report shall be modified as may be necessary by the Ministry of Transportation and a "final" Noise Impact Assessment Report be submitted to the satisfaction of the Director at least 90 days prior to construction.
 - 4.1 The Report shall contain a re-assessment of the potential noise impacts at all sensitive locations along the recommended route which could be subject to increases in noise levels of greater than five (5) dB. The report shall specifically address the homes at Sites 7, 19, 21, 22, 32 and 37 as shown in Exhibit 61, Volume 1 of the final Environmental Assessment Report.
 - 4.2 At sites where increases in noise levels will exceed five (5) dB and where the Ministry of Transportation is directly responsible for providing mitigation as stipulated in the Ministry of Transportation/the Ministry of Environment and Energy Noise Protocol, the Report shall contain a description of the control measure(s) which will be applied, the acoustical effectiveness of those measures and sufficient reasons (technical/economic) if no measures will be applied.
 - 4.3 The Report shall also clearly indicate locations where mitigation is the responsibility of the owner or developer of adjoining property.
5. After the approval, unless otherwise advised by the Minister, any change to this undertaking will follow the process set out in section 6.4 of the environmental assessment for addressing new concerns (that is, those not identified in the environmental assessment). The proponent will follow the Provincial Highways Class Assessment process for significant new concerns. Where Class Environmental Assessment provisions are exercised, their application will be limited to new concerns and will not provide the opportunity to re-examine the route location or the balance of design.

REASONS

The reasons for giving approval are:

1. On the basis of the proponent's environmental assessment, the Review and the submissions, the proponent's conclusion that, on balance, the advantages of this undertaking outweigh its disadvantages appears to be valid.

2. On the basis of the proponent's environmental assessment, the Review and the conditions of approval, the construction, operation and maintenance of the undertaking will be consistent with the purpose of the Act (section 2).

Dated the 3rd day of March, 1997, at TORONTO.



Minister of Environment and Energy
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Approved by O.C. No. ⁴⁴⁸~~582~~/97