Land Use Compatibility and Air Quality Impact Study

141-153 Plains Road W

2381798 Ontario Ltd

12 September 2024

→ The Power of Commitment



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Executive Summary

GHD was retained by **2381798 Ontario Ltd** to prepare a Land Use Compatibility Study for the proposed mixed-use development (Development) to be located at 141-153 Plains Road W, Burlington (Site). This Study has been prepared in support of planning applications for the Development.

This Study has been prepared in support of the planning approvals for the proposed development in accordance with the following guidance:

– Ontario Ministry of Environment, Conservation and Parks (MECP) “Compatibility Between Industrial Facilities and Sensitive Land Uses” (Guideline D-6)
– MECP Regulation 419/05 Air Pollution – Local Air Quality

The development will be an 11-storey high-density residential condominium of 9,546 sqm comprising 150 residential units, 112 vehicle parking spaces and 128 bike parking spaces.

The purpose of this Study is to assess the following potential impacts:

– Land Use Compatibility Assessment (Air Quality, Odour, and Dust)
– Preliminary Air Quality Impacts from the adjacent lands

The land use was conducted in accordance with the “Compatibility between Industrial Facilities and Sensitive Land Uses”, published by the Ontario Ministry of the Environment, Conservation, and Parks (MECP) Guideline D-6. This report summarizes the findings of the D-6 Land Use Compatibility Assessment of the surrounding land uses on the proposed development site.

In addition, in accordance with the Regional Official Plan (ROP) policy, the Air Quality impacts from the adjacent employment lands was assessed. Preliminary air dispersion modelling was conducted using the AERMOD model to determine potential impacts from significant nearby industrial facilities.

Air concentration levels at the Site from nearby industrial and commercial facilities are within the applicable POI limits of the MECP at ground level, an air quality warning clause and appropriate recommendations/mitigation measures were provided to address any potential impacts on the proposed development.

This report is subject to, and must be read in conjunction with, the limitations set out in section 1.2 and the assumptions and qualifications contained throughout the Report.

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1. Introduction

1.1 Introduction

GHD Limited (GHD) was retained by 2381798 Ontario Ltd (Applicant) to prepare a Land Use Compatibility Study for the proposed mixed-use development (Development) located at 141-153 Plains Road W, Burlington (Site). in accordance with the following guidance:

– Ontario Ministry of Environment, Conservation and Parks (MECP) “Compatibility Between Industrial Facilities and Sensitive Land Uses” (Guideline D-6)
– MECP Regulation 419/05 Air Pollution – Local Air Quality

The purpose of this Study is to assess the following potential impacts:

– Land-use compatibility with respect to odour, dust, and air quality
– Preliminary Air Quality impacts assessment

This Study includes assessments of land use compatibility issues related to air quality, dust, and odour emissions and their potential to impact the Development. The primary purpose of this Study is to evaluate the expected significance of these impacts and identify any potential compatibility issues that warrant further investigation. This Study also includes a preliminary assessment of air impacts due to the surrounding industrial facilities and provides preliminary recommendations for mitigating the potential air issues.

Land use computability and the impact assessment on noise and vibration was conducted by Aerocoustics and is included under a separate cover.

1.2 Scope and Limitations

This report: has been prepared by GHD for 2412947 Ontario Limited and may only be used and relied on by 2412947 Ontario Limited for the purpose agreed between GHD and 2412947 Ontario Limited as set out in section 1.1 of this report.

GHD otherwise disclaims responsibility to any person other than 2412947 Ontario Limited arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report (refer section(s) 8 of this report). GHD disclaims liability arising from any of the assumptions being incorrect.

Any reports, drawings, memos, or other deliverables produced by GHD shall be produced in a traditional and generally accepted format. Accessible reports, drawings, memos, or other deliverables can be provided by GHD at an additional cost if necessary.

2. Site and Development Design

The proposed development is located at 141-153 Plains Rd in Burlington, Ontario. All lands surrounding the Site are zoned under the authority of the City of Burlington. The development will be an 11-storey high-density residential condominium of 9,546 sqm comprising of 150 residential units and 112 vehicle parking spaces. For parking spaces, there are 12 at grade and 100 in 2 levels of podium parking.

The zoning for the area of the Site is designated as Mixed-Use Corridor Zone.

The Site is currently occupied by small-scale commercial uses including Monarch Dentistry, Medisthetics Wellness & Laser Clinic, and Laser Hair Clinic Burlington at 141 and 147 Plains Rd W. 153 Plains Rd W is currently a 1.5 storey home. Figure 2.1 below identifies the location of the Site.



Figure 2.1 Site Location

The lands surrounding the Site include properties zoned as Employment, Utility Service, Commercial, Mixed-Use Corridor, Residential, Park, and Open Space. A zoning map is included in Figure A.1 of Appendix A.

3. Land Use Compatibility

3.1 Guideline D-6 Methodology

The MECP Guideline D-6 "Compatibility Between Industrial Facilities and Sensitive Land Uses" (Guideline D-6) provides recommended minimum separation distances (RMSD) and potential areas of influence (AOI) based on the class of the industrial facility. RMSDs are provided based on the industry size and operation type. The guideline provides direction for land use planning to maximize compatibility of industrial uses with adjacent land uses. The goal of Guideline D-6 is to minimize encroachment of sensitive land uses on industrial facilities and vice versa, in order to address potential incompatibility due to adverse effects such as noise, odour, and dust.

Guideline D-6 separates industry into three broad categories, depending on the nature of their operations and the types of potential impacts:

– **Class I industries** are small scale, self-contained plants or buildings, which produce and store products internally, and have low probability of fugitive emissions. They have daytime operations only, with infrequent movements of products and/or heavy trucks. Some examples include furniture repair and refinishing, electronics manufacturing, auto parts supply, distribution of dairy products, and beverages bottling.
– **Class II industries** perform medium scale processing, with occasional outputs of point source or fugitive emissions. Activities may include some outdoor storage of wastes and materials, frequent movement of products and/or heavy trucks during the daytime, and shift work. Some examples include paint spray booths, feed packing plant, dairy product manufacturing, and dry-cleaning services.
– **Class III industries** conduct large-scale manufacturing and are characterized by persistent and/or intense dust and/or odour, frequent outputs of major annoyances, and have a high probability of fugitive emissions. Activities may include continuous operations and movements of products, outside storage of raw and finished goods, and high levels of production. Some examples include manufacturing of paint and varnish, manufacturing of resins and coatings, solvent recovery plants, organic chemicals manufacturing, breweries, and metal manufacturing.

The following table summarizes the recommended minimum setback distances and areas of potential influence which represents the distance within which adverse effects could potentially occur.

Table 3.1 Guideline D-6 Industry Separation Distances

Industry Classification	Minimum Separation Distances (metres)	Potential Areas of Influence (metres)
Class I	20	70
Class II	70	300
Class III	300	1,000

Local industries within 1 km of the Site were inventoried. Within Ontario, facilities which emit significant amounts of contaminants to the environment are required to obtain and maintain an Environmental Compliance Approval (an "ECA") from the MECP or submit an Environmental Activity and Sector Registry (an "EASR"). In addition, National Pollutant Release Inventory (NPRI) emissions report is required to be submitted to Environment and Climate Change Canada (ECCC) annually for the reportable facilities. ECAs, EASRs, and NPRI reports within 1 km of the Project were obtained from MECP and ECCC's database.

Facilities reviewed in this D-6 Compatibility Assessment were categorized as either facilities of no concern, facilities of limited concern, or facilities of potential concern with respect to the Site and the surrounding environment. Guideline D-6 provides criteria for classifying industrial land uses, based on their outputs, scale of operations, processes, schedule, and intensity of operations.

Note that the Facilities that do not meet the definition of any one of the three Industrial Classes have little to no potential for creating nuisance issues that would give rise to complaints. For this study, these 'not applicable' facilities have been given the designation of N/A.

Businesses with potential noise and vibration impact was identified and evaluated in the noise study prepared by Aerocoustics and are included under a separate cover.

3.2 Facilities with No or Limited Concerns

Guideline D-6 states that no incompatible development should occur within the recommended minimum separation distance as noted in Table 3.1. Facilities of no concern include restaurants, commercial shopping centres, auto dealerships and repair shops, small-scale manufacturers, distributors, institutional facilities, and contractors located outside the minimum separation distance and potential area of influence.

Table 3.2 identifies the facilities outside the minimum separation distance and the potential area of influence within the 1,000m study area. Due to the long separation distance from the development, these facilities have been deemed as having no or limited concern.

Table 3.2 Facilities Identified as Limited or No Concern

Business Name	Address	Facility Description	Industrial Class	Source of Potential Nuisance	Direction	Measured Distance (m)	MECP D-6 Minimum Separate Distance (m)	MECP D-6 Potential Area of Influence
Safetycare Inc.	163 Plains Road West	Producing Safety Videos; Motion picture and sound recording industries	N/A	No Potential Issue Expected	SW	20	N/A	N/A
Gardens Medical Group	173 Plains Road West	Health Exam, Immunization, etc.	N/A	No Potential Issue Expected	SW	42	N/A	N/A
Times Nail & Spa	181 Plains Road West	Nail Salon	Class I	Odour	SW	79	20	70
Play Advertising	181 Plains Road West	Advertising Agency	N/A	No Potential Issue Expected	SW	79	20	70
181 Florist	181 Plains Road West	Florist	N/A	No Potential Issue Expected	SW	79	N/A	N/A
Dog Room	181 Plains Road West	Pet groomer	Class I	Odour	SW	79	20	70
Start Fresh Dental Hygiene	181 Plains Road West	Dental Office	Class I	Air	SW	79	20	70
Wee Care	107 Plains Road West	Social assistance	N/A	No Potential Issue Expected	NE	82	N/A	N/A
Aldershot Dental Care	107 Plains Road West	Dental Office	Class I	Air	NE	82	20	70
Evelyn's	107 Plains Road West	Clothing and clothing accessories stores	N/A	No Potential Issue Expected	NE	82	N/A	N/A
Jaggard's Florist & Garden	107 Plains Road West	Miscellaneous store retailers	Class I	Odour	NE	82	20	70
Ma Cherie Fabrics and Friendships	107 Plains Road West	Sporting goods, hobby, book and music stores	N/A	No Potential Issue Expected	NE	82	N/A	N/A
Gerry Lush Gentleman's Clothier	107 Plains Road West	Clothing and clothing accessories stores	N/A	No Potential Issue Expected	NE	82	N/A	N/A
Simple SmartAdvice	107 Plains Road West	Credit intermediation and related activities	N/A	No Potential Issue Expected	NE	82	N/A	N/A
West Plains Pharmacy	100 Plains Road West	Health and personal care stores	Class I	Air	E	90	20	70
BusyBee Variety	100 Plains Road West	Food and beverage stores	Class I	Air	E	90	20	70

Business Name	Address	Facility Description	Industrial Class	Source of Potential Nuisance	Direction	Measured Distance (m)	MECP D-6 Minimum Separate Distance (m)	MECP D-6 Potential Area of Influence
Bella Nails & Spa	100 Plains Road West	Nail Salon and Spa	Class I	Air	E	90	20	70
Tasty scoop	100 Plains Road West	Ice Cream Shop	Class I	Odour	E	90	20	70
Pillars of Wellness	100 Plains Road West	Physiotherapist	N/A	No Potential Issue Expected	E	90	N/A	N/A
GYM on Plains	100 Plains Road West	Gym	Class I	Air	E	90	20	70
Number one hair salon	100 Plains Road West	Hair Salon	Class I	Air	E	90	20	70
Infinite Motors	93 Plains Road West	Car Dealership	Class I	Air	NE	170	20	70
Hampton Terrace Care Centre	75 Plains Road West	Nursing and residential care facilities	Class I	Air	NE	220	20	70
Laurel Oak Publishing	70 Plains Road West	Publishing industries	N/A	No Potential Issue Expected	ENE	278	N/A	N/A
Redline Office Solutions	70 Plains Road West	Office equipment supplier	N/A	No Potential Issue Expected	ENE	278	N/A	N/A
RK Hair Studio	70 Plains Road West	Hairdresser	Class I	Air	ENE	278	20	70
Lifestyles for Life	70 Plains Road West	Tea Store	N/A	No Potential Issue Expected	ENE	278	N/A	N/A
Just Tennis	70 Plains Road West	Tennis store	N/A	No Potential Issue Expected	ENE	278	N/A	N/A
Digitronic cell phone repair and accessories	70 Plains Road West	Mobile phone repair	Class I	Air	ENE	278	20	70
Casa Blanca Eco Salon	70 Plains Road West	Hair salon	Class I	Air	ENE	278	20	70
LaSalle Park Retirement Community	18 Plains Road West	Nursing and residential care facilities	Class I	Air	ENE	332	20	70
Tim Hortons	29 Plains Road West	Food services and drinking places	Class I	Air, Odour	NE	354	20	70
Hasty Market	29 Plains Road West	Food and beverage convenience stores	Class I	Air	NE	354	20	70

Business Name	Address	Facility Description	Industrial Class	Source of Potential Nuisance	Direction	Measured Distance (m)	MECP D-6 Minimum Separate Distance (m)	MECP D-6 Potential Area of Influence
Home Hardware	29 Plains Road West	Building material and garden equipment and supplies dealers	N/A	No Potential Issue Expected	NE	354	20	70
Nail Pro Studio & Spa	29 Plains Road West	Personal and laundry services	Class I	Air	NE	354	20	70
Pharmasave	29 Plains Road West	Health and personal care stores	N/A	No Potential Issue Expected	NE	354	20	70
Fit For Life Physiotherapy	18 Plains Road West	Ambulatory health care services	N/A	No Potential Issue Expected	ENE	360	N/A	N/A
Aldershot Village Pharmacy	18 Plains Road West	Health and personal care stores	Class I	Air	ENE	360	20	70
Salon & Spa at Lasalle	18 Plains Road West	Salon and Spa	Class I	Air	ENE	360	20	70
Dentistry at LaSalle	18 Plains Road West	Dental Office	Class I	Air	ENE	360	20	70
Aldershot Audiology	18 Plains Road West	Audiologist	N/A	No Potential Issue Expected	ENE	360	N/A	N/A
Solaris Optical	18 Plains Road West	Optician	N/A	No Potential Issue Expected	ENE	360	N/A	N/A
Aldershot Medical	18 Plains Road West	Family Doctor	N/A	No Potential Issue Expected	ENE	360	N/A	N/A
Salon Miah & Spa	38 Plains Road West	Salon and Spa	Class I	Air	ENE	389	20	70
The Fitness Firm	15 Plains Road West	Amusement, gambling and recreation industries	Class I	Air	NE	389	20	70
Aldershot Chiropractic	246 Plains Road West	Ambulatory health care services	N/A	No Potential Issue Expected	SW	389	N/A	N/A
Park Avenue Manor Retirement Residence	924 Park Avenue West	Nursing and residential care facilities	Class I	Air	ENE	449	20	70
Antec Appraisal Group	1022 Waterdown Road	Real estate	N/A	No Potential Issue Expected	NE	488	N/A	N/A
Birth & Baby Needs	1022 Waterdown Road	Child health care centre	N/A	No Potential Issue Expected	NE	488	N/A	N/A
Jerry's Automotive	7 Plains Road West	Repair and maintenance	Class I	Odour, Air	NE	488	20	70

Business Name	Address	Facility Description	Industrial Class	Source of Potential Nuisance	Direction	Measured Distance (m)	MECP D-6 Minimum Separate Distance (m)	MECP D-6 Potential Area of Influence
Wellenreiter LLP	280 Plains Road West	Law Firm	N/A	No Potential Issue Expected	SW	528	N/A	N/A
Burlington Fire Department, Station 3	1044 Waterdown Road	Local, municipal and regional public administration	N/A	No Potential Issue Expected	NE	531	N/A	N/A
Bulkwood Products Inc.	1140 Waterdown Road	Wood Pallet Shipping	Class II	Air, Dust	N	532	70	300
BAM Trucking Inc.	1140 Waterdown Road	Recycling Center	Class II	Air, Dust	N	532	70	300
St John Ambulance	1048 Waterdown Road	Educational services - first aid	N/A	No Potential Issue Expected	NE	534	N/A	N/A
Burlington Gardens	300 Plains Road West	Nursing and residential care facilities	Class I	Air	SW	539	20	70
Ted's Service Centre	1176 Howard Road	Repair and maintenance	Class I	Air, Odour	NW	547	20	70
Tim Hortons	14 Plains Road East	Food services and drinking places	Class I	Air, Odour	ENE	552	20	70
ESSO	14 Plains Road East	Gasoline stations	Class I	Air, Odour	ENE	552	20	70
Dee Signs	1021 Waterdown Road	Printing and related support activities	Class I	Air, Odour	NE	562	20	70
Faber & Oostdyk Lawyers	1025 Waterdown Road	Law Firm	N/A	No Potential Issue Expected	NE	563	N/A	N/A
Royal Bank of Canada	15 Plains Road East	Credit intermediation and related activities	N/A	No Potential Issue Expected	NE	599	N/A	N/A
Kd Installations	1026 Cooke Boulevard	Construction of buildings	N/A	No Potential Issue Expected	NE	618	20	70
Burlington Steel Systems	1026 Cooke Boulevard	Fabricated metal product manufacturing	Class II	Air	NE	618	70	300
Digital 21	1026 Cooke Boulevard	Home Automation Company; Real Estate	N/A	No Potential Issue Expected	NE	618	N/A	N/A
Russel Williams Family Restaurant	20 Plains Road East	Food services and drinking places	Class I	Air, Odour	ENE	620	20	70

Business Name	Address	Facility Description	Industrial Class	Source of Potential Nuisance	Direction	Measured Distance (m)	MECP D-6 Minimum Separate Distance (m)	MECP D-6 Potential Area of Influence
Cougar Shoes Inc.	2 Masonry Court	Personal and household goods merchant wholesalers	N/A	No Potential Issue Expected	NNE	625	N/A	N/A
O'Dell Associates Inc.	1038 Cooke Boulevard	Building material and supplies merchant wholesalers	Class II	Air	NE	625	70	300
Burlington Pump Inc.	1038 Cooke Boulevard	Plumbing supply store	Class I	Air	NE	625	20	70
BurlingToner	1038 Cooke Boulevard	Miscellaneous store retailers	N/A	No Potential Issue Expected	NE	625	N/A	N/A
Primary Fluid Systems Inc	1050 Cooke Boulevard	metering pump accessories manufacturing	Class I	Air	NE	627	20	70
Category 5 Imaging	1062 Cooke Boulevard	Printing and related support activities	Class II	Air, Odour	NE	640	70	300
PV Labs	1074 Cooke Boulevard	Professional, scientific and technical services; Remote Sensing	Class I	Air	NNE	662	20	70
Investigative Science Incorporated	1050 Cooke Boulevard	Science consulting, analytical lab	Class I	Air	NE	666	20	70
Solid Gold	53 Plains Road East	Food services and drinking places	Class I	Air, Odour	NE	710	20	70
Etratech Inc.	1047 Cooke Boulevard	Computer and electronic product manufacturing	Class II	Air	NE	725	70	300
LaSalle Park Sewage Pumping Station	59 Oaklands Park Court	Sewage Station	Class I	Air	ESE	730	20	70
Aldershot BTC Health	355 Plains Road West	Health and personal care stores	N/A	No Potential Issue Expected	SW	794	N/A	N/A
Downsview Business Center	355 Plains Road West	Administrative and support services	N/A	No Potential Issue Expected	SW	794	N/A	N/A

Business Name	Address	Facility Description	Industrial Class	Source of Potential Nuisance	Direction	Measured Distance (m)	MECP D-6 Minimum Separate Distance (m)	MECP D-6 Potential Area of Influence
Scholtens	279 Sumach Drive	Confectionery wholesaler	N/A	No Potential Issue Expected	W	837	20	70
Aaon Canada Inc.	279 Sumach Drive	Heating Equipment Manufacturer	Class II	Air	W	837	70	300
Howies Hockey	279 Sumach Drive	Hockey supply store	N/A	No Potential Issue Expected	W	837	N/A	N/A
Aldershot Storage	279 Sumach Drive	Warehousing and storage	N/A	No Potential Issue Expected	W	837	N/A	N/A
C. & M.A. District Office	155 Plains Road	Church	N/A	No Potential Issue Expected	WNW	870	N/A	N/A
Eighth Empire	91 Plains Road East	Tattoo Store	Class I	Air	NE	896	20	70
Abbey Stained Glass	91 Plains Road East	Stained Glass Studio	Class I	Air	NE	896	20	70
Royal Inn Ltd.	99 Plains Road East	Accommodation services	N/A	No Potential Issue Expected	NE	919	N/A	N/A
Kativa Salon	115 Plains Road East	Hair Salon	Class I	Air	NE	982	20	70
Skycraft Hobbies	115 Plains Road East	Hobby Store	N/A	No Potential Issue Expected	NE	982	N/A	N/A
Slagter Construction Ltd.	29 Panin Road	Heavy and civil engineering construction	Class II	Air	NNW	993	70	300
LaSalle Park Marina	831 LaSalle Park Road	Park Association	N/A	No Potential Issue Expected	E	999	N/A	N/A

Notes:

Facilities that are shaded (Burlington Fire Department, Station 3, Bulkwood Products Inc., Burlington Gardens, ESSO Category 5 Imaging, Etratech Inc, LaSalle Park Sewage Pumping Station, and Aaon Canada Inc.) are operated under an ECA or EASR. ECA and EASR documents can be found in Appendix D.

A search of the Environment and Climate Change Canada's (ECCC) National Pollutant Release Inventory (NPRI) was conducted for the study area, and no facility of concern has been identified.

3.3 Potential Facilities of Concern

Facilities reviewed in this D-6 Compatibility Assessment and classified as a potential concern are within the minimum separation distance or potential area of influence. Potential Facility of Concern were identified within the 1,000 m study area.

3.3.1 Facilities within the Potential Area of Influence

Two of these facilities have been determined to be within the potential area of influence, but outside the recommended minimum separation distance and are identified in Table 3.3

Table 3.3 Facilities Identified Within the MECP D-6 Potential Area of Influence

Business Name	Address	Facility Description	Industrial Class	Direction	Measured Distance (m)	D-6 Minimum Separate Distance (m)	D-6 Potential Area of Influence (m)
Gardens Dental, Gardens Medical Group, and Dr. Roman Galkin	173 Plains Road West	Dental Office	Class I	SW	42	20	70
Mission Produce Inc.	1060 Howard Road	Miscellaneous merchant wholesalers	Class II	NW	124	70	300

173 Plains Rd W Building

Gardens Dental, Gardens Medical Group, and Dr. Roman Galkin are dentistry offices located at 173 Plains Road West, approximately 42m southwest of the proposed development. The facilities at 173 Plains Rd W are all self-contained, with only minor air emissions due to rooftop HVAC equipment. Air and dust, emissions are expected to be insignificant from these facilities.

173 Plains Rd W Building is adjacent to 181 Plains Rd W Townhouse. Due to the proximity to existing sensitive land uses and that they have been classified as Class I facilities, it is likely that these facilities will have a limited impact on the proposed development.

Mission Produce Inc.

Mission Produce Inc. (Mission Produce) is a produce wholesaler located at 1060 Howard Road, approximately 125m northwest of the site. The facility sources, produces and distributes fresh produces, mainly avocados, to retail, wholesale, and food service customers. Mission Produce does not have an MECP approval.

The expected on-site operations include delivery trucks loading and unloading, and the operation of cooling units and HVACs. Mission Produce has been conservatively classified as a Class II Industry due to the frequent truck activities. Potential emissions to the air include products of combustion, particulate matter from the cooling units, and can be considered negligible source of air emissions. The facility is not expected to be a significant source of air or dust emissions.

A. Cupido Transport Limited

A. Cupido Transport Limited (A.Cupido) no longer located at 1035 Howard Rd, instead, St. Mary's Cement occupies this site, operating as CBM Ready Mix. Please see section 3.3.2 for more details. Facilities within the Minimum Separation Distance.

Six of these facilities have been determined to be within the recommended minimum separation distance and are identified in Table 3.4. Facilities that are shaded are operated under an ECA or EASR.

Table 3.4 Facilities Identified Within the MECP D-6 Minimum Separation Distance

Business Name	Address	Facility Description	Industrial Class	Direction	Measured Distance (m)	Min Separate Distance (m)	Potential Area of Influence (m)
King Paving & Construction	1077 Howard Road	Specialty trade contractors	Class III	NE	271	300	1000
St. Marys Cement Inc. (Canada) operating as CBM Ready Mix	1093 Howard Road	Non-metallic mineral product manufacturing	Class III	NNE	151	300	1000
Benjamin Moore Paints - Colours and More	127 Plains Road West	Seller of paint, stains & finishes	Class I	NNE	Adjacent to Site	20	70
Gardenia Tile	127 Plains Road West	General Contractor	N/A	NNE	Adjacent to Site	N/A	N/A
Ye Olde Squire	127 Plains Road West	Pub	Class I	NNE	Adjacent to Site	20	70
Burlington & Area Midwives	159 Plains Road West	Midwife	N/A	SW	Adjacent to Site	N/A	N/A
Agro Wholesale Produce Ltd	1032 Howard Road	Fruits and vegetables supplier	Class II	NW	Adjacent to Site	70	300

King Paving & Construction Ltd.

King Paving & Construction Ltd (Kings Paving) operates a hot mix asphalt (HMA) and aggregate plant located at 1077 Howard Rd, approximately 270m north of the site. Kings Paving currently operates under ECA (Air) No. 2090-BXNT5G, issued on June 1, 2021.

The facility's process consists of (1) aggregate and Recycled Asphalt Pavement (RAP) receiving, storage, and processing (2) asphalt cement receiving and storage (3) aggregate drying (4) hot-mix asphalt production, storage, and shipping, (5) other supporting activities including welding. The facility can produce up to 210,000 tonnes per year of hot-mix asphalt and deliver/ship up to 730,000 tonnes per year of aggregate materials. In addition, Kings Paving is subject to Performance Limits, including daily production limits for HMA production, recycled concrete/asphalt delivery/shipment and processed, and liquid asphalt received, as well as material monitoring and record keeping requirements. As per facility's ECA, Noise Control Measures are required for mitigating noise emissions, and a Best Management Practice Plan is on site to control the fugitive dust emissions. In addition, the Under Operation and Maintenance Requirement, the Facility has to prepare and implement procedures to prevent/or minimize odorous emissions. A copy of the facility's ECA is provided in Appendix C.

Kings Paving has been classified as a Class III Industry due to the large production levels, frequent truck traffic, outside storage, open process, and high probability of fugitive emissions.

St. Marys Cement Inc. (Canada) operating as CBM Ready Mix

St. Marys Cement Inc. (Canada) operating as CBM Ready Mix (CBM) operates a ready-mix concrete batching plant (Main RMC Plant) and a portable ready-mix concrete batching plant (Portable RMC Plant) operated on a permanent basis located at 1093 Howard Road, approximately 150m north-northeast to the site. CBM currently operates under ECA (Air and Noise) No. 9841-BNUR2A, issued on April 29, 2020.

Air emission sources for the facility include storage silos, dust collectors, and fugitive emissions resulting from the delivery, storage and transfer of materials associated with the ready-mix concrete batching operations. Specifically,

the Main RMC Plant consists of four baghouse dust collectors for four storage silos, one dust collector for cement scale, one dust collection system for loading point, and an 8.85 MMKJ hot water boiler. The Portable RMC Plant consists of two silos and the associated dust collector system. The maximum production rate of the Main RMC Plant and the Portable RMC Plant is 1000 and 375 cubic meters of ready-mix concrete per day, respectively. As per facility's ECA, CBM has a fugitive dust Best Management Practices Plan (BMMP) to minimize fugitive dust emissions.

CMB has been classified as a Class III Industry due to the large production levels, frequent truck traffic, outside storage, open process, and high probability of fugitive emissions.

Agro Wholesale Produce Ltd.

Agro Wholesale Produce Ltd. (Argo Wholesale) is a fruit and vegetable wholesaler located at 1032 Howard Road and shares a property line with the proposed development to the North of the site. The facility offers produce delivery and supply services for schools, catering company, golf courses, etc. Argo Wholesale does not have an MECP approval.

The expected on-site operations include delivery trucks up to 24 hours a day, and the operation of cooling units and HVACs. Argo Wholesale has been conservatively classified as a Class II Industry due to 24-hr operation schedule and the possible frequent movement of the products.

Potential air emissions can be expected from HVAC and cooling units, but these emissions can be considered insignificant. Also, the facility is not expected to be a significant source of dust emissions.

Other Facilities that Adjacent to the Proposed Property

In addition to Argo Wholesale, the following facilities have been identified that share a property line with the proposed development:

- **Benjamin Moore Paints - Colours and More:** Seller of paint, stains & finishes offering several eco-friendly products & colour consulting located at 127 Plains Road West, northeast of the development
- **Gardenia Tile:** a general contractor located at 127 Plains Road West, northeast of the development
- **Ye Olde Squire:** a pub that is located at 127 Plains Road West, northeast of the development
- **Burlington & Area Midwives**: a midwife service located at 159 Plains Road West, southwest of the development

It was conservatively assumed that the above facilities are Class I industries. All of the above facilities are self-contained, with only minor air emissions from rooftop HVAC equipment. Any potential truck deliveries/shipments related to the operations of these facilities would be expected to be very infrequent. In addition, there is existing residential units on top of these facilities, which can demonstrate that these facilities are compatible with residential development.

Facilities Located Within the Proposed Site Boundary

The following facilities have been identified that are currently located within the proposed Site boundaries:

- **JT Fence Inc**: a fence contractor located at 147 Plains Rd W
- **Monarch Dentistry**: a dentist office located at 141 Plains Rd W
- **Medisthetics Wellness & Laser Clinic:** a medical spa inside Monarch Dentistry, located at 141 Plains Rd W
- **Laser Hair Clinic Burlington:** a laser hair removal service located at 141 Plains Rd W

These four locations will no longer exist once the development proceeds based on the proposed floor plan.

4. Air Quality Impact Study

4.1 Guidelines and Regulations

Within Ontario, facilities which emit significant amounts of contaminants to the environment are required to obtain and maintain an Environmental Compliance Approval (an “ECA”) from the MECP or submit an Environmental Activity and Sector Registry (“EASR”). Facilities with an ECA/EASR should already meet the MECP guidelines for air quality contaminants at their property line.

4.1.1 Air Quality Contaminants

Under O. Reg. 419/05, a facility is required to meet prescribed standards for air quality contaminants at their property boundary line and any location off-site. The MECP does not require industries to assess their emissions at elevated points off-site, if a receptor does not exist at that location. Introduction of mid-rise residential properties could potentially trigger a facility to re-assess compliance at new receptor locations.

4.1.2 Traffic Related Air Pollution

Burlington is a member of the Greater Toronto Area Clean Air Council (GTA CAC), which promotes the reduction of air pollution and greenhouse gas emissions and increased awareness of regional air quality and climate change issues in the Greater Toronto Area through the collective efforts of all levels of government. The Council identifies and promotes the most effective initiatives to reduce the occurrence of air pollution and greenhouse gas emissions.

It is additionally noted that the City of Burlington has no specific guideline document related to TRAP, however, the City of Toronto has developed the following reference guide for TRAP mitigation:

– City of Toronto. Avoiding the TRAP: Traffic-Related Air Pollution in Toronto and Options for Reducing Exposure. Technical Report. October 2017

As detailed in the Traffic-Related Air Pollution published by the City of Toronto, the health risk is higher within 100 m of major arterial roads and 500 m of the edge of highways. The pollutant concentrations decrease to background levels within 100 m of major arterial roads and 500 m of the edge of highways. The proposed development is located 750 m from Highway 403 , approximately 1300 m from the Aldershot rail yard, and around 1000 m to the Aldershot GO Station.

The Railway Association of Canada and the Federation of Canadian Municipalities (May 2013) guideline provides minimum separation distances for residential developments nearby rail corridors. The worst case minimum setback distance in the guideline is 300 meters for rail yards. The proposed development is outside the minimum separation distance and therefore no further evaluation is required.

Given that the proposed development is located outside of the recommended setback distances but remains close to major roadways (Plains Road West) and rail, mitigation measures should be considered. TRAP mitigation strategies for the proposed development include:

– Have inoperable windows. Provide air conditioning and air filtration systems using MERV 13 air filters to reduce contaminants in indoor air.
– Using mechanical HVAC to create a positive pressure within the buildings (by providing more make-up air than is exhausted) to minimize air pollution infiltration.
– Place fresh air intake locations and outdoor amenities away from Highway 403 and the Class III facilities, which are situated north and northeast, respectively, to the proposed Development.
– Installing a vegetation buffer/barrier on the north side of the development to block the property boundary from roadways and to filter emissions (coniferous plants are recommended for year-round efficacy). The site plan for the Development includes vegetation buffer on the north and east side of the development.

If these mitigation measures are not preferred then a more detailed study quantifying the potential air and odour impacts from the potential facilities of concern is recommended.

4.1.3 Odour

There are a select few compounds that are provincially regulated from an odour perspective; however, there is no formal regulation with respect to mixed odours. Impacts from mixed odours produced by industrial facilities are generally only considered and regulated by the MECP in the presence of persistent complaints (ECO 2010).

The MECP assesses mixed odours, in Odour Units, following draft guidelines. One odour unit (1 OU) has been used as a default threshold. This is the concentration at which 50 % of the population will just detect an odour (but not necessarily identify/recognize or object to it). Recognition of an odour will typically occur between 3 and 5 odour units. The following factors may be considered:

– **Frequency** – How often the odour occurs. The MECP typically allows odours to exceed 1 OU with a 0.5% frequency.
– **Intensity** – The strength of the odour, in odour units. 1 OU is often used in odour assessments in Ontario.
– **Duration** – How long the odour occurs.
– **Offensiveness** – How objectionable the odour is. The MECP may allow for a higher concentration of pleasant smells such as baking as opposed to off-putting smells such as rotting garbage or rancid meat.
– **Location** – Where the odour occurs. The MECP assesses at odours where human activity is likely to occur.

The MECP has decided to apply odour-based standards to locations “where human activities regularly occur at a time when those activities regularly occur,” which is generally accepted to be places that would be considered sensitive such as residences and public meeting places. As a guide, the MECP has provided proposed clarification of human odour receptors, as shown in the following table:

Table 4.1 Proposed Clarification of Human Receptors (MECP 2016)

Receptor Category	Examples	Exposure Type	Type of Assessment
Permanent potential 24-hour sensitivity	Anywhere someone could sleep including any resident or house, motels, hospitals, senior citizen homes, campgrounds, farmhouse, etc.	Individual likely to receive multiple exposures	Considered sensitive 24 hours per day
Permanent daily hours but with definite periods of shutdown/closure	Schools, daycares, community centres, soccer fields, farmland, churches, bicycle paths, hiking areas, lakes, commercial or institutional facilities (with consideration of hours of operation such as night clubs, restaurants, etc.)	Individual could receive multiple exposures	Nighttime or daytime exclusion only (consider all other hours)
Seasonal variations with clear restrictions on accessibility during the off season	Golf courses, amusement parks, ski hills, other clearly seasonal private property	Short term potential for exposure	Exclusions allowed for non-seasonal use
Transient	Open fields, roadways, easements, driveways, parking lots, pump houses	Very short-term potential for exposure, may not be a single resident exposed to multiple events	Generally, would not be included as human receptors unless otherwise specified.

Note that commercial facilities are considered to be odour sensitive points of reception, as well as community spaces and residences. The MECP odour policy would apply to the proposed commercial uses as well as the proposed residential development.

Because the existing commercial use is closer to the potential source of odour, the odour impact is not expected.

4.1.4 Dust

Ontario Regulation 419/05 also provides limits for dust, including limits for suspended particulates and dust fall. Under Reg. 419/05, these air quality limits must be met at the property line and all points beyond. This is not changed by the addition of the Site. That is to say, the existing mutual property line is already a point of reception for dust, and the limits must already be met at that location.

In addition, nearby facilities that are expected have fugitive dust emissions (King Paving & Construction and St. Marys Cement Inc. (Canada) operating as CBM Ready Mix) both implement a Best Management Practices Plan for the control of fugitive dust emissions that provide effective dust suppression measures to any potential sources of fugitive dust emissions resulting from the operation of the Facility.

4.2 Limited Concern Facilities

The facilities identified to have limited concern are anticipated to have limited air, dust and odour impact on the proposed development. A total of 90 businesses, including dentists, restaurants, grocery stores, salons, facilities, auto repair shops, labs, churches, warehouses, and general contractors, have been evaluated in this study. These facilities are all located outside the recommended minimum separation distance and potential area of influence; therefore, an adverse impact on the Site is not expected from these facilities.

In addition, as outlined in Section 3.3 of this report, Facilities including Agro Wholesale Produce, Mission Produce, and Benjamin Moore are expected to generate negligible amount of air emissions. As a result, despite their proximity to the site, it is unlikely that they will have any significant air quality impact to the proposed development.

4.3 Potential Stationary Impacts

The following identified facilities of concern have a potential under the D-6 Guideline to adversely impact the Site:

– King Paving & Construction Ltd.

– St. Marys Cement Inc. (Canada) operating as CBM Ready Mix

Kings Paving & Construction Ltd. and St. Marys Cement Inc. (Canada) operating as CBM Ready Mix both operate under ECA for air emissions; therefore, air quality contaminants at the facilities' property line are within compliance with provincial standards. Each facility's ECA would also have accounted for odour and/or noise at the nearest existing sensitive receptor. Though each facility can prove compliance independently, the potential cumulative impacts at the Site are not known.

King Paving & Construction Ltd.

Kings Paving is located approximately 270m north-northwest of the site. Kings Paving currently operates under ECA (Air) NO. 2090-BXNT5G, issued on June 1, 2021. Emissions to the air from Kings Paving include benzo(a)pyrene, benzene, particulate matter, nitrogen oxides, and odour. Fugitive dust emissions are expected due to the nature of the operations. Due to the site operating under an ECA and fugitive dust best management plan, it is implied that air quality contaminants at the facilities property line are in compliance with provincial standards.

Kings Paving is located within the recommended minimum separation distance for a Class III facility. As a result, the facility has the potential to adversely impact the Site. The proposed development also introduces new sensitive receptors.

St. Marys Cement Inc. (Canada) operating as CBM Ready Mix

St. Marys Cement Inc. (Canada) operating as CBM Ready Mix (CBM) is located approximately 150m northwest of the site. Kings Paving currently operates under ECA (Air) NO. 2090-BXNT5G, issued on June 1, 2021. Emissions to the air from CMB include suspended particulate matter, slag, portland cement, crystalline silica, calcium carbonate, and products of combustion. Due to the site operating under an ECA, it is implied that air quality contaminants at the facility's property line are in compliance with provincial standards. Fugitive dust emissions are expected to be mitigated by the Fugitive Dust BMMP implemented by the Facility.

CBM is located within the recommended minimum separation distance for a Class III facility. As a result, the facility has the potential to adversely impact the potential development. CBM is in close proximity of existing sensitive receptors, which include a day-care centre and a nursing home. However, the proposed development introduces new elevated sensitive receptors for air and noise and is located in a different direction from the existing sensitive receptor.

4.4 Site Visit Observations

GHD conducted a site visit on April 11, 2023, investigating the areas surrounding CBM and Kings Paving. The weather during the site visit was dry, with temperatures ranging between 15 – 22°C, moderate southwest winds between 15 – 20 km/hr with wind gusts up to 50 km/hr.

The area along Plains Road West feels very much like a residential neighbourhood, with several high, mid and low-rise developments surrounding the proposed development.

During the site visit, the proposed development was generally upwind from CBM and King's Paving, however GHD observed fugitive dust only from trucks travelling along Howard Rd when exiting the facilities. There were no visible dust emissions from plant operations during the site visit. GHD interviewed personnel from Wee Care Educational Service, a daycare center immediately adjacent to St. Marys Cement with an outdoor play area along Howard Road. Wee Care personnel indicated the dust is not generally a concern, but may occasionally be noticeable for a few days in the summer, when the weather is very dry. They did not have any concern with respect to odours from St. Mary's or King's Paving.

GHD detected minor odours on Railway Rd, on the north side of Kings Paving, downwind of the Facility. These odours were originating from the outdoor storage piles, just on the opposite side of the berm. These are low-level sources, which would generally have a worst-case impact at ground level and not elevated receptors such as the proposed development. Additionally, the new development located on Cooke Blvd just north of Waterdown Road would be considered the worst-case receptors to King's Paving outdoor storage.

Based on the site observations, the proposed development would be located in a heavily residential area, which have been shown to be compatible with the nearby Class III industries.

4.5 Evaluation of Surrounding Land Uses

4.5.1 Meteorological Data

Surface wind data was obtained from Environment Canada to generate a 'blowing from' wind rose from data collected at HAMILTON RBG CS Station (Climate ID #6153301) from 2016 through 2020, as shown in Figure 4.1.

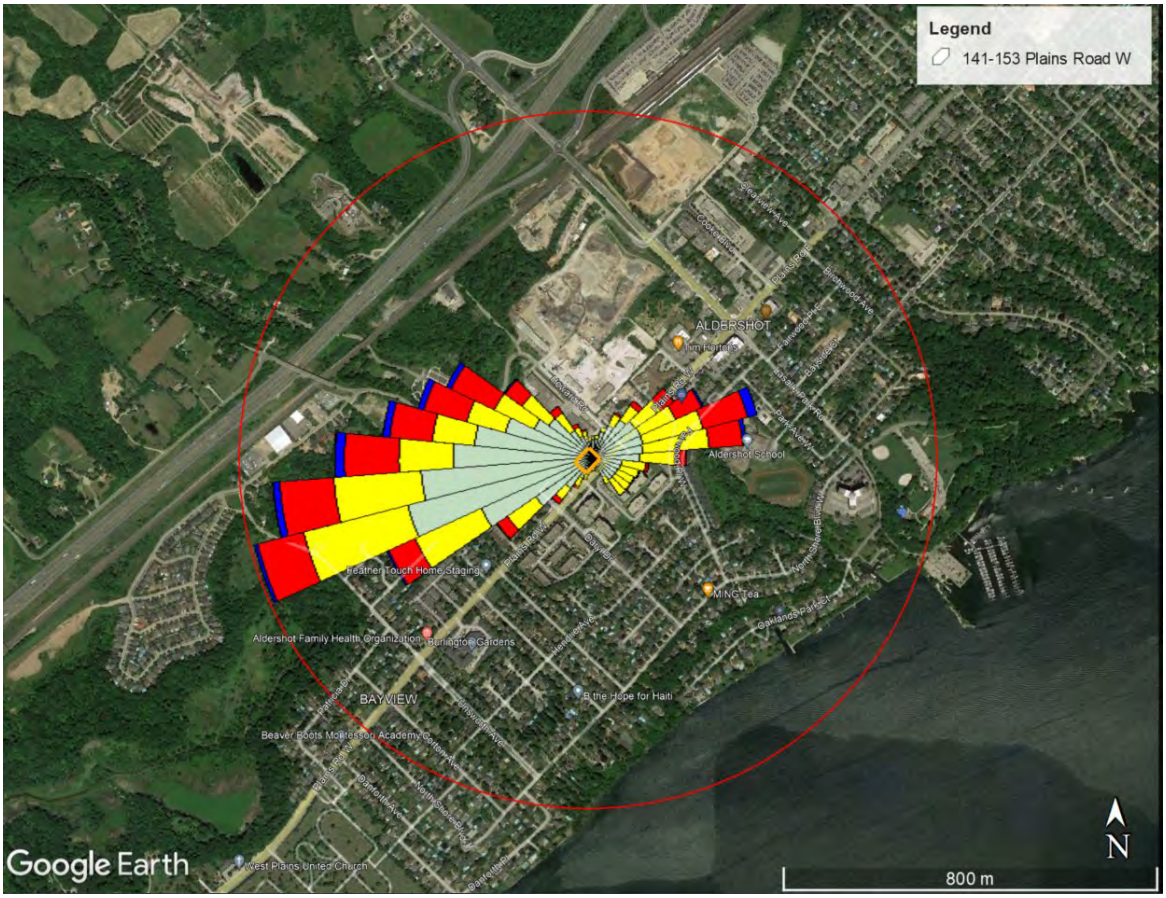


Figure 4.1 Prevailing Wind Direction

The wind rose shows that the predominant winds blowing to the site are from southwest to west-north quadrant, and east to east-northeast, while winds blowing from the north, east-south, north-northwest to south-southwest, are not frequent. Table 4.2 presents the approximate frequency generated from the hourly station data.

Table 4.2 Wind Data for Station #6153301

Direction (Blowing from)	Percent Frequency	Equivalent days
E	4.80%	18
ENE	7.88%	29
ESE	2.26%	8
N	1.82%	7
NE	5.36%	20
NNE	2.89%	11
NNW	1.19%	4
NW	2.40%	9
S	1.28%	5
SE	1.85%	7
SSE	0.71%	3
SSW	2.25%	8
SW	8.33%	30

Direction (Blowing from)	Percent Frequency	Equivalent days
W	15.85%	58
WNW	6.64%	24
WSW	16.29%	59
Calms	18.21%	66
Total	**1.00**	**365**

Kings Paving and CBM Ready Mix are located at the north, north-northeast, and northeast of the proposed facility. Therefore, air potential impacts from these two facilities may be transported to the site approximately 10.07% of the time or 38 equivalent days per year.

4.5.2 Existing Sensitive Land Use

Multiple sensitive land uses have been identified in the area surrounding the Site. These residential developments (residential homes and complexes), retirement living facilities, and childcare facilities are located in close proximity to the Site. Table 4.3 identifies the closest existing sensitive land uses to the identified potential facilities of concern.

Table 4.3 Proximity of Existing Sensitive Receptors to Potential Facilities of Concern

Facility	Existing Sensitive Receptor	Proximity from the Existing Sensitive Receptor (m)	Proximity from the Proposed Site (m)
Gardens Dental, Gardens Medical Group, and Dr. Roman Galkin	181 Plains Rd W (townhouse)	Share a Property Boundary	42.3 m
Agro Wholesale Produce Ltd.	181 Plains Rd W (townhouse)	Share a Property Boundary	Share a Property Boundary
CBM Ready Mix	Wee Care Educational Service (day care center)	Share a Property Boundary	273 m
	Hampton Terrance Care Center (nursing home)	Share a Property Boundary	
King Paving & Construction Ltd.	Wee Care Educational Service (day care center)	175 m	285 m
	Hampton Terrance Care Center (nursing home)	130 m	

For each potential facility of concern, there are existing sensitive land uses located either closer or at the same proximity.

4.5.3 Potential Future Industries

GHD has reviewed development applications using the City of Burlington's Development Projects Viewer current at the time of writing for proposed developments surrounding the Site. There are no new industrial uses proposed nearby to the Development. GHD is of the opinion that the proposed Development will not significantly affect the land use compatibility of the future employment uses on nearby lands, as there are existing sensitive residential land uses adjacent to the Development with similar exposure and line of sight. Any future commercial or industrial operations would need to be compatible with existing residential uses in the area.

4.6 AERMOD Preliminary Air Assessment for Elevated Receptors

Under O. Reg. 419/05, a facility is required to meet prescribed standards for air quality contaminants at their property boundary line and any location off-site. The introduction of high-rise residential properties could trigger a facility to re-assess compliance at new elevated receptor locations.

The AERMOD v.22112 air dispersion model was used to assess the impacts of air emissions from nearby sources on the elevated receptors at the proposed Development. AERMOD is one of the approved dispersion models listed in Section 6 of O. Reg. 419/05.

Rural dispersion coefficients and worst-case meteorological conditions (full meteorology) were used to determine maximum point of impingement concentrations. The rural dispersion coefficient was determined based on Auer land uses for a 3km radius around the facility of concern.

Discrete distances were established to represent the worst-case elevated receptors on the proposed development and the existing building, respectively. The receptor heights were determined based on the building height and worst-case flagpole scenarios.

The modelling parameters used for the AERMOD model runs are presented in Table 4.4:

Table 4.4 CMB and King's Paving Receptor Parameters

Facility Covered	CBM	Kings Paving
Emission Sources Covered	CBM Baghouse Dust Collectors	Kings Paving Dryer Stack[1]
Source Type	Point	Point
Receptor Height (m)	0m, 20m, 25.5m. 30m, 33m, 36m	0m, 20m, 25.5m. 30m, 33m, 36m
Discrete Distance (m) to 141 Plains	250 m	483 m

Table 4.5 include stack parameters of the sources located at CBM Ready Mix. The stack parameters are based on CBM Ready Mix ECA approval No. 9841-BNUR2A. The emission rates of the stack are based on the flow rate and MECP recommended outlet dust collector loading factor. The MECP recommended emission factor is 20 mg/m^3 for the most significant baghouse and 10 mg/m^3 for other units.

Table 4.5 CBM Stack Parameters

Sources	Silo #1 Baghouse	Silo #2 Baghouse	Silo #3a Baghouse	Silo #3b Baghouse	Cement Scale Baghouse	Loading Baghouse
Emission Rate (g/s)	0.0043	0.0043	0.0043	0.0043	0.0043	0.0472
Source Release Height (m)	17.5	14.0	25.5	25.5	13.0	10.0
Exhaust Temperature (°C)	20.0	20.0	20.0	20.0	20.0	20.0
Stack Inside Diameter (m)	0.2	0.2	0.2	0.2	0.2	0.4
Stack Gas Exit Flow Rate (m^3/s)	0.43	0.43	0.43	0.43	0.43	2.36

Table 4.6 summarizes the air emission impacts from CBM's Baghouse Dust Collector. The highest concentration is observed at an elevation of 20m, but it remains below 10% of the MECP Particulate Matter limits of 120 ug/m3, as indicated in the table. Based on this, it can be concluded that the proposed development's introduction of an elevated receptor will not impact the facility's compliance.

[1] Estimated through similar asphalt dryer/mixer stacks

Table 4.6 AERMOD Results for CBM Baghouse Dust Collectors

Receptor Height at 141 Plains Property (m)	AERMOD Result (24-hr Averaging) (ug/m3)	% MECP Limit
0	6.24	5.20%
20	6.07	5.06%
25.5	4.39	3.66%
30	3.02	2.52%
33	3.02	2.52%
36	1.81	1.51%

Table 4.7 includes stack parameters for the dryer stack located at King's Paving. The stack parameters in the table below are based on parameters obtained from King Paving's previous ECA, No.2345-5JMR8N (issued to KPM Industries Ltd.). The updated modelling is based on the worst case 24-hour benzo(a)pyrene (BaP) emission rate obtained from the most recent Emission Summary Table (EST) for King Paving. This is conservative, as the 24-hour BaP emission rate is more than four times higher than the annual emission rate.

Table 4.7 Kings Paving Stack Parameters

Source	Tall Stack 1
Emission Rate (g/s)	7.82E-07 g/s
Source Release Height (m)	27.5 m
Exhaust Temperature (°C)	148
Stack Inside Diameter (m)	1.2 m
Stack Gas Exit Flow Rate (m^3/s)	20.8 m^3/s

Table 4.8 provides a summary of the air emission impacts resulting from Kings Paving's Dryer. The highest concentration is observed at an elevation of 36m, but it remains below 10% of the MECP Benzo(a)pyrene limits of 0.0001 and 0.005 ug/m3 for the annual and daily averaging periods, respectively. Based on this, it can be concluded that the proposed development's introduction of an elevated receptor will not impact the facility's compliance.

Table 4.8 AERMOD Results for Kings Paving Dryer

Receptor Height at 141 Plains Property (m)	AERMOD Result (24-hr Averaging) (ug/m3)	% Daily MECP Limit	AERMOD Result (Annual Averaging) (ug/m3)	% Annual MECP Limit
0	3.84E-06	0.08%	4.47E-07	4.47%
20	3.96E-06	0.08%	4.38E-07	4.38%
25.5	4.11E-06	0.08%	4.62E-07	4.62%
30	4.24E-06	0.08%	4.90E-07	4.90%
33	4.33E-06	0.09%	5.12E-07	5.12%
36	4.60E-06	0.09%	5.36E-07	5.36%

5. Conclusions

5.1 Summary of Potential Impacts

The potential for air quality impacts on the proposed development, including dust and odour, have been assessed. The summary of the potential impacts are outlined below:

- As outlined in Section 2.1, restaurants, commercial retail facilities, a contractor facility, auto repair facilities and dealerships, manufacturing facilities, institutional facilities, and other facilities located outside the recommended minimum separation distance and potential zone of influence were identified as facilities of limited concern.
- There were 24 facilities identified that are located within the area of influence, Within the 24 facilities identified, 18 are self-contained with only minor air emissions due to rooftop HVAC equipment. Any potential truck deliveries/shipments related to the operations of these facilities would be expected to be very infrequent.
- Argo Wholesale and Mission Produce have a potential noise impact to the proposed development. However, these facilities will have minimal impact on air quality, odour, and dust levels.
- Based on the industry classifications and their setbacks relative to the sensitive uses of the Development, GHD has identified below industries as a potential facility of concern:
    - St. Marys Cement Inc. (Canada) operating as CBM Ready Mix:
        - St. Marys Cement is identified as a facility of concern as this facility is located within the minimum separation distance for a Class III facility. However, the facility is operating under an ECA which requires a Dust Management Practices Plan, and there are existing ground-level sensitive receptors in closer proximity, it is deemed that the adverse air quality, dust, and odour impacts are not significant. However, the proposed development may introduce new elevated receptor for CBM which GHD determined through preliminary modelling would remain below the Ministry Point of Impingement Limits.
        - During the site visit, minor dust issues were observed.
    - King Paving & Construction Ltd:
        - King Paving & Construction Ltd is identified as a facility of concern as this facility is located within the minimum separation distance for a Class III facility. However, the facility is operating under an ECA which requires a Dust Management Practices Plan and Operating and Maintenance Procedure to prevent and/or minimize odours emissions; there are also existing ground-level sensitive receptors in closer proximity, it is deemed that the adverse air quality, dust, and odour impacts are not anticipated at the ground-level receptors. The proposed development may introduce new elevated receptor for air. However, GHD determined through preliminary modelling that the new development would likely result in a negligible increase in maximum off-property concentrations for King's Paving.
        - During the site visit, minor odour issues were identified.

Based on the results of our studies, adverse air quality impacts are not anticipated at the Project. The requirements of MECP Guideline D-6 are met. There is no reason why the development should not proceed from an air quality perspective.

This analysis is not an exhaustive consideration of all possible industrial land uses that could impact the proposed Site, but rather preliminary screening of probable uses in keeping with the current industrial uses. Any proposed industrial uses of these lands should be evaluated to determine future land use compatibility.

5.2 Recommendations

Based on the facility of concern listed in section 5.1 and existing sensitive receptors the recommendations are outlined below:

– Mitigation for the potential facilities of concern listed can be done with design aspects such as inoperable windows, air conditioning, and locating air intakes well above grade. If these mitigation measures are not preferred then a more detailed study quantifying the potential air and odour impacts from the potential facilities of concern is recommended, as this would likely be required by the Town.

– Consideration should be given to include the best practices of building pressurization and filtration in the mechanical design to ensure that tenants have good air quality within the homes given the quantity of industrial facilities within the Study Area and their proximity to the proposed Development. An appropriate operating and maintenance schedule should be in place for the filtration system. GHD recommends that air quality study be completed at later stages of the approval process to ensure that such mitigation measures were installed, perform as intended, and will be maintained.

– The following permanent warning clauses are recommended to be included in agreements of Offers of Purchase and Sale, lease/rental agreements, and condominium declarations for all residential units of the Development:

  - **Air Quality Warning Clause:** “Purchasers/tenants are advised that due to the proximity of adjacent industries, dust and odours from these facilities may at times be perceptible.”
  - **Warning Clause Type D**: “This dwelling unit has been supplied with an air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that effective operation of building filtration systems to minimize potential fugitive dust and odour emissions from nearby industry and major roadways.”

6. References

Ontario Ministry of Environment, Conservation and Parks (MECP) “Compatibility Between Industrial Facilities and Sensitive Land Uses” (Guideline D-6)

MECP Regulation 419/05 Air Pollution – Local Air Quality

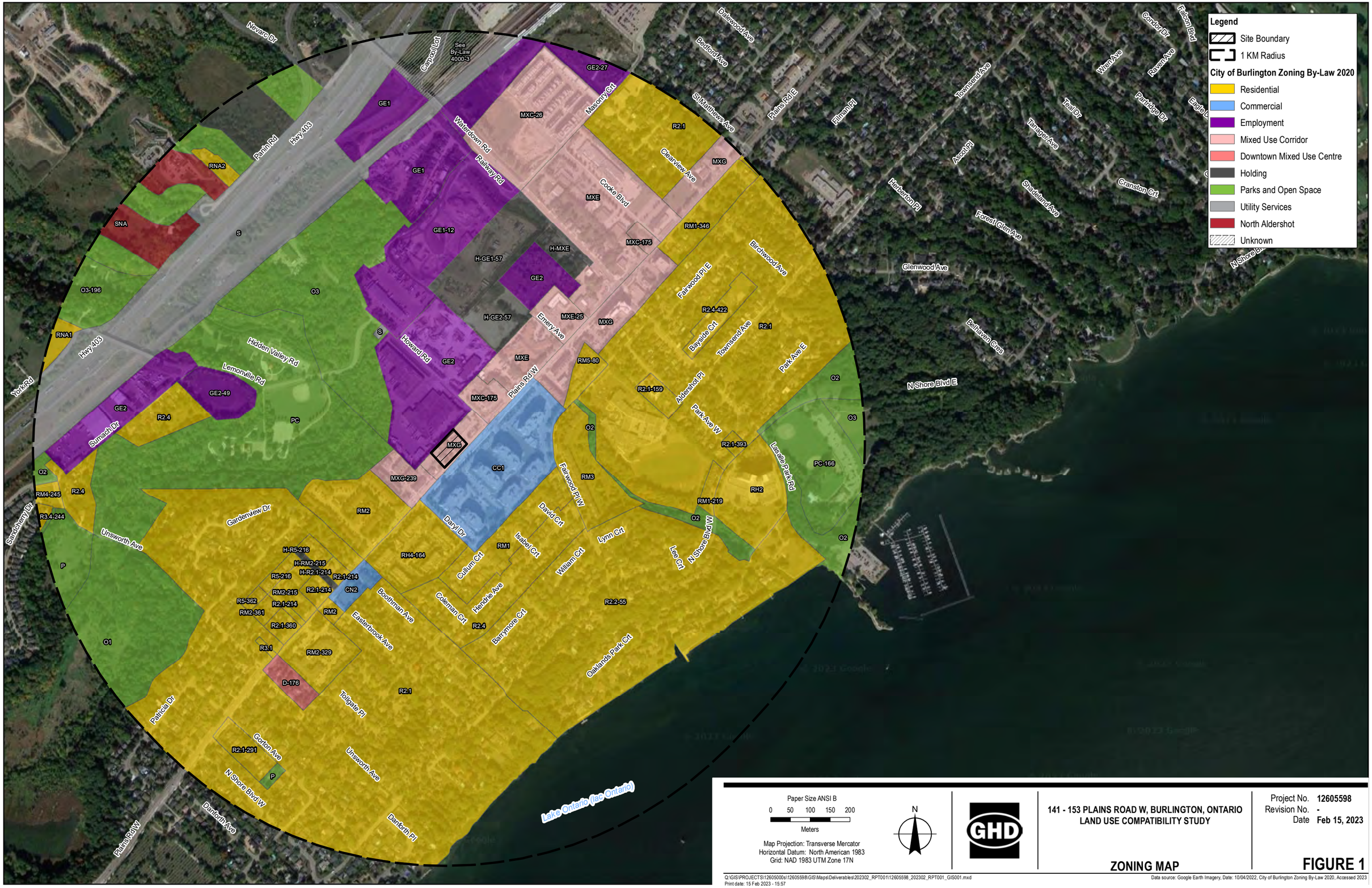
Environment and Climate Change Canada, National Pollutant Release Inventory (NPRI), available at Environment and Climate Change Canada - NPRI Data Search

Ontario Ministry of the Environment and Climate Change, Access Environment, available at: http://www.accessenvironment.ene.gov.on.ca/AEWeb/ae/GoSearch.action

Appendices

Appendix A

Land Use Zoning Designation Plan



Paper Size ANSI B

0 50 100 150 200

Meters

Map Projection: Transverse Mercator
Horizontal Datum: North American 1983
Grid: NAD 1983 UTM Zone 17N

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GHD

141 - 153 PLAINS ROAD W, BURLINGTON, ONTARIO
LAND USE COMPATIBILITY STUDY

Project No. **12605598**
Revision No. **-**
Date **Feb 15, 2023**

ZONING MAP

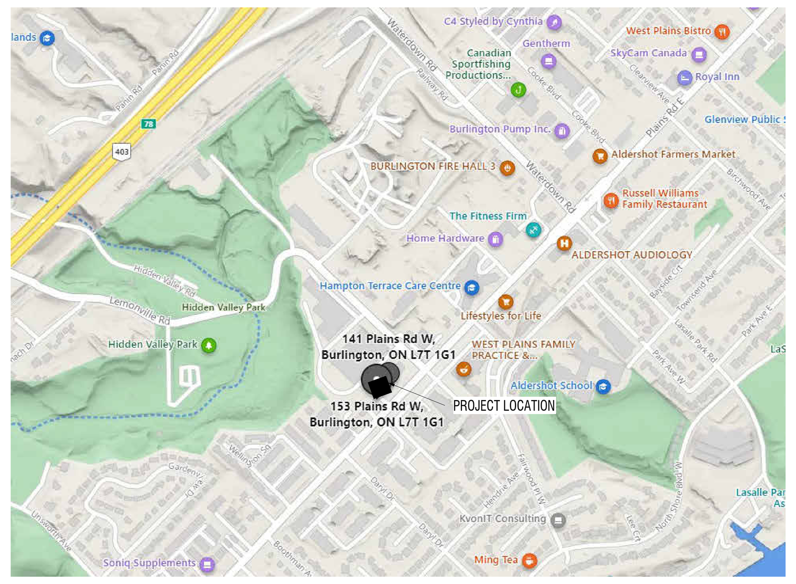
FIGURE 1

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Print date: 15 Feb 2023 - 15:57

Data source: Google Earth Imagery, Date: 10/04/2022, City of Burlington Zoning By-Law 2020, Accessed 2023

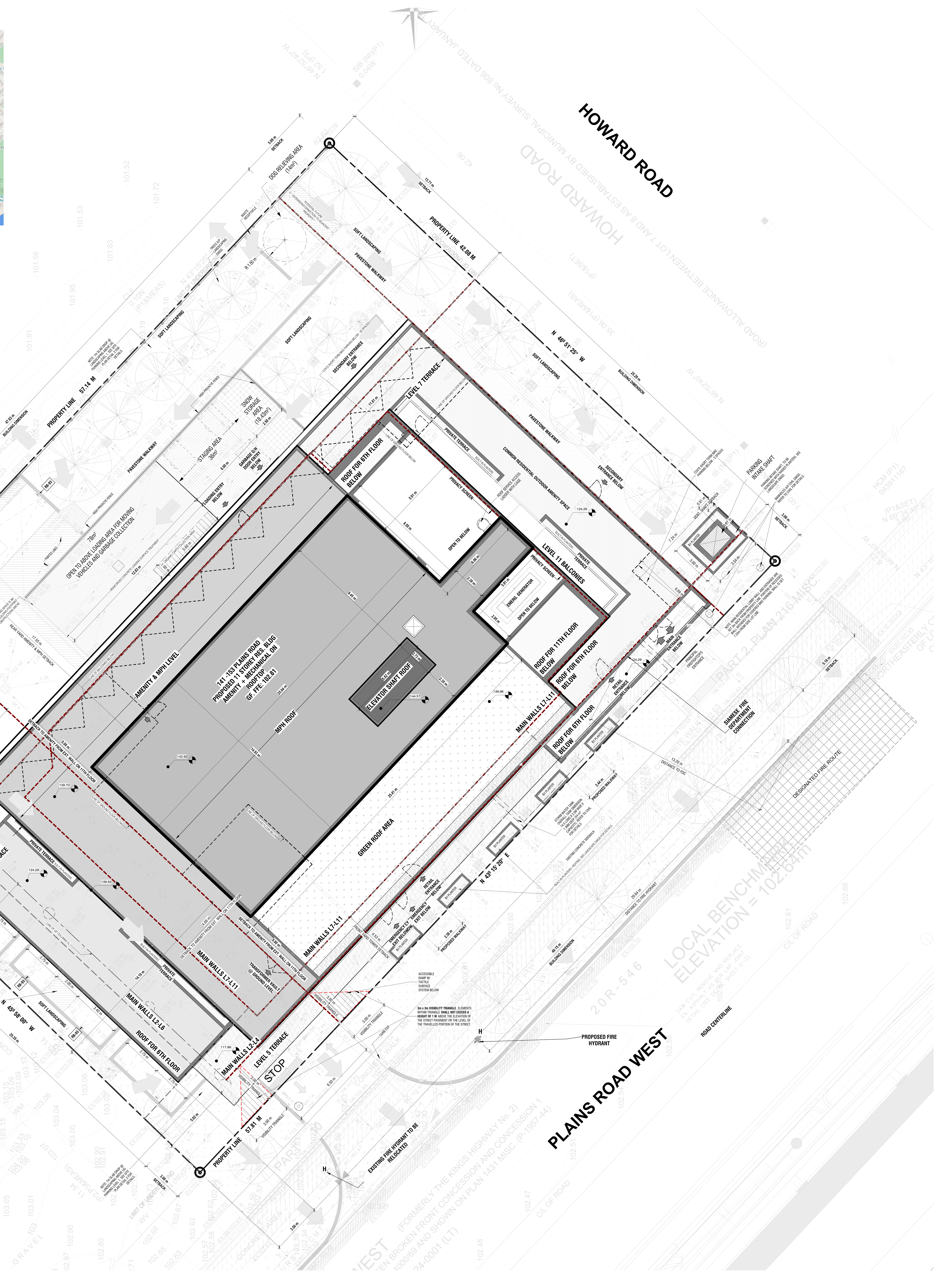
Appendix B

Proposed Development



CONTEXT PLAN-NTS

Scale: 1 : 1



1 A100 SITE PLAN

Scale: 1 : 100

PLAINS ROAD APARTMENT BLDG.

141-153 PLAINS ROAD WEST, BURLINGTON, ON

LOT & BUILDING STATISTICS				
ZONING:	MXG	GENERAL		
	ac	ha	m²	sf
LOT AREA	-----	0.2418 ha	2,418 m²	26,027 sf
FAR (FLOOR AREA RATIO)	4.82			

SETBACKS	REQUIRED	PROVIDED
FRONT YARD SETBACK (SOUTH)	3.0 m	3.0 m
REAR YARD SETBACK (NORTH)	3.0 m	13.71 m
SIDE YARD SETBACK (EAST)	----	5.09 m
SIDE YARD SETBACK (WEST)	----	4.43 m
AVERAGE GRADE	----	
AVERAGE GRADE (m)	----	102.79 m

BUILDING DATA	m²	PROVIDED
BUILDING HEIGHT (m)	----	36.96 m
NUMBER OF STOREYS (ABOVE GRADE)	----	11
NUMBER OF STOREYS (BELOW GRADE)	----	2
BUILDING COVERAGE	896.813 m² / 2418 m²	(37.09 %)
LOT COVERAGE	1392.185 m² / 2418 m²	(57.58 %)
LANDSCAPE AREA	921 m² / 2418 m²	(38.09 %)
SOFT LANDSCAPE AREA ON GF, 7TH FLOOR AND GREEN ROOF	642 m² / 2418 m²	(26.55 %)
HARD LANDSCAPE AREA	279 m² / 2418 m²	(11.54 %)
DRIVEWAY AND PARKING AREA (GF)	949.5 m² / 2418 m²	(39.27 %)
RETAIL FLOOR AREA (GROUND FLOOR)	----	180.5 m²
UG PARKING AREA (P1)	----	2,164 m²
UG PARKING AREA (P2)	----	2,164 m²

GROSS BUILDING FLOOR AREA	
LEVEL	**GFA (m²)**
PARKING LEVEL P2	135 m²
PARKING LEVEL P1	119 m²
GROUND FLOOR	250.5 m²
GROUND FLOOR COMMERCIAL	180.5 m²
LEVEL 2	1033 m²
LEVEL 3	1033 m²
LEVEL 4	1033 m²
LEVEL 5	976 m²
LEVEL 6	976 m²
LEVEL 7	694 m²
LEVEL 8	712 m²
LEVEL 9	712 m²
LEVEL 10	712 m²
LEVEL 11	712 m²
AMENITY & MPH	268 m²
TOTAL	**9.546 m²**

GROSS FLOOR AREA CALCULATIONS NOTE: A/P CPP BY-LAW - PROPOSED - MAY 2024:

THE TOTAL AREA OF THE FLOOR MEASURED TO THE OUTSIDE FACES OF EXTERIOR WALLS OR THE CENTRE OF COMMON WALLS, EXCLUDING ANY PART OF THE BUILDING DEVOTED TO:

- VEHICLE OR BICYCLE PARKING
- STORAGE
- AIR HANDLING EQUIPMENT
- HALLWAYS, STAIRWAYS
- ELEVATORS AND ASSOCIATED EQUIPMENT
- WASHROOMS
- FOYERS, LOBBIES, BUT NOT WAITING AREAS/ROOMS

AMENITY	REQUIRED	PROVIDED
PRIVATE RESIDENTIAL AMENITY (BALCONY, TERRACE)	4m² * 150 UNITS = 600m²	**1492 m²**
COMMON RESIDENTIAL AMENITY (INDOOR AND OUTDOOR)	4m² * 150 UNITS = 600m²	**751 m²**
INDOOR AMENITY		216 m²
OUTDOOR AMENITY		535 m²
TOTAL:	**1,120 m²**	**2243 m²**

NUMBER OF RESIDENTIAL UNITS					
SUITE TYPE	BA	1BR	2BR	3BR	**TOTAL**
U/G PARKING P2	0	0	0	0	0
U/G PARKING P1	0	0	0	0	0
GROUND FLOOR	0	0	0	0	0
2ND FLOOR	2	2	11	2	17
3RD FLOOR	2	2	11	2	17
4TH FLOOR	2	2	11	2	17
5TH FLOOR	2	5	8	2	17
6TH FLOOR	2	5	8	2	17
7TH FLOOR	2	4	7	0	13
8TH FLOOR	2	3	8	0	13
9TH FLOOR	2	3	8	0	13
10TH FLOOR	2	3	8	0	13
11TH FLOOR	2	3	8	0	13
AMENITY & MPH	0	0	0	0	0
ROOF	0	0	0	0	0
TOTAL	20	32	88	10	**150 UNITS**

VEHICLE PARKING			
REQUIRED PARKING SPACES			
	QTY	**MAXIMUM REQUIRED**	**PROVIDED**
RESIDENTIAL **(MAX 1.20 SPACES PER DWELLING UNIT)**	150	180	103 (INCL. 20 EV SPACES , 3 ACCESSIBLE)
VISITOR **(MAX 0.15 SPACES PER DWELLING UNIT)**	150	23	5 (INCL. 1EV AND 1 ACCESSIBLE)
RETAIL STORE (NON RESIDENTIAL)	175 m²	MAX 4.4 PARKING SPACES /100 m2 GFA	4 (INCL. 1EV AND 1 ACCESSIBLE)
		TOTAL REQUIRED:	**112 PARKING SPACES***

PROVIDED PARKING PER LEVEL	**PROVIDED**	**PROVIDED TOTAL**
U/G PARKING (P2) (RESIDENTIAL ONLY)	41 R. PARKING SPACES 10 EV. PARKING SPACES	51 PARKING SPACES
U/G PARKING (P1) (RESIDENTIAL ONLY)	39 R. PARKING SPACES 10 EV. PARKING SPACES	49 PARKING SPACES
GROUND FLOOR PARKING (LEVEL 1)	2 C. PARKING SPACE 1 EV-C. PARKING SPACES 1 BF-C. ACCESSIBLE P.S. 3 V. PARKING SPACE 1 BF-V. PARKING SPACE 1 EV-V. PARKING SPACES 3 BF-R. ACCESSIBLE P.S.	12 PARKING SPACES
TOTAL ELECTRIC VEHICLE PARKING PROVIDED:		**22 (20%) PARKING SPACES**
TOTAL 'DESIGNED' ELECTRIC VEHICLE PARKING PROVIDED:		**90 (80%) PARKING SPACES**
TOTAL PARKING PROVIDED:		**112 (100%) PARKING SPACES**

NOTE: A/P **COMMUNITY PLANNING PERMIT BY-LAW - PROPOSED – MAY 2024**,
5.23.2. 20% OF THE PROPOSED PARKING SPACES IN ACCORDANCE WITH SECTION 5.21 (PARKING SPACES) OR AS PERMITTED THROUGH VARIATION SHALL BE PROVIDED AS ELECTRIC VEHICLE PARKING SPACES, AND 80% OF THE PROPOSED PARKING SPACES SHALL BE PROVIDED AS DESIGNED ELECTRIC VEHICLE PARKING SPACES.
5.23.3. FOR ANY NON-RESIDENTIAL USE, A MINIMUM OF 10% OF THE PROPOSED PARKING SPACES **SHALL** BE PROVIDED AS **DESIGNED ELECTRIC VEHICLE PARKING SPACES**.

ACCESSIBLE PARKING		
A/P 2016 CITY OF BURLINGTON ACCESSIBILITY DESIGN STANDARDS	**REQUIRED** 1+3% (IF ODD +1 TYPE B)	**PROVIDED**
ACCESSIBILITY PARKING 1 TYPE 'A'	2 PARKING SPACES	2 PARKING SPACES
ACCESSIBILITY PARKING 1 TYPE 'B'	3 PARKING SPACES	3 PARKING SPACES
ACCESSIBILITY PARKING TOTAL	**5 PARKING SPACES**	**5 PARKING SPACES**

BICYCLE SPACE REQUIREMENTS (A/P CITY OF BURLINGTON MAY 2024 DRAFT CPP BY-LAW)			
REQUIRED RESIDENTIAL & RETAIL BIKE PARKING SPACES			
TYPE OF DEVELOPMENT	**LONG TERM**	**SHORT TERM**	**TOTAL**
	(0.5 PER DWELLING UNIT)	*(0.1 PER DWELLING UNIT)*	
APARTMENT BUILDING (140 DWELLING UNITS)	REQUIRED: 75	REQUIRED: 15	RES. REQUIRED: 90
	(0.1 PER 100 m², 2 MIN)	*(0.1 PER 100 m², 2 MIN)*	
RETAIL (175 m²)	REQUIRED: 2	REQUIRED: 3	RETAIL REQUIRED: 5
TOTAL	TOTAL REQUIRED: 77	TOTAL REQUIRED: 17	**TOTAL REQUIRED: 94**
PROVIDED (TOTAL)	PROVIDED: **105** GF: 8 LARGE BIKE: 7 P1: 50 P2: 40	PROVIDED: **23** GF: 23 P1: 0 P2: 0	**TOTAL PROVIDED: 128**
	(5% OF REQUIRED BICYCLE SPACE)		
LARGE BIKE PARKING	(127 x 5%) REQUIRED: 6.35	PROVIDED: **7**	TOTAL PROVIDED: **7**

SITE PLAN NOTES:

1. THIS DRAWING MUST BE READ IN CONJUNCTION WITH THE SITE SERVICING AND GRADING DRAWINGS AND THE PROVIDED LEGAL SURVEY.
2. THE ARCHITECT AND/OR CIVIL ENGINEER SHOULD BE CONCTACTED FOR CLARIFICATION IF ANY DIMENSIONS OR CONDITIONS ARE NOT CLEARLY DEPICTED IN THESE DRAWINGS.
3. ALL DIMENSIONS ARE IN MILLIMETERS (mm) OR METERS(m) UNLESS NOTED OTHERWISE.
4. ALL UTILITES ARE NOT NECESSARILY SHOWN ON THIS DRAWING. LOCAL UTILITES SHOULD ALWAYS BE CONSULTED PRIOR TO COMMENCEMENT OF WORK.
5. WHERE UTILITIES ARE SHOWN, LOCATIONS CAN ALSO NOT BE GUARANTEED.
6. ONLY THE OFFICIAL SURVEY PROVIDED SHOULD BE USED AS A REFERENCE FOR LAYING OUT THE FOUNDATION.
7. LOCATION AND SIZE OF ALL UTILITES SHOULD BE VERIFIED IN FIELD.

aaa architects

SUITE 1018 130 QUEENS QUAY EAST TORONTO, ON.
TEL. # : 647 948 4889

DO NOT SCALE THIS DOCUMENT. ALL MEASUREMENTS MUST BE OBTAINED FROM STATED DIMENSIONS. ALL ERRORS AND DISCREPANCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE COMMENCEMENT OF WORK. IT IS THE RESPONSIBILITY OF THE CONTRACTORS TO INFORM THEMSELVES OF THE EXACT LOCATION OF, AND ASSUME ALL LIABILITY FOR DAMAGE TO ALL UTILITIES, SERVICES AND STRUCTURES WHETHER ABOVE GROUND OR BELOW GRADE BEFORE COMMENCING THE WORK. SUCH INFORMATION IS NOT NECESSARILY SHOWN ON THE DRAWING, AND WHERE SHOWN, THE ACCURACY CANNOT BE GUARANTEED. WITH THE SOLE EXCEPTION OF THE BENCHMARK(S) SPECIFICALLY DESCRIBED FOR THIS PROJECT, NO ELEVATION INDICATED OR ASSUMED HEREON IS TO BE USED AS A REFERENCE ELEVATION FOR ANY PURPOSE. THE DRAWINGS SHOW GENERAL ARRANGEMENT OF ARCHITECTURAL ELEMENTS AND SERVICES. FOLLOW AS CLOSELY AS ACTUAL BUILDING CONSTRUCTION WILL PERMIT.OBTAIN APPROVAL FROM CONSULTANT FOR RELOCATION OF SERVICES BEFORE COMMENCEMENT OF WORK.

REVISION/ISSUES

#	DATE	DESCRIPTION
1	2024-02-01	RE-ISSUED FOR SPA
2	2024-09-10	RE-ISSUED FOR SPA

SEAL: ONTARIO ASSOCIATION OF ARCHITECTS — MUHAMMAD ATIF AQEEL — LICENCE 7899

SITE PLAN LEGEND

- PROPOSED RESIDENCE
- PROPERTY LINE
- ROOF OUTLINE
- MAIN/SECONDARY ENTRANCE DOORS
- PROPOSED LANDSCAPING(BY OTHERS)
- XXX.XXm — PROPOSED GRADING ELEVATION-SEE GRADING PLAN
- XXX.XXm — EXISTING GRADING ELEVATION-SEE TOPOGRAPHIC SURVEY
- X.X % — PROPOSED SLOPE-SEE GRADING PLAN
- PROPOSED UNIT PAVING(PATTERN 1)
- PROPOSED UNIT PAVING(PATTERN 2)

BENCHMARK NOTE:

ELEVATIONS SHOWN ARE GEODETIC AND REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM CGVD28 BY DIRECT MEASUREMENT TO A REAL TIME NETWORK

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE METRIC AND CAN BE CONVERTED TO IMPERIAL BY DIVIDING BY 0.3048

Project North — True North — 132.00°

Scale 1 : 200 — 0 2 4 10 20 m

CITY OF Burlington

CLIENT: 2381798 ONTARIO LIMITED

PROJECT: 141, 147, 153 PLAINS ROAD WEST

NEW APARTMENT BUILDING

DRAWING: SITE PLAN

SCALE VERIFICATION: 1 CM 1 INCH

THIS DRAWING IS TO BE PRINTED AT 100% ON ARCH E

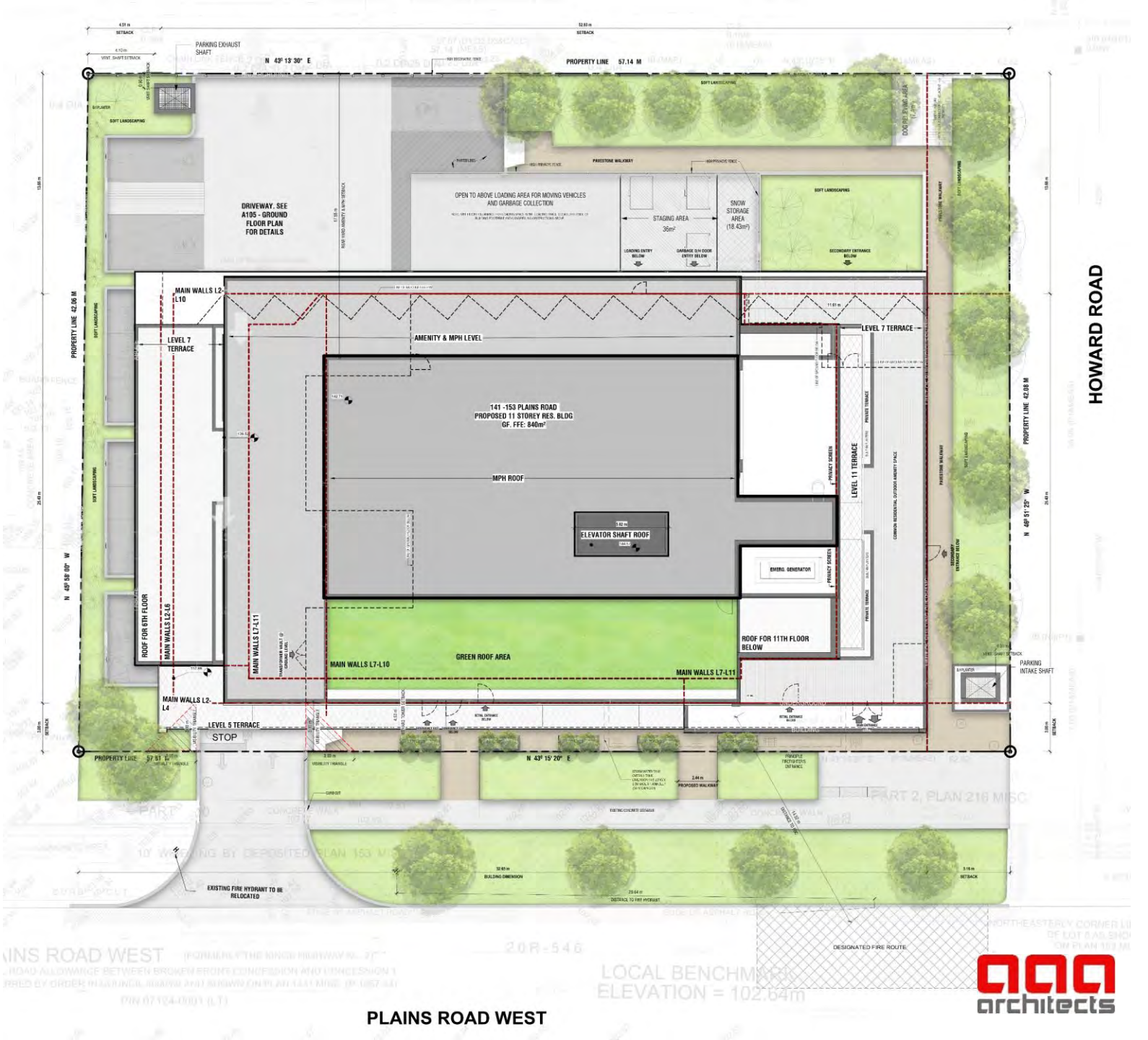
DRAWN BY: HP/DA/MM	CHECKED BY: AA/MM
DESIGNED BY: AA/OS	APPROVED BY: AA/MM
SCALE: As indicated	PROJECT No: A22003

DRAWING NO.: A100

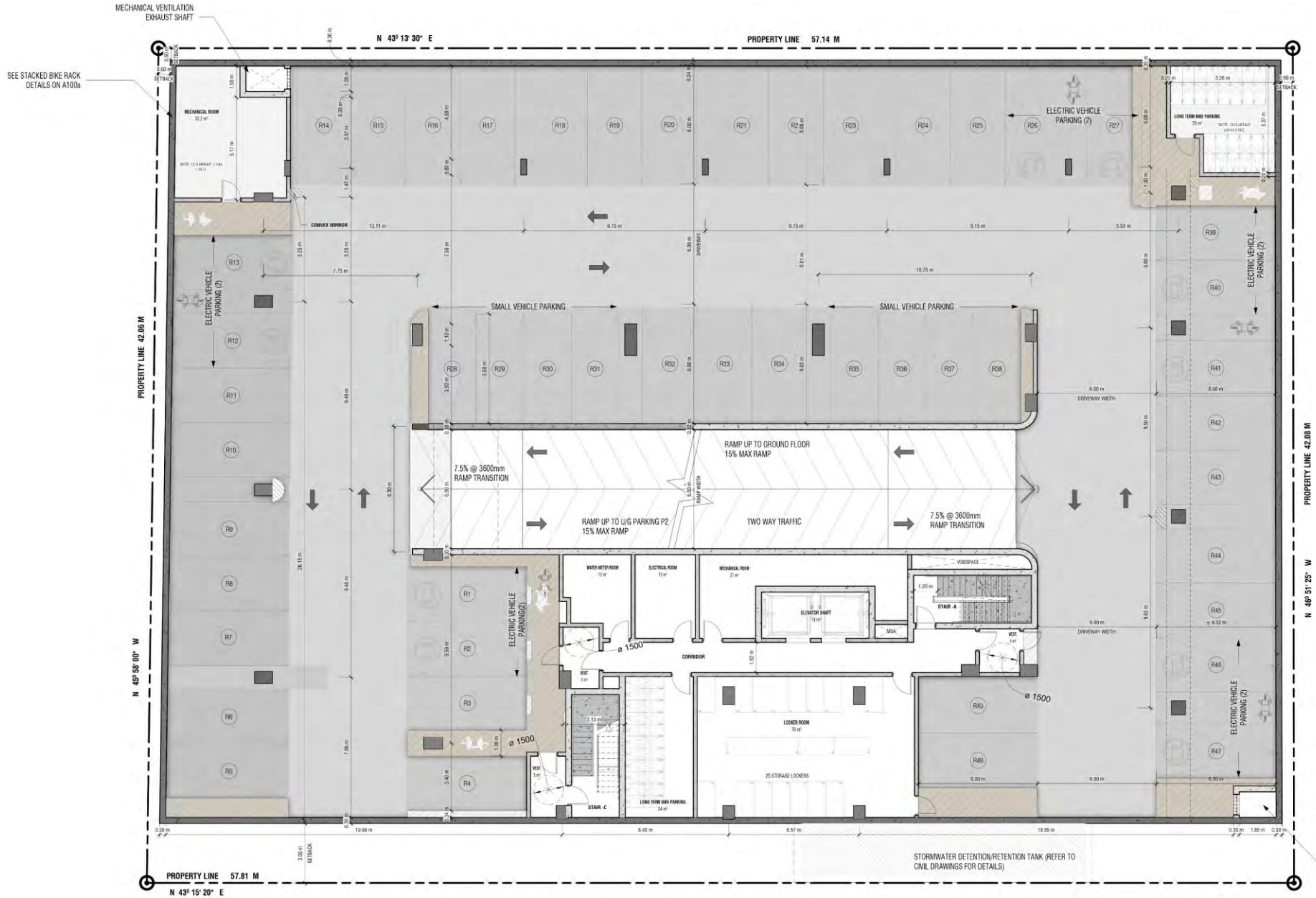
141-153 PLAINS ROAD WEST,
BURLINGTON, ON



The proposal is high density residential of 9,546 sqm comprising of 150 individual units. The design especially provides considerations to the issues of privacy by morphing and responding to every edge condition.



141-153 PLAINS ROAD WEST, BURLINGTON, ON



VEHICLE PARKING			
REQUIRED PARKING SPACES			
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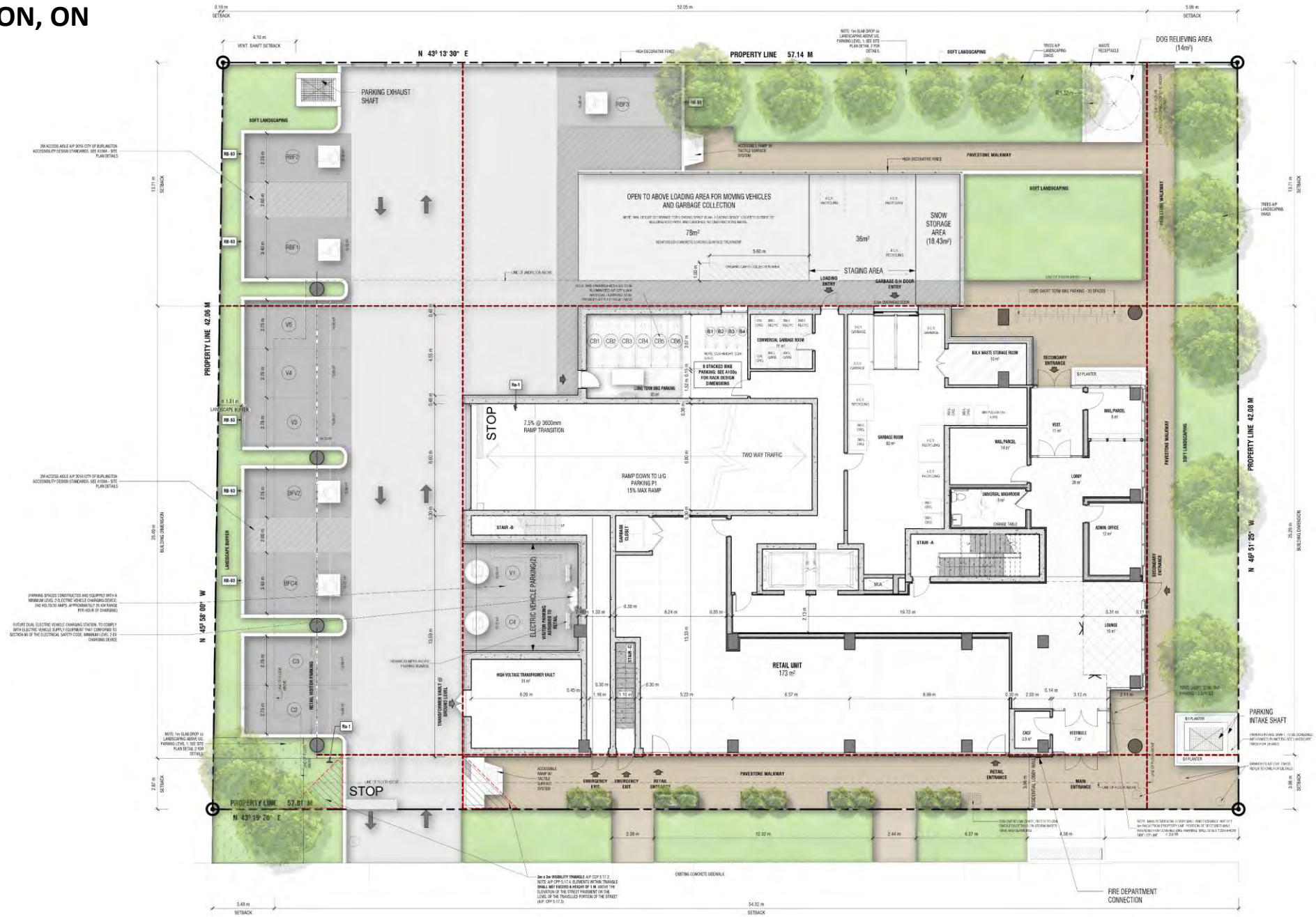
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141-153 PLAINS ROAD WEST, BURLINGTON, ON

GROUND FLOOR



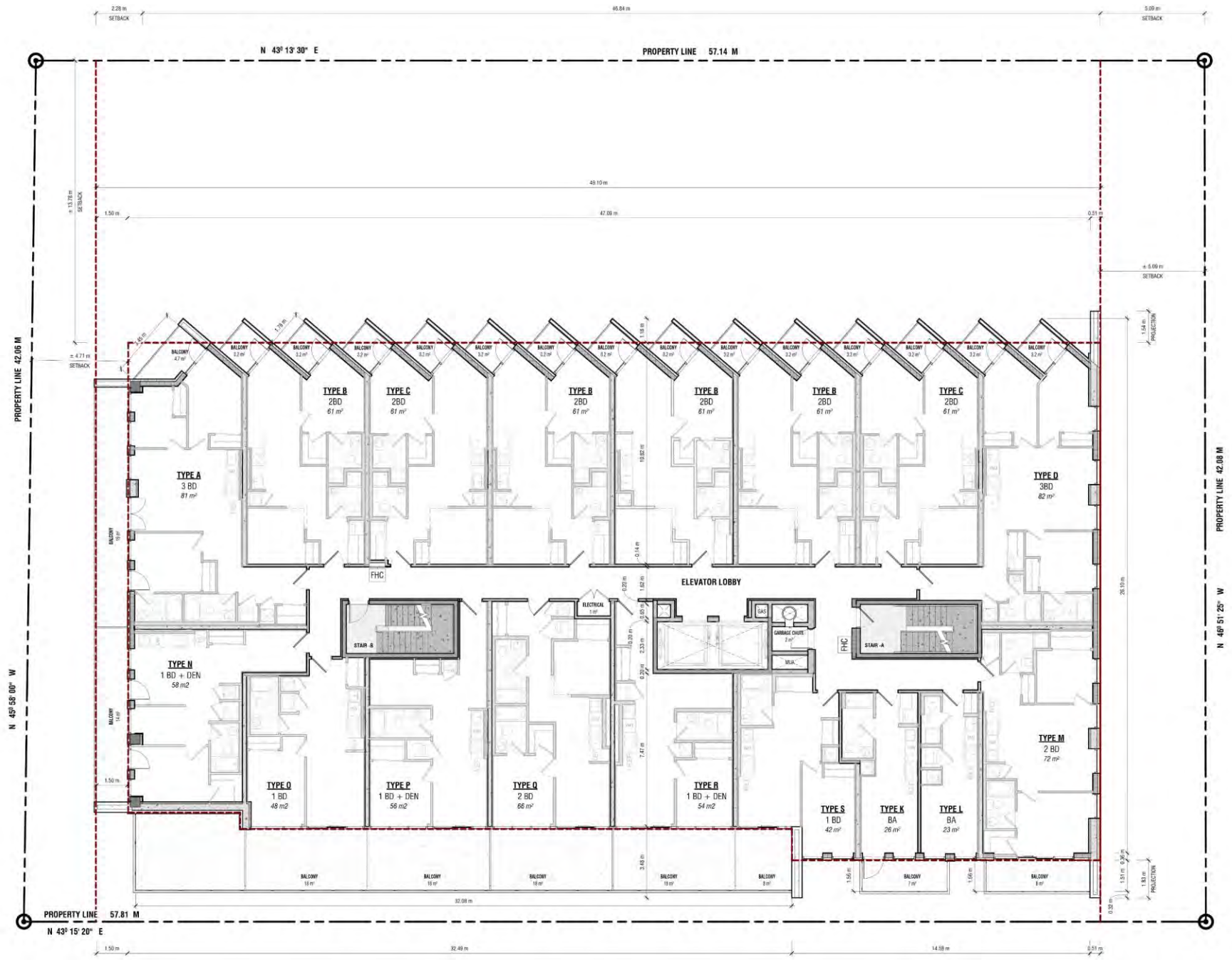
141-153 PLAINS ROAD WEST,
BURLINGTON, ON

LEVEL 2 TO LEVEL 4



141-153 PLAINS ROAD WEST,
BURLINGTON, ON

LEVEL 5 TO LEVEL 6



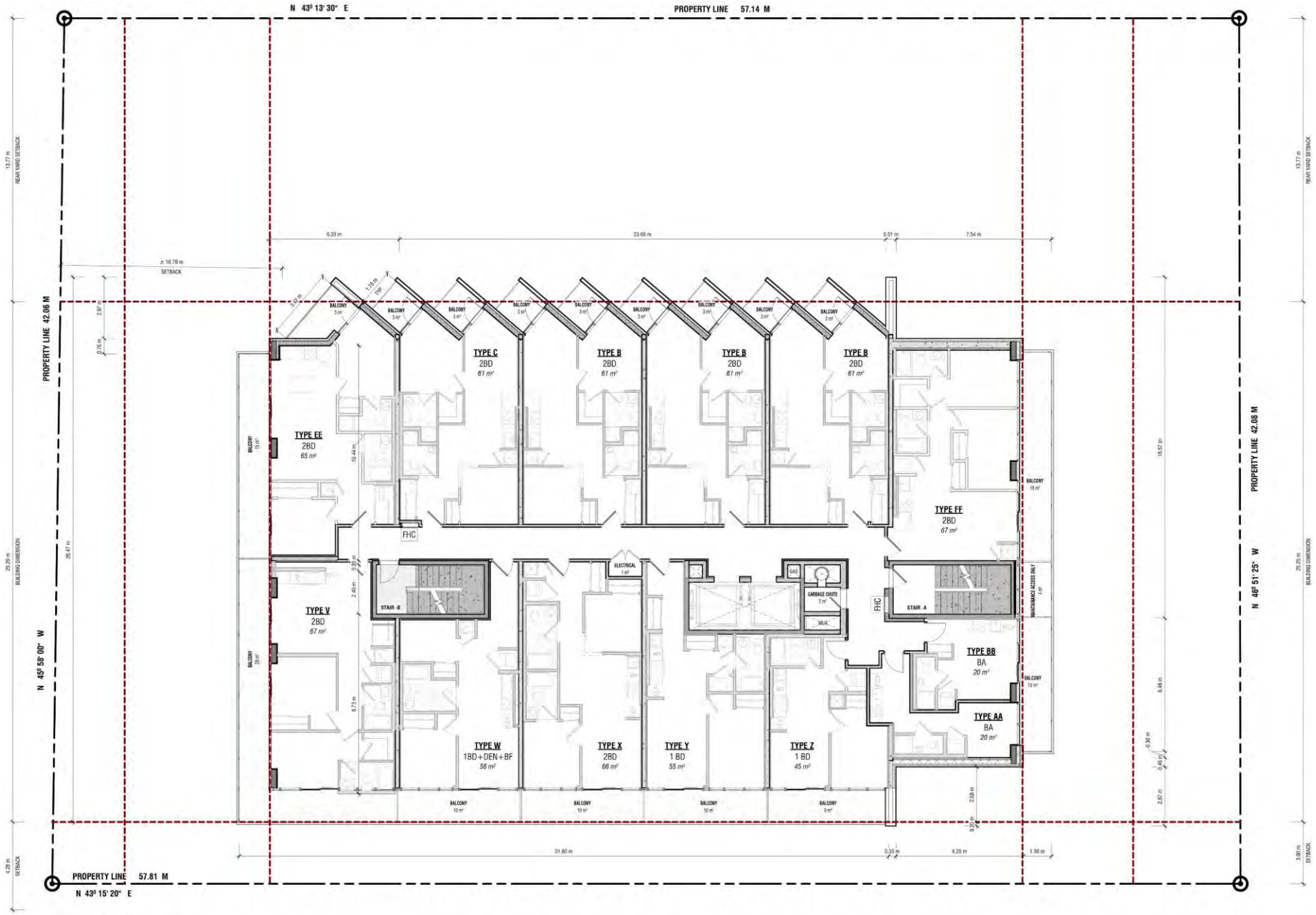
141-153 PLAINS ROAD WEST,
BURLINGTON, ON

SEVENTH FLOOR



141-153 PLAINS ROAD WEST, BURLINGTON, ON

8TH-10TH FLOOR



141-153 PLAINS ROAD WEST,
BURLINGTON, ON

ROOFTOP MECHANICAL AND AMENITY



141-153 PLAINS ROAD WEST,
BURLINGTON, ON



SOUTH ELEVATION



WEST ELEVATION



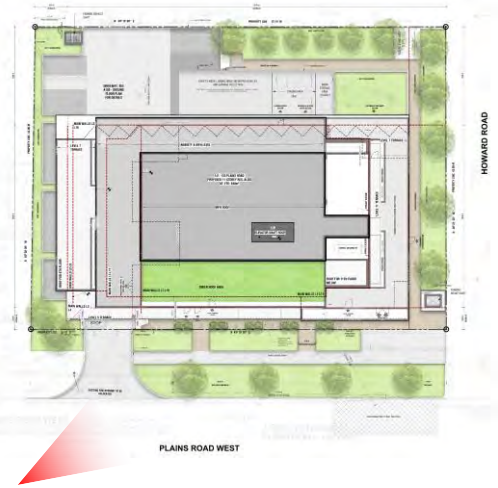
EAST ELEVATION



NORTH ELEVATION

141-153 PLAINS ROAD WEST, BURLINGTON, ON

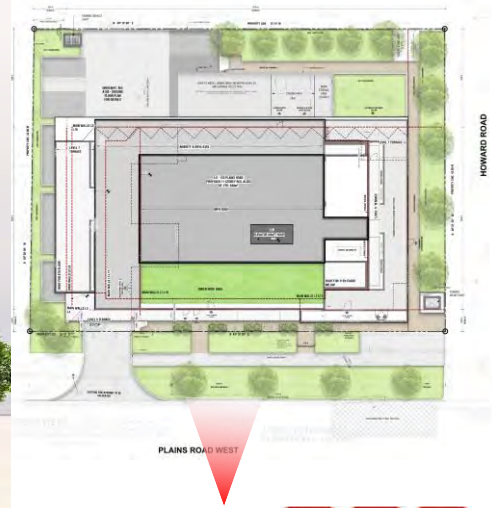




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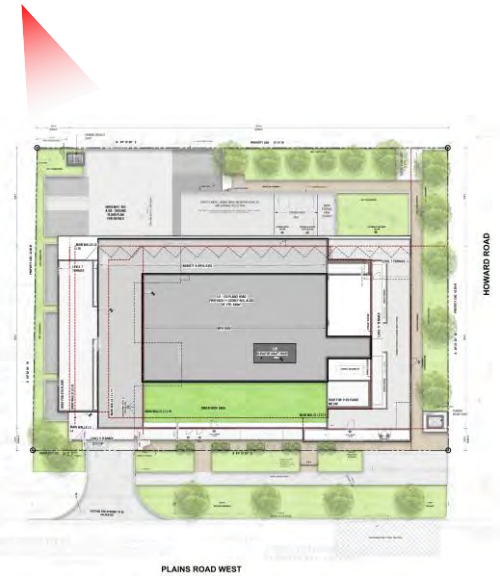
141-153 PLAINS ROAD WEST,
BURLINGTON, ON





141-153 PLAINS ROAD WEST, BURLINGTON, ON





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141-153 PLAINS ROAD WEST,
BURLINGTON, ON





141-153 PLAINS ROAD WEST,
BURLINGTON, ON

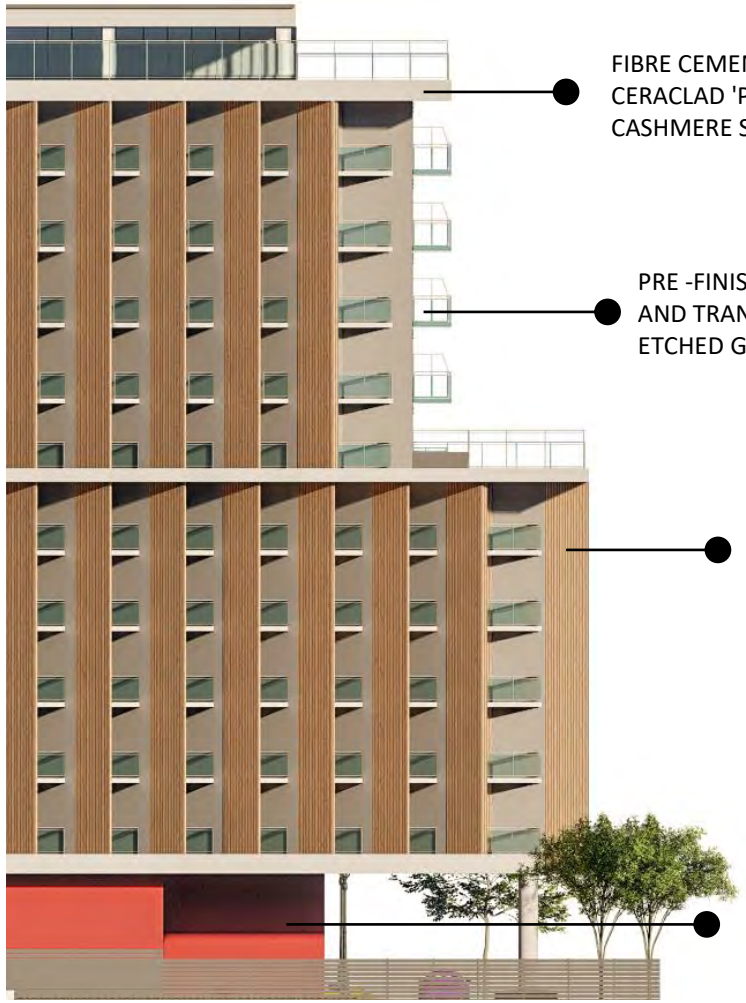




141-153 PLAINS ROAD WEST,
BURLINGTON, ON



141-153 PLAINS ROAD WEST, BURLINGTON, ON

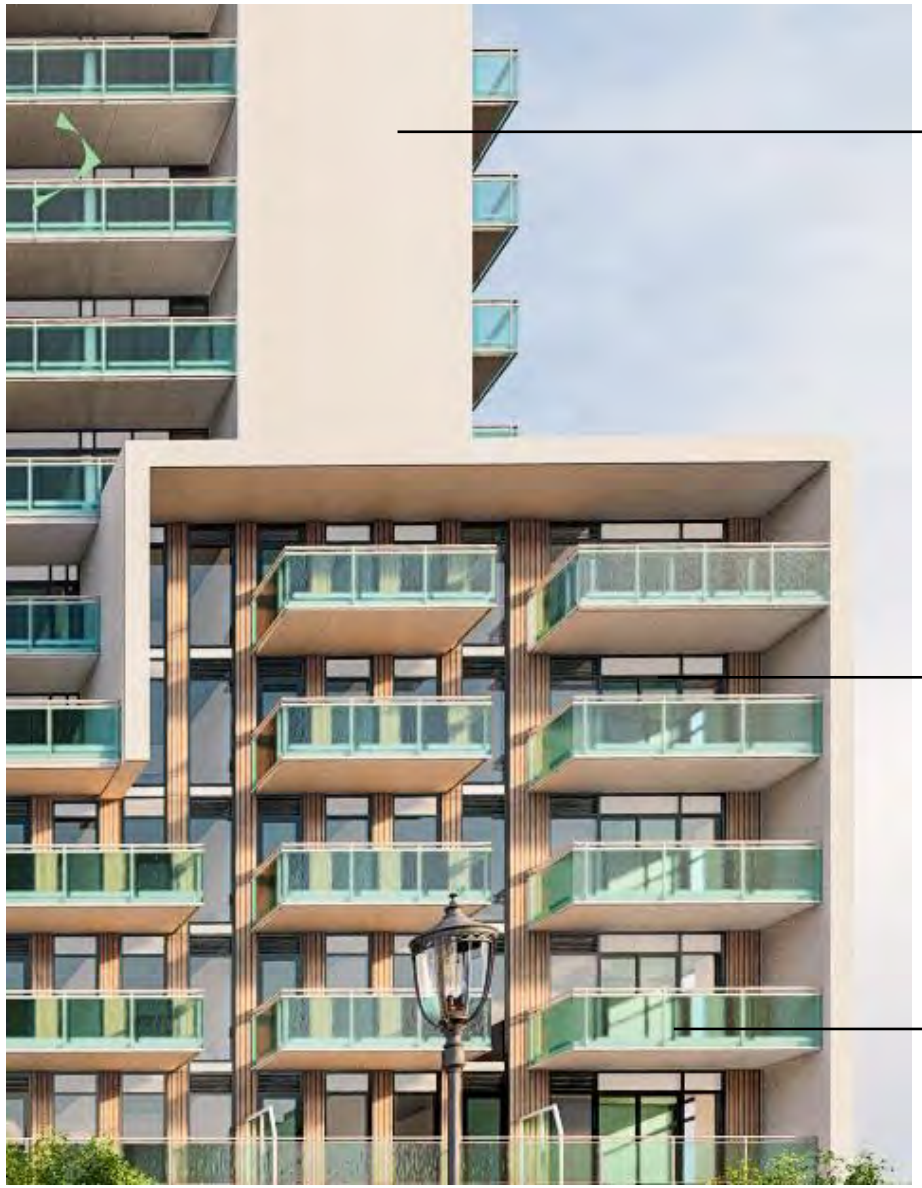


FIBRE CEMENT CLADDING - CERACLAD 'PEARL' WITH CASHMERE SMOOTH FINISH

PRE -FINISHED ALUMINIUM AND TRANSLUCENT ACID ETCHED GLASS BLACONY

FIBRE CEMENT CLADDING - CERACLAD 'ALMOND' WITH RUSTIC WOOD TEXTURED FINISH. VERTICAL ORIENTED PATTERN

MASONRY VENEER CLADDING, BRAMPTON BRICK 'NUEVA COLLECTION' IN WINDSOR STANDARD COLOUR. METRIC NORMAN SIZING



FIBRE CEMENT CLADDING - CERACLAD 'PEARL' WITH CASHMERE SMOOTH FINISH MASONRY VENEER CLADDING, BRAMPTON BRICK 'NUEVA COLLECTION' IN WINDSOR STANDARD COLOUR. METRIC NORMAN SIZING

PRE -FINISHED ALUMINIUM WINDOW WALL FRAMING (DARK CHARCOAL) WITH INSULATED GLAZING UNITS AND GUARDIAN GLASS SN -68 LOW E FILM.

FACE -MOUNTED, PRE - FINISHED ALUMINIUM AND TRANSLUCENT ACID ETCHED GLASS BLACONY RAILING

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Appendix C

Burlington Windrose (2016-2020)

WIND ROSE PLOT:

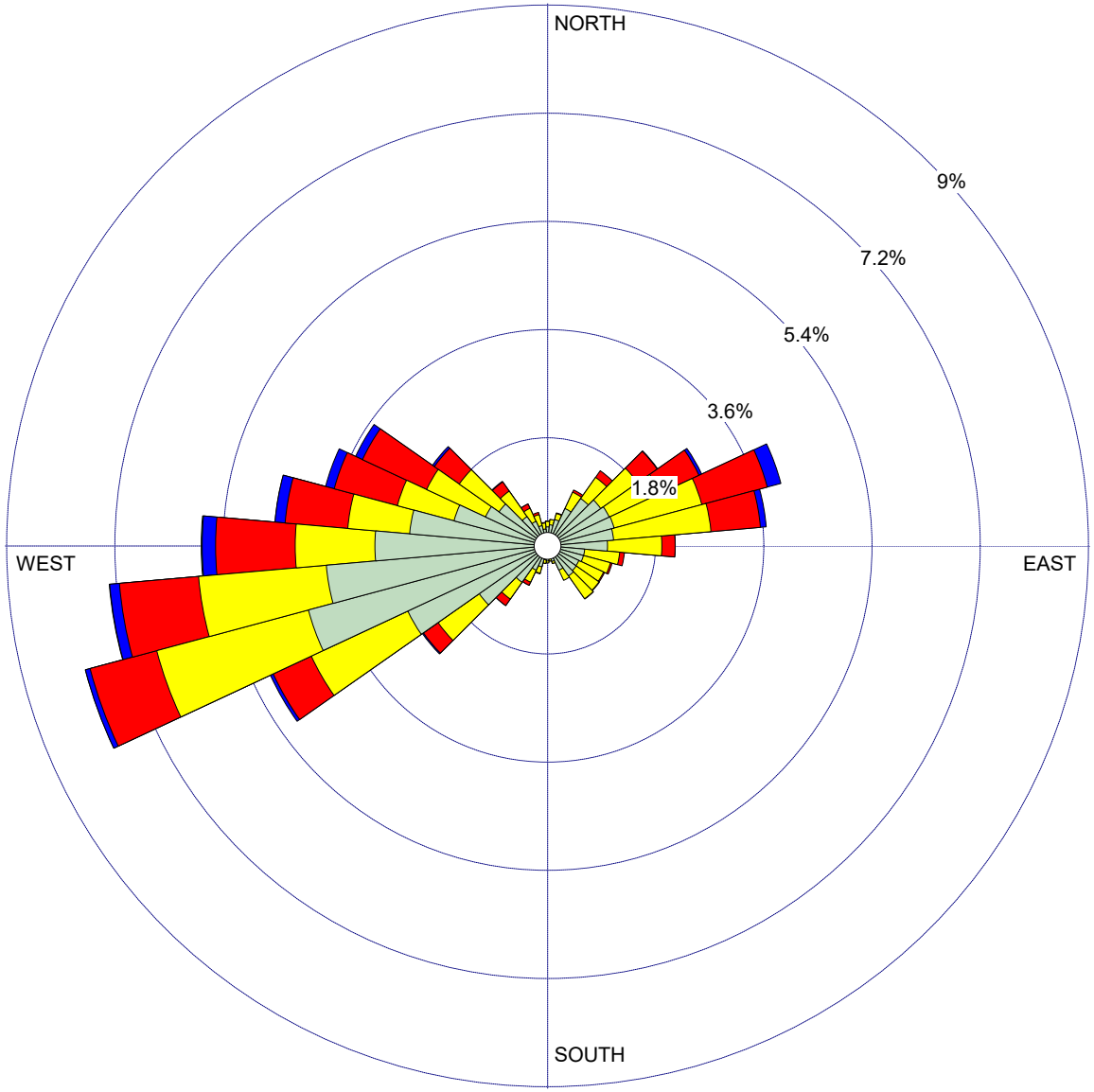
Windrose Plot

Dataset from nearest station #27529 Hamiltion RBG CS (Climate ID #6153301)

DISPLAY:

Wind Speed
Direction (blowing from)

COMMENTS:



WIND SPEED
(m/s)

- >= 11.10
- 8.80 - 11.10
- 5.70 - 8.80
- 3.60 - 5.70
- 2.10 - 3.60
- 0.50 - 2.10

Calms: 21.21%

DATA PERIOD:

Start Date: 1/1/2016 - 00:00
End Date: 12/31/2020 - 23:00

TOTAL COUNT:

41950 hrs.

AVG. WIND SPEED:

1.86 m/s

COMPANY NAME:

GHD Ltd.

DATE:

8/30/2024

PROJECT NO.:

Appendix D

MECP Approvals for Surrounding Land Uses

Content Copy Of Original

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 9841-BNUR2A
Issue Date: April 29, 2020

St. Marys Cement Inc. (Canada) operating as CBM Ready Mix
55 Industrial Street
Toronto, Ontario
M4G 3W9

Site Location: 1093 Howard Road
Burlington City, Regional Municipality of Halton

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act , R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

one (1) ready-mix concrete batching plant (Main RMC Plant), having a maximum production rate of 1000 cubic metres per day, including the following equipment:

- one (1) baghouse dust collector, to control emissions from storage Silo #1 having a storage capacity of 65 tonnes and a cement pig having a storage capacity of 140 tonnes, complete with polyester filter material having a filtering area of 16.7 square metres and a pulse-jet type cleaning system, discharging to the air with a maximum volumetric flow rate of 0.43 cubic metre per second through a stack having an exit diameter of 0.2 metre, extending 17.5 metres above grade;
- one (1) baghouse dust collector, to control emissions from storage Silo #2 having a storage capacity of 45 tonnes, complete with polyester filter material having a filtering area of 28.8 square metres and a pulse-jet type cleaning system, discharging to the air with a maximum volumetric flow rate of 0.43 cubic metre per second through a stack having an exit diameter of 0.2 metre, extending 14 metres above grade;
- one (1) baghouse dust collector, to control emissions from storage Silo #3a having a storage capacity of 69 tonnes, complete with polyester filter material having a filtering area of 16.2 square metres and a pulse-jet type cleaning system, discharging to the air with a maximum volumetric flow rate of 0.43 cubic metre per second through a stack having an exit diameter of 0.2 metre, extending 25.5 metres above grade;
- one (1) baghouse dust collector, to control emissions from storage Silo #3b having a storage capacity of 73 tonnes, complete with polyester filter material having a filtering area of 16.2 square metres and a pulse-jet type cleaning system, discharging to the air with a maximum volumetric flow rate of 0.43 cubic metre per

second through a stack having an exit diameter of 0.2 metre, extending 25.5 metres above grade;

- one (1) baghouse dust collector, to control emissions from the cement scale, complete with polyester filter material having a filtering area of 11.1 square metres and a pulse-jet type cleaning system, discharging to the air with a maximum volumetric flow rate of 0.43 cubic metre per second through a stack having an exit diameter of 0.2 metre, extending 13 metres above grade;
- one (1) loading point dust collection system, to control emissions from the loading point, complete with polyester filter material having a filtering area of 56 square metres and a pulse-jet type cleaning system, discharging to the air with a maximum volumetric flow rate of 2.36 cubic metre per second through a stack having an exit diameter of 0.4 metre, extending 10 metres above grade;
- one (1) natural gas fired hot water boiler, having a maximum thermal input of 8,850,000 kilojoules per hour, discharging to the air through a stack having an exit diameter of 0.45 metre, extending 9 metres above the roof and 13 metres above grade; and
- fugitive emissions resulting from the delivery, storage and transfer of materials associated with the ready-mix concrete batching operations;

one (1) portable ready-mix concrete batching plant (Portable RMC Plant) operated on a permanent basis, having a maximum production rate of 375 cubic metres per day, including the following equipment:

- one (1) baghouse dust collector to control emissions from storage Silo #1 having a storage capacity of 44 tonnes); storage Silo #2 having a storage capacity 40 tonnes; cement weight scale and loading point, complete with polyester filter material having a filtering area of 100.6 square metres and a pulse-jet type cleaning system, discharging to the air with a maximum volumetric flow rate of 3.1 cubic metre per second through a stack having an exit dimension of 0.5 metre x 0.4 metre extending 3.7 metres above grade; and
- fugitive emissions resulting from the delivery, storage and transfer of materials associated with the ready-mix concrete batching operations;

all in accordance with the Environmental Compliance Approval application submitted by St. Marys Cement Inc. (Canada), dated April 30, 2019 and signed by Colin Evans, Director, Lands and Environment; the supporting Emission Summary and Dispersion Modelling report prepared by BCX Environmental Consulting, dated April 30, 2019 and signed by Jaime Anderson and Colin Evans; additional air emissions related information provided by BCX Environmental Consulting on April 22, 2020; and the *Acoustic Assessment Report* prepared by HGC Engineering, dated June 28, 2019 and signed by Swetha Kulandaivelan.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "*Acoustic Assessment Report"* means the report, prepared in accordance with *Publication NPC-233* submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*. *"Acoustic Assessment Report"* also means the Acoustic Assessment Report prepared by HGC Engineering, dated June 28, 2019 and signed by Swetha Kulandaivelan;
2. "*Approval"* means this Environmental Compliance Approval, including the application and supporting documentation listed above;
3. "*Best Management Practices Plan"* means the measures to minimize dust emissions from the *Facility* roads, storage piles and material handling sources and includes the document titled "Best Management Practices Plan for the Control of Fugitive Dust Emissions, CBM Burlington Plant, 1093 Howard Road, Burlington, January 2017", as amended;
4. "*Company"* means St. Marys Cement Inc. (Canada) operating as CBM Ready Mix, that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
5. "*District Manager"* means the District Manager of the appropriate local district office of the *Ministry,* where the *Facility* is geographically located;
6. "*EPA"* means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended ;
7. "*Equipment"* means the ready-mix concrete batching equipment described in the *Company*'s application, this *Approval* and in the supporting documentation submitted with the application, to the extent approved by this *Approval;*
8. "*Facility"* means the entire operation located on the property where the *Equipment* is located;
9. "*Manual"* means a document or a set of documents that provide written instructions to staff of the *Company;*
10. "*Ministry"* means the ministry of the government of Ontario responsible for the *EPA* and includes all officials, employees or other persons acting on its behalf;
11. "*Noise Control Measures"* means measures to reduce the noise emission from the *Facility* including, but not limited to silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures outlined in the *Acoustic Assessment Report;*
12. "*Publication NPC-233"* means the *Ministry* Publication NPC-233, "Information to

be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended;

13. "*Publication NPC-300"* means the *Ministry* Publication NPC-300, “Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300”, August 2013, as amended.
14. "*Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources"* means the *Ministry* publication "Technical Bulletin: management approaches for industrial fugitive dust sources", March 8, 2017, as amended; and
15. "*Truck(s)"* means ready-mix truck(s), aggregate truck(s), sand trucks or cement powder tanker truck(s);

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. **OPERATION AND MAINTENANCE**
    1. The *Company* shall ensure that the *Equipment* is properly operated and maintained at all times. The *Company* shall:
        a. prepare, not later than three (3) months after the date of this *Approval,* and update, as necessary, a *Manual* outlining the operating procedures and a maintenance program for the *Equipment,* including:
            i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the *Equipment* suppliers;
            ii. emergency procedures, including spill clean-up procedures;
            iii. procedures for any record keeping activities relating to operation and maintenance of the *Equipment;*
            iv. all appropriate measures to minimize noise emissions from all potential sources; and
            v. the frequency of inspection and replacement of the filter material in the *Equipment;*
        b. implement the recommendations of the *Manual.*
    2. The *Company* shall ensure that the RMC Plant building/Aggregate Storage building at the Main RMC Plant is fully enclosed and is not vented through a general ventilation system. All building doors shall be kept closed at all

times, except when being used for entrance and exit of personnel and/or movement of equipment.

2. **RECORD RETENTION**
    1. The *Company* shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this *Approval,* and make these records available for review by staff of the *Ministry* upon request. The *Company* shall retain:
        a. all records on the maintenance, repair and inspection of the *Equipment;*
        b. all records related to the preventative and control measures implemented as required by the section titled "Fugitive Dust Control" of this *Approval;*
        c. all records related to environmental complaints made by the public as required by Condition 3 of this *Approval.*
        d. all records of any environmental complaints, including:
            i. a description, time and date of each incident to which the complaint relates;
            ii. wind direction at the time of the incident to which the complaint relates;
            iii. the name(s) of *Company* personnel responsible for handling the incident;
            iv. the cause of the incident; and
            v. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

3. **NOTIFICATION OF COMPLAINTS**
    1. The *Company* shall notify the *District Manager,* in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:
        a. a description of the nature of the complaint;
        b. the time and date of the incident to which the complaint relates;
        c. the wind direction and other weather conditions at the time of the incident; and
        d. the name(s) of *Company* personnel responsible for handling the incident.

4. **FUGITIVE DUST CONTROL**
    1. The *Company* shall:
        a. update the *Best Management Practices Plan* within six (6) months from the issuance of the this *Approval,* to include measures to minimize fugitive dust emissions from the Portable RMC Plant. The update shall be carried out consistent with the *Ministry* document *"Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources"*
        b. review and evaluate on an annual basis, the *Best Management Practices Plan.*
        c. record the results of each annual review and update as required the *Best Management Practices Plan* within two (2) months of the completion of the annual review;
        d. maintain the updated *Best Management Practices Plan* at the *Facility;*
        e. implement, at all times, the most recent version of the *Best Management Practices Plan.*
    2. The *Company* shall record, either electronically or in a log book, each time a specific preventative and control measure described in the *Best Management Practices Plan* is implemented. The *Company* shall record, as a minimum:
        a. the date when each emission control measure is implemented, including a description of the control measure;
        b. the date when each new preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and
        c. the date, time of commencement, and time of completion of each periodic activity conducted to minimize emissions, including a description of the preventative measure/procedure and the name of the individual performing the periodic activity.

5. **NOISE**
    1. The *Company* shall:
        a. implement not later than six (6) months from the date of this *Approval,* the *Noise Control Measures* as outlined in the *Acoustic Assessment Report;*
        b. following the implementation of the *Noise Control Measures,* comply with the limits set out in *Publication NPC-300;*
        c. properly maintain the *Noise Control Measures* ensuring that they continue to meet the acoustical performance outlined in the *Acoustic*

Assessment Report;

d. limit *Trucks* arrivals and departures during the daytime hours of 7 a.m. to 7 p.m. for the Main RMC Plant, in accordance with the following:
    i. a maximum of fourteen (14) ready-mix trucks per sixty (60) minute period;
    ii. a maximum of eight (8) aggregate or sand trucks per sixty (60) minute period;
    iii. a maximum of two (2) cementitious material tanker trucks per sixty (60) minute period;

e. limit *Trucks* arrivals and departures during the evening-time hours of 7 p.m. to 11 p.m. for the Main RMC Plant, in accordance with the following:
    i. a maximum of fourteen (14) ready-mix trucks per sixty (60) minute period;
    ii. a maximum of eight (8) aggregate or sand trucks per sixty (60) minute period;
    iii. a maximum of two (2) cementitious material tanker trucks per sixty (60) minute period;

f. limit *Trucks* arrivals and departures during the night-time hours of 11 p.m. to 7 a.m. for the Main RMC Plant, in accordance with the following:
    i. a maximum of four (4) ready-mix trucks per sixty (60) minute period;
    ii. a maximum of eight (8) aggregate or sand trucks per sixty (60) minute period;
    iii. a maximum of one (1) cementitious material tanker trucks per sixty (60) minute period.

g. limit *Trucks* arrivals and departures during the daytime hours of 7 a.m. to 7 p.m. for the Portable RMC Plant, in accordance with the following:
    i. a maximum of eleven (11) ready-mix trucks per sixty (60) minute period;
    ii. a maximum of five (5) aggregate or sand trucks per sixty (60) minute period;
    iii. a maximum of one (1) cementitious material tanker truck per sixty (60) minute period;

h. limit *Trucks* arrivals and departures during the evening-time hours of 7

p.m. to 11 p.m. for the Portable RMC Plant, in accordance with the following:

i. a maximum of eleven (11) ready-mix trucks per sixty (60) minute period;

ii. a maximum of five (5) aggregate or sand trucks per sixty (60) minute period;

iii. a maximum of one (1) cementitious material tanker truck per sixty (60) minute period; and

i. limit *Trucks* arrivals and departures during the night-time hours of 7 p.m. to 7 a.m. for the Portable RMC Plant, in accordance with the following:
   i. a maximum of six (6) ready-mix trucks per sixty (60) minute period; and
   ii. a maximum of five (5) aggregate or sand trucks per sixty (60) minute period;

2. The *Company* shall::
   a. restrict the operation of the cement powder tanker trucks serving the Portable RMC Plant to the hours from 7 a.m. to 11 p.m.; and
   b. ensure that the Main RMC Plant and the Portable RMC Plant do not operate simultaneously during the night-time hours from 11 p.m. to 7 a.m.

The reasons for the imposition of these terms and conditions are as follows:

1. Conditions No. 1 and 4.1 are included to emphasize that the *Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA,* the Regulations and this *Approval.*
2. Conditions No. 2 and 4.2 are included to require the *Company* to keep records and to provide information to staff of the *Ministry* so that compliance with the *EPA,* the Regulations and this *Approval* can be verified.
3. Condition No. 3 is included to require the *Company* to notify staff of the *Ministry* so as to assist the *Ministry* with the review of the site's compliance.
4. Condition No. 5.1 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility.*

5. Condition No. 5.2 is included to ensure that operation of the *Equipment* is not extended beyond the stated hours to prevent an adverse effect resulting from the operation of the *Equipment.*

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 5639-ABLLKT issued on October 24, 2016.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Minister of the Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

AND

The Director appointed for the purposes of Part II.1 of the Environmental Protection Act
Ministry of the Environment, Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or** www.ert.gov.on.ca

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at https://ero.ontario.ca/, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 29th day of April, 2020

Rudolf Wan, P.Eng.
Director
appointed for the purposes of Part II.1 of the *Environmental Protection Act*

SA/
c: District Manager, MECP Halton-Peel District Office
Jaime Anderson, BCX Environmental Consulting

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 2090-BXNT5G
Issue Date: June 1, 2021

King Paving & Construction Ltd.
3385 Harvester Rd, No. 107
Burlington, Ontario
L7R 3Y5

Site Location: 1077 Howard Road
Burlington City, Regional Municipality of Halton
L7R 3X5

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act , R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

Description Section

A facility that operates a batch and/or drum hot mix asphalt (HMA) plant, consisting of the following processes and support units:

- aggregate and Recycled Asphalt Pavement (RAP) receiving, storage, processing and shipping;
- asphalt cement receiving and storage;
- aggregate drying; and
- hot-mix asphalt production, storage and shipping;

including the Equipment and any other ancillary and support processes and activities, operating at a Facility Production Limit of up to 210,000 tonnes per year of hot-mix asphalt production and up to 730,000 tonnes per year of aggregate materials delivered/shipped, discharging to the air as described in the Original ESDM Report.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "ACB list" means the document entitled “Air Contaminants Benchmarks (ACB) List: Standards, guidelines and screening levels for assessing point of impingement concentrations of air contaminants”, as amended from time to time and published by the Ministry and available on a Government website;

2. "Acceptable Point of Impingement Concentration" means a concentration accepted by the Ministry as not likely to cause an adverse effect for a Compound of Concern that,
    a. is not identified in the ACB list, or
    b. is identified in the ACB list as belonging to the category “Benchmark 2” and has a concentration at a Point of Impingement that exceeds the concentration set out for the contaminant in that document.
    With respect to the Original ESDM Report, the Acceptable Point of Impingement Concentration for a Compound of Concern mentioned above is the concentration set out in the Original ESDM Report;
3. "Acoustic Assessment Report" means the report, prepared in accordance with Publication NPC-233 and Appendix A of the Basic Comprehensive User Guide, by Corey D. Kinart, MBA, P.Eng. / HGC Engineering and dated April 29, 2019 submitted in support of the application, that documents all sources of noise emissions and Noise Control Measures present at the Facility, as updated in accordance with Condition 5 of this Approval;
4. "Acoustic Assessment Summary Table" means a table prepared in accordance with the Basic Comprehensive User Guide summarising the results of the Acoustic Assessment Report, as updated in accordance with Condition 5 of this Approval;
5. "Acoustic Audit" means an investigative procedure consisting of measurements and/or acoustic modelling of all sources of noise emissions due to the operation of the Facility, assessed to determine compliance with the performance limits for the Facility regarding noise emissions, completed in accordance with the procedures set in Publication NPC-103 and reported in accordance with Publication NPC-233;
6. "Acoustic Audit Report" means a report presenting the results of an Acoustic Audit, prepared in accordance with Publication NPC-233;
7. "Acoustical Consultant" means a person currently active in the field of environmental acoustics and noise/vibration control, who is familiar with Ministry noise guidelines and procedures and has a combination of formal university education, training and experience necessary to assess noise emissions from a Facility;
8. "Approval" means this entire Environmental Compliance Approval and any Schedules to it;
9. "Basic Comprehensive User Guide" means the Ministry document titled "Basic Comprehensive Certificates of Approval (Air) User Guide” dated March 2011, as amended;
10. "Best Management Practices Plan" means a document or a set of documents which describe measures to minimize dust emissions from the Facility and/or

Equipment;

11. "Company" means King Paving & Construction Ltd. that is responsible for the construction or operation of the Facility and includes any successors and assigns in accordance with section 19 of the EPA;
12. "Compound of Concern" means a contaminant described in paragraph 4 subsection 26 (1) of O. Reg. 419/05, namely, a contaminant that is discharged from the Facility in an amount that is not negligible;
13. "Description Section" means the section on page one of this Approval describing the Company's operations and the Equipment located at the Facility and specifying the Facility Production Limit for the Facility;
14. "Director" means a person appointed for the purpose of section 20.3 of the EPA by the Minister pursuant to section 5 of the EPA;
15. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
16. "Emission Summary Table" means a table described in paragraph 14 of subsection 26 (1) of O. Reg. 419/05;
17. "Environmental Assessment Act" means the Environmental Assessment Act, R.S.O. 1990, c.E.18, as amended;
18. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
19. "Equipment" means equipment or processes described in the ESDM Report, this Approval and in the Schedules referred to herein and any other equipment or processes;
20. "Equipment with Specific Operational Limits" means any Equipment related to the thermal oxidation of waste or waste derived fuels, fume incinerators or any other Equipment that is specifically referenced in any published Ministry document that outlines specific operational guidance that must be considered by the Director in issuing an Approval;
21. "ESDM Report" means the most current Emission Summary and Dispersion Modelling Report that describes the Facility. The ESDM Report is based on the Original ESDM Report and is updated after the issuance of this Approval in accordance with section 26 of O. Reg. 419/05 and the Procedure Document;
22. "Facility" means the entire operation located on the property where the Equipment is located;
23. "Facility Production Limit" means the production limit placed by the Director on the main product(s) or raw materials used by the Facility;

24. "Independent Acoustical Consultant" means an Acoustical Consultant who is not representing the Company and was not involved in preparing the Acoustic Assessment Report or the design/implementation of Noise Control Measures for the Facility and/or Equipment. The Independent Acoustical Consultant shall not be retained by the Acoustical Consultant involved in the noise impact assessment or the design/implementation of Noise Control Measures for the Facility and/or Equipment;
25. "Log" means a document that contains a record of each change that is required to be made to the ESDM Report and Acoustic Assessment Report, including the date on which the change occurred. For example, a record would have to be made of a more accurate emission rate for a source of contaminant, more accurate meteorological data, a more accurate value of a parameter that is related to a source of contaminant, a change to a Point of Impingement and all changes to information associated with a Modification to the Facility that satisfies Condition 2;
26. "Minister" means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of the EPA under the Executive Council Act;
27. "Ministry" means the ministry of the Minister;
28. "Modification" means any construction, alteration, extension or replacement of any plant, structure, equipment, apparatus, mechanism or thing, or alteration of a process or rate of production at the Facility that may discharge or alter the rate or manner of discharge of a Compound of Concern to the air or discharge or alter noise or vibration emissions from the Facility;
29. "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers, as outlined in the Acoustic Assessment Report;
30. "O. Reg. 419/05" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
31. "Original ESDM Report" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of O. Reg. 419/05 and the Procedure Document by BCX Environmental Consulting and dated August 14, 2019 submitted in support of the application, and includes any changes to the report made up to the date of issuance of this Approval;
32. "Point of Impingement" has the same meaning as in section 2 of O. Reg. 419/05;
33. "Point of Reception" means Point of Reception as defined by Publication NPC-300;
34. "Procedure Document" means Ministry guidance document titled "Procedure for

Preparing an Emission Summary and Dispersion Modelling Report" dated March 2018, as amended;

35. "Processes with Significant Environmental Aspects" means the Equipment which, during regular operation, would discharge one or more contaminants into the air in an amount which is not considered as negligible in accordance with section 26 (1) 4 of O. Reg. 419/05 and the Procedure Document;
36. "Publication NPC-103" means the Ministry Publication NPC-103 of the Model Municipal Noise Control By-Law, Final Report, August 1978, as amended;
37. "Publication NPC-207" means the Ministry draft technical publication "Impulse Vibration in Residential Buildings", November 1983, supplementing the Model Municipal Noise Control By-Law, Final Report, published by the Ministry, August 1978, as amended;
38. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended;
39. "Publication NPC-300" means the Ministry Publication NPC-300, “Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300”, August 2013, as amended;
40. "Schedules" means the following schedules attached to this Approval and forming part of this Approval namely:
    - Schedule A - Supporting Documentation
41. "Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources" means the Ministry publication "Technical Bulletin: management approaches for industrial fugitive dust sources", March 8, 2017, as amended;
42. "Toxicologist" means a qualified professional currently active in the field of risk assessment and toxicology that has a combination of formal university education, training and experience necessary to assess contaminants; and
43. "Written Summary Form" means the electronic questionnaire form, available on the Ministry website, and supporting documentation, that documents the activities undertaken at the Facility in the previous calendar year.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. **GENERAL**
    1. Except as otherwise provided by this Approval, the Facility shall be designed, developed, built, operated and maintained in accordance with the terms and conditions of this Approval and in accordance with the following Schedules attached hereto:
        - Schedule A - Supporting Documentation

2. **LIMITED OPERATIONAL FLEXIBILITY**
    1. Pursuant to section 20.6 (1) of the EPA and subject to Conditions 2.2 and 2.3 of this Approval, future construction, alterations, extensions or replacements are approved in this Approval if the future construction, alterations, extensions or replacements are Modifications to the Facility that:
        a. are within the scope of the operations of the Facility as described in the Description Section of this Approval;
        b. do not result in an increase of the Facility Production Limit above the level specified in the Description Section of this Approval; and
        c. result in compliance with the performance limits as specified in Condition 4.
    2. Condition 2.1 does not apply to,
        a. the addition of any new Equipment with Specific Operational Limits or to the Modification of any existing Equipment with Specific Operational Limits at the Facility; and
        b. Modifications to the Facility that would be subject to the Environmental Assessment Act.
    3. Condition 2.1 of this Approval shall expire ten (10) years from the date of this Approval, unless this Approval is revoked prior to the expiry date. The Company may apply for renewal of Condition 2.1 of this Approval by including an ESDM Report and an Acoustic Assessment Report that describes the Facility as of the date of the renewal application.

3. **REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION**
    1. Prior to making a Modification to the Facility that satisfies Condition 2.1.a. and 2.1.b., the Company shall prepare a proposed update to the ESDM Report to reflect the proposed Modification.
    2. The Company shall request approval of an Acceptable Point of Impingement Concentration for a Compound of Concern if the Compound of Concern is not identified in the ACB list as belonging to the category “Benchmark 1” and a proposed update to an ESDM Report indicates that one of the following

changes with respect to the concentration of the Compound of Concern may occur:

a. The Compound of Concern was not a Compound of Concern in the previous version of the ESDM Report and
    i. the concentration of the Compound of Concern exceeds the concentration set out for the contaminant in the ACB list; or
    ii. the Compound of Concern is not identified in the ACB list; or

b. The concentration of the Compound of Concern in the updated ESDM Report exceeds the higher of,
    i. the most recent Acceptable Point of Impingement Concentration, and
    ii. the concentration set out for the contaminant in the ACB list,if the contaminant is identified in that document.

3. The request required by Condition 3.2 shall propose a concentration for the Compound of Concern and shall contain an assessment, performed by a Toxicologist, of the likelihood of the proposed concentration causing an adverse effect at Points of Impingement.
4. If the request required by Condition 3.2 is a result of a proposed Modification described in Condition 3.1, the Company shall submit the request, in writing, to the Director at least 30 days prior to commencing to make the Modification. The Director shall provide written confirmation of receipt of this request to the Company.
5. If a request is required to be made under Condition 3.2 in respect of a proposed Modification described in Condition 3.1, the Company shall not make the Modification mentioned in Condition 3.1 unless the request is approved in writing by the Director.
6. If the Director notifies the Company in writing that the Director does not approve the request, the Company shall,
    a. revise and resubmit the request; or
    b. notify the Director that it will not be making the Modification.
7. The re-submission mentioned in Condition 3.6 shall be deemed a new submission under Condition 3.2.
8. If the Director approves the request, the Company shall update the ESDM Report to reflect the Modification.
9. Condition 3 does not apply if Condition 2.1 has expired.

4. **PERFORMANCE LIMITS**

1. Subject to Condition 4.2, the Company shall not discharge or cause or permit the discharge of a Compound of Concern into the air if,
    a. the Compound of Concern is identified in the ACB list as belonging to the category "Benchmark 1" and the discharge results in the concentration at a Point of Impingement exceeding the Benchmark 1 concentration; or
    b. the Compound of Concern is not identified in the ACB list as belonging to the category “Benchmark 1” and the discharge results in the concentration at a Point of Impingement exceeding the higher of,
        i. if an Acceptable Point of Impingement Concentration exists, the most recent Acceptable Point of Impingement Concentration, and
        ii. the concentration set out for the contaminant in the ACB list, if the contaminant is identified in that document.

2. Condition 4.1 does not apply if the benchmark set out in the ACB list has a 10-minute averaging period and no ambient monitor indicates an exceedance at a Point of Impingement where human activities regularly occur at a time when those activities regularly occur.
3. The Company shall:
    a. implement by not later than one (1) year from the date of this Approval, the Noise Control Measures as outlined in Section 8 of the Acoustic Assessment Report;
    b. restrict all crushing operations as outlined in Section 6 of the Acoustic Assessment Report;
    c. ensure, subsequent to the implementation of the proposed Noise Control Measures that the noise emissions from the Facility comply with the limits set in Ministry Publication NPC-300; and
    d. ensure that the Noise Control Measures are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.
4. The Company shall ensure that the vibration emissions from the Facility comply with the limits set out in Ministry Publication NPC-207.
5. The Company shall operate any Equipment with Specific Operational Limits approved by this Approval in accordance with the Original ESDM Report.
6. The Company shall at all times comply with the Conditions 4(6)(a) to 4(6)(g), unless a modification assessment(s) is completed and demonstrate compliance with the Conditions 4.1 and 4.2 of this Approval;

a. daily production limit;
    i. up to 3,200 tonnes of HMA per day produced by HMA plant;
    ii. up to 2,000 tonnes of recycled concrete (RC)/ recycled asphalt product (RAP) delivered/shipped by the Aggregate Depot;
    iii. up to 2,000 tonnes of crushed recycled concrete (RC)/ recycled asphalt product (RAP), processed by the Company or a third party at the Facility;
    iv. up to 240 tonnes per day of liquid asphalt receiving per day at the maximum temperature of 165 degrees Celsius (325°F);

b. The Company shall prepare and implement procedures to monitor and keep records of the loss on heating (ASTM Method D2872 - Rolling Thin Film Oven Test) of the received liquid asphalt cement to ensure the annual average loss on heating for the received liquid asphalt cement is not greater than 0.50%.

c. The Company shall prepare and implement procedures to determine and keep records of the temperatures of HMA as it leaves the mixing process to ensure the HMA temperature does not exceed 176 degrees Celsius (325°F).

d. The Company shall prepare and implement procedures to monitor and keep records of liquid asphalt cement storage tanks temperature, to ensure that liquid asphalt cement storage tanks do not operate above 165 degrees Celsius (325°F).

e. The Company shall prepare and implement procedures to monitor and keep records of the production limits listed in the Condition 4(6)(a); and

f. The third party portable crushing plant, including associated equipment and operations, should be located in accordance with the ESDM Report.

5. **DOCUMENTATION REQUIREMENTS**
    1. The Company shall maintain an up-to-date Log.
    2. No later than June 30 of each year, the Company shall update the Acoustic Assessment Report and shall update the ESDM Report in accordance with section 26 of O. Reg. 419/05 so that the information in the reports is accurate as of December 31 in the previous year.
    3. The Company shall make the Emission Summary Table (see section 27 of O. Reg. 419/05) and Acoustic Assessment Summary Table available for examination by any person, without charge, by posting it on the Internet or by making it available during regular business hours at the Facility.

4. The Company shall, within three (3) months after the expiry of Condition 2.1 of this Approval, update the ESDM Report and the Acoustic Assessment Report such that the information in the reports is accurate as of the date that Condition 2.1 of this Approval expired.
5. Conditions 5.1 and 5.2 do not apply if Condition 2.1 has expired.

6. **REPORTING REQUIREMENTS**
    1. Subject to Condition 6.2, the Company shall provide the Director no later than August 31 of each year, a Written Summary Form to be submitted through the Ministry's website that shall include the following:
        a. a declaration of whether the Facility was in compliance with section 9 of the EPA, O. Reg. 419/05 and the conditions of this Approval;
        b. a summary of each Modification satisfying Condition 2.1.a. and 2.1.b. that took place in the previous calendar year that resulted in a change in the previously calculated concentration at a Point of Impingement for any Compound of Concern or resulted in a change in the sound levels reported in the Acoustic Assessment Summary Table at any Point of Reception.
    2. Condition 6.1 does not apply if Condition 2.1 has expired.

7. **OPERATION AND MAINTENANCE**
    1. The Company shall prepare and implement, not later than three (3) months from the date of this Approval, operating procedures and maintenance programs for all Processes with Significant Environmental Aspects, which shall specify as a minimum:
        a. frequency of inspections and scheduled preventative maintenance;
        b. procedures to prevent upset conditions;
        c. procedures to minimize all fugitive emissions;
        d. procedures to prevent and/or minimize odorous emissions;
        e. procedures to prevent and/or minimize noise emissions; and
        f. procedures for record keeping activities relating to the operation and maintenance programs.
    2. The Company shall ensure that all Processes with Significant Environmental Aspects are operated and maintained in accordance with this Approval, the operating procedures and maintenance programs.

8. **TECHNICAL SPECIFICATIONS**
    1. No later than July 1, 2022, the Company shall ensure that one of more

scavenging systems are installed to capture registered contaminants from each AM drag conveyor, AM storage silo transfer conveyor and AM storage silo batcher at the Facility.

2. The Company shall ensure that a scavenging system installed at the Facility is operated at all times that an associated AM drag conveyor conveys asphalt mix or an associated AM storage silo is loaded with asphalt mix.
3. The Company shall ensure that the scavenging system conveys the contaminated air to one of the following:
    1. a wet scrubber that was installed at the Facility before January 1, 2020;
    2. an air pollution control device other than a wet scrubber; or,
    3. a dryer, the discharge from which is captured and conveyed to an air pollution control device.
4. The Company shall ensure that the air pollution control device or dryer that a scavenging system conveys captured air to in accordance with Condition 8.3 is in operation at all times that the scavenging system is operated.

9. **COMPLAINTS RECORDING AND REPORTING**
    1. If at any time, the Company receives an environmental complaint from the public regarding the operation of the Equipment approved by this Approval, the Company shall take the following steps:
        a. Record and number each complaint, either electronically or in a log book. The record shall include the following information: the time and date of the complaint and incident to which the complaint relates, the nature of the complaint, wind direction at the time and date of the incident to which the complaint relates and, if known, the address of the complainant.
        b. Notify the District Manager of the complaint within two (2) business days after the complaint is received, or in a manner acceptable to the District Manager.
        c. Initiate appropriate steps to determine all possible causes of the complaint, and take the necessary actions to appropriately deal with the cause of the subject matter of the complaint.
        d. Complete and retain on-site a report written within one (1) week of the complaint date. The report shall list the actions taken to appropriately deal with the cause of the complaint and set out steps to be taken to avoid the recurrence of similar incidents.

10. **RECORD KEEPING REQUIREMENTS**

1. Any information requested by any employee in or agent of the Ministry concerning the Facility and its operation under this Approval, including, but not limited to, any records required to be kept by this Approval, shall be provided to the employee in or agent of the Ministry, upon request**,** in a timely manner.
2. Unless otherwise specified in this Approval, the Company shall retain, for a minimum of five (5) years from the date of their creation all reports, records and information described in this Approval, including,
    a. a copy of the Original ESDM Report and each updated version;
    b. a copy of each version of the Acoustic Assessment Report;
    c. supporting information used in the emission rate calculations performed in the ESDM Reports and Acoustic Assessment Reports;
    d. the records in the Log;
    e. copies of each Written Summary Form provided to the Ministry under Condition 6.1 of this Approval;
    f. records of maintenance, repair and inspection of Equipment related to all Processes with Significant Environmental Aspects;
    g. daily production records; and
    h. all records related to environmental complaints made by the public as required by Condition 8 of this Approval.

11. **FUGITIVE DUST CONTROL**
    1. The Company shall develop in consultation with the District Manager, a Best Management Practices Plan for the control of fugitive dust emissions. This Best Management Practices Plan shall:
        a. at minimum, be prepared in accordance with Ministry Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources; and
        b. include a list of all Ministry comments received, if any, on the development of the Best Management Practices Plan, and a description of how each Ministry comment was addressed in the Best Management Practices Plan.
    2. The Company shall submit the Best Management Practices Plan to the District Manager not later than three (3) months after the date of this Approval or as otherwise indicated by the District Manager.
    3. Upon acceptance of the Best Management Practices Plan by the District Manager, the Company shall immediately implement the Best Management Practices Plan for the control of fugitive dust emissions to provide effective

dust suppression measures to any potential sources of fugitive dust emissions resulting from the operation of the Facility.

4. The Company shall update the Best Management Practices Plan as necessary or at the direction of the District Manager.

12. **REVOCATION OF PREVIOUS APPROVALS**
    1. This Approval replaces and revokes all Certificates of Approval (Air) issued under section 9 EPA and Environmental Compliance Approvals issued under Part II.1 EPA to the Facility in regards to the activities mentioned in subsection 9(1) of the EPA and dated prior to the date of this Approval.

13. **ACOUSTIC AUDIT**
    1. The Company shall carry out Acoustic Audit measurements on the actual noise emissions due to the operation of the Facility. The Company:
        a. shall carry out Acoustic Audit measurements in accordance with the procedures in Publication NPC-103;
        b. shall submit an Acoustic Audit Report on the results of the Acoustic Audit, prepared by an Independent Acoustical Consultant, in accordance with the requirements of Publication NPC-233, to the District Manager and the Director not later than nine (9) months after the full implementation of the Noise Control Measures.
    2. The Director:
        a. may not accept the results of the Acoustic Audit if the requirements of Publication NPC-233 were not followed;
        b. may require the Company to repeat the Acoustic Audit if the results of the Acoustic Audit are found unacceptable to the Director.

SCHEDULE A

Supporting Documentation

1. Environmental Compliance Approval Application, dated August 13, 2019, signed by John Hutter and submitted by the Company;
2. Emission Summary and Dispersion Modelling Report, prepared by BCX Environmental Consulting and dated August 14, 2019;
3. Acoustic Assessment Report, prepared by HGC Engineering, dated April 29, 2019 and signed by Corey D. Kinart, MBA, P.Eng.

The reasons for the imposition of these terms and conditions are as follows:

1. **GENERAL**
   Condition No. 1 is included to require the Approval holder to build, operate and maintain the Facility in accordance with the Supporting Documentation in Schedule A considered by the Director in issuing this Approval.
2. **LIMITED OPERATIONAL FLEXIBILITY, REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION AND PERFORMANCE LIMITS**
   Conditions No. 2, 3 and 4 are included to limit and define the Modifications permitted by this Approval, and to set out the circumstances in which the Company shall request approval of an Acceptable Point of Impingement Concentration prior to making Modifications. The holder of the Approval is approved for operational flexibility for the Facility that is consistent with the description of the operations included with the application up to the Facility Production Limit. In return for the operational flexibility, the Approval places performance based limits that cannot be exceeded under the terms of this Approval. Approval holders will still have to obtain other relevant approvals required to operate the Facility, including requirements under other environmental legislation such as the Environmental Assessment Act.
3. **DOCUMENTATION REQUIREMENTS**
   Condition No. 5 is included to require the Company to maintain ongoing documentation that demonstrates compliance with the performance limits as specified in Condition 4 of this Approval and allows the Ministry to monitor on-going compliance with these performance limits. The Company is required to have an up to date ESDM Report and Acoustic Assessment Report that describe the Facility at all times and make the Emission Summary Table and Acoustic Assessment Summary Table from these reports available to the public on an ongoing basis in order to maintain public communication with regard to the emissions from the Facility.
4. **REPORTING REQUIREMENTS**
   Condition No. 6 is included to require the Company to provide a yearly Written Summary Form to the Ministry, to assist the Ministry with the review of the site's compliance with the EPA, the regulations and this Approval.
5. **OPERATION AND MAINTENANCE AND TECHNICAL SPECIFICATIONS**
   Conditions No. 7 and 8 are included to require the Company to properly operate and maintain the Processes with Significant Environmental Aspects to minimize the impact to the environment from these processes.
6. **COMPLAINTS RECORDING AND REPORTING PROCEDURE**
   Condition No. 9 is included to require the Company to respond to any environmental complaints regarding the operation of the Equipment, according to a procedure that includes methods for preventing recurrence of similar incidents

and a requirement to prepare and retain a written report.

7. **RECORD KEEPING REQUIREMENTS**
   Condition No. 10 is included to require the Company to retain all documentation related to this Approval and provide access to employees in or agents of the Ministry, upon request, so that the Ministry can determine if a more detailed review of compliance with the performance limits as specified in Condition 4 of this Approval is necessary.
8. **FUGITIVE DUST CONTROL**
   Condition No. 11 is included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.
9. **REVOCATION OF PREVIOUS APPROVALS**
   Condition No. 12 is included to identify that this Approval replaces all Section 9 Certificate(s) of Approval and Part II.1 Approvals in regards to the activities mentioned in subsection 9(1) of the EPA and dated prior to the date of this Approval.
10. **ACOUSTIC AUDIT**
    Condition No. 13 is included to require the Company to gather accurate information and submit an Acoustic Audit Report in accordance with procedures set in the Ministry's noise guidelines, so that the environmental impact and subsequent compliance with this Approval can be verified.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 3669-5TPS2E issued on December 4, 2003

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary* Environmental Review Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5	AND	The Minister of the Environment, Conservation and Parks 777 Bay Street, 5th Floor Toronto, Ontario M7A 2J3	AND	The Director appointed for the purposes of Part II.1 of the Environmental Protection Act Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or** www.ert.gov.on.ca

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at https://ero.ontario.ca/, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 1st day of June, 2021

Neryed Ragbar, P.Eng.
Director
appointed for the purposes of Part II.1 of the *Environmental Protection Act*

AB/
c: District Manager, MECP Halton-Peel
Megan Ostronic, BCX Environmental Consulting

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Ontario

Ministry of the Environment **Ministère de l'Environnement**

CERTIFICATE OF APPROVAL
AIR
NUMBER 5115-6V3N2T
Issue Date: November 24, 2006

Burlington Retirement Group Inc.
300 Plains Road
Burlington, Ontario
L7T 1G4

Site Location: 300 Plains Road
City of Burlington, Regional Municipality of Halton, Ontario
L7T 1G4

You have applied in accordance with Section 9 of the Environmental Protection Act for approval of:

- one (1) standby diesel generator set, having a rating of 150 kilowatts, to provide power for the retirement home during emergency situations;

all in accordance with the Application for Approval (Air & Noise) dated June 27, 2006 and signed by Bruce D. Thorn, Secretary, Burlington Retirement Group Inc., and all supporting information associated with the application including information provided by Stantec Consulting Inc., dated June 14, 2006, and signed by Matt K Lei.

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

(1) "Act" means the *Environmental Protection Act;*

(2) "Certificate" means this Certificate of Approval issued in accordance with Section 9 of the Act;

(3) "Equipment" means the diesel generator set described in the Owner's application, this Certificate and in the supporting documentation submitted with the application, to the extent approved by this Certificate;

(4) "Manual" means a document or a set of documents that provide written instructions to staff of the Owner;

(5) "Ministry" means the Ontario Ministry of the Environment;

(6) "Owner" means Burlington Retirement Group Inc., and includes its successors and assignees;

(7) "Publication NPC-205" means Ministry Publication NPC-205, Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban), October, 1995.

You are hereby notified that this approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

GENERAL

1. Except as otherwise provided by these Conditions, the Owner shall design, build, install, operate and maintain the Equipment in accordance with the description given in this Certificate, application for approval of the Equipment and the submitted supporting documents and plans and specifications as listed in this Certificate.

2. Where there is a conflict between a provision of any submitted document referred to in this Certificate and the Conditions of this Certificate, the Conditions in this Certificate shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.

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PERFORMANCE

3. The Owner shall ensure that the noise emissions from the Equipment comply with the limits set out in Publication NPC-205.

OPERATION AND MAINTENANCE

4. The Owner shall restrict the periodic testing of the Equipment to the daytime hours from 7:00 am to 7:00 pm.

5. The Owner shall ensure that the Equipment is properly operated and maintained at all times. The Owner shall:

(1) prepare, not later than three (3) months after the date of this Certificate or the date of commissioning of the Equipment, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:

(a) routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;

(b) emergency procedures;

(c) procedures for any record keeping activities relating to operation and maintenance of the Equipment;

(d) all appropriate measures to minimize noise and odorous emissions from all potential sources;

(2) implement the recommendations of the Manual; and

(3) retain, for a minimum of two (2) years from the date of their creation, all records on the maintenance, repair and inspection of the Equipment, and make these records available for review by staff of the Ministry upon request.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition Nos. 1 and 2 are imposed to ensure that the Equipment is built and operated in the manner in which it was described for review and upon which approval was granted. These conditions are also included to emphasize the precedence of Conditions in the Certificate and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.

2. Condition No. 3 is included to provide the minimum performance requirement considered necessary to prevent an adverse effect resulting from the operation of the Equipment.

3. Condition No. 4 is included to ensure that the proposed operation, excluding emergency situations, is not extended beyond specific daytime hours to prevent an adverse effect resulting from the operation of the Equipment.

4. Condition No. 5 is included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the Act, the regulations and this Certificate. In addition the Owner is required to keep records and provide information to staff of the Ministry so that compliance with the Act, the regulations and this Certificate can be verified.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;

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2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
2300 Yonge St., Suite 1700
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Director
Section 9, *Environmental Protection Act*
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted works are approved under Section 9 of the Environmental Protection Act.

DATED AT TORONTO this 24th day of November, 2006

Sarah Paul, P.Eng.
Director
Section 9, *Environmental Protection Act*

AM/
c: District Manager, MOE Halton-Peel District Office
Matt Lei, Stantec Consulting Inc.

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Ontario

Ministry of the Environment
Ministère de l'Environnement

ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 4307-8XUJ9Q
Issue Date: September 27, 2012

Bulkwood Products Inc.
1140 Waterdown Rd
Burlington, Ontario
L7T 4A8

Site Location: 1140 Waterdown Road
1140 Waterdown Rd
Burlington City, Regional Municipality of Halton
L7T 4A8

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act , R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

- one (1) horizontal wood grinder, having a maximum wood processing rate of 22,000 kilograms per hour, equipped with a diesel fired engine rated at 470 kilowatts and operating at reduced load of 75%, discharging products of combustion to the atmosphere at a volumetric flow rate of 1.74 cubic metres per second, through a stack having an exit diameter of 0.13 metre;

all in accordance with the Application for Approval (Air & Noise) submitted by Bulkwood Products Inc., dated February 17, 2011 and signed by Monika Promny, Owner; and the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by Airzone One Ltd., dated April 15, 2011 and signed by Jessica Mousseau.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
2. "Best Management Practices Plan" means a document or a set of documents which describe measures to minimize dust emissions from the Facility and/or Equipment.

3. "Company" means Bulkwood Products Inc., that is responsible for the construction or operation of the Facility and includes any successors and assigns;

4. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the EPA.

5. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;

6. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;

7. "Equipment" means the equipment and processes described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;

8. "Facility" means the entire operation located on the property where the Equipment is located;

9. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;

10. "Ministry" means the ministry of the government of Ontario responsible for the EPA and includes all officials, employees or other persons acting on its behalf; and

11. "Publication NPC-205" means Ministry Publication NPC-205 "Sound level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)", October 1995, as amended.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

OPERATION AND MAINTENANCE

1. The Company shall ensure that the noise emissions from the Equipment comply with the limits set in Publication NPC-205.

2. The Company shall restrict the operation of the Equipment to the daytime hours from 7:00 am to 7:00 pm.

3. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:

(1) prepare, not later than three (3) months after the date of this Approval, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:

(a) routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;

(b) emergency procedures;

(c) procedures for any record keeping activities relating to operation and maintenance of the Equipment; and

(d) all appropriate measures to minimize noise emissions from all potential sources; and

(2) implement the recommendations of the Manual.

FUGITIVE DUST CONTROL

4. The Company shall develop in consultation with the District Manager and acceptable to the Director, a Best Management Practices Plan for the control of fugitive dust emissions. This Best Management Practices Plan shall include, but not be limited to:

(1) identification of the main sources of fugitive dust emissions such as:

(a) on-site traffic;

(b) paved roads/areas;

(c) unpaved roads/areas;

(d) material stock piles;

(e) loading/unloading areas and loading/unloading techniques;

(f) material spills;

(g) material conveyance systems;

(h) exposed openings in process and storage buildings; and

(i) general work areas;

(2) potential causes for high dust emissions and opacity resulting from these sources;
(3) preventative and control measures in place or under development to minimize the likelihood of high dust emissions and opacity from the sources of fugitive dust emissions identified above. Details of the preventative and control measures shall include:

(a) a description of the control equipment to be installed;

(b) a description of the preventative procedures to be implemented; and/or

(c) the frequency of occurrence of periodic preventative activities, including material application rates, as applicable;

(4) an implementation schedule for the Best Management Practices Plan, including training of Facility personnel;
(5) inspection and maintenance procedures and monitoring initiatives to ensure effective implementation of the preventative and control measures; and

(6) a list of all Ministry comments received, if any, on the development of the Best Management Practices Plan, and a description of how each Ministry comment was addressed in the Best Management Practices Plan.

5. The Company shall submit the Best Management Practices Plan to the Director and the District Manager not later than six months after the date of this Approval.

(1) The Director may not accept the Best Management Practices Plan if the minimum requirements described in Condition No. 2 were not included in the Best Management Practices Plan.

(2) If the Best Management Practices Plan is not accepted by the Director, the Company shall submit a Best Management Practices Plan acceptable to the Director not later than nine months after the date of this Approval.

6. Upon acceptance of the Best Management Practices Plan by the Director, the Company shall immediately implement the Best Management Practices Plan for the control of fugitive dust emissions to provide effective dust suppression measures to any potential sources of fugitive dust emissions resulting from the operation of the Facility.

DOCUMENTATION REQUIREMENTS

7. The Company shall record, in a log book, each time a specific preventative and control measure described in the Best Management Practices Plan is implemented. The Company shall record, as a minimum:

(1) the date when each emission control measure is installed, including a description of the control measure;

(2) the date when each new preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and

(3) the date, time of commencement, and time of completion of each periodic activity conducted to minimize emissions, including a description of the preventative measure/procedure and the name of the individual performing the periodic activity.

RECORD RETENTION

8. The Company shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this Approval, and make these records available for review by staff of the Ministry upon request. The Company shall retain:

(1) all records on the maintenance, repair and inspection of the Equipment;

(2) all records on the daily operation of the Equipment, including:

(a) daily production rate; and

(b) daily start-up and shut-down times of the Equipment;

(3) all records of any upset conditions associated with the operation of the Equipment;

(4) the log book which contains all records on the preventative and control measures implemented for each source of fugitive dust emission identified in the Best Management Practices Plan;

(5) all records on the environmental complaints, including:

(a) a description, time, date and location of each incident;

(b) operating conditions (e.g. upset conditions, etc.) at the time of the incident;

(c) wind direction and other weather conditions at the time of the incident;

(d) the name(s) of Company personnel responsible for handling the incident;

(e) the cause of the incident;

(f) the Company response to the incident; and

(g) a description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future, and the outcome of the measures taken.

NOTIFICATION OF COMPLAINTS

9. The Company shall notify the District Manager, in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:

(1) a description of the nature of the complaint;

(2) the time and date of the incident to which the complaint relates;

(3) the wind direction and other weather conditions at the time of the incident; and

(4) the name(s) of Company personnel responsible for handling the incident.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition No. 1 is included to provide minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Equipment.
2. Condition No. 2 is included to ensure that the proposed operation is not extended beyond the stated hours. Operation outside these hours, when ambient sound levels are significantly lower, may result in non-compliance with the established sound level limits. This condition is also included to emphasize that the Equipment must be operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.

3. Condition Nos. 3 to 6 are included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.

4. Condition Nos. 7 and 8 are included to require the Company to keep records and to provide information to staff of the Ministry so that compliance with the EPA, the Regulations and this Approval can be verified.

5. Condition No. 9 is included to require the Company to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993 , S.O. 1993, c. 28 (Environmental Bill of Rights), the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary* Environmental Review Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5	AND	The Environmental Commissioner 1075 Bay Street, Suite 605 Toronto, Ontario M5S 2B1	AND	The Director appointed for the purposes of Part II.1 of the Environmental Protection Act Ministry of the Environment 2 St. Clair Avenue West, Floor 12A Toronto, Ontario M4V 1L5

*** Further information on the Environmental Review Tribunal 's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 314-4506 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at www.ebr.gov.on.ca, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 27th day of September, 2012

Ian Parrott, P.Eng.
Director
appointed for the purposes of Part II.1 of the *Environmental Protection Act*

AA/
c: District Manager, MOE Halton-Peel District Office
Jessica Mousseau, Airzone One Ltd.

Content Copy Of Original

Ontario

Ministry of the Environment and Climate Change
Ministère de l'Environnement et de l'Action en matière de changement climatique

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 0441-A4RS6Q
Issue Date: March 21, 2017

Etratech Inc.
1047 Cooke Boulevard
Burlington, Ontario
L7T 4A8

Site Location: 1047 Cooke Boulevard
Burlington City, Regional Municipality of Halton

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

- the equipment and associated exhaust systems listed in **Schedule A**;

all in accordance with the Application for Approval (Air and Noise) submitted by Etratech Inc., dated May 29, 2013 and signed by Mike Renneboog; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by Dillon Consulting Limited, dated May 2013 and signed by Alex Ballez; and the *Acoustic Assessment Report* prepared by HGC Engineering, dated July 13, 2016 and signed by Dan Bradshaw.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "*Approval"* means this Environmental Compliance Approval, including the application and supporting documentation listed above;
2. "*Acoustic Assessment Report"* means the report, prepared in accordance with *Publication NPC-233* submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*. "*Acoustic Assessment Report*" also means the Acoustic Assessment Report prepared by HGC Engineering, dated July 13, 2016 and signed by Dan Bradshaw;
3. "*Company"* means **Etratech Inc.**, that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
4. "*District Manager"* means the District Manager of the appropriate local district office of the *Ministry,* where the *Facility* is geographically located;
5. "*EPA"* means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
6. "*Equipment"* means the equipment described in the *Company*'s application, this *Approval* and in the supporting documentation submitted with the application, to the extent approved by this *Approval;*
7. "*Facility"* means the entire operation located on the property where the *Equipment* is located;
8. "*Manual"* means a document or a set of documents that provide written instructions to staff of the *Company;*
9. "*Ministry"* means the ministry of the government of Ontario responsible for the *EPA* and includes all officials, employees or other persons acting on its behalf;
10. "*Noise Control Measures"* means measures to reduce the noise emission from the *Facility* and/or *Equipment* including, but not limited to silencers, acoustic louvers, enclosures,

absorptive treatment, plenums and barriers. It also means the noise control measures outlined in the *Acoustic Assessment Report;*

11. "*Publication NPC-233"* means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended; and
12. "*Publication NPC-300"* means the Ministry Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August, 2013, as amended.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. **OPERATION AND MAINTENANCE**
   I. The *Company* shall ensure that the *Equipment* is properly operated and maintained at all times. The *Company* shall:
      I. prepare, not later than three (3) months after the date of this *Approval,*and update, as necessary, a *Manual* outlining the operating procedures and a maintenance program for the *Equipment,* including:
         i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the *Equipment* suppliers;
         ii. emergency procedures, including spill clean-up procedures;
         iii. procedures for any record keeping activities relating to operation and maintenance of the *Equipment;*
         iv. all appropriate measures to minimize noise and odorous emissions from all potential sources; and
         v. the frequency of inspection and replacement of the filter material in the *Equipment;*
      II. implement the recommendations of the *Manual.*
2. **RECORD RETENTION**
   I. The *Company* shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this *Approval,* and make these records available for review by staff of the *Ministry* upon request. The *Company* shall retain:
      I. all records on the maintenance, repair and inspection of the *Equipment;* and
      II. all records of any environmental complaints, including:
         i. a description, time and date of each incident to which the complaint relates;
         ii. wind direction at the time of the incident to which the complaint relates; and
         iii. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.
3. **NOTIFICATION OF COMPLAINTS**
   I. The *Company* shall notify the *District Manager,* in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:
      I. a description of the nature of the complaint; and
      II. the time and date of the incident to which the complaint relates.
4. **NOISE**
   I. The *Company* shall:
      I. implement the *Noise Control Measures* as outlined in the *Acoustic Assessment Report;*
      II. ensure, at all times, that the noise emissions from the *Facility* comply with the limits set in *Ministry Publication NPC-300;* and

III. ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report.*

The reasons for the imposition of these terms and conditions are as follows:

1. Condition No. 1 is included to emphasize that the *Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA,* the Regulations and this *Approval.*
2. Condition No. 2 is included to require the *Company* to keep records and to provide information to staff of the *Ministry* so that compliance with the *EPA,* the Regulations and this *Approval* can be verified.
3. Condition No. 3 is included to require the *Company* to notify staff of the *Ministry* so as to assist the *Ministry* with the review of the site's compliance.
4. Condition No. 4 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility.*

Schedule A

Schedule A forms part of this Environmental Compliance Approval

Source ID	Description	Volumetric Flow Rate (cubic metres per second)	Stack Inner Diameter or Dimensions (metres)	Stack Height Above Grade (metres)	Stack Height Above Roof (metres)
S1 (Stack A)	Not used	0.24	0.24	7.80	2.00
S2 (Stack B)	Test Lab and Machine Shop	0.76	0.30	6.80	1.00
S3 (Stack C)	Vitronics-2 and Vitronics-3 Solder Machines, FlexLink-1 and FlexLink-2 Laser Marking Machines, and Hand Soldering Station	0.95	0.38	6.80	1.00
S4 (Stack D)	Vitronics-1 Soldering Machine, EMC Stencil Cleaner, FlexLink-3 Laser Marking Machine, Technician Room, and Hand Soldering Station	0.87	0.30	6.80	1.00
S5 (Stack E)	Seho Wave Soldering Machine, Nordson Coating Machine, and Hand Soldering Stations	1.42	0.38	8.30	2.50
S6 (Stack F)	PVA 1000 Coating Machine, Markem-1, Markem-2 and Domino Laser Marking Machines, and Hand Soldering Stations	1.42	0.38	8.3	2.50

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 1361-7R5P5X issued on July 14, 2009.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993 , S.O. 1993, c. 28 (Environmental Bill of Rights), the Environmental Commissioner,

within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Environmental Commissioner
1075 Bay Street, Suite 605
Toronto, Ontario
M5S 2B1

AND

The Director appointed for the purposes of Part II.1 of the Environmental Protection Act
Ministry of the Environment and Climate Change
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at www.ebr.gov.on.ca , you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 21st day of March, 2017

Rudolf Wan, P.Eng.
Director
appointed for the purposes of Part II.1 of
the *Environmental Protection Act*

EC/

c: District Manager, MOECC Halton-Peel
Ravi Mahabir, Dillon Consulting Limited

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Ontario

Ministry of the Environment **Ministère de l'Environnement**

CERTIFICATE OF APPROVAL
AIR
NUMBER 6017-6W7MFB
Issue Date: December 27, 2006

The Regional Municipality of Halton
1151 Bronte Rd
Oakville, Ontario
L6M 3L1

Site Location: LaSalle Park Sewage Pumping Station
59 Oaklands Park Court
Burlington City, Regional Municipality of Halton, Ontario

You have applied in accordance with Section 9 of the Environmental Protection Act for approval of:

- one (1) standby diesel generator set, having a rating of 230 kilowatts, to provide power for the sewage pumping station during emergency situations,

all in accordance with the Application for Approval (Air & Noise) dated August 25, 2006, and signed by Ron Weiss, P.Eng., The Regional Municipality of Halton, and all supporting information associated with the application provided by Dave Diemer, P.Eng., Dillon Consulting Limited and Pierre J. R. Godbout, P.Eng., HGC Engineering.

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

(1) "Act" means the *Environmental Protection Act;*

(2) "Certificate" means this Certificate of Approval issued in accordance with Section 9 of the Act;

(3) "Equipment" means the diesel generator set described in the Owner's application, this Certificate and in the supporting documentation submitted with the application, to the extent approved by this Certificate;

(4) "Manual" means a document or a set of documents that provide written instructions to staff of the Owner;

(5) "Ministry" means the Ontario Ministry of the Environment;

(6) "Owner" means The Regional Municipality of Halton and includes its successors and assignees;

(7) "Publication NPC-205" means Ministry Publication NPC-205, Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban), October, 1995; and

(8) "Publication NPC-232" means Ministry Publication NPC-232, Sound Level Limits for Stationary Sources in Class 3 Areas (Rural), October, 1995.

You are hereby notified that this approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

GENERAL

1. Except as otherwise provided by these Conditions, the Owner shall design, build, install, operate and maintain the Equipment in accordance with the description given in this Certificate, application for approval of the Equipment and the submitted supporting documents and plans and specifications as listed in this Certificate.

2. Where there is a conflict between a provision of any submitted document referred to in this Certificate and the Conditions of this Certificate, the Conditions in this Certificate shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.

PERFORMANCE

3. The Owner shall ensure that the noise emissions from the Equipment comply with the limits set out in Publication NPC-205 or NPC-232, as applicable.

OPERATION AND MAINTENANCE

4. The Owner shall restrict the periodic testing of the Equipment to the daytime hours from 7:00 am to 7:00 pm.

5. The Owner shall ensure that the Equipment is properly operated and maintained at all times. The Owner shall:

(1) prepare, not later than three (3) months after the date of this Certificate or the date of commissioning of the Equipment, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:

(a) routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;

(b) emergency procedures;

(c) procedures for any record keeping activities relating to operation and maintenance of the Equipment;

(d) all appropriate measures to minimize noise and odorous emissions from all potential sources;

(2) implement the recommendations of the Manual; and

(3) retain, for a minimum of two (2) years from the date of their creation, all records on the maintenance, repair and inspection of the Equipment, and make these records available for review by staff of the Ministry upon request.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition Nos. 1 and 2 are imposed to ensure that the Equipment is built and operated in the manner in which it was described for review and upon which approval was granted. These conditions are also included to emphasize the precedence of Conditions in the Certificate and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.

2. Condition No. 3 is included to provide the minimum performance requirement considered necessary to prevent an adverse effect resulting from the operation of the Equipment.

3. Condition No. 4 is included to ensure that the proposed operation, excluding emergency situations, is not extended beyond specific daytime hours to prevent an adverse effect resulting from the operation of the Equipment.

4. Condition No. 5 is included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the Act, the regulations and this Certificate. In addition the Owner is required to keep records and provide information to staff of the Ministry so that compliance with the Act, the regulations and this Certificate can be verified.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require

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a hearing by the Tribunal. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
2300 Yonge St., Suite 1700
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Director
Section 9, *Environmental Protection Act*
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted works are approved under Section 9 of the Environmental Protection Act.

DATED AT TORONTO this 27th day of December, 2006

Sarah Paul, P.Eng.
Director
Section 9, *Environmental Protection Act*

AA/
c: District Manager, MOE Halton-Peel
Dave Diemer, P.Eng., Dillon Consulting Limited

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Ontario

Ministry of the Environment **Ministère de l'Environnement**

CERTIFICATE OF APPROVAL
AIR
NUMBER 2938-6LUJRH
Issue Date: March 31, 2006

Aaon Canada Inc.
o/s Air Wise Inc.
279 Sumach Drive
Burlington, Ontario
L7R 3X5

Site Location: 279 Sumach Drive
Burlington City, Regional Municipality of Halton
L7R 3X5

You have applied in accordance with Section 9 of the Environmental Protection Act for approval of:

- one (1) paint spray booth (source PB-1) for the application of solvent based coatings at a maximum rate of 4.0 litres per hour, equipped with one (1) electrostatic type spray gun and 14.52 square metres of dry type paint arrestor filters, exhausting into the atmosphere at a maximum volumetric flow rate of 9.91 actual cubic metres per second, through a stack, having an exit diameter of 1.02 metres, extending 2.44 metres above the roof and 9.96 metres above grade;

- gas metal arc welding operations at the maximum welding rods usage rate of 2.55 kilograms per hour, venting into the atmosphere through general ventilation systems as per Schedule "A";

SCHEDULE "A". General exhausts.

Source ID	Description	Volumetric Flow Rate (cubic metre per second)	Stack Parameters		
			Exit Diameter (metre)	Height Above Roof (metre)	Height Above Grade (metre)
EF-1	Area Exhaust	2.36	1.08	0.64	10.39
EF-2	Area Exhaust	2.36	1.08	0.64	9.52
EF-5	Area Exhaust	2.36	1.08	0.64	6.13
EF-6	Area Exhaust	2.36	1.08	0.64	6.13
EF-7	Area Exhaust	4.72	1.30	0.71	6.20

- seventeen (17) natural gas fired unit heaters (sources UH-1 to UH-17), having a maximum total heat input of 3,634,475 kilojoules per hour;

- one (1) natural gas fired hot water tank (source HWT), having a maximum heat input of 37,980 kilojoules per hour;

- one (1) natural gas fired furnace (source HF), having a maximum heat input of 189,000 kilojoules per hour;

- two (2) natural gas fired roof top air handling units (sources RTU-1 and RTU-2), each having a maximum heat input of 171,440 kilojoules per hour;

all in accordance with the application for a Certificate of Approval (Air) dated December 14, 2004 and signed by Nick Ferraro, President, and all supporting information associated with the application.

CONTENT COPY OF ORIGINAL

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

(1) "Act" means the Environmental Protection Act;

(2) "Certificate" means this Certificate of Approval, issued in accordance with Section 9 of the Act;

(3) "Company" means Aaon Canada Inc.o/s Air Wise Inc.;

(4) "District Manager" means the District Manager, Halton-Peel District Office, Central Region of the Ministry;

(5) "Equipment" means the spray paint booth and welding equipment described in the Company's application, this Certificate and in the supporting documentation submitted with the application, to the extent approved by this Certificate;

(6) "Manual" means a document or a set of documents that provide written instructions to staff of the Company;

(7) "Publication NPC-205" means Publication NPC-205, Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban), October, 1995; and

(8) "Ministry" means the Ontario Ministry of the Environment.

You are hereby notified that this approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

OPERATION AND MAINTENANCE

1. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:

(1) prepare, not later than three (3) months after the date of this Certificate, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:

(a) routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;

(b) emergency procedures;

(c) frequency of inspection and replacement of the filter material in the Equipment;

(d) procedures for any record keeping activities relating to operation and maintenance of the Equipment; and

(e) all appropriate measures to minimize noise and odorous emissions from all potential sources;

(2) implement the recommendations of the Manual.

RECORD RETENTION

2. The Company shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this Certificate, and make these records available for review by staff of the Ministry upon request. The Company shall retain:

(1) all records on the maintenance, repair and inspection of the Equipment; and

(2) all records of any environmental complaints; including:

(a) a description, time and date of each incident to which the complaint relates;

(b) wind direction at the time of the incident to which the complaint relates; and

(c) a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

NOTIFICATION OF COMPLAINTS

3. The Company shall notify the District Manager, in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:

(1) a description of the nature of the complaint; and

(2) the time and date of the incident to which the complaint relates;

NOISE

4. The Company shall ensure that the noise emissions from the Facility continues to comply with the limits set in Publication NPC-205.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition No. 1 is included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the Act, the Regulations and this Certificate.

2. Condition No. 2 is included to require the Company to keep records and to provide information to staff of the Ministry so that compliance with the Act, the Regulations and this Certificate can be verified.

3. Condition No. 3 is included to require the Company to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.

4. Condition No. 4 is included to provide the minimum performance requirement considered necessary to prevent an adverse effect resulting from the operation of the Facility.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, S.O. 1993, Chapter 28, the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

And the Notice should be signed and dated by the appellant.

CONTENT COPY OF ORIGINAL

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
2300 Yonge St., 12th Floor
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Environmental Commissioner
1075 Bay Street, 6th Floor
Suite 605
Toronto, Ontario
M5S 2B1

AND

The Director
Section 9, *Environmental Protection Act*
Ministry of Environment and Energy
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at www.ene.gov.on.ca, you can determine when the leave to appeal period ends.

The above noted works are approved under Section 9 of the Environmental Protection Act.

DATED AT TORONTO this 31st day of March, 2006

Victor Low, P.Eng.
Director
Section 9, *Environmental Protection Act*

JK/
c: District Manager, MOE Halton-Peel
Glenn Tang, OSB Services

CONTENT COPY OF ORIGINAL

Ontario

Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE MANAGEMENT SYSTEM
NUMBER 4731-4X9QNW
Notice No. 1
Issue Date: June 10, 2008

A. Cupido Transport Limited
1035 Howard Road
Burlington, Ontario
L7R 3X5

You are hereby notified that I have amended Provisional Certificate of Approval No. 4731-4X9QNW issued on June 18, 2001 for a waste management system serving the Province of Ontario, as follows:

Schedule "A" is hereby revoked and replaced by the following Schedule "A":

SCHEDULE "A"

Alberta	Ontario	Kentucky	Ohio
British Columbia	Prince Edward Island	Louisiana	Virginia
Manitoba	Quebec	Maine	Wisconsin
New Brunswick	Saskatchewan	Minnesota	Washington
Newfoundland	Illinois	Montana	West Virginia
Nova Scotia	Indiana	North Dakota	

All in accordance with the letter dated March 10, 2008, signed by Randy Atkinson, General Manager, A. Cupido Transportation Limited.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. 4731-4X9QNW dated June 18, 2001.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written Notice served upon me, the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the waste management system is located;

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And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto, Ontario
M5G 1E5

AND

The Director
Section 39, *Environmental Protection Act*
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted waste management system is approved under Section 39 of the Environmental Protection Act, and is subject to the Regulations made thereunder.

DATED AT TORONTO this 10th day of June, 2008

Zafar Bhatti, P.Eng.
Director
Section 39, *Environmental Protection Act*

DW/
c: District Manager, MOE Halton-Peel

CONTENT COPY OF ORIGINAL

Ontario

Ministry of the Environment
Ministère de l'Environnement

CERTIFICATE OF APPROVAL
AIR
NUMBER 3066-7P7RVU
Issue Date: February 26, 2009

Category 5 Imaging Ltd.
1062 Cooke Boulevard
Burlington, Ontario
L7T 4A8

Site Location: Category 5 Imaging
1062 Cooke Boulevard
Burlington City, Regional Municipality of Halton
L7T 4A8

You have applied in accordance with Section 9 of the Environmental Protection Act for approval of:

Facilities used for large format digital printing, including the following equipment:

- one (1) large format digital printer, equipped with an airjet dryer;

- one (1) exhaust system serving the large format printer, discharging into the atmosphere at a volumetric flow rate of 1.18 cubic metres per second, through a stack, having an exit diameter of 0.25 metre, extending 1.5 metres above the roof and 8.5 metres above grade;

- one (1) exhaust system serving the dryer associated with the large format printer, discharging into the atmosphere at a volumetric flow rate of 0.78 cubic metre per second, through a stack, having an exit diameter of 0.38 metre, extending 1.5 metres above the roof and 8.5 metres above grade; and

- natural gas fired combustion equipment for comfort heating, including one (1) HVAC unit, five (5) roof mounted heaters and one (1) space heater, having a combined heat input of approximately 1,369,500 kilojoules per hour;

all in accordance with the Application for a Certificate of Approval (Air) dated May 23, 2007, and signed by Angelo Antoniadis, General Manager, Category 5 Imaging Ltd., and all supporting information associated with the application; and the additional information submittted by Ronald Taylor, Senior Project Manager, Trow Associates Inc., on February 9, 2009.

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

1. "Act" means the Environmental Protection Act;

2. "Certificate" means this Certificate of Approval issued in accordance with the Act;

3. "Company" means Category 5 Imaging Ltd.;

4. "District Manager" means the District Manager, Halton-Peel District Office, Central Region of the Ministry;

5. "Equipment" means the exhaust systems and the large format printer described in the Company's application, this Certificate and in the supporting documentation referred to herein, to the extent approved by this Certificate;

6. "Facility" means the entire operation located on the property where the Equipment is located;

7. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;

8. "Ministry" means the Ontario Ministry of the Environment;

9. "Publication NPC-205" means Ministry Publication NPC-205 "Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)", October 1995 as amended; and

10. "Publication NPC-232" means Ministry Publication NPC-232 "Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)", October 1995 as amended.

You are hereby notified that this approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

OPERATION AND MAINTENANCE

1. The Company shall ensure that the Facility is properly operated and maintained at all times. The Company shall:

(1) prepare, before commencement of operation of the Equipment, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:

(a) routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the equipment suppliers;

(b) emergency procedures;

(c) procedures for any record keeping activities relating to operation and maintenance of the Equipment;

(d) all appropriate measures to minimize odour, noise and dust emissions from all potential sources from the Facility; and

(2) implement the recommendations of the operating and maintenance Manual.

RECORD RETENTION

2. The Company shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this Certificate. These records as well as the Manual shall be made available to staff of the Ministry upon request. The Company shall retain:

(1) all records on the maintenance, repair and inspection of the Equipment; and

(2) all records on the environmental complaints, including:

(a) a description, time and date of each incident;

(b) operating conditions at the time of the incident; and

(c) a description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future.

NOTIFICATION OF COMPLAINTS

3. The Company shall notify the District Manager, in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:

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(1) a description of the nature of the complaint; and

(2) the time and date of the incident to which the complaint relates.

PERFORMANCE

4. The Company shall ensure that the noise emissions from the Facility comply with the limits set in Publication NPC-205 or NPC-232 as applicable.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition No. 1 is included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the Act, the Regulations and this Certificate.

2. Condition No. 2 is included to require the Company to keep records and to provide information to staff of the Ministry so that compliance with the Act, the Regulations and this Certificate can be verified.

3. Condition No. 3 is included to require the Company to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.

4. Condition No. 4 is included to provide minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, S.O. 1993, Chapter 28, the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto, Ontario
M5G 1E5

AND

The Environmental Commissioner
1075 Bay Street, 6th Floor
Suite 605
Toronto, Ontario
M5S 2B1

AND

The Director
Section 9, *Environmental Protection Act*
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

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This instrument is subject to Section 38 of the Environmental Bill of Rights, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at www.ene.gov.on.ca, you can determine when the leave to appeal period ends.

The above noted works are approved under Section 9 of the Environmental Protection Act.

DATED AT TORONTO this 26th day of February, 2009

Ian Greason, P.Eng.
Director

SG/
c: District Manager, MOE Halton-Peel
Ron Taylor, Trow Associates Inc.

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Ontario

Ministry of the Environment
Ministère de l'Environnement

CERTIFICATE OF APPROVAL
INDUSTRIAL SEWAGE WORKS
NUMBER 1953-8JWLRW
Issue Date: August 3, 2011

Imperial Oil Limited
90 Wynford Drive, 5th Floor
Toronto, Ontario
M3C 1K5

Site Location: ESSO Gas Bar,
14 Plains Road East
City of Burlington, Regional Municipality of Halton

You have applied in accordance with Section 53 of the Ontario Water Resources Act for approval of:

stormwater management works, designed to service approximately 0.34 hectare industrial property (ESSO Gas bar) in the City of Burlington, Regional Municipality of Halton, comprising;

• ***storm sewers;***

• ***one (1) oil/grit separator,*** model Stormceptor STC 750, located downstream of CBMH1, designed for Enhanced level of protection (a minimum long term average total suspended solids removal of 84%), a sediment storage capacity of 3000 litres, an oil storage capacity of 915 litres, a total holding capacity of 4070 litres, and a maximum treatment flow rate of 18 litres per second, discharging to existing sewers through a proposed 300 millimetres diameter storm outlet pipe;

• ***one (1) 100 millimetre diameter orifice pipe*** at CBMH1, rated at 37 Litres per second under a head of 1.74 metre, discharging to an oil/grit separator through a downstream sewer;

• ***stormwater detention storage*** of approximately 103 cubic metres, in conveyance system and surface ponding, with a maximum ponding depth of 0.25 meter, under 100 year storm event;

all in accordance with the application dated April 6, 2011 and received on April 20, 2011, and all supporting documentation and information including a Stormwater Management Report, final plans and specifications prepared by R.V. Anderson Associated Limited.

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

(1) "*Certificate*" means this entire Certificate of Approval document, issued in accordance with Section 53 of the *Ontario Water Resources Act,* and includes any schedules;

(2) "*Director*" means any *Ministry* employee appointed by the Minister of the Environment pursuant to Section 5 of the *Ontario Water Resources Act;*

(3) "*District Manager*" means the District Manager of Halton Peel District Office of the Ministry;

(4) "*Ministry*" means the Ontario Ministry of Environment;

(5) "*Owner*" means Imperial Oil Limited, and includes its successors and assignees; and,

(6) "*Works*" means the sewage works described in the *Owner*'s application, this *Certificate* and in the supporting documentation referred to herein, to the extent approved by this *Certificate.*

You are hereby notified that this approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. GENERAL CONDITIONS

1.1 The *Owner* shall ensure that any person authorized to carry out work on or operate any aspect of the *works* is notified of this Certificate and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

1.2 Except as otherwise provided by these Conditions, the *Owner* shall design, build, install, operate and maintain the *works* in accordance with the description given in this *Certificate*, the application for approval of the *works* and the submitted supporting documents and plans and specifications as listed in this *Certificate*.

1.3 Where there is a conflict between a provision of any submitted document referred to in this *Certificate* and the Conditions of this *Certificate*, the Conditions in this *Certificate* shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.

1.4 Where there is a conflict between the listed submitted documents, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.

1.5 The requirements of this *Certificate* are severable. If any requirement of this *Certificate*, or the application of any requirement of this *Certificate* to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this *Certificate* shall not be affected thereby.

2. EXPIRY OF APPROVAL

2.1 The approval issued by this *Certificate* will cease to apply to those parts of the *works* which have not been constructed within five (5) years of the date of this *Certificate*.

3. CHANGE OF OWNER

The *Owner* shall notify the *District Manager* and the *Director*, in writing, of any of the following changes within thirty (30) days of the change occurring:

(a) change of *Owner*;

(b) change of address of the *Owner*;

(c) change of partners where the *Owner* is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c.B17 shall be included in the notification to the *District Manager*; and

(d) change of name of the corporation where the *Owner* is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C39 shall be included in the notification to the *District Manager*.

4. OPERATION AND MAINTENANCE

4.1 The *Owner* shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the stormwater *works* do not constitute a safety or health hazard to the general public.

4.2 The *Owner* shall ensure that the design storage volumes are maintained at all times in the interim stormwater management pond.

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4.3 The *Owner* shall design, construct and operate the oil-grit separator with the objective that the effluent from the *works* is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen, foam or discolouration on the receiving waters.

4.4 The *Owner* shall undertake an inspection of the condition of the stormwater management *works*, at least once a year, and undertake any necessary cleaning and maintenance to ensure that sediment, debris and excessive decaying vegetation are removed from the above noted stormwater management *works* to prevent the excessive build-up of sediment, debris and/or decaying vegetation to avoid reduction of capacity of the *works*. The *Owner* shall also regularly inspect and clean out the inlet to and outlet from the *works* to ensure that these are not obstructed.

4.5 The *Owner* shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall make the logbook available for inspection by the Ministry upon request. The logbook shall include, but not necessarily be limited to, the following information:

(a) the name of the *works*; and

(b) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed.

5. RECORD KEEPING

5.1 The *Owner* shall retain for a minimum of five (5) years from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this *Certificate*.

6. SPILL CONTINGENCY PLAN

6.1 Within six (6) months from the issuance of this *Certificate*, the *Owner* shall implement a spill contingency plan - that is a set of procedures describing how to mitigate the impacts of a spill within the area serviced by the works. This plan shall include as a minimum:

(i) the name, job title and location (address) of the *Owner*, person in charge, management or person(s) in control of the facility;

(ii) the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency plan;

(iii) a site plan drawn to scale showing the facility, nearby buildings, streets, catchbasins & manholes, drainage patterns (including direction(s) of flow in storm sewers), any receiving body(ies) of water that could potentially be significantly impacted by a spill and any features which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);

(iv) steps to be taken to report, contain, clean up and dispose of contaminants following a spill;

(v) a listing of telephone numbers for: local clean-up company(ies) who may be called upon to assist in responding to spills; local emergency responders including health institution(s); and Ministry's Spills Action Centre 1-800-268-6060;

(vi) Materials Safety Data Sheets (MSDS) for each hazardous material which may be transported or stored within the area serviced by the works;

(vii) the means (internal corporate procedures) by which the spill contingency plan is activated;

(viii) a description of the spill response training provided to employees assigned to work in the area serviced by the works, the date(s) on which the training was provided and by whom;

(ix) an inventory of response and clean-up equipment available to implement the spill contingency plan, location and, date of maintenance/replacement if warranted; and

(x) the date on which the contingency plan was prepared and subsequently, amended.

6.2 The spill contingency plan shall be kept in a conspicuous, readily accessible location on-site.

6.3 The spill contingency plan shall be amended from time to time as required by changes in the operation of the facility.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is imposed to ensure that the *works* are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the *Certificate* and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. The condition also advises the *Owners* their responsibility to notify any person they authorized to carry out work pursuant to this *Certificate* the existence of this *Certificate*.

2. Condition 2 is included to ensure that, when the *works* are constructed, the *works* will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.

3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to approved *works* and to ensure that subsequent *owners* of the *works* are made aware of the *Certificate* and continue to operate the *works* in compliance with it.

4. Condition 4 is included as regular inspection and necessary removal of sediment and excessive decaying vegetation from this approved stormwater management *works* are required to mitigate the impact of sediment, debris and/or decaying vegetation on the treatment capacity of the *works.* It is also required to ensure that adequate storage is maintained in the stormwater management *works* at all times as required by the design, and to prevent stormwater impounded in the *works* from becoming stagnant. Furthermore, Conditions 4 is included to ensure that the stormwater management *works* are operated and maintained to function as designed and are operated and maintained without any adverse impact on the environment.

5. Condition 5 is included to require that all records are retained for a sufficient time period to adequately evaluate the long-term operation and maintenance of the *works.*

6. Condition 6 is included to ensure that the *Owner* will implement the spill contingency plan, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, as amended, you may by written notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 101 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, provides that the Notice requiring the hearing shall state:

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

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And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto, Ontario
M5G 1E5

AND

The Director
Section 53, *Ontario Water Resources Act*
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted sewage works are approved under Section 53 of the Ontario Water Resources Act.

DATED AT TORONTO this 3rd day of August, 2011

Sherif Hegazy, P.Eng.
Director
Section 53, *Ontario Water Resources Act*

KH/
c: District Manager, MOE Halton Peel District.
Sarah Young, R.V. Anderson Associated Limited.

Ministry of the Environment and Climate Change
Operations Division

Confirmation of Registration

Registration Number:R-002-3474294691
Version Number: 001
Date Registration Filed:Jan 06, 2015 13:35:56 PM

Dear Sir/Madam,

CORPORATION OF THE CITY OF
PO BOX 5013 STN LCD 1
ON L7R 3Z6

You have registered, in accordance with Section 20.21(1)(a) of the *Environmental Protection Act* , the use, operation, construction, alteration, extension or replacement of a Standby Power located at:

1044 WATERDOWN Road BURLINGTON ON L7T 1N3

Please note that the Standby Power is subject to the applicable provisions of O.Reg 245/11 and O. Reg. 346/12. Environmental Protection Act.
The activity related information provided during the registration process is included as part of the confirmation of registration as schedule 'A'
Dated on Jan 06, 2015

Director
Environmental Approvals Access and Service Integration Branch
Ministry of the Environment and Climate Change
2 St.Clair Avenue West,Floor 12A
Toronto ON M4V 1L5

Any questions related to this registration and the Environmental Activity and the Sector Registry should be directed to:

Ministry of the Environment and Climate Change
Customer Service Representative
Environmental Approvals Access and Service Integration Branch

Phone:(416) 314-8001
Toll free: 1-800-461-6090

Schedule 'A'

Part 3 . Activity Information

3.1 Registration Information

This form is to be used to register the use, operation, construction, alteration, extension, or replacement of the standby power system. Please confirm that you will be engaging in one or more of these activities.	☑ Yes	☐ No

3.2 Activity Design-Related Information

(a) Is the standby power system intended to be used only for the provision of electrical power during power outages or involuntary power reductions?	☑ Yes	☐ No
(b) Is the rated capacity of each generator unit that is part of the standby power system 700 kilowatts or less?	☑ Yes	☐ No
(c) Does the standby power system only use one or more of the following as fuel: - biodiesel; - diesel; - natural gas; or - propane?	☑ Yes	☐ No
(d) Is the wastewater from the standby power system, if any: - transferred to a waste management system that is subject to an Environmental Compliance Approval or is registered in the Environmental Activity and Sector Registry; - discharged to a sewage works that is subject to an Environmental Compliance Approval; or - discharged to a municipal sanitary sewer?	☑ Yes	☐ No

3.3 Environmental Activity and Sector Registration Exemptions

(a) Is the standby power system used to generate electricity at a renewable energy generation facility and is operated in the circumstances described in subsection 7(1) of Ontario Regulation 359/09 (Renewable Energy Approvals under Part V.0.1 of the Environmental Protection Act)?	☐ Yes	☑ No
(b) Is the standby power system associated with a building or structure that contains one or more dwellings and is used by the occupants of not more than three dwellings in the building or structure?	☐ Yes	☑ No
(c) Is the standby power system used in agriculture?	☐ Yes	☑ No
(d) Is the standby power system used solely to mitigate the effects of an emergency declared to exist under the Emergency Management and Civil Protection Act?	☐ Yes	☑ No
(e) Is the standby power system part of a large municipal residential system or small municipal residential system, as those systems are defined in Ontario Regulation 170/03 (Drinking Water Systems) made under the Safe Drinking Water Act, 2002?	☐ Yes	☑ No


GHD