Compatibility Mitigation Study, Air Quality

Millcroft Greens Phase 2, Burlington

Millcroft Greens Corporation

4900 Palladium Way, Unit 105, Burlington, ON L7M 0W7

Prepared by:

SLR Consulting (Canada) Ltd.

100 Stone Road West, Suite 201, Guelph, ON N1G 5L3

SLR Project No.: 241.032342.00001

November 28, 2025

Revision: 1

Revision Record

Revision	Date	Prepared By	Checked By	Authorized By
0	October 9, 2025	Jenny Graham	Nigel Taylor	Nigel Taylor
1	November 28, 2025	Jenny Graham	Nigel Taylor	Nigel Taylor



Statement of Limitations

This report has been prepared by SLR Consulting (Canada) Ltd. (SLR) for Millcroft Greens Corporation (Client) in accordance with the scope of work and all other terms and conditions of the agreement between such parties. SLR acknowledges and agrees that the Client may provide this report to government agencies, interest holders, and/or Indigenous communities as part of project planning or regulatory approval processes. Copying or distribution of this report, in whole or in part, for any other purpose other than as aforementioned is not permitted without the prior written consent of SLR.

Any findings, conclusions, recommendations, or designs provided in this report are based on conditions and criteria that existed at the time work was completed and the assumptions and qualifications set forth herein.

This report may contain data or information provided by third party sources on which SLR is entitled to rely without verification and SLR does not warranty the accuracy of any such data or information.

Nothing in this report constitutes a legal opinion nor does SLR make any representation as to compliance with any laws, rules, regulations, or policies established by federal, provincial territorial, or local government bodies, other than as specifically set forth in this report. Revisions to legislative or regulatory standards referred to in this report may be expected over time and, as a result, modifications to the findings, conclusions, or recommendations may be necessary.



Executive Summary

SLR Consulting (Canada) Ltd. (SLR), was retained by Millcroft Greens Corporation, to conduct a Compatibility / Mitigation Study focusing on air quality, odour and dust in support of Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Draft Plan Approval (DPA) applications for the proposed development. The development site is located at 2155 Country Club Drive in Burlington, Ontario ("the Project site").

The addition of "sensitive" land uses within the Project site, including residential uses, requires an assessment of land use compatibility with the surrounding proposed, and existing, employment land uses.

This assessment has considered:

- Industrial air quality, odour, and dust emissions; and
- Transportation-related air pollution.

The assessment has included a review of air quality emissions from industrial facilities in the area. One industry was found to be inside the potential area of influence, namely, Walker Emulsions. Given the observations made during the site visit to the area, presence of existing residences in similar or closer proximity to the facility, and separation distance to the Project site, the proposed development is anticipated to be compatible with the Walker Emulsions facility from an air quality perspective. In addition, emissions of dust, and/or odour at the Project site are not anticipated. The Project is not anticipated to limit the ability of Walker Emulsions to obtain or maintain required MECP permits and approvals. As the applicable policies and guidelines are met, the Project site is:

- Unlikely to result in increased risk of complaint and nuisance claims;
- Unlikely to result in operational constraints for the major facilities; and
- Unlikely to result in constraints on major facilities to reasonably expand, intensify or introduce changes to their operations.



Table of Contents

Statement of Limitations ..... **ii**
Executive Summary ..... **iii**
Table of Contents ..... **iv**
Acronyms and Abbreviations ..... **vi**
1.0 Introduction **1**
2.0 Description of Development and Surroundings **2**
2.1 Proposed Development 2
2.2 Surroundings 2
2.3 Land Use Designations in the Area 2
2.3.1 City of Burlington Official Plan 2
2.3.2 City of Burlington Zoning By-Law 2020 2
3.0 Assessment Framework **3**
3.1 Ontario Planning Act 3
3.2 Provincial Planning Statement 4
3.3 Halton Region Regional Official Plan Guidelines: Land Use Compatibility Guidelines 5
3.4 Halton Region Regional Official Plan Guidelines: Air Quality Guidelines 5
3.5 D-Series of Guidelines 6
3.5.1 Guideline D-6 Requirements 7
3.5.2 Requirements for Assessments 8
3.5.3 Recommended Minimum Separation Distances 9
4.0 Nearby Industries **9**
4.1 Class III Heavy Industries 9
4.1.1 Walker Emulsions 10
4.2 Class I Light and Class II Medium Industries 10
4.3 Future Development Uses 10
4.4 Summary 12
5.0 Air Quality, Dust and Odour Assessment **12**
5.1 Industrial Sources 12
5.1.1 Guidelines and Regulations 12
5.1.2 Air Quality 12
5.1.3 Site Visits and Odour and Dust Observations 13
5.1.4 Ministry of Environment, Conservation and Parks Facility Information 13

5.1.5 Assessment of Potential Air Emissions 14
5.2 Transportation Related Air Pollution 15
5.2.1 Halton Region Regional Official Plan Guidelines: Air Quality Guidelines 15
5.3 Summary of Air Quality, Dust and Odour Conclusions And Recommendations 15
6.0 Conclusions 16
7.0 Closure 16
8.0 References 17

Tables in Text

Table 1: Guideline D-6 - Potential Areas of Influence and Recommended Minimum Separation Distances for Industrial Land Uses 7
Table 2: Guideline D-6 - Industrial Categorization Criteria 7
Table 3: Identified Industries Within the Potential Area of Influence of the Project Site 9
Table 4: Development Applications in the Area 11

Appended Figures

Figure 1: Site and Context Plan
Figure 2: Surrounding Land Uses
Figure 3a: Excerpt of Official Plan Schedule B
Figure 3b: Area Zoning Map
Figure 4a: Guideline D-6 Separation Distances to 1000m
Figure 4b: Guideline D-6 Separation Distance to Walker Emulsions
Figure 5: Wind Frequency Distribution Diagram (Wind Rose) Burlington Piers 1991-2015

Appendices

Appendix A Site Plan
Appendix B Industry List
Appendix C Environmental Compliance Approval – Walker Emulsions

Acronyms and Abbreviations

EASR	Environmental Activity and Sector Registry
ECA	Environmental Compliance Approval
ECO	Environmental Commissioner of Ontario
EPA	Ontario Environmental Protection Act
FOI	Freedom of Information
MECP	Ministry of the Environment, Conservation and Parks
MMAH	Ontario Ministry of Municipal Affairs and Housing
O. Reg. 419/05	Ontario Regulation 419/05
OPA	Official Plan Amendment
PPS	Provincial Planning Statement
SPA	Site Plan Approval
ToR	Terms of Reference
ZBA	Zoning By-law Amendment



1.0 Introduction

SLR Consulting (Canada) Ltd. (SLR), was retained by Millcroft Greens Corporation, to conduct a Compatibility / Mitigation Study focusing on air quality, odour and dust in support of Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Draft Plan Approval (DPA) applications for the proposed development. The development site is located at 2155 Country Club Drive in Burlington, Ontario ("the Project site").

The addition of "sensitive" land uses within the Project site, including residential, requires an assessment of land use compatibility with the surrounding proposed, and existing, employment land uses.

This assessment has considered:

- Industrial air quality, odour, and dust emissions; and
- Transportation-related air pollution.

The assessment has included a review of air quality emissions from industrial facilities and transportation sources in the area.

In this assessment, SLR has reviewed the surrounding land uses and major facilities in the area with respect to the following guidelines:

- The Halton region Land Use Compatibility Guidelines (LUCG), Regional Official Plan Guidelines;
- The Provincial Policy Statement;
- The Provincial Growth Plan;
- Ministry of the Environment, Conservation and Parks ("MECP") Guidelines D-1 and D-6;
- Ontario Regulation 419/05: Air Pollution – Local Air Quality and its associated air quality standards and assessment requirements;
- The MECP draft policies on odour impacts and assessment; and The Halton Region Air Quality Guidelines, Regional Official Plan Guidelines.

This report is intended to meet the requirements of the LUCG, Regional Official Plan Guidelines published by the Region of Halton. This report identifies existing and potential land use compatibility issues and identifies and evaluates options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses, including mixed-use residential uses, and nearby Employment Areas and/or major emissions sources.



2.0 Description of Development and Surroundings

2.1 Proposed Development

The Project site, located at 2155 Country Club Drive, currently includes the Millcroft Greens golf course. The Phase 2 development proposal includes six new blocks of single detached homes and townhouses. Area ‘F’ is located at the southwest intersection of Millcroft Park Drive and Dundas Street. Area ‘G’ is located on the north side of Country Club Drive, between Arbourfield Drive and Vermont Crescent. Area ‘H’ is located on the south side of Country Club Drive, between Berwick Drive and Arbourfield Drive. Area ‘I’ is located at the northeast corner of Millcroft Park Drive and Berwick Drive. Area ‘J’ is located at the northwest corner of Millcroft Park Drive and Country Club Drive. Area ‘K’ is located on the south side of Sarazen Drive, near Amaletta Crescent.

A context plan of the area highlighting the various development sites is shown in Figure 1 and the development concept plan is provided in Appendix A.

2.2 Surroundings

The entire development is bounded by Dundas Street to the north, Appleby Line to the east, Upper Middle Road to the south and Walkers line to the west. Generally, surrounding the site are low-rise residential subdivisions in all directions. There are commercial properties located at the intersections of Walkers Line with Dundas Street, Dundas Street with Appleby Line and Upper Middle Road with Appleby Line. There are employment lands located south of the intersection of Upper Middle Road and Appleby Line. The CN Rail line is located southeast of the development site. The surroundings land uses are shown in Figure 2.

2.3 Land Use Designations in the Area

The following sections outline the current land use designations under the City of Burlington Official Plan (OP) (2020).

2.3.1 City of Burlington Official Plan

An excerpt from the City of Burlington Official Plan Schedule B – Comprehensive Land Use Plan Urban Planning Area for the area is provided in Figure 3a. The Project site is designated as Residential – Low Density and Residential – Medium Density. Some areas within the development lands are also designated for Major Parks and Open Space. The lands to the north, west and south of the Project site are also designation as Low Density and Medium Density residential. The lands east of the railway and near the intersection of Appleby Line and Upper Middle Road are designated Mixed Use Centre. South of Upper Middle Road and east of the rail line, the lands are designated as General Employment.

2.3.2 City of Burlington Zoning By-Law 2020

An excerpt from the City of Burlington Zoning Map for the area is provided in Figure 3b. Each of the proposed residential areas are located on lands currently zoned as O1 (open space). The lands surrounding the proposed residential areas are mainly zoned for low density residential (R1, R2, R3, R4 or R5) or medium density residential (RM). Some areas are zoned for neighbourhood park (PC) or Open Space (O). In general, the land uses surrounding the subdivision site are zoned for residential. The nearby rail-line is zoned for Utility Service (S).

At the intersection of Upper Middle Road and Appleby Line, the lands are zoned as Uptown Commercial (UC) or Uptown Commercial Residential (UCR). Lastly, east of the rail line and south of Upper Middle Road, lands are zoned for general employment (GE) or Uptown Employment (UE).

3.0 Assessment Framework

The intent of this report is to identify any existing and potential land use compatibility issues and to identify and evaluate options to achieve appropriate design, buffering and/or separation distances between the surrounding sensitive land uses, including residential uses, and nearby Employment Areas and/or major facilities. Recommended measures intended to eliminate or mitigate negative impacts and adverse effects are provided.

The requirements of the Ontario planning regime are organized such that generic policy is informed by specific policy, guidance, and legislation, as follows:

- The Ontario Planning Act, Section 2.1 – sets the ground rules for land use planning in Ontario, whereby planning decisions have regard to matters of provincial interest including orderly development, public health, and safety; then
- The Provincial Planning Statement (“PPS”) sets out goals – making sure adjacent land uses are compatible from a health and safety perspective and are appropriately buffered; then
- The Halton Region Land Use Compatibility Guidelines (“LUCG”) developed by the Region to “identify how land use compatibility issues may be addressed by municipalities during a development proposal…” The LUCG were developed by the Region in consideration of the Provincial D-Series of Guidelines, prepared by the Ontario Ministry of Environment, Conservation & Parks (“MECP”). These guidelines set out methods to determine if assessments are required (Areas of Influence, Recommended Minimum Separation Distances, and the need for additional studies); then
- The MECP D-series of guidelines set out methods to determine if assessments are required (Areas of Influence, Recommended Minimum Separation Distances, and the need for additional studies); then
- MECP and Municipal regulations, policies, standards, and guidelines then set out the requirements of additional air quality studies and the applicable policies, standards, guidelines, and objectives to ensure that adverse effects do not occur.

3.1 Ontario Planning Act

The Ontario Planning Act is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. “The purpose of the Act is to:

- provide for planning processes that are fair by making them open, accessible, timely and efficient;
- promote sustainable economic development in a healthy natural environment within a provincial policy framework;
- provide for a land use planning system led by provincial policy;

- integrate matters of provincial interest into provincial and municipal planning decisions by requiring that all decisions be consistent with the Provincial Planning Statement and conform/not conflict with provincial plans;
- encourage co-operation and coordination among various interests;
- recognize the decision-making authority and accountability of municipal councils in planning"[1]

Section 2.1 of the Ontario Planning Act describes how approval authorities and Tribunals must have regard to matters of provincial interest including orderly development, public health, and safety.

3.2 Provincial Planning Statement

The PPS "provides policy direction on matters of provincial interest related to land use planning and development. As a key part of the Ontario policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians."

The PPS is a generic document, providing a consolidated statement of the government policies on land use planning and is issued under section 3 of the Planning Act. Municipalities are the primary implementers of the PPS through policies in their local official plans, zoning by-laws and other planning related decisions.

The Province of Ontario approved PPS came into effect on October 20, 2024. Policy direction concerning land use compatibility is provided in the following sections of the PPS.

> "Policy 2.8.3: *In addition to Policy 3.5, on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the longterm economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.*
>
> *Policy 3.5.1: Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*
>
> *Policy 3.5.2: Where avoidance is not possible in accordance with Policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.*

The goals of the PPS are implemented through Municipal and Provincial policies, as discussed below. Provided the Municipal and Provincial policies, guidelines, standards, and procedures are met, the requirements of the PPS will be met.

[1] https://www.ontario.ca/document/citizens-guide-land-use-planning/planning-act

3.3 Halton Region Regional Official Plan Guidelines: Land Use Compatibility Guidelines

The purpose of the Land Use Compatibility Guidelines developed by the Halton Region (LUCG) is to "identify how land use compatibility issues may be addressed by municipalities during a development proposal…" The LUCG were developed by Halton Region in consideration of the Provincial D-Series of Guidelines, prepared by the MECP in 1995 for planning guidance in evaluating land use compatibility. Section 2 of the LUCG identifies the relevant provincial guidelines and regulations which are to be considered in conducting air quality assessment in Ontario:

> *"The D-Series are used for development applications that require the re-designation (Official Plan Amendment) or rezoning of land uses (Zoning By-law amendment). The MOE's D-Series are only applicable when a:*
>
> - *New sensitive land use requires a land use amendment and is proposed to be located within the influence, or potential influence, area of an impacting use, such as an existing industrial land use; or when a*
> - *New industrial use requires a land use amendment and is proposed to be located near an existing sensitive residential use."*

Included in the Halton Region summary is a discussion of the "potential Areas of Influence" approach, as presented in the D-series of guidelines when assessing compatibility of industrial uses with more sensitive uses such as residences.

In preparing the LUCG, Halton Region has clarified an aspect concerning Recommended Minimum Separation Distances. In the LUCG, it is understood that Areas of Influence of various industrial processes will be site specific. Actual Areas of Influence are determined through appropriate studies allowing for industrial activities to be compatible with more sensitive land uses within the Area of Influence and within Recommended Minimum Separation Distances which are presented in Table 1. Appropriate studies can provide mitigation strategies, if required.

3.4 Halton Region Regional Official Plan Guidelines: Air Quality Guidelines

The Halton Region Air Quality Guidelines (AQG) were developed along with a number of other guidelines for land use planning which came out of the Halton Region Official Plan Amendment (ROPA 38). In general terms, the AQG recommends consideration of local industrial sources and transportation features when evaluating the siting of a residential land use.

The AQG acts as a summary document of the applicable guidelines for a particular undertaking.

> *"2.1 Under the Region's policy 143(12), any source emission studies may only be applicable when sensitive land uses (residential, natural heritage) are proposed with these 3 conditions present:*
>
> 1 *Within 30 m of a major arterial road or provincial highway or within 150 m of provincial freeway;*
> 2 *In proximity to an industrial use; and a*
> 3 *Utility use"*

SLR conducted a review of identified industrial uses and roadways/highways, as referred to in items 1) and 2) of Section 2.1, of the AQG listed above.

3.5 D-Series of Guidelines

The D-series of guidelines were developed by the MECP in 1995 as a means to assess Recommended Minimum Separation Distances and other control measures for land use planning proposals in an effort to prevent or minimize 'adverse effects' from the encroachment of incompatible land uses where a facility either exists or is proposed. D-series guidelines address sources including sewage treatment (Guideline D-2), gas and oil pipelines (Guideline D-3), landfills (Guideline D-4), water services (Guideline D-5) and industries (Guideline D-6).[2]

For this assessment, the applicable guideline is Guideline D-6 - *Compatibility between Industrial Facilities and Sensitive Land Uses*.

Sensitive Land Use is defined in the D-Series Guidelines as:

> "A building, 'amenity area' or outdoor space where routine or normal activities occurring at reasonably expected times would experience 1 or more 'adverse effect(s)' from contaminant discharges generated by a nearby 'facility'. The 'sensitive land use' may be a part of the natural or built environment. Depending upon the particular 'facility' involved, a sensitive land use and associated activities may include one or a combination of:
>
> I. residences or facilities where people sleep (e.g. single and multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.). These uses are considered to be sensitive 24 hours/day.
>
> II. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).
>
> III. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).
>
> IV. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).
>
> V. bird/wildlife habitats or sanctuaries."

Adverse effect is a term defined in the Environmental Protection Act and "means one or more of

- impairment of the quality of the natural environment for any use that can be made of it,
- injury or damage to property or to plant or animal life,
- harm or material discomfort to any person,
- an adverse effect on the health of any person,
- impairment of the safety of any person,
- rendering any property or plant or animal life unfit for human use,
- loss of enjoyment of normal use of property, and

[2] https://www.ontario.ca/page/environmental-land-use-planning-guides

- interference with the normal conduct of business".

3.5.1 Guideline D-6 Requirements

The guideline specifically addresses issues of air quality, odour, dust, noise, and litter. To minimize the potential to cause an adverse effect, Areas of Influence and Recommended Minimum Separation Distances are included within the guidelines. The Areas of Influence and Recommended Minimum Separation Distances from the guidelines are provided in the table below.

Table 1: Guideline D-6 - Potential Areas of Influence and Recommended Minimum Separation Distances for Industrial Land Uses

Industry Classification	Area of Influence	Recommended Minimum Separation Distance
Class I – Light Industrial	70 m	20 m
Class II – Medium Industrial	300 m	70 m
Class III – Heavy Industrial	1000 m	300 m

Industrial categorization criteria are supplied in Guideline D-6, and are shown in the following table:

Table 2: Guideline D-6 - Industrial Categorization Criteria

Category	Outputs	Scale	Process	Operations / Intensity	Possible Examples
Class I Light Industry	• Noise: Sound not audible off-property • Dust: Infrequent and not intense • Odour: Infrequent and not intense • Vibration: No ground-borne vibration on plant property	• No outside storage • Small-scale plant or scale is irrelevant in relation to all other criteria for this Class	• Self-contained plant or building which produces/ stores a packaged product • Low probability of fugitive emissions	• Daytime operations only • Infrequent movement of products and/ or heavy trucks	• Electronics manufacturing and repair • Furniture repair and refinishing • Beverage bottling • Auto parts supply • Packaging and crafting services • Distribution of dairy products • Laundry and linen supply

Category	Outputs	Scale	Process	Operations / Intensity	Possible Examples
Class II Medium Industry	• Noise: Sound occasionally heard off-property • Dust: Frequent and occasionally intense • Odour: Frequent and occasionally intense • Vibration: Possible ground-borne vibration, but cannot be perceived off-property	• Outside storage permitted • Medium level of production allowed	• Open process • Periodic outputs of minor annoyance • Low probability of fugitive emissions	• Shift operations permitted • Frequent movements of products and/ or heavy trucks with the majority of movements during daytime hours	• Magazine printing • Paint spray booths • Metal command • Electrical production • Manufacturing of dairy products • Dry cleaning services • Feed packing plants
Class III Heavy Industry	• Noise: Sound frequently audible off property • Dust: Persistent and/ or intense • Odour: Persistent and/ or intense • Vibration: Ground-borne vibration can frequently be perceived off-property	• Outside storage of raw and finished products • Large production levels	• Open process • Frequent outputs of major annoyances • High probability of fugitive emissions	• Continuous movement of products and employees • Daily shift operations permitted	• Paint and varnish manufacturing • Organic chemical manufacturing • Breweries • Solvent recovery plants • Soaps and detergent manufacturing • Metal refining and manufacturing

3.5.2 Requirements for Assessments

Guideline D-6 requires that studies be conducted to assess impacts where sensitive land uses are proposed within the Potential Area of Influence of an industrial facility. This report is intended to fulfill this requirement.

The D-series guidelines reference previous versions of the air quality regulation (Regulation 346). However, the D-Series of guidelines are still active, still represent current MECP policy and are specifically referenced in numerous other current MECP policies.
In applying the D-series guidelines, the current policies, regulations, standards, and guidelines have been used (e.g., Regulation 419).



3.5.3 Recommended Minimum Separation Distances

Guideline D-6 also *recommends* that no sensitive land use be placed within the Recommended Minimum Separation Distance. However, it should be noted that this is a recommendation only. Section 4.10 of the Guideline allows for development within the Recommended Minimum Separation Distance, in cases of redevelopment, infilling, and transitions to mixed use, provided that the appropriate studies are conducted and that the relevant air quality and noise guidelines are met.

4.0 Nearby Industries

The Guideline D-6 Separation distances from the Project site are shown in Figures 4a and 4b. SLR personnel conducted a site visit to the area on August 14, 2025. Local industries within 1 km of the Project site were inventoried. The lands surrounding the Project site are generally comprised of commercial, residential and employment uses.

In Ontario, facilities that emit significant amounts of contaminants to the environment are required to obtain and maintain an Environmental Compliance Approval ("ECA") from the MECP or submit an Environmental Activity and Sector Registry ("EASR"). ECAs/ EASRs within 1 km of the site were obtained from the MECP *Access Environment* website[3].

Table 3 lists the identified industries within 1000 m of the Project site and within their applicable Area of Influence. A more detailed table of all industries within 1000 m is provided in Appendix B. Industries which lie within their applicable Area of Influence in respect to the Project are discussed further below.

Table 3: Identified Industries Within the Potential Area of Influence of the Project Site

Facility	Type of Operation	ECA/EASR Number	Industry Class	Area of Influence Dist. (m)	Actual Distance to Site (m)	Additional Assessment Provided in Report
Walker Emulsions	Emulsions Manufacturing	2096-DEAPZC	Class III	1000	865	Yes

The industry listed above was identified to be inside the Potential Area of Influence and, therefore, require additional assessment.

All other industries, detailed in Appendix B, are outside of their respective Guideline D-6 Area of Influence and, therefore, are anticipated to be compatible with the proposed Project site development.

4.1 Class III Heavy Industries

The area within 1 km of the Project site was reviewed. As shown in Figure 4b, there is one Class III Heavy industry within 1 km of the Project site, namely Walker Emulsions.

[3] https://www.accessenvironment.ene.gov.on.ca/AEWeb/ae/GoSearch.action

4.1.1 Walker Emulsions

Address:	**4365 Corporate Drive**
Distance To Project:	865 m
D-6 Classification:	III

Walker Emulsions is an asphalt emulsion, wax emulsion and asphalt cutback manufacturing facility. The site contains several outdoor storage tanks. Daily operations include receiving of asphalt cement and shipping of asphalt cement, asphalt emulsions, wax emulsions and asphalt cutback. The facility operates under MECP Amended ECA Number 2096-DEAPZC dated March 20, 2025, and provided in Appendix C.

Air quality sources related to Walker Emulsions include:

- Outdoor asphalt cement receiving tanks controlled by Carbon Filters
- Asphalt cement transload activities;
- Asphalt, wax and oil emulsion production processes;
- Asphalt cutback production processes;
- Mixing and blending tanks; and
- QA/QC laboratory.

Due to the potential for persistent and/or intense odours from the manufacturing of asphalt and wax, the site is conservatively considered a Class III facility.

On August 14, 2025, SLR personnel conducted a site visit to the area. No odours or visible dust was observed at the facility at the time of the site visit.

The Project site lies outside of the Minimum Recommended Separation Distance (300 m); however, it is within the Potential Area of Influence (1000 m) of this Class III Heavy Industry. Therefore, additional assessment is warranted and is provided further within this report. Note that only Area J lies within the Potential Area of Influence. The remaining proposed residential areas lie beyond 1000 m from the walker Emulsions facility.

4.2 Class I Light and Class II Medium Industries

The area within 300 m of the Project site was reviewed. There are no Class I light or Class II medium scale industries within 300 m of the Project site, as shown in Figure 4a.

4.3 Future Development Uses

A review of development applications in the area indicated that there are five active development applications within 1000 m of the Project site. The following is a summary of the significant applications. This information is reflective of those applications listed online at the City of Burlington Development Projects: Citywide Interactive Map[4] as of August 25, 2025:

[4] Development Projects: Citywide: https://burlington.maps.arcgis.com/home/webmap/viewer.html?webmap=64655c40535f478b8d3adbbbecdb683e

Table 4: Development Applications in the Area

Address	Date	Development Application Information *	Details
2155 Country Club Dr	December 2020; revised April 2022	Official Plan Amendment: 505-07/20 Zoning Bylaw Amendment: 520-07/20 Plan of Subdivision: 510-02/20	The owners are proposing to develop five (5) parcels of land for residential uses.
4375 Millcroft Park Dr	September 2022	Plan of Subdivision: 510-01/21	The applicant is proposing a Plan of Subdivision consisting of 30 lots for detached dwellings and a new public street. The proposal is intended to comply with the existing Official Plan and Zoning By-law designations of the subject lands.
2273 Turberry Rd	July 2022	Site Plan Application File Number: 535-002/20	Proposed 67 townhouse units. Overall heights include 2- and 3-storey units, with basements. 20 visitor parking, including one Type-A Barrier-Free space
2063 Upper Middle Rd	August 2022	Rezoning: 520-03/17	Approved development of an eight (8) storey apartment building with 32 units at 4063 Upper Middle Rd. A significant portion of the site is traversed by Shoreacres Creek. This area will be rezoned to Open Space and conveyed to the City.
1989 Appleby Line	July 2024	File Number: 505-05/22 and 520-06/22	The application proposes to replace the existing gas station use with the development of two 20-storey residential buildings connected by a shared 6-storey podium with retail at grade. This would result in a total of 475 residential units, 871m2 of at-grade retail space, 502 vehicular parking spaces, and 304 bicycle parking spaces. Vehicle access is proposed via two driveways: one on Appleby Line and one on Upper Middle Road. Amenity space is proposed at the 7th storey within two indoor spaces (275m2 in each tower) and one outdoor space (413m2) on the roof of the podium. The apartment building use is permitted, and the Official Plan and Zoning By-law Amendments are requested for the proposed increases in density, Floor Area Ratio, height, as well as a reduction in parking.



The above table illustrates that many of the surrounding landowners are pursuing rezoning applications to enable more efficient use of land and mixed uses including residential.

4.4 Summary

From the list of industries discussed in Section 4, one is identified to require further analysis as a result of being within their Area of Influence, namely, Walker Emulsions. This facility is discussed further in Section 5.1.5.1.

5.0 Air Quality, Dust and Odour Assessment

5.1 Industrial Sources

5.1.1 Guidelines and Regulations

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

5.1.2 Air Quality

Under O.Reg. 419/05, a facility is required to meet prescribed standards for air emissions 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. While the introduction of mid-rise or high-rise residential buildings could trigger a facility to re-assess compliance at new, elevated receptor locations, the introduction of new low-rise receptors does not introduce a new condition related to demonstrating compliance, as the facility is already required to be in compliance at grade-level at the property line of the operating industry.

5.1.2.1 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.

- **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.

5.1.2.2 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 Project 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.

5.1.2.3 Cumulative Assessments

Cumulative impact assessments, examining the combined effects of individual industries, or the combined effects of industry and roadway emissions, are generally not required. Neither the PPS, the D-Series of guidelines, Regulation 419/05, or the current MECP odour assessment protocols require an assessment of cumulative impacts.

Which is not to say that such assessments are never warranted; rather, the need to do so is considered on a case-by-case basis, depending on the nature and intensity of the industrial operation(s), and the nature of the pollutants released. Based on the types of pollutants released by the industries in this area, cumulative effects assessments are not warranted.

5.1.2.4 Local Meteorology

Surface wind data was obtained to generate a wind rose from data collected at the Burlington Piers Meteorological station from 1991 to 2015, as shown in Figure 5. As can be seen in the wind rose, predominant winds are from the west and southwest quadrants, while winds from the northwest, south and southeast may be less frequent.

5.1.3 Site Visits and Odour and Dust Observations

A site visit was conducted to the area on August 14, 2025 by SLR personnel to identify significant sources of air quality emissions and to identify any significant sources of odour or dust in the area surrounding the Project site. During the site visit, the staff members observed existing industries from the sidewalks and other publicly accessible areas. Wind conditions during the site visit were noted as:

- **August 14, 2025** north easterly winds, 14 km/h, 24 °C, 72 %RH

No odours or fugitive dust emissions were detected at the Project site during the site visit, or in the vicinity of the employment lands.

5.1.4 Ministry of Environment, Conservation and Parks Facility Information

SLR recognizes that complaint history can be useful in evaluating land use compatibility. SLR typically only requests potential complaints information for facilities located within the Recommended Minimum Separation Distance or where an industry is known to have the potential to generate significant air emissions.

SLR did not seek complaint history for the proposed Project site development given that no industries were identified within the applicable Minimum Separation Distance.

5.1.5 Assessment of Potential Air Emissions

Walker Emulsions is the only facility that was identified as being within the Potential Area of Influence and identified to require additional review from an air quality perspective. Further discussion regarding this facility and potential air emissions is provided below.

All the other industries surrounding the Project site were outside of the Potential Area of Influence. Therefore, the development of the Project site is anticipated to be compatible with these facilities from an air quality perspective. In addition, emissions of dust, and/or odour at the Project are not anticipated. Furthermore, the Project site is not anticipated to limit the ability of these industries to obtain or maintain required MECP permits and approvals.

5.1.5.1 Walker Emulsions

Walker Emulsions is an asphalt emulsion, wax emulsion and asphalt cutback manufacturing facility. The site contains several outdoor storage tanks. Due to the potential for persistent and/or intense odours from the manufacturing of asphalt and wax, the site is conservatively considered a Class III facility.

The Project site is located within the 1000 m area of influence for this facility, but outside of the Minimum Recommended Separation Distance of 300 m. At 865 m away, the Project site is almost three times the Minimum Separation Distance from the facility. Note that only Area J of the Project site falls within the 1000 m area of influence of Walker Emulsions. All remaining residential areas proposed as part of the Project site lie outside of the potential area of influence.

During the site visit, no asphalt/wax type odours were detected in the vicinity of this facility or downwind on Corporate Drive. There are several existing residences located on the south and north side of Upper Middle Road, in much closer proximity to Walker Emulsions than the Project site. If air emission levels from the Walker Emulsions operations are not a concern at the existing residences (~250 m from the facility), it is expected they will not be a concern at the Project site (865m). As the proposed development does not introduce elevated receptors to the area, it does not introduce a new test of compliance for the Walker Emulsion facility.

The facility operates under ECA Number 2096-DEAPZC issued March 20, 2025. The ECA includes a requirement for the facility to prepare and implement operating procedures and maintenance programs including a procedure to prevent and/or minimize odorous emissions.

A review of the wind frequency distribution for Burlington Piers provided in Figure 5, identifies that the Walker Emulsions facility is located predominantly downwind of the Project site. Therefore, emissions from the facility would be predominately directed away from the Project site.

Given the presence of existing residential uses, observations made during the site visit, requirements for the facility to minimize odour and upwind location of the Project site, the separation distance between the Project site and Walker Emulsions facility is anticipated to be sufficient. The proposed development is anticipated to be compatible with the Walker Emulsions facility from an air quality perspective. In addition, emissions of dust, and/or odour at the Project site are not anticipated. The Project is not anticipated to limit the ability of Walker Emulsions to obtain or maintain required MECP permits and approvals.



5.1.5.2 Future Uses and Vacant Lots

The potential exists for industries to turn over and for vacant lots to be developed. The employment lands located at the southwest corner of Upper Middle Road and Appleby Line are 600 m or greater from the Project site. There are existing residential uses located in similar or closer proximity to these lands than the Project site. Based on the presence of these existing surrounding sensitive land uses, size and nature of the possible employment land uses, the majority of possible future uses are expected to be considered Class I Light Industries under MECP Guideline D-6, with a 70 m Area of Influence and a Recommended Minimum Separation Distance of 20 m. Depending on the intensity of the employment uses, Class II Medium Industries may also occur. Under MECP Guideline D-6, Class II industries have a 300 m Area of Influence and a Recommended Minimum Separation Distance of 70 m. The Project site is located outside of the Area of Influence for possible Class II facilities located in the lands zoned for employment uses.

Furthermore, a review of the wind frequency distribution for Burlington Piers provided in Figure 5, identifies that the lands designated, and zoned Employment Areas are located predominantly downwind of the Project site.

Facilities with significant emission to atmosphere are required, under the Environmental Protection Act, to ensure compliance with the applicable Provincial air quality regulations and standards and noise guidelines at all existing sensitive receptors and any elevated receptor locations. The Project site would not introduce a new test of compliance for future uses within the existing employment lands.

5.2 Transportation Related Air Pollution

5.2.1 Halton Region Regional Official Plan Guidelines: Air Quality Guidelines

A review of the surrounding transportation emission sources was conducted. The following transportation sources were identified:

- Dundas Street
- Upper Middle Road
- Walkers Line
- Appleby Line

Each of the proposed development blocks are outside of 30 m of the identified major arterial roads, and greater than 500 m from the CN Rail Line. Therefore, additional analysis of Transportation Related Air Pollution (TRAP) is not required for the Project site.

5.3 Summary of Air Quality, Dust and Odour Conclusions And Recommendations

The potential for air quality emissions at the Project Site including dust and odour have been assessed. One industry was found to be inside the potential area of influence, namely, Walker Emulsions. Given the observations made during the site visit to the area, presence of existing residences in similar or closer proximity to the facility, and separation distance to the Project site, the proposed development is anticipated to be compatible with the Walker Emulsions facility from an air quality perspective. In addition, emissions of dust, and/or odour at the Project site are not anticipated.



6.0 Conclusions

A compatibility/mitigation assessment has been completed, examining the potential for air quality, dust and odour impacts from surrounding roadways and nearby industrial land uses to affect the Project site.

The assessment has included a review of air quality emissions from industrial facilities in the area. One industry was found to be inside the potential area of influence, namely, Walker Emulsions. Given the observations made during the site visit to the area, presence of existing residences in similar or closer proximity to the facility, and separation distance to the Project site, the proposed development is anticipated to be compatible with the Walker Emulsions facility from an air quality perspective. In addition, emissions of dust, and/or odour at the Project site are not anticipated. All other identified industries were found to be outside the applicable area of influence. The Project is not anticipated to limit the ability of surrounding industries to obtain or maintain required MECP permits and approvals. As the applicable policies and guidelines are met, the Project site is:

- Unlikely to result in increased risk of complaint and nuisance claims;
- Unlikely to result in operational constraints for the major facilities; and
- Unlikely to result in constraints on major facilities to reasonably expand, intensify or introduce changes to their operations.

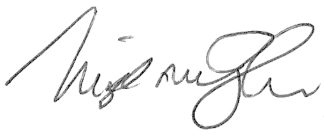
7.0 Closure

Should you have questions on the above report, please contact the undersigned.

Regards,

SLR Consulting (Canada) Ltd.





Jenny Graham, P. Eng.
Senior Engineer

Nigel Taylor, M. Sc.
Service Line Director Environmental Sciences

8.0 References

Environmental Commissioner of Ontario (ECO, 2010), *Review of Posted Decision: Developing an Odour Policy Framework*, April 2010.

Ontario Ministry of the Environment, Conservation & Parks (MECP, 1995), Guideline D-1: *Land Use Compatibility*

Ontario Ministry of the Environment, Conservation & Parks (MECP, 1995), Guideline D-6: *Compatibility Between Industrial Facilities and Sensitive Land Uses*

Ontario Ministry of the Environment, Conservation & Parks (MECP, 2008), *Technical Bulletin, Standards Development Branch, Methodology For Modelling Assessments Of Contaminants With 10-Minute Average Standards And Guidelines Under O. Reg. 419/05*, September 2016

Ontario Ministry of Municipal Affairs and Housing (MMAH, 2020). *Provincial Policy Statement*

Ontario Ministry of Municipal Affairs and Housing (MMAH, 2024). *Provincial Planning Statement*

Ontario Ministry of the Environment, Conservation & Parks (MECP, 2008), *Technical Bulletin, Standards Development Branch, Methodology For Modelling Assessments Of Contaminants With 10-Minute Average Standards And Guidelines Under O. Reg. 419/05*, April 2008.

Ontario Regulation 419/05 – *Local Air Quality.*

Figures

Compatibility Mitigation Study, Air Quality

Millcroft Greens Phase 2, Burlington

Millcroft Greens Corporation

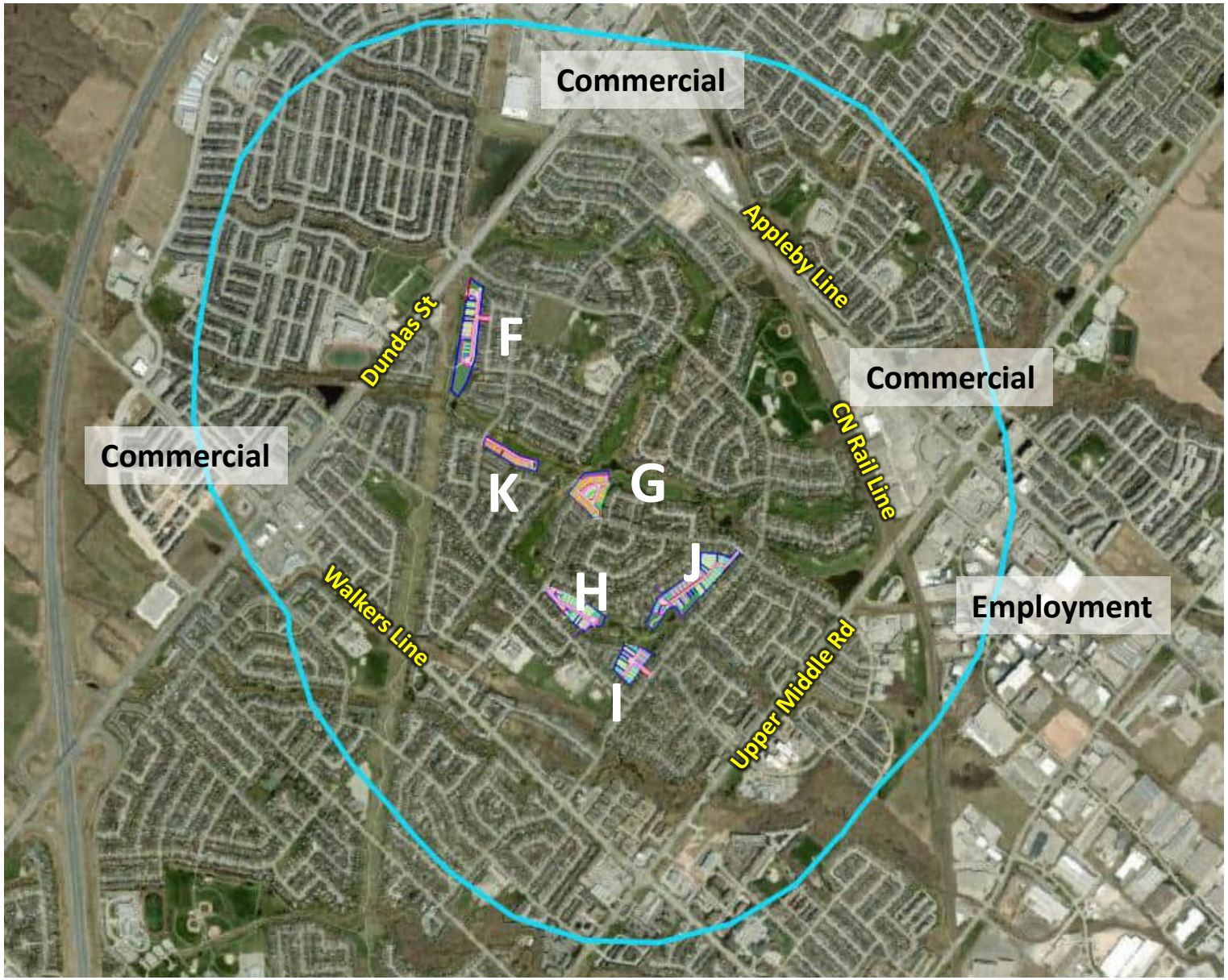
SLR Project No.: 241.032342.00001

November 28, 2025



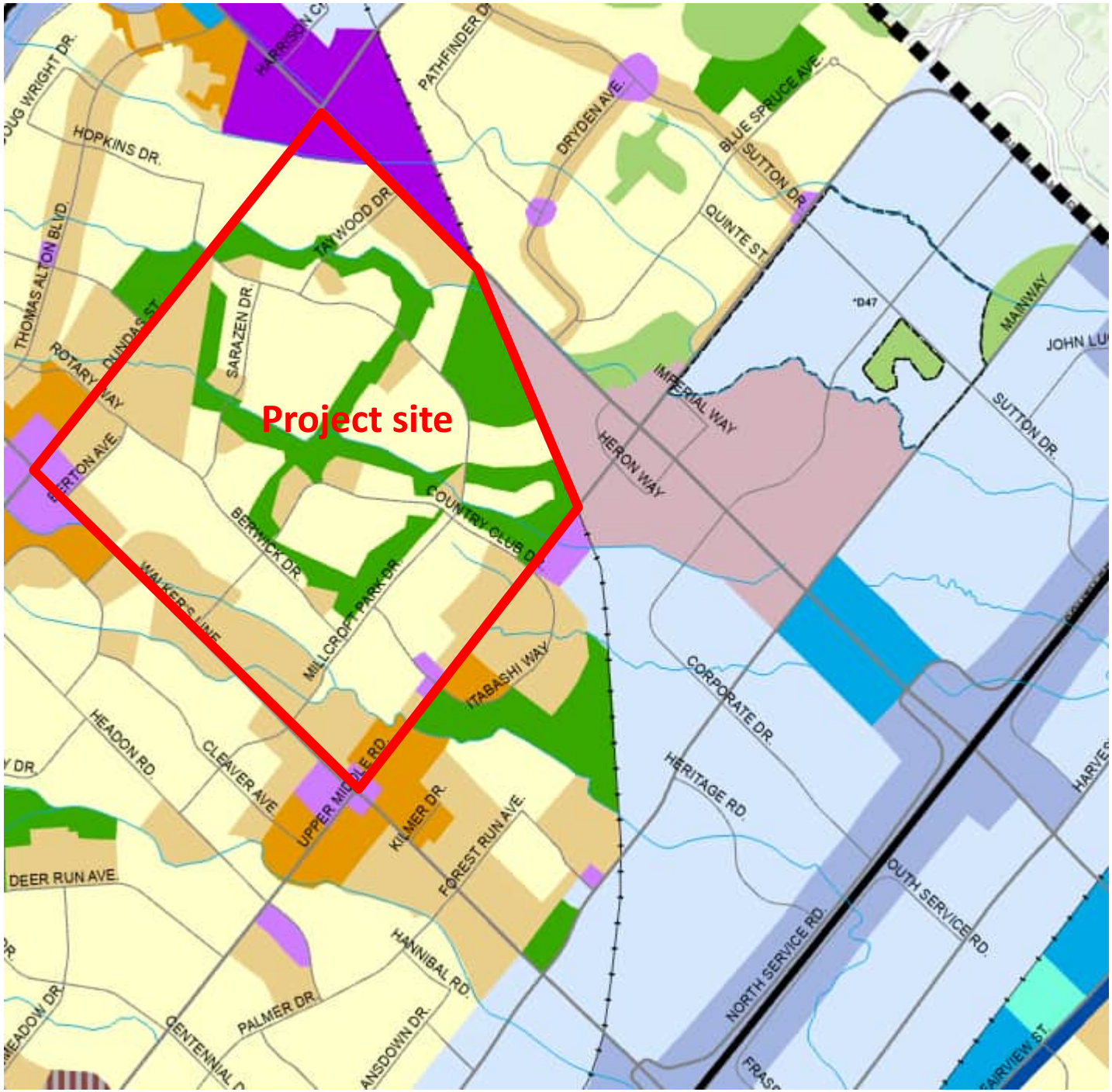
Aerial Photography from ESRI Satellite

MILLCROFT GREENS CORPORATION	True North	Scale: 1:10,000	METRES	SLR
MILLCROFT GREENS PHASE II - BURLINGTON, ONTARIO		Date: Nov. 2025 Rev 0.0	Figure No. 1	
SITE AND CONTEXT PLAN		Project No. 241.032342.00000		



Aerial Photography from ESRI Satellite

MILLCROFT GREENS CORPORATION	True North	Scale: 1:13,000	METRES	SLR
MILLCROFT GREENS PHASE II - BURLINGTON, ONTARIO		Date: Nov. 2025 Rev 0.0	Figure No. **2**	
SURROUNDING LAND USES		Project No. 241.032342.00000		



- Major Parks and Open Space
- Mixed Use Centre
- Neighbourhood Commercial
- Referral
- Residential - High Density
- Residential - Low Density
- Residential - Medium Density
- General Employment
- Employment Commercial
- Regional Commercial

True North

MILLCROFT GREENS CORPORATION

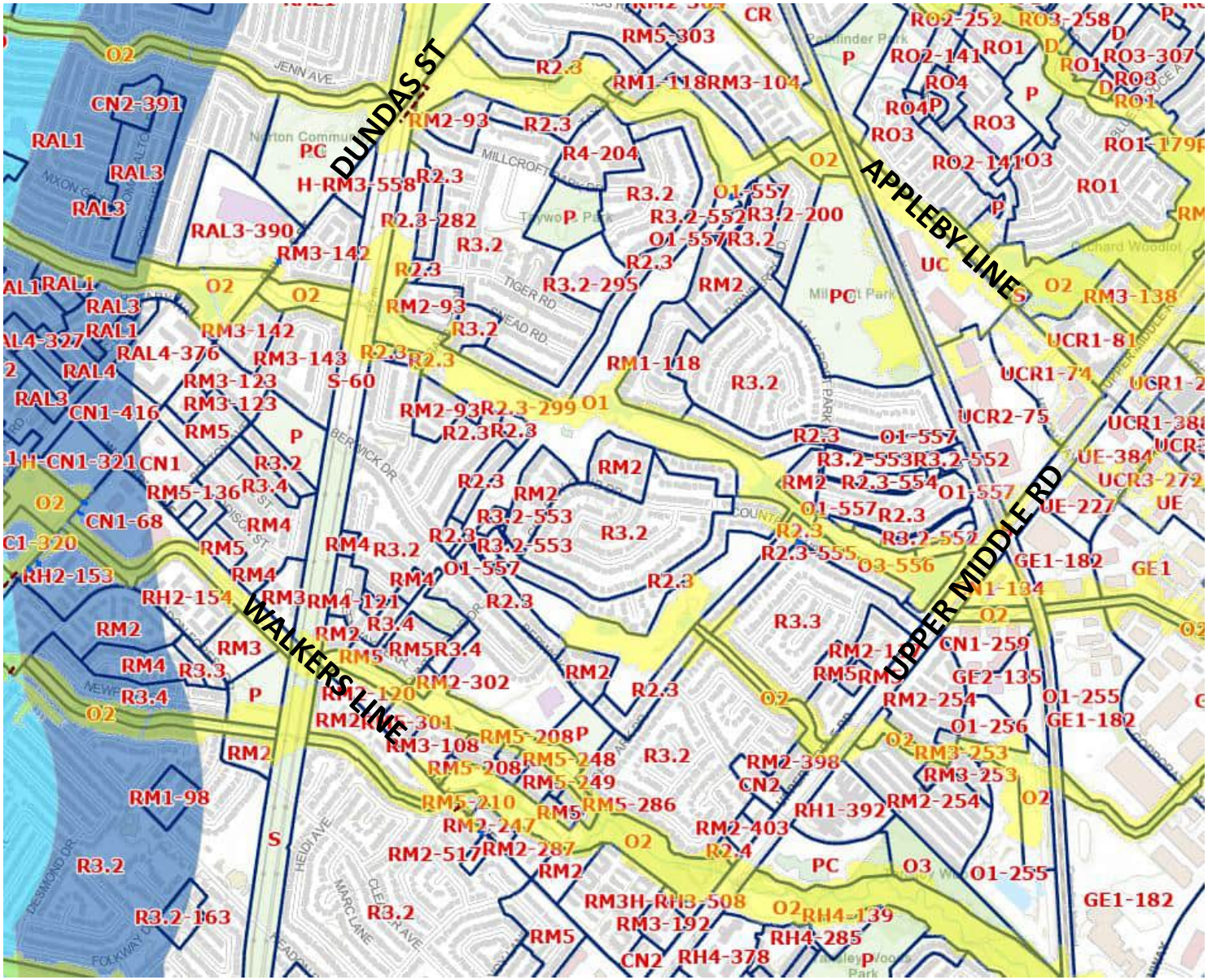
MILLCROFT GREENS PHASE II

EXCERPT OF OFFICIAL PLAN SCHEDULE B

https://burlington.maps.arcgis.com/apps/MapSeries/index.html?appid=4c0fcb27137e46c0acccbc9595a54127

Scale: n/a		METRES
Date: Nov. 2025	Rev 0.0	Figure No. **3a**
Project No. 241.032342.00000		

SLR



Zone Categories

- Residential
- Residential Apartment
- Open Space
- Utility and Transportation
- Commercial
- Commercial Residential
- Commercial Residential Employment
- Employment Industrial
- Institutional

True North

MILLCROFT GREENS CORPORATION

MILLCROFT GREENS PHASE II

AREA ZONING MAP

https://burlington.maps.arcgis.com/apps/webappviewer/index.html?appid=5bfd88175dea4cc080f46140fd839567

Scale: n/a		METRES
Date: Nov. 2025	Rev 0.0	Figure No. **3b**
Project No. 241.032342.00000		

SLR



Facility with MECP Permit (ECA/EASR)

Class I Light Industry

Class II Medium Industry

Class III Heavy Industry

Vacant Lot

Sensitive Use (e.g., Residence)

True North

MILLCROFT GREENS CORPORATION

MILLCROFT GREENS PHASE II

GUIDELINE D-6 SEPARATION DISTANCES TO 1000 METRES

Scale: 1: 13,000		METRES
Date: Nov. 2025	Rev 0.0	Figure No. **4a**
Project No. 241.032342.00000		

SLR

Aerial Photography from ESRI Satellite



Facility with MECP Permit (ECA/EASR)

Class I Light Industry

Class II Medium Industry

Class III Heavy Industry

Vacant Lot

Sensitive Use (e.g., Residence)

True North

MILLCROFT GREENS CORPORATION

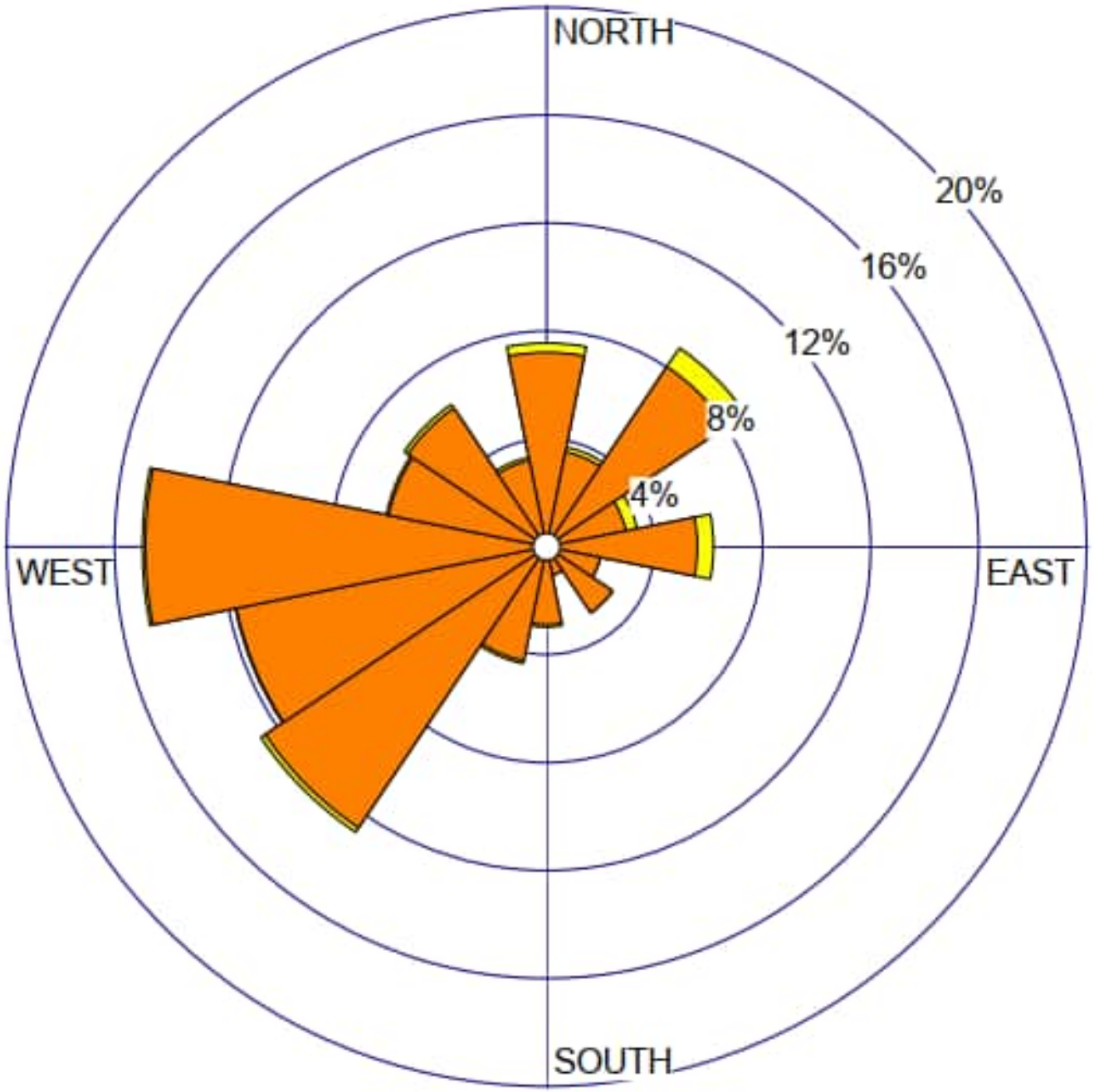
MILLCROFT GREENS PHASE II

GUIDELINE D-6 SEPARATION DISTANCE TO WALKER EMULSIONS

Scale: 1: 5,000		METRES
Date: Nov. 2025	Rev 0.0	Figure No. **4b**
Project No. 241.032342.00000		

SLR

Aerial Photography from ESRI Satellite



WIND SPEED
(m/s)

>= 8.33

0.10 - 8.33

Calms: 1.76%

True North

MILLCROFT GREENS CORPORATION

MILLCROFT GREENS PHASE II

WIND FREQUENCY DISTRIBUTION DIAGRAM
(WIND ROSE)
BURLINGTON PIERS 1991-2015

Scale: n/a		METRES
Date: Nov. 2025	Rev 0.0	Figure No. **5**
Project No. 241.032342.00000		

SLR

Appendix A Site Plan

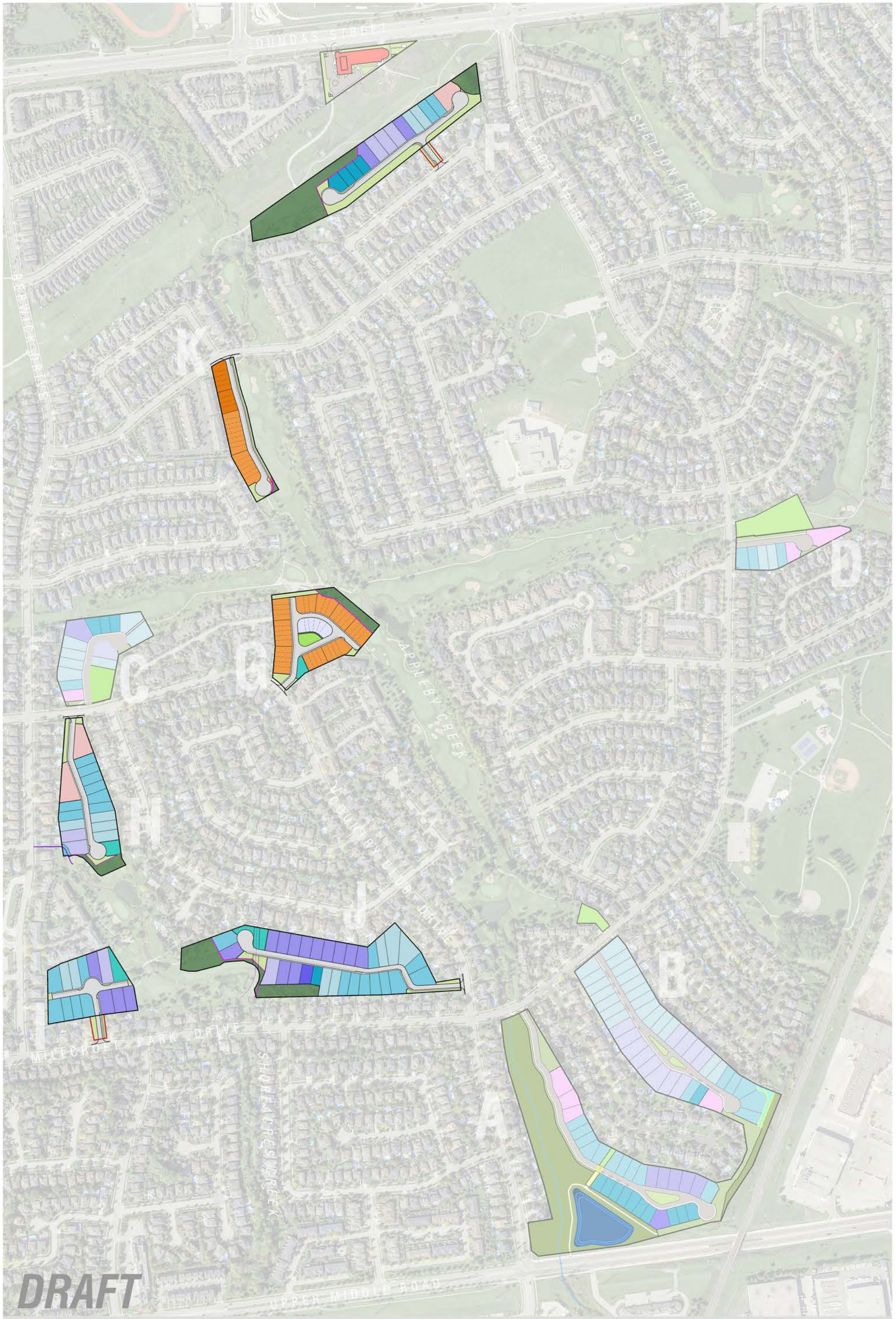
Compatibility Mitigation Study, Air Quality

Millcroft Greens Phase 2, Burlington

Millcroft Greens Corporation

SLR Project No.: 241.032342.00001

November 28, 2025



- All Units In Metric Unless Otherwise Noted.
- Base Information Obtained From Various Sources And Is Approximate.
- Schedule / Plan Information Is Conceptual And Requires Verification by Appropriate Agency.
- Aerial Photo: Google Earth, Approx. Spring 2015

Millcroft Greens Corporation | Burlington, Ontario

PRELIMINARY DEVELOPMENT CONCEPT - PHASE II

PROJECT 1516
DATE NOV 20, 2025
SCALE NTS

SK-91

Appendix B Industry List

Compatibility Mitigation Study, Air Quality

Millcroft Greens Phase 2, Burlington

Millcroft Greens Corporation

SLR Project No.: 241.032342.00001

November 28, 2025

Land Uses Surrounding the Millcroft Greens Phase II Development

Name	Address	Description	MECP ECA or EASR No. (Date)	MECP Guideline D-6					
				Class	A of I	R M S	Actual Dist.	Within A of I?	Within R M S?
Walker Emulsions	4365 Corporate Dr	Wax, oil, bio-based and asphalt emusions manufacturing	2096-DEAPZC (2025)	III	1000	300	865	Yes	-
Lafrentz Road Services	1780 Ironstone Dr	Cold-plastic markings and road paint manufacturer	6102-AE3R8A (2016)	II	300	70	755	-	-
Clean Harbors	1790 Ironstone Dr	waste disposal site	0570-6LVUVL (2006) A210108 (2023)	II	300	70	795	-	-
ELG Canada Inc.	4375 Corporate Dr	metal scrap yard		II	300	70	830	-	-
Shipway Stairs	1820 Ironstone Dr	Stair Contractor		I	70	20	640	-	-
Canadian Tire	2070 Appleby Line	Heating System	R-003-1000000141 (2011)	I	70	20	655	-	-
Complete Protection Inc	1810 Ironstone Dr	Vehicle paint protection, dent repair and detailing		I	70	20	690	-	-
Commercial Plaza	2000 Appleby Line	Heating System and Standby Power	R-002-4252235367 (2012) R-003-1239435285 (2012)	I	70	20	800	-	-
Penske Truck Rental (891731 Ontario Inc.)	1815 Ironstone Dr	Truck rental and repair; paint booth	0708-4QNRGB (2000)	I	70	20	860	-	-
Pollard Enterprises Ltd./2264349 ONTARIO INC.	1795 Ironstone Dr	Roofing Contractor; Waste Management System	R-004-9581848483 (2016)	I	70	20	930	-	-
Vanchem Perofrmance Chemicals	4387 Corporate Dr	green chemical solutions		I	70	20	970	-	-
Ecodyne Limited/Marmon Industrial Water	4475 Corporate Dr	industrial water treatment equipment manufacturing		I	70	20	980	-	-
Obrien Lifting Solutions	4435 Corporate Dr	Crane dealer, paint booth	5307-CXZL45 (2023)	I	70	20	990	-	-
Crystal Cap Cleaners Inc.	4401 Corporate Dr #3	cleaning equipment manufacturing		I	70	20	990	-	-
Burlington Auto Works	4401 Corporate Dr #6	Auto repair		I	70	20	990	-	-

Appendix C Environmental Compliance Approval – Walker Emulsions

Compatibility Mitigation Study, Air Quality

Millcroft Greens Phase 2, Burlington

Millcroft Greens Corporation

SLR Project No.: 241.032342.00001

November 28, 2025

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 2096-DEAPZC
Issue Date: March 20, 2025

Walker Emulsions Limited
4365 Corporate Dr
Burlington, Ontario
L7L 5P7

Site Location: 4365 Corporate Drive
4365 Corporate Dr
Burlington City, Regional Municipality of Halton
L7L 5P7

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

An asphalt emulsion, wax emulsion and asphalt cutback manufacturing facility, consisting of the following processes and support units:

- outdoor asphalt cement receiving tanks controlled by Carbon Filters;
- asphalt cement transload activities;
- asphalt, wax and oil emulsion production processes;
- asphalt cutback production process;
- mixing and blending tanks;
- QA/QC laboratory;

including the Equipment and any other ancillary and support processes and activities, operating at a Facility Production Limit of up to **;**

- **receiving 240 tonnes per day of asphalt cement;**
- **shipping by trucks 160 tonnes per day of asphalt cement;**
- **shipping 680 tonnes per day of asphalt emulsions;**
- **shipping 210 tonnes per day of wax emulsions;**
- **shipping 90 tonnes per day of asphalt cutback;**

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 Danielle Mota and Andrew Dobson / HGC Engineering and dated February 5, 2024 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. "Approval" means this entire Environmental Compliance Approval and any Schedules to it;
6. "Basic Comprehensive User Guide" means the Ministry document titled "Basic Comprehensive Certificates of Approval (Air) User Guide” dated March 2011, as amended;
7. "Carbon Filter(s)" means the activated carbon filter used to control emissions from asphalt cement receiving tanks, as described in the Company's application, this Approval and in the supporting documentation submitted with the Application or ESDM report, to the extent approved by this Approval.
8. "Company" means Walker Emulsions Limited operating as Walker Emulsions Limited 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;

9. "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;
10. "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;
11. "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;
12. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
13. "Emission Summary Table" means a table described in paragraph 14 of subsection 26 (1) of O. Reg. 419/05;
14. "Environmental Assessment Act" means the *Environmental Assessment Act,* R.S.O. 1990, c.E.18;
15. "EPA" means the *Environmental Protection Act,* R.S.O. 1990, c.E.19;
16. "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;
17. "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;
18. "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;
19. "Exhausted" means the capacity of the activated carbon to adsorb contaminants is reached and the Carbon Filters are no longer able to effectively reduce emissions;
20. "Facility" means the entire operation located on the property where the Equipment is located;
21. "Facility Production Limit" means the production limit placed by the Director on the main product(s) or raw materials used by the Facility;
22. "Highest Ranking Person" means the highest ranking person regularly present at the Facility who has management responsibilities relating to the Facility;

23. "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;
24. "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;
25. "Ministry" means the ministry of the Minister;
26. "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;
27. "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;
28. "O. Reg. 419/05" means Ontario Regulation 419/05: Air Pollution – Local Air Quality, made under the EPA;
29. "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 Giulia Celli (BCX Environmental Consulting) and dated February 1, 2024 submitted in support of the application, and includes any changes to the report made up to the date of issuance of this Approval;
30. "Point of Impingement" has the same meaning as in section 2 of O. Reg. 419/05;
31. "Point of Reception" means Point of Reception as defined by Publication NPC-300;
32. "Procedure Document" means Ministry guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2018, as amended;
33. "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;
34. "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;

35. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended;
36. "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;
37. "Schedules" means the following schedules attached to this Approval and forming part of this Approval namely:
    - Schedule A - Supporting Documentation
38. "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
39. "Written Summary Form" means the electronic questionnaire form, available on the Ministry website, that documents whether Modifications were undertaken at the Facility and compliance with the Approval, 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. **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, at all times, ensure that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300.
4. The Company shall, at all times, 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

5. **DOCUMENTATION REQUIREMENTS**
   1. The Company shall maintain an up-to-date Log.
   2. No later than March 31 in 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. **WRITTEN SUMMARY FORM**
   1. Subject to Condition 6.2, the Company shall prepare, and make available to the Ministry upon request, no later than June 30 of each year, a Written Summary Form signed by the Highest Ranking Person.
   2. Condition 6.1 does not apply if:
      a. Condition 2.1 has expired; and
      b. the Written Summary Form has been completed for the year in which Condition 2.1 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.
    3. The Company shall monitor the operational parameters of the Carbon Filters either as specified in the manual of the Carbon Filters manufacturer, or as deemed necessary in accordance with Facility operational conditions. The results of monitoring these parameters shall be manually or digitally recorded in a log.
    4. The Company shall ensure that the activated carbon in the Carbon Filters is replaced before it is Exhausted
    5. The Company shall prepare and implement procedures to monitor and keep a daily record of all asphalt product storage tanks temperature, to ensure that storage tanks do not operate above the maximum operating temperature described in the ESDM Report.

8. **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 five (5) business days 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.

9. **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 prepared under Condition 6.1 of this Approval;

f. records of maintenance, repair and inspection of Equipment related to all Processes with Significant Environmental Aspects; and

g. all records related to environmental complaints made by the public as required by Condition 8 of this Approval.

10. **CHANGE OF OWNERSHIP**

1. The Company shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any of the following changes to Facility operations:

a. the ownership of the Facility;

b. the operator of the Facility;

c. the address of the Company;

d. the partners, where the Company is or any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B.17, shall be included in the notification; or

e. the name of the corporation where the Company is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C.39, shall be included in the notification.

2. In the event of any change in ownership of the Facility, the Company shall notify the successor of the existence of this Approval and provide the successor with a copy of this Approval, and the Company shall provide a copy of the notification to the District Manager and the Director.

11. **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.

SCHEDULE A

Supporting Documentation

1. Environmental Compliance Approval Application, dated February 8, 2025, signed by Tim Murphy and submitted by the Company;
2. Emission Summary and Dispersion Modelling Report, prepared by Giulia Celli (BCX Environmental Consulting) and dated February 1, 2024;
3. The letter (email) from Christina Wright, M.Env.Sc., EP (BCX Environmental Consulting) dated February 28, 2025, including updates to the ESDM Report;
4. Acoustic Assessment Report, prepared by Danielle Mota and Andrew Dobson (HGC Engineering) and dated February 5, 2024.

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. **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. **WRITTEN SUMMARY FORM**
   Condition No. 6 is included to require the Company to prepare, and make available to the Ministry upon request, a yearly Written Summary Form, to assist the Ministry with the review of the site's compliance with the EPA, the regulations and this Approval.
5. **OPERATION AND MAINTENANCE**
   Condition No. 7 is 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. 8 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. 9 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. **CHANGE OF OWNERSHIP**
   Condition No. 10 is included to require the Company to notify/report to the Ministry so that compliance with the EPA, the regulations and this Approval can be verified.
9. **REVOCATION OF PREVIOUS APPROVALS**
   Condition No. 11 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.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 7910-ANBHPD issued on June 20, 2017.

In accordance with Section 139 of the *Environmental Protection Act,* you may by written notice served upon me, the Ontario Land 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 ("the Notice") 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:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

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 Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or** www.olt.gov.on.ca

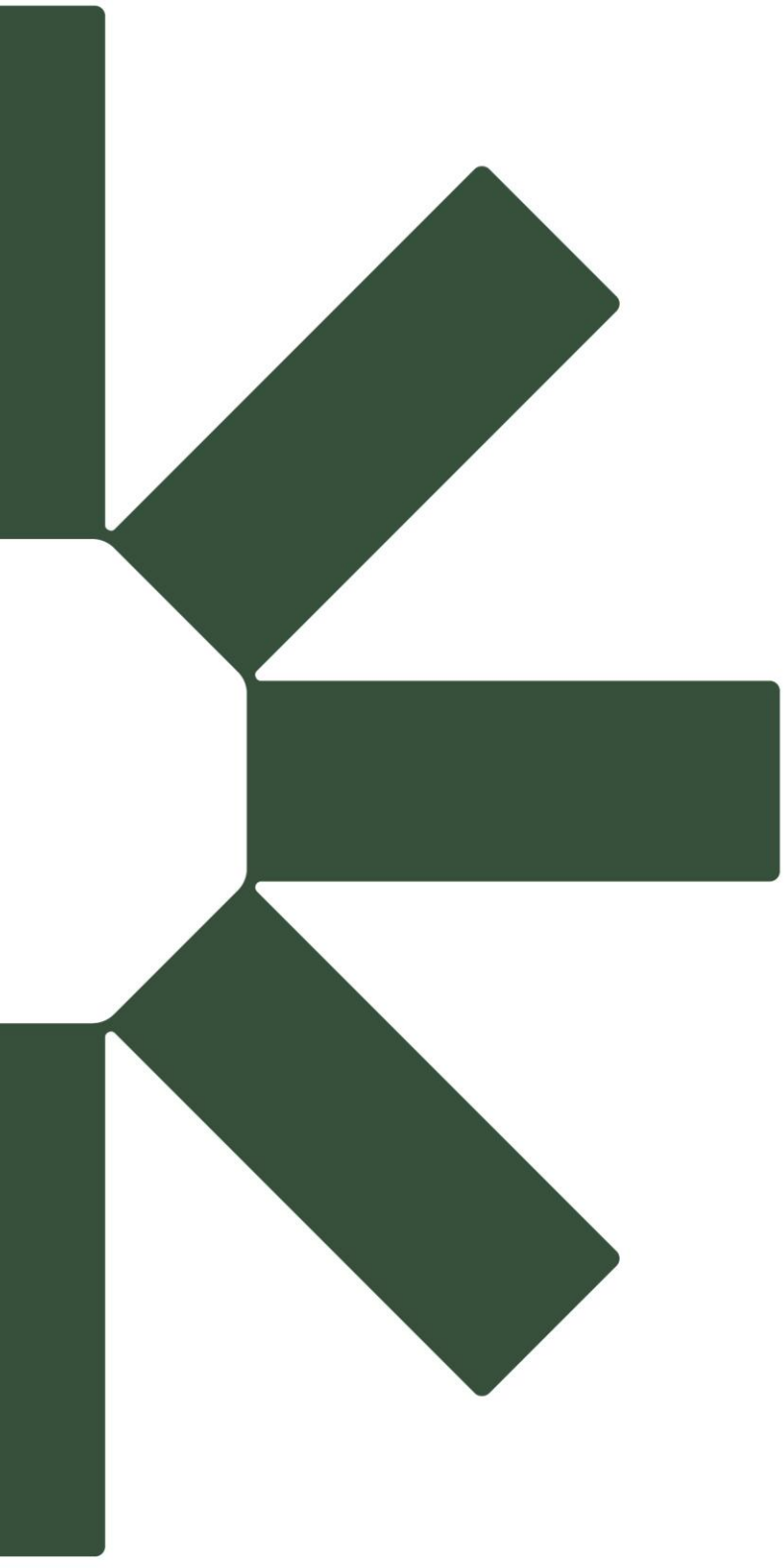
This instrument is subject to Section 38 of the *Environmental Bill of Rights,* 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. 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 20th day of March, 2025

Nancy E Orpana, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

JK/
c: District Manager, MECP Halton-Peel
Christina Wright, BCX Environmental Consulting



Making Sustainability Happen