Environmental Assessment Act  
Loi sur les évaluations environnementales

ONTARIO REGULATION 144/93

EXEMPTION — THE METROPOLITAN TORONTO AND REGION CONSERVATION AUTHORITY — MTRCA-4

**Consolidation Period:** From March 30, 1993 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

No amendments.

This Regulation is made in English only.

Having received a request from the Metropolitan Toronto and Region Conservation Authority (the “Authority”) that an undertaking, namely:

the implementation of modifications to the Colonel Samuel Bois Smith Master Plan (now known as the Colonel Samuel Smith Master Plan) which was accepted by the Environmental Assessment Board in 1980 and with respect to which an approval was issued, providing for the creation of a regional waterfront park at the Colonel Samuel Smith waterfront area,

be exempt from the application of the Act pursuant to section 29; and

Having been advised by the Metropolitan Toronto and Region Conservation Authority that if the undertaking is subject to the application of the Act, the following injury, damage or interference with the persons and property indicated will occur:

A. The people of Etobicoke and Metropolitan Toronto will be interfered with and damaged by the undue delay and expense to prepare another environmental assessment for the modifications which have been subject to public review and comment and are generally consistent with the original conditions of approval by the Environmental Assessment Board in 1980.

B. The people of Etobicoke and Metropolitan Toronto will be interfered with and damaged by the inability to implement a revised Master Plan which improves and expands upon the naturalization and regeneration aspects of the Master Plan approved in 1980.

C. The people of Etobicoke and Metropolitan Toronto will be interfered with and damaged by limited public access and recreation while missing an opportunity to incorporate Provincially endorsed initiatives as outlined in the report of the Royal Commission on the Future of the Toronto Waterfront with the result being a significantly improved regional waterfront park for the public.

Having weighed such injury, damage or interference against the betterment of the people of the whole or any part of Ontario by the protection, conservation and wise management in Ontario of the environment which would result from the undertaking being subject to the application of the Act;

The undersigned is of the opinion that it is in the public interest to order and orders that the undertaking is exempt from the application of the Act for the following reasons:

A. The proposed amendments to the waterfront park plan will enhance the environment by creating aquatic habitat and providing safe public access.

B. The proposed wetland would be less costly and would provide aquatic terrestrial habitat as part of regenerating the shoreline.

C. The Authority has consulted with the public in developing the proposed amendments and is confident that such amendments will not result in any concerns.

This exemption is subject to the following terms and conditions:

1. Where any activity which otherwise would be exempt under this order is being carried out as or is part of an undertaking for which an environmental assessment has been accepted and approval to proceed received, other than the approval referred to in the description of the exempt undertaking, the activity shall be carried out in accordance with any terms or conditions in the approval to proceed as well as the conditions of this order.

2. Where any activity which is the subject of this order is being carried out as or is part of another undertaking which is the subject of an exemption order under the Act, the activity exempt under this order shall be carried out in accordance with any terms or conditions in the other exemption order as well as the conditions in this order.

3. The modifications referred to in the description of the undertaking are those described in Appendix 1 of the submission by the Authority dated July 28, 1992, a copy of which is in the public record maintained under the Act for the Colonel Samuel Smith Master Plan. O.Reg. 144/93.

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