LAND USE COMPATIBILITY STUDY & AIR QUALITY STUDY

FOR

127 PLAINS ROAD WEST, BURLINGTON

SUBMITTED TO:

Losani Investment Corporation
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TABLE OF CONTENTS

1.0 Introduction 5
1.1 Subject Site 5
2.0 Land Use Compatibility Assessment 6
2.1 Guideline D-6: Compatibility between Industrial Facilities and Sensitive Land Uses 6
2.2 Summary of Facilities within the Study Area 7
3.0 Identified Facilities with Potential Impacts 10
3.1 St Marys CBM 10
3.2 King Paving & Construction Ltd / King Truck & Equipment Repair 11
3.3 Aldershot Mews 11
3.4 Agro Wholesale Produce Inc. 12
4.0 Meteorological Data 12
5.0 Air Quality Assessment 13
5.1 Facility Emissions 13
5.1.1 Source Parameters and Emission Estimates 14
5.1.2 AERMOD Model Input 14
5.1.3 Receptors 14
5.1.4 Model Assessment and Results 15
5.2 Traffic-Related Air Pollution 15
6.0 Conclusion and Recommendations 16
7.0 References 17

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TABLES

Table 1 Summary of Surrounding Land Use
Table 2 Guideline D-6 Industrial Categorization Criteria
Table 3 Guideline D-6 Minimum Separation Distances and Potential Influence Areas
Table 4 Study Area Facility Classification
Table 5 Wind Frequency
Table 6 St. Marys CBM Emissions
Table 7 King Paving & Construction

APPENDICIES

Appendix A Site Plan & Drawings
Appendix B Wind Rose
Appendix C ECA / EASR Approvals
Appendix D AERMOD Inputs

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1.0 INTRODUCTION

Losani Investment Corporation (the "Client") retained SONAIR Environmental Inc. (SONAIR) to prepare a Land Use Compatibility Study and an Air Quality Study in support of a Zoning By-law Amendment (ZBA) and Official Plan Amendment (OPA) application for a proposed mixed-use development located at 127 Plains Road West in Burlington. The proposal would introduce a sensitive land use to a residential, commercial, and industrial area. At the request of the City of Burlington, a Land Use Compatibility Study and an Air Quality Study is required which covers the environmental aspects of noise, vibration, dust, and odour emissions.

In support of the Land Use Compatibility Study, detailed noise/vibration impact has been assessed and provided under separate covers prepared by dBA Acoustical Consultants Inc. (dBAAC).

The purpose of this assessment is to determine if noise, vibration, dust, and odour emissions from surrounding sources might adversely impact proposed sensitive land uses within the development.

This study was conducted in accordance with the Ministry of the Environment, Conservation, and Parks (MECP) Guidelines:

- Guideline D-1: Land Use Compatibility
- Guideline D-6: Compatibility between Industrial Facilities and Sensitive Land Uses
- Ontario Regulation (O. Reg.) 419/05: Air Pollution – Local Air Quality

1.1 Subject Site

The applicant is proposing to redevelop the property located at 127 Plains Road West in Burlington. The proposed development is a sensitive land use, consisting of a 24-storey mixed-use building.

Under the City of Burlington's Zoning By-law 2020, the proposed development is currently zoned as General (MXG), and is surrounded by General Employment (GE2) to the immediate North, Commercial Corridor (MXC) to the immediate East, Community Commercial (CC1) to the immediate South, and General (MXG) to the immediate West. The nearest existing residential area is located to the immediate South of the subject site.

A zoning and land use map for the City of Burlington is shown in Appendix A.

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The surrounding land can be characterized as:

Table 1 – Summary of Surrounding Land Use

Direction	Land Use
North	General Employment
East	Urban Corridor
South	Urban Corridor
West	Urban Corridor

2.0 LAND USE COMPATIBILITY ASSESSMENT

2.1 Guideline D-6: Compatibility between Industrial Facilities and Sensitive Land Uses

Guideline D-6 – Compatibility Between Industrial Facilities and Sensitive Land Uses, sets out three (3) distinct classes of facilities. The criterion is provided in Table 2 below.

Table 2 – Guideline D-6 Industrial Categorization Criteria

Category	Outputs	Scale	Process	Operation & Intensity
CLASS I	*NOISE:* Sound not audible off property. *DUST and/or 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
CLASS II	*NOISE:* Sound occasionally audible off property. *DUST and/or 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 movement of products and/or heavy trucks with the majority of movements during daytime hours
CLASS III	*NOISE:* Sound frequently audible off property. *DUST and/or 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

The study area for Land Use Compatibility Assessments is established in the D-Series Guidelines. Depending on the Facility Class categorization around the facility the potential influence area will be as set out in Table 3 below. SONAIR has conservatively taken the position to review the impact from 1,000 meters around the subject site. The recommended setback distances as a function of Facility Class are also provided in Table 3.

Table 3 – Guideline D-6 Minimum Separation Distances and Potential Influence Areas

Class	Recommended Separation Distance	Potential Influence Area
I	20	70
II	70	300
III	300	1000

Further to Table 3, the D-6 guideline also suggests that while separation distances are typically measured between property lines, there is an alternative which allows for measuring from facility property line to a sensitive receptor. Additionally, guideline D-6 provides allowances for reducing the minimum separation distance required based on mitigation at industrial sites and provides for exceptions to the Minimum Separation Distances for some development sites.

2.2 Summary of Facilities within the Study Area

The 1,000 meter study area surrounding the proposed development is developed with predominantly neighbourhood, and employment land uses. Table 4 below provides a summary of the surrounding facilities, the nature of their operations, and if any potential impact exists.

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Table 4 – Study Area Facility Classification

Facility	Address	Distance (m)	Operations	ECA/EASR (Year)	MECP Industrial Class	Comments
A. Cupido Transport Limited	1035 Howard Rd	54	Trucking Company	4731-4X9QNW (2008)	0	No Adverse Impact. (No longer operating at this site. Site operated by St. Marys CMB)
St Marys CBM	1093 Howard Rd	120	Ready to Mix Concrete Supplier	1989-AJNQMR (2017) 9841-BNUR2A (2020)	II	Within Potential Influence Area
King Paving & Construction Ltd / King Truck & Equipment Repair	1077 Howard Rd	258	Asphalt Plant and Truck and Equipment Repair	2090-BXNT5G (2021) - King Paving & Construction Ltd - Asphalt Plant	III	Recommended Min Not Met
B A M Trucking Inc	1140 Waterdown Rd	493	Recycling Center	4307-8XUJ9Q (2012) - Bulkwood Products Inc.	II	Acceptable Range
A Cosmos Concrete & Paving Ltd	1160 Waterdown Rd	522	Concret Supplier	-	II	Acceptable Range
Ted's Service Centre	1176 Howard Rd	543	Tire Shop	-	I	Acceptable Range
Slagter Construction Ltd	29 Panin Rd	890	Construction Company	-	I	Acceptable Range
Aldershot Mews	107 Plains Rd W	23	Daycare / Retail Plaza	-	I	Within Potential Influence Area
Black Star Auto	93 Plains Rd W	133	Used Car Dealership	-	I	Acceptable Range
Jerry's Automotive	7 Plains Rd W	428	Auto Repair Shop	-	I	Acceptable Range
Abbey Stained Glass	91 Plains Rd E	814	Stained Glass Studio	-	0	No Adverse Impact
PV Labs	1074 Cooke Blvd	620	Imaging System Design and Development	-	I	Acceptable Range
Category 5 Imaging Ltd	1062 Cooke Blvd	594	Printing Shop	3066-7P7RVU (2009)	I	Acceptable Range
Primary Fluid Systems Inc.	1050 Cooke Blvd	580	Metering Pump Accessory Mfg.	-	I	Acceptable Range

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Facility	Address	Distance (m)	Operations	ECA/EASR (Year)	MECP Industrial Class	Comments
Gentherm	1047 Cooke Blvd	678	Electronics Manufacturer	0441-A4RS6Q (2017) - Etratech Inc	0	No Adverse Impact (Permanently Closed)
Esso	14 Plains Rd E	494	Gas Station	1953-8JWLRW (2011) - Imperial Oil Limited	I	Acceptable Range
Pitstop Towing	28 Plains Rd E	590	Towing Equipment Providor	-	I	Acceptable Range
J&C Detailing	925 Glenwood Ave	963	Car Detailing Service	-	I	Acceptable Range
The Regional Municipality of Halton	59 Oaklands Park Court	702	Not Listed	6017-6W7MFB (2006)	I	Acceptable Range
Burlington Retirement Group Inc.	300 Plains Road	597	Retirement Home	5115-6V3N2T (2006)	I	Acceptable Range
Scholtens Inc - Cottage Country Candies	279 Sumach Dr	769	Confectionery wholesaler	2938-6LUJRH (2006) - 279 Sumach Drive	I	Acceptable Range
Agro Wholesale Produce Ltd	1032 Howard Rd	0	Produce Wholesaler	-	I	Recommended Min Not Met
Mission Produce Inc.	1060 Howard Rd	125	Produce Wholesaler	-	I	Acceptable Range

Note: Class 0 is neither Class I, II, nor III and is not anticipated to adversely impact the proposed development.

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3.0 IDENTIFIED FACILITIES WITH POTENTIAL IMPACTS

Numerous facilities have been identified as having the potential to adversely impact the proposed development. These facilities range in distance from the proposed development, size, and operations. The potential for these facilities to adversely impact the proposed development are investigated below.

3.1 St Marys CBM

St. Marys CBM is a ready-mix concrete batching plant located at 1093 Howard Road, approximately 120m North of the proposed development and is classified as a Class II facility. The facility is located within the potential influence area, but beyond the minimum separation distance.

A site visit was conducted by staff at SONAIR on March 28th, 2025, where no dust or odour were identified; however, noise was perceivable from the facility. The impact from on-site noise sources will be investigated in the noise study prepared by dBAAC.

A search in the MECP approval database shows that the facility has been issued an Environmental Compliance Approval (ECA) for its stormwater management system, #1989-AJNQMR, on June 23, 2017, and an Amended ECA for air and noise, #9841-BNUR2A on April 29, 2020, as shown in Appendix C. Based on the ECA for air and noise, the facility operates at a maximum production limit of 1000 cubic metres per day of ready-mix concrete.

Details of the ECA indicate that the facility consists of a Main Ready-Mix Concrete (RMC) plant as well as a Portable RMC plant. The main RMC plant consists of four (4) baghouse dust collectors to control emissions from the three (3) silos, one (1) baghouse dust collector to control emissions from the cement scale, one (1) baghouse dust collector to control emissions from the loading point, and one (1) 8,850,000 kJ/hr natural-gas hot water boiler. The portable RMC plant consists of one (1) baghouse dust collector to control emissions from the two (2) silos, weight scale, and loading point.

A Best Management Practices Plan (BMPP) for the control of fugitive dust is implemented by the facility and forms as part of a condition of the approval to ensure dust emissions are managed on-site.

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Given the proximity of the facility to the proposed development, the impact from the facility operations will be further investigated from an air quality perspective.

3.2 King Paving & Construction Ltd / King Truck & Equipment Repair

King Paving & Construction Ltd / King Truck & Equipment Repair is a Hot Mix Asphalt (HMA) plant and vehicle repair facility located at 1077 Howard Road, approximately 258m North of the proposed development and is classified as a Class III facility. The facility is located within the potential influence area and minimum separation distance.

Based on the site visit conducted by staff at SONAIR, no dust or odour were identified; however, noise was perceivable from the facility. The impact from on-site noise sources will be investigated in the noise study prepared by dBAAC.

A search in the MECP approval database shows that the facility has been issued an Amended ECA for air and noise, #2090-BXNT5G on June 1, 2021, as shown in Appendix C. Based on the ECA, the facility operates at a maximum production limit of 210,000 tonnes/year of hot-mix asphalt production, and 730,000 tonnes/year of aggregate materials delivered/shipped.

Details of the ECA indicate that the facility consists of aggregate and recycled asphalt pavement receiving, storage, processing, and shipping, asphalt cement receiving and storage, aggregate drying operations, and, and HMA production, storage, and shipping.

A Best Management Practices Plan (BMPP) for the control of fugitive dust is implemented by the facility and forms as part of a condition of the approval to ensure dust emissions are managed on-site.

Given the proximity of the facility to the proposed development, the impact from the facility operations will be further investigated from an air quality perspective.

3.3 Aldershot Mews

Aldershot Mews is a daycare and retail plaza located at 107 Plains Road West, approximately 23m to the East of the proposed development and is classified as a Class I facility. The facility is located within the potential influence area but beyond the minimum separation distance.

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A search in the MECP approval database returned no results for this facility. Based on the site visit conducted by staff at SONAIR, no dust, odour, and/or noise/vibration concerns were identified.

Based on aerial imagery, rooftop mechanical units were identified for this facility. HVAC units are not considered significant sources of dust or odour emissions; therefore, this facility is not expected to impact the proposed development from an air quality perspective. However, noise emissions are expected from on-site sources and operations. The impact from on-site noise sources will be investigated in the noise study prepared by dBAAC.

3.4 Agro Wholesale Produce Inc.

Agro Wholesale Produce Inc. is a fruit and vegetable wholesaler located at 1032 Howard Road, to the immediate North of the proposed development and is classified as a Class I facility. The facility is located within the potential influence area and minimum separation distance.

A search in the MECP approval database returned no results for this facility. Based on the site visit conducted by staff at SONAIR, no dust, odour, and/or noise/vibration concerns were identified.

Based on aerial imagery, rooftop mechanical units were identified for this facilities. HVAC units and chillers/cooling units are not considered significant sources of dust or odour emissions; therefore, this facility and its operations are not expected to impact the proposed development from an air quality perspective. However, noise emissions are expected from on-site sources and operations. The impact from on-site noise sources will be investigated in the noise study prepared by dBAAC.

4.0 METEOROLOGICAL DATA

A wind rose has also been developed from local meteorological conditions, attached in Appendix B, to determine the frequency of wind occurrences that blows from each direction. Based on a historical 5-year (33,622 hours) local weather data obtained for 2020-2024 from the Hamilton RBG CS weather station (Climate ID 6153301), prevailing winds are blowing from the West quadrant.

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Table 5 – Wind Frequency

Direction (Blowing From)	Frequency	Equivalent Days
N	1.40%	5
NNE	1.82%	7
NE	3.79%	14
ENE	6.31%	23
E	6.95%	25
ESE	2.03%	7
SE	2.21%	8
SSE	0.97%	4
S	0.92%	3
SSW	1.41%	5
SW	4.28%	16
WSW	13.54%	49
W	18.45%	67
WNW	7.26%	27
NW	3.73%	14
NNW	1.61%	6

The proposed development is located outside of the prevailing wind where emissions from St. Marys CBM and King Paving & Construction Ltd. / King Truck & Equipment Repair, are generally directed away from the proposed development. The frequency of wind blowing from the North to the South, towards the proposed development is considered to be minimal at 1.4%.

5.0 AIR QUALITY ASSESSMENT

5.1 Facility Emissions

Based on the review of the facilities in the vicinity of the proposed development, St. Marys CBM and King Paving & Construction Ltd may have the potential to impact the proposed development from an air quality perspective. Therefore, an air quality assessment is warranted for these facilities.

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5.1.1 Source Parameters and Emission Estimates

Under St. Mary's CMB ECA #9841-BNUR2A, exhaust parameters were provided for the various baghouse dust collectors to capture emissions from facility process and operations. These parameters were extracted and used in support of the air dispersion modelling. Emissions of particulate matter from the dust collectors were determined based on the MECP guidance document, consisting of emission factor for baghouse dust collectors, where 20 mg/m^3 is used for the most significant dust collector, while 10 mg/m^3 is used for the remaining units. The source parameters for this facility are summarized in Appendix D.

King Paving & Construction Ltd consists of a dryer stack where the emission rate of benzo(a)pyrene was extracted from an Emission Summary Table provided by the facility to GHD Limited as part of the air quality study prepared for an adjacent development application. It is our understanding that the emission rate is based on the worst-case 24-hour averaging period; therefore, determining the annual emissions using the same 24-hour averaging period emission rate is considered conservative. Apart of the emission rate, dryer stack parameters were obtained from an Amended Certificate of Approval (Air), #2345-5JMR8N issued to KPM Industries Ltd. This information was used as part of the modelling exercise and are also summarized in Appendix D.

5.1.2 AERMOD Model Input

Along with the exhaust parameters and emission rates, as summarized in Appendix D, the dispersion modelling was conducted using AERMOD (v.22112) to predict maximum POI concentrations resulting from facility emissions at identified sensitive receptors. A five (5) year data set of hourly meteorological readings for the Central Region was used in the AERMOD model, and the SUBURBAN land-use as well as the Rural dispersion coefficient was selected.

5.1.3 Receptors

Discrete worst-case receptors were placed on the North facade of the proposed building. The proposed development will consist of 24-storeys and building heights are based on the site plan. Flagpole receptors were placed on each floor starting at 0m up to a total height of 76.65m (excluding the mechanical penthouse).

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5.1.4 Model Assessment and Results

The resulting POI concentration for the contaminants was compared with the latest MECP issued Air Contaminants Benchmark (ACB) list, version 3.0, dated April 2023.

Table 6 - St. Marys CBM Emissions

Contaminant	POI Conc. ($\mu g/m^3$)	Averaging Period	POI Limit ($\mu g/m^3$)	% POI Limit
Particulate Matter	3.29	24-hr	120	2.74%

Table 7 – King Paving & Construction

Contaminant	POI Conc. ($\mu g/m^3$)	Averaging Period	POI Limit ($\mu g/m^3$)	% POI Limit
Benzo(a)Pyrene	1.27E-06	24-hr	0.005	0.03%
		Annual	0.00001	12.70%

As shown in the above tables, emissions of particulate matter and benzo(a)pyrene are well below the prescribed 24-hour and annual averaging periods, with the highest being 12.7% of the MECP limit. As a result, emissions from St. Marys CBM and King Paving & Construction are not expected to impact the proposed development from an air quality perspective.

5.2 Traffic-Related Air Pollution

Based on the City of Toronto's report titled "Reducing Health Risks from Traffic-Related Air Pollution (TRAP) in Toronto", the health risk associated with TRAP on sensitive receptors is greater in highly urbanized areas. The report denotes that major highways within 500m of a proposed development with an average daily traffic volume of 100,000 vehicles or more, highways within 150 m with an average daily traffic volume of 50,000 vehicles or more, and arterial roads within 100m of a proposed development with an average daily traffic volume of 15,000 vehicles or more have a greater risk for TRAP impacting a nearby sensitive receptor.

The subject site is abutting Plains Road West, which is located directly South of the proposed development. Plains Road West consists of a 4-lane road and has an estimated AADT of

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approximately 24,000. Given that the roadway exceeds the threshold of 15,000 vehicles per day, TRAP from this roadway is expected to be a potential concern. Therefore, it is recommended and is also best practice for developments located in close proximity to high volume traffic roadways to consider implementing measures and mitigation strategies during detail design stages to minimize the impact of TRAP on sensitive receptors:

- Mechanical air systems shall include the highest rated MERV air filter that is suitable for the building's air handling unit;
- Air intakes shall be facing and located away from the Southern roadway where high traffic volume is anticipated, and if feasible, also facing and located away from major facilities to the North, in a location with the least impact; and
- Mechanical systems shall be fitted with specialized ventilation timing and air uptake.

6.0 CONCLUSION AND RECOMMENDATIONS

SONAIR was retained by Losani Investment Corporation to conduct a Land Use Compatibility Study and Air Quality Study to assess potential impacts from surrounding facilities towards the proposed development located at 127 Plains Road West in Burlington.

Based on the assessment of the various facility operations in the vicinity of the proposed development, air quality concerns from identified facilities are not expected to adversely impact the proposed development. Due to high traffic volumes along Plains Road West, mitigations are recommended for the proposed development to reduce the impact from TRAP.

Noise/vibration impact from surrounding facilities and roadways are addressed under separate cover by dBAAC and are not expected to adversely impact the proposed development provided the proposed mitigations are in place as described in the noise study.

Given the findings and results of this Land Use Compatibility Study and Air Quality Study, as well as the Noise and Vibration Impact Study prepared by dBAAC, the proposed development is expected to be compatible with the surrounding land uses.

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7.0 REFERENCES

Ministry of the Environment, Conservation and Parks, "*D-1 Land Use and Compatibility"*, July 1995

Ministry of the Environment, Conservation and Parks, "*D-6 Compatibility between Industrial Facilities"*, July 1995

Ministry of the Environment, Conservation and Parks, *"Air Contaminants Benchmarks (ACB) List: Standards, guidelines and screening levels for assessing point of impingement concentrations of air contaminants"*, Version 3.0, April 2023

Ministry of the Environment, Conservation and Parks, "*Procedure for Preparing an Emission Summary and Dispersion Modelling Report [Guideline A-10]"*, Version 4.1, March 2018

Toronto, *"Avoiding the TRAP: Traffic-Related Air Pollution in Toronto and Options for Reducing Exposure"*, PE23.7, Attachment 2, October 2017

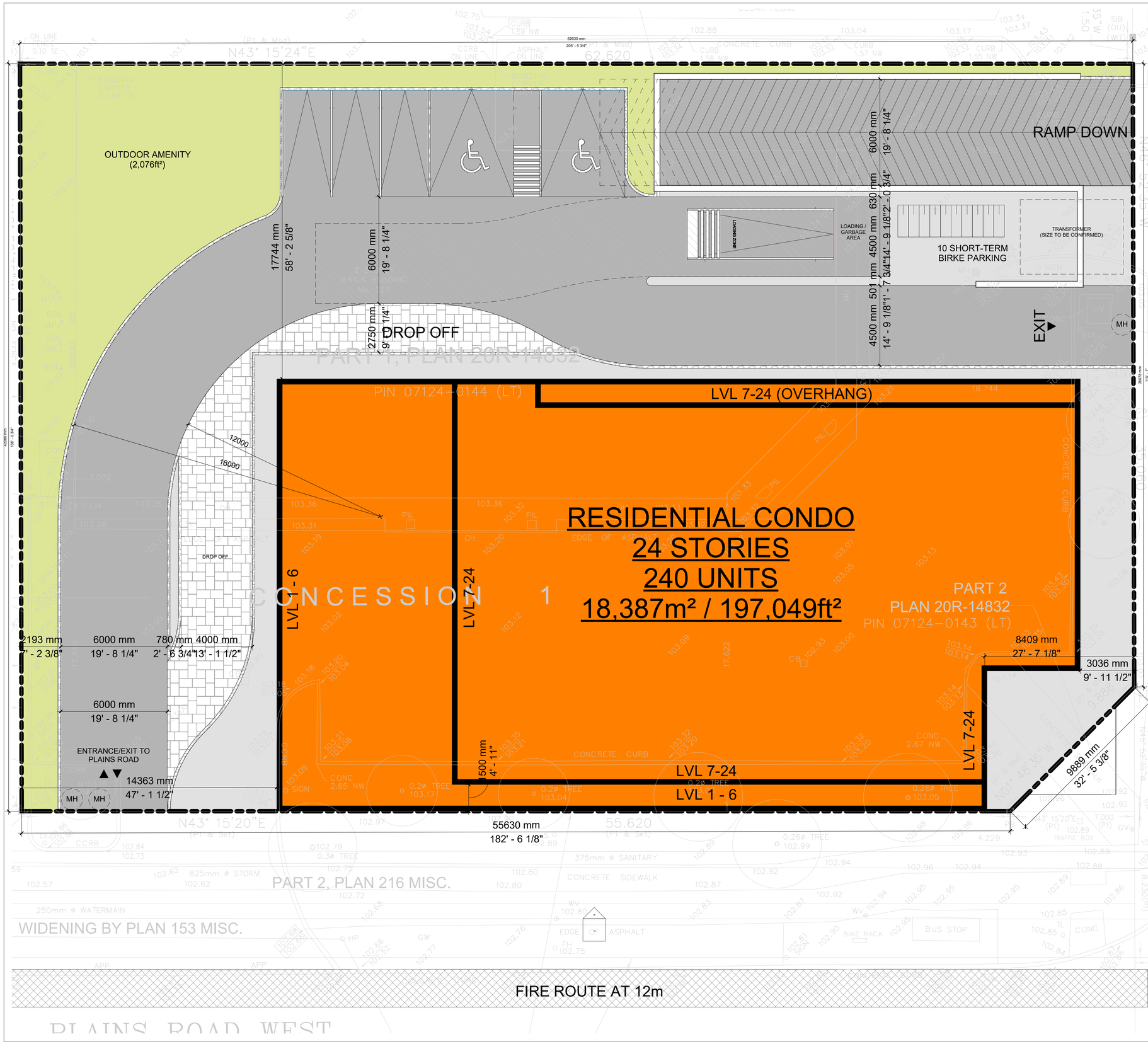
Toronto, *"Reducing Exposure to Traffic-Related Air Pollution"*, Fact Sheet

GHD Limited, *"Land Use Compatibility and Air Quality Impact Study 141-153 Plains Road W 2381798 Ontario Ltd"*, September 12, 2024

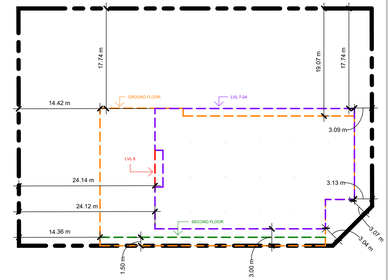
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APPENDIX A

SITE PLAN & DRAWINGS



SITE STATISTICS			
DESCRIPTION	AREA (SM)	AREA (SF)	PERCENTAGE
BUILDING FOOTPRINT			
BUILDING FOOTPRINT	1,017.89 m²	10,956 ft²	39.0%
	1,017.89 m²	10,956 ft²	39.0%
HARD LANDSCAPE			
ASPHALT	815.75 m²	8,781 ft²	31.2%
CURB	30.93 m²	333 ft²	1.2%
PAVER STONES	115.24 m²	1,240 ft²	4.4%
SIDEWALK	328.55 m²	3,536 ft²	12.6%
	1,290.47 m²	13,890 ft²	49.4%
SOFT LANDSCAPE			
LANDSCAPE	304.83 m²	3,281 ft²	11.7%
	304.83 m²	3,281 ft²	11.7%
	2,613.18 m²	28,128 ft²	100.0%
OVERALL SITE	2,610.93 m²	28,104 ft²	100.0%



2 A001 SETBACK PLAN
1 : 500

SITE PLAN LEGEND	
PRIMARY ENTRANCE / EXIT	PROPERTY LINE
SECONDARY ENTRANCE / EXIT	6TH FLOOR OUTLINE
BUILDING SETBACK	DESIGNATED BARRIER-FREE PARKING SPACE
TOWER OUTLINE	6m WIDE FIRE ROUTE WITH HEAVY DUTY ASPHALT
4TH-5TH FLOOR OUTLINE	SIAMESE CONNECTION
PROPOSED BUILDING	FH PROPOSED FIRE HYDRANT
EXISTING BUILDING	LIGHT STANDARD
ASPHALT	PROPOSED PAD MOUNTED TRANSFORMER (REFER TO ELECTRICAL DRAWINGS)
LANDSCAPE / SOD AREA	DEPRESSED CURB
CONCRETE SIDEWALK c/w SIDEWALK	3 PARKING COUNT
PEDESTRIAN CROSSWALK	

SITE PLAN LEGEND
1 : 200

CONSTRUCTION NORTH TRUE NORTH

Chamberlain Architects Managers

Chamberlain Architect Services Limited

4671 Palladium Way (Unit 1)
Burlington, Ontario. L7M 0W9
CANADA

Phone: 905.631.7777

www.chamberlainIPD.com

NO.	ISSUED	DATE
1	CLIENT REVIEW	2024-10-17
2	CITY SUBMISSION	2024-10-25

Plains Road- Option 01 Updates-2024.08.02

- The geometry of the podium was adjusted according to the new survey and setback lines and therefore total areas of some rooms have been slightly reduced.
- The geometry of units on level 7-26 were changed to accommodate the new survey and setback lines and therefore some total areas of some rooms have been slightly reduced.
- The roof plan was adjusted according to the new setback lines and survey.
- The property and setback lines were updated according to the new survey.
- The fire route which is located on Plains Road was highlighted.

DO NOT SCALE DRAWINGS. USE ONLY DRAWINGS MARKED "ISSUED FOR CONSTRUCTION". VERIFY CONFIGURATIONS AND DIMENSIONS ON SITE BEFORE BEGINNING WORK. NOTIFY ARCHITECT IMMEDIATELY OF ANY ERRORS, OMISSIONS OR DISCREPANCIES.

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SEAL

127 PLAINS ROAD (OPTION 2)

127 PLAINS ROAD,
BURLINGTON, ON

SHEET NAME

SITE PLAN

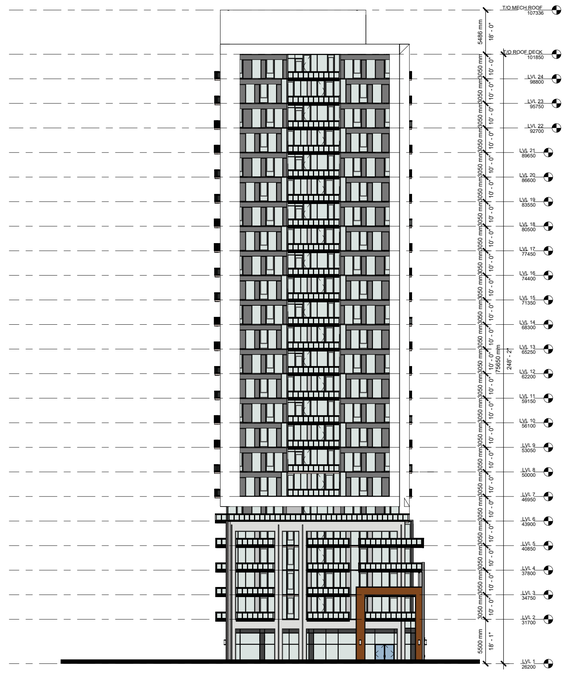
START DATE	APRIL 2024
DRAWN BY	HK/BE/MW/ MR
CHECKED BY	CMC/JM
SCALE	As indicated
PROJECT NO.	122010
DRAWING	A001

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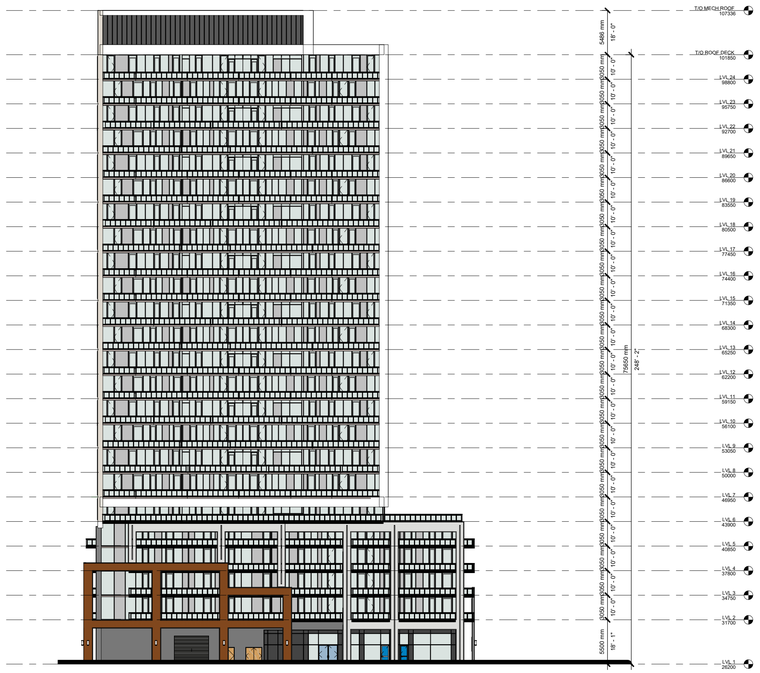
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4 A.301 SOUTH ELEVATION
1 : 350



2 A.301 WEST ELEVATION
1 : 350



3 A.301 NORTH ELEVATION
1 : 350



1 A.301 EAST ELEVATION
1 : 350

Architects
Constructors
Managers

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NO.	ISSUED	DATE
1	CLIENT REVIEW	2022-02-23
2	CLIENT REVIEW	2022-03-09
3	CLIENT REVIEW	2022-03-11
4	CLIENT REVIEW	2024-03-26
5	CLIENT REVIEW	2024-03-27
6	CLIENT REVIEW	2024-04-12
7	CITY SUBMISSION	2024-04-19
8	CLIENT REVIEW	2024.08.02
9	CLIENT REVIEW	2024.08.12
10	CLIENT REVIEW	2024.09.09
11	CLIENT REVIEW	2024.10.17
12	CITY SUBMISSION	2024.10.25

Plains Road- Option 01 Updates-2024.08.02

- The geometry of the podium was adjusted according to the new survey and setback lines and therefore total areas of some rooms have been slightly reduced.
- The geometry of units on level 7-26 were changed to accommodate the new survey and setback lines and therefore some total areas of some rooms have been slightly reduced.
- The roof plan was adjusted according to the new setback lines and survey.
- The property and setback lines were updated according to the new survey.
- The fire route which is located on Plains Road was highlighted.

DO NOT SCALE DRAWINGS. USE ONLY DRAWINGS MARKED "ISSUED FOR CONSTRUCTION". VERIFY CONFIGURATIONS AND DIMENSIONS ON SITE BEFORE BEGINNING WORK. NOTIFY ARCHITECT IMMEDIATELY OF ANY ERRORS, OMISSIONS OR DISCREPANCIES.

CHAMBERLAIN ARCHITECT SERVICES LIMITED AND CHAMBERLAIN CONSTRUCTION SERVICES LIMITED HAVE SIMILAR OWNERSHIP.

CHAMBERLAIN ARCHITECT SERVICES LIMITED HAS COPYRIGHT. CONSTRUCTING A SUBSTANTIALLY SIMILAR BUILDING WITHOUT PERMISSION MAY INFRINGE THE COPYRIGHT OWNER'S RIGHTS. MAKING MINOR CHANGES TO PLANS DOES NOT NECESSARILY AVOID COPYRIGHT INFRINGEMENT. INNOCENT INFRINGEMENT IS NOT A DEFENSE TO COPYRIGHT INFRINGEMENT. ©

SEAL

127 PLAINS ROAD (OPTION 2)

127 PLAINS ROAD,
BURLINGTON, ONTARIO

SHEET NAME

ELEVATIONS

START DATE	FEB 2022
DRAWN BY	HK/BE/MW /MR
CHECKED BY	CMC/JM
SCALE	1 : 350
PROJECT NO.	122010

DRAWING

A.301

C:\Users\kamin\Documents\122010 - 127 Plains Road - Building_RVT24-Option 02 - 2024.10.01_kamin.ANDRP.rvt

10/29/2024 7:18:01 PM



FACILITY NAMES

1. A. Cupido Transport Limited
2. St Marys CBM
3. King Paving & Construction Ltd / King Truck & Equipment Repair
4. B A M Trucking Inc
5. A Cosmos Concrete & Paving Ltd
6. Ted's Service Centre
7. Slagter Construction Ltd
8. Aldershot Mews
9. Black Star Auto
10. Jerry's Automotive
11. Abbey Stained Glass
12. PV Labs
13. Category 5 Imaging Ltd
14. Primary Fluid Systems Inc.
15. Gentherm
16. Esso
17. Pitstop Towing
18. J&C Detailing
19. The Regional Municipality of Halton
20. Burlington Retirement Group Inc.
21. Scholtens Inc - Cottage Country Candies
22. Agro Wholesale Produce Ltd
23. Mission Produce Inc.

LEGEND

- Class I Facility
- Class II Facility
- Class III Facility
- Class 0 Facility

N

SONAIR ENVIRONMENTAL

ADDRESS:	DRAWN BY:	CHECKED BY:	CLIENT'S NAME:	CLIENT'S ADDRESS:	SCALE:
PO BOX 56702 PINE VALLEY PO VAUGHAN, ON L4L 8V3	DP	TL	Losani Investment Corporation	430 McNeilly Road Stoney Creek, ON L8S 5E3	As shown

SE#:	DATE:	DRAWING NAME:	REVISION #:	NOTES:
1440.001	2025-04-09	1000 Study Area	0	Site at 127 Plains Road West, Burlington

MAP No. - 3



BY-LAW AMENDMENTS

2020.20	2020.50	2020.51	PL990726
2020.29	2020.130	2020.212	2020.224
2020.242	2020.205	2020.257	2020.275
2020.278	2020.274	2020.297	2020.375
2020.351	2020.384	2020.394	2020.400
2020.413	2020.425	2020.451	2020.470
2020.472	2020.473	2020.478	2020.480
2020.490	2020.492	2020.493	

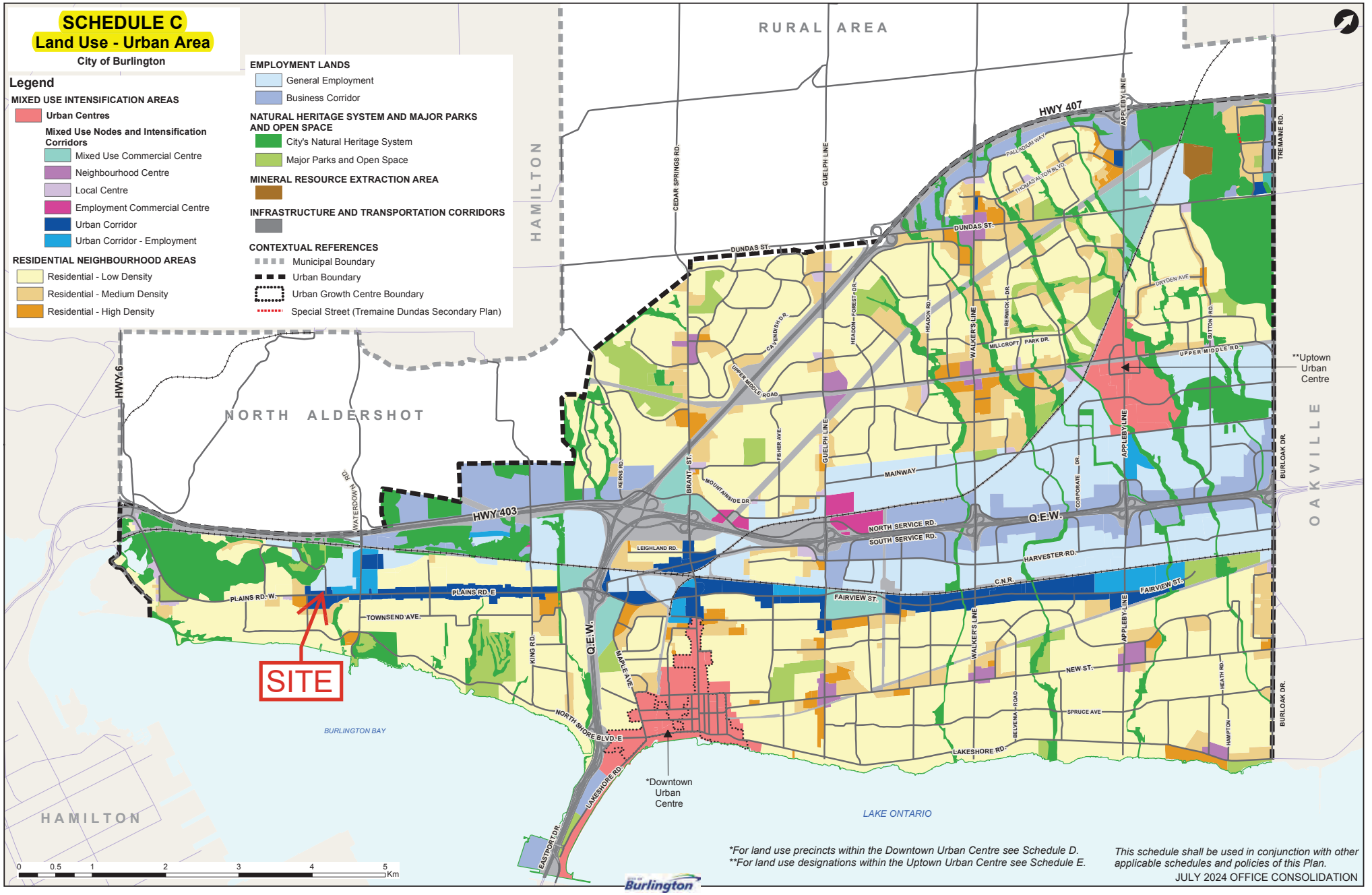
ZONE DESCRIPTION

R	Detached Residential	Part 2
RM	Multiple Attached Residential	"
RH	Apartment Residential	"
RO	Orchard Comm. Res.	"
RA	Alton Comm. Res.	"
BC	Business Corridor	Part 3
GE	General Employment	"
CR	Regional Commercial	Part 4
CE	Employment Commercial	"
CC	Community Commercial	"
CN	Neighbourhood Commercial	"
MXG	Mixed Use-General	Part 5
MXC	Mixed Use-Commercial Corridor	"
MXE	Mixed Use-Employment	"
MXCTSA	Mixed Use-Transit Station Area	"
DC,DW,	Downtown Centre	Part 6
DL,DRH,	"	"
DRM,DRL,	"	"
DI	"	"
UC	Uptown Centre	Part 7
RA,RG,	Rural	Part 8
EP,ME	"	"
NA	North Aldershot	Part 9
PC	Community Park	Part 10
P	Neighbourhood Park	"
O	Open Space	"
H	Holding Symbol	Part 11
D	Development	Part 12
S	Utility Services	"

CITY OF BURLINGTON ZONING BY-LAW 2020

WARNING!
The information contained herein is compiled from other documentation and may contain errors, omission or inaccuracies. The City of Burlington, its officers, employees and agents are not responsible for, and the users by accepting this document hereby waive as against the said City, its officers, employees, agents, any claim for damages arising from or in any way related to any errors, omissions, misrepresentation or inaccuracies contained in this document whether due to negligence or otherwise. Any user is advised to verify all information and assume all risk in relying on the information contained herein.

2/11/2025


SCHEDULE C
Land Use - Urban Area
City of Burlington
Legend
MIXED USE INTENSIFICATION AREAS
Urban Centres
Mixed Use Nodes and Intensification Corridors
Mixed Use Commercial Centre
Neighbourhood Centre
Local Centre
Employment Commercial Centre
Urban Corridor
Urban Corridor - Employment
RESIDENTIAL NEIGHBOURHOOD AREAS
Residential - Low Density
Residential - Medium Density
Residential - High Density
EMPLOYMENT LANDS
General Employment
Business Corridor
NATURAL HERITAGE SYSTEM AND MAJOR PARKS AND OPEN SPACE
City's Natural Heritage System
Major Parks and Open Space
MINERAL RESOURCE EXTRACTION AREA
INFRASTRUCTURE AND TRANSPORTATION CORRIDORS
CONTEXTUAL REFERENCES
Municipal Boundary
Urban Boundary
Urban Growth Centre Boundary
Special Street (Tremaine Dundas Secondary Plan)
RURAL AREA
HAMILTON
NORTH ALDERSHOT
OAKVILLE
HAMILTON
BURLINGTON BAY
LAKE ONTARIO
HWY 407
HWY 403
HWY 6
Q.E.W.
DUNDAS ST.
UPPER MIDDLE ROAD
MAINWAY
NORTH SERVICE RD.
SOUTH SERVICE RD.
HARVESTER RD.
FAIRVIEW ST.
PLAINS RD. E
PLAINS RD. W.
LAKESHORE RD.
NORTH SHORE BLVD. E
NEW ST.
SPRUCE AVE
CEDAR SPRINGS RD.
GUELPH LINE
APPLEBY LINE
TREMAINE RD.
BURLOAK DR.
WATERDOWN RD
BRANT ST.
KING RD.
MAPLE AVE
WALKERS LINE
HEADON RD.
SUTTON RD.
HEATH RD.
HAMPTON
BELVEMA ROAD
C.N.R.
SITE
*Downtown Urban Centre
**Uptown Urban Centre
0 0.5 1 2 3 4 5 Km
*For land use precincts within the Downtown Urban Centre see Schedule D.
**For land use designations within the Uptown Urban Centre see Schedule E.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
JULY 2024 OFFICE CONSOLIDATION

APPENDIX B

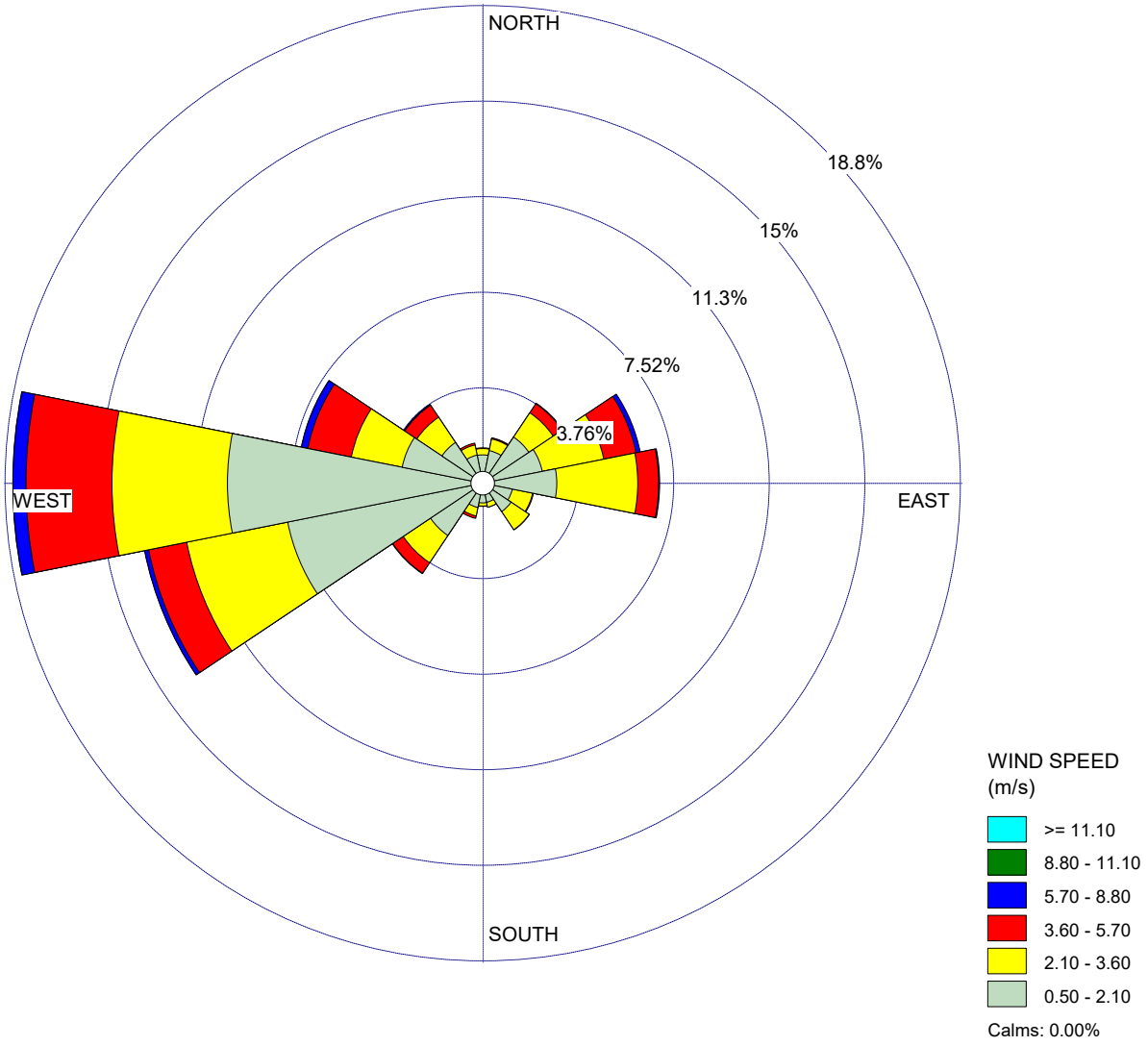
WIND ROSE

WIND ROSE PLOT:

Wind Rose Plot (2020-2024), Burlington, ON

DISPLAY:

Wind Speed
Direction (blowing from)



COMMENTS: Cirrate ID: 6153301 Data retained from Environment Canada Hourly Data for Hamilton RBG	DATA PERIOD: **Start Date: 2020-01-01 - 00:00** **End Date: 2024-12-31 - 23:00**	COMPANY NAME: **SONAIR Environmental Inc.**	
		MODELER: **DP**	
	CALM WINDS: **0.00%**	TOTAL COUNT: **33622 hrs.**	
	AVG. WIND SPEED: **2.24 m/s**	DATE: **2025-04-04**	PROJECT NO.: **1440.001**

APPENDIX C

ECA / EASR APPROVALS

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

CONTENT COPY OF ORIGINAL

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.

CONTENT COPY OF ORIGINAL

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;

CONTENT COPY OF ORIGINAL

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.

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

ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 1989-AJNQMR
Issue Date: June 23, 2017

St. Marys Cement Inc. (Canada)
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:

the establishment of stormwater management Works to service St. Marys Cement Inc. (Canada) operating as CBM Ready Mix Facility, for the collection, transmission, treatment and disposal of stormwater run-off from a catchment area of 2.85.hectares, to provide for normal (70% SS removal) level of quality protection and to attenuate post-development peak flows to pre-development levels, discharging to ground water table, and allowing overflow to Howard Road Side ditch, for all storm events up to and including the 100-year year return storm, consisting of the following:

Stormwater Management System:

- two (2) existing wetponds located at the north-west flank of the site, receiving stormwater surface run-off from the site via an 1.5m wide open channel, with the first wetpond lined and used as a forebay for solids settlement. The two (2) ponds together provide a total liquid retention volume of 690cu.m. as follows:

- Existing sediment in Pond 1 to be cleaned up to a depth of 1.8m thus providing storage capacity to the original total depth of approximately 3.0m (with the sediment disposed off by a licensed hauler),

- Existing sediment in Pond 2 to be cleaned up to a depth of 600mm thus providing storage capacity to the original total depth of approximately 1.8m (with sediment disposed off by a licensed hauler);

- the downstream bank of the Pond 2 to have an overflow spillway 1.2m wide by 500mm deep to allow high storm volume overflow onto Howard Road, if and when the ponds get filled during any extraordinary high storm events;

including all erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned Works;

all in accordance with the following submitted supporting documents listed in Schedule A.

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

"Approval" means this entire document and any schedules attached to it, and the application;

"District Manager" means the District Manager of the Halton-Peel District Office of the Ministry;

"Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

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

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

"OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;

"Owner" means St. Marys Cement Inc. (Canada) and its successors and assignees;

"Works" means the sewage works described in the Owner's application, and this Approval, and includes both proposed Works and existing Works.

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 PROVISIONS

(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 Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

(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 Approval, and the application for approval of the Works.

(3) Where there is a conflict between a provision of any document in the schedule referred to in this Approval and the conditions of this Approval, the Conditions in this Approval shall take precedence, and where there is a conflict between the documents in the schedule, the document bearing the most recent date shall prevail.

(4) Where there is a conflict between the documents listed in the Schedule 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.

(5) The Conditions of this Approval are severable. If any Condition of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

2. EXPIRY OF APPROVAL

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

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 .

(1) The Owner shall ensure that the design minimum liquid retention volume is maintained in the first pond (forebay) at all times .

(2) The Owner shall inspect the Works at least once a year and, if necessary, clean and maintain the Works to prevent the excessive build-up of sediments and/or vegetation.

(3) The Owner shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook at the Corporate Office for inspection by the Ministry. The logbook shall include the following:

(a) the name of the Works;

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

(c) the date of each spill within the catchment area, including follow-up actions / remedial measures undertaken.

5. TEMPORARY EROSION AND SEDIMENT CONTROL

(1) The Owner shall install and maintain temporary sediment and erosion control measures during construction and conduct inspections once every **two (2) weeks** and after each significant storm event (a significant storm event is defined as a minimum of 25 mm of rain in any 24 hours period). The inspections and maintenance of the temporary sediment and erosion control measures shall continue until they are no longer required and at which time they shall be removed and all disturbed areas reinstated properly.

(2) The Owner shall maintain records of inspections and maintenance which shall be made available for inspection by the Ministry, upon request. The record shall include the name of the inspector, date of inspection, and the remedial measures. if any, undertaken to maintain the temporary sediment and erosion
control measures.

6. GROUND-WATER QUALITY MONITORING

(1) The Owner shall establish and continue monitoring the ground-water at the wells namely MW102-15, MW103-15 and MW104-15, as outlined on Figure 3 - Ground-water Configuration dated November 2016, prepared by Cambium Inc.

(2) The wells shall be sampled in accordance with the measurement frequency and sample type specified for each parameter named below, unless otherwise required in writing by this approval or by the District Manager:

Table 1 - Ground-water Monitoring at MW102-15, MW103-15 and MW104-15	
Frequency	Once every six months in May and October during each year.
Sample Type	Grab sample from each well
Parameters	pH, Total Dissolved Solids, Chloride, Total Ammonia Nitrogen, Calcium, Magnesium, Potassium, Sodium, Sulfate, Iron, Zinc, Copper, and Lead.

(3) The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:

(a) the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (October 1991), ISBN 0-7729-8970-2, as amended from time to time by more recently published editions;

(b) the publication "Standard Methods for the Examination of Water and Wastewater" (17th edition) as amended from time to time by more recently published editions; and,

(c) in respect of any parameters not mentioned in (a) and (b), the written approval of the District Manager, which approval shall be obtained prior to sampling.

(4) The Owner shall measure the water level elevation in each of the monitoring wells identified in subsection (1) at the time of collection of the water samples pursuant to subsection (2).

(5) The Owner shall report the findings of this monitoring in the annual report required pursuant to Condition 7.

(6) No change to the monitoring parameters or frequency shall be accepted prior to completion of minimum two years of monitoring in accordance with Table 1.

7. ANNUAL PERFORMANCE REPORTING

The Owner shall prepare and submit a performance report to the District Manager on an annual basis, and the submission shall be made no later than 90 working days following the end of each calendar year. The reports shall contain, but shall not be limited to, the following information in a format acceptable to the District Manager:

(a) a summary and comprehensive interpretation of all monitoring data collected relative to the works during the reporting period;

(b) a description of any operating problems encountered and corrective actions taken during the reporting period;

(c) comparison of ground-water monitoring results to the criteria established in Ontario Drinking Water Quality Standards (ODWQS) and an assessment of compliance and the need for remediation measures;

(d) a water balance summarizing the water tables at the site and infiltration of the pond water into the ground-water system.

8. RECORD KEEPING

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 and monitoring activities required by this Approval.

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 Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.

2. Condition 2 is included to ensure that the Works are constructed in a timely manner so that standards applicable at the time of Approval of the Works are still applicable 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 Approval and continue to operate the works in compliance with it.

4. Condition 4 is included to require that the Works be properly operated and maintained such that the environment is protected .

5. Condition 5 is included as installation, regular inspection and maintenance of the temporary sediment and erosion control measures is required to mitigate the impact on the downstream receiving watercourse during construction until they are no longer required.

6. Conditions 6 is included to require the Owner to demonstrate on a continual basis that the quality of the pondwater infiltration does not cause any impairment to the ground-water and/or receiving watercourses.

7. Condition 7 is included to provide a performance record for future references and to ensure that the Ministry is made aware of problems as they arise, so that the Ministry can work with the Owner in resolving the problems in a timely manner.

8. Condition 8 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.

Schedule A:

List of Supporting Documents:

1. Application for Approval of Industrial Sewage Works-Retention Ponds for CBM Ready Mix Concrete Plant, Burlington City, Regional Municipality of Halton , dated December 13, 2016 and received on

December 21, 2016, prepared and submitted by Brad Parsons of the Engage Engineering Ltd. , along with a Hydrogeological Assessment Report by Kevin Warner, P.Geo., of Cambium Inc.

2. Email reply and reviewed draft ECA and revised drawings received on April 26 and April 27, 2017, prepared and submitted by Brad Parsons, reviewed by Aaron Hill, P.Eng. of the Engage Engineering Ltd,

3. Email message with revised Report on the Assessment of the existing Retention Pond, Dated May 2017, received on June 1, 2017, prepared and submitted by Brad Parsons and reviewed by Aaron Hill, P.Eng.of the Engage Engineering Ltd.

4. Email message dated June 5, 2017 with revised draft ECA, reviewed and confirmed by Brad Parsons and Aaron Hill, P.Eng.of the Engage Engineering Ltd.

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 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 23rd day of June, 2017

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

MN/
c: District Manager, MOECC Halton-Peel
Kevin Warner, Cambium Inc.

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 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.

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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

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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**

CONTENT COPY OF ORIGINAL

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.

Content Copy Of Original

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
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 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;

CONTENT COPY OF ORIGINAL

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.

Content Copy Of Original

ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 5758-CPPLL3
Issue Date: April 25, 2023

Ippolito Properties Limited
201 North Service Rd
Burlington, Ontario
L7P 5C4

Site Location: Ippolito Burlington
201 North Service Rd
City of Burlington, Regional Municipality of Halton, Ontario L7P 5C4

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 use and operation of existing stormwater management Works servicing the existing wholesale produce distribution and warehousing facility at the above site location, for the collection, transmission, treatment and disposal of stormwater runoff from a total catchment area of approximately 14.8 hectares, to provide Enhanced Level water quality protection and erosion control, and to attenuate post-development peak flows to pre-development peak flows for all storm events up to and including the 100-year storm event, discharging to a ditch along the North Service Road and then to the tributary of Grindstone Creek, consisting of the following:

Existing Works

storm sewers of 200 to 450 millimetre diameters, conveying on-site stormwater runoff from the building roof and paved areas to the existing dry pond and oil/grit separators as described below;

grassed swale (catchment area 2.59 hectares, 58% impervious) , located to the northwest, north and east of the main building, having a total length of approximately 271 metres, bottom widths of 0.14 - 1.17 metres, side slopes of 2:1 and channel slopes of 0 - 5.17% with modelled flow velocities varying between 0.29 and 0.69 metres per second during a 4 hour 25 millimetre design storm event, receiving surface runoff from the north portion of the site (trailer parking area) and a small vegetated external drainage area northwest of the site via overland sheet flows, discharging to the existing dry pond as described below via a rip-rapped inlet;

stormwater management facility (catchment area 5.19 hectares, 61% impervious): one (1) dry pond, located to the east of the main building (close

to the east site entrance), having a maximum available storage volume of 2,459 cubic metres and a maximum depth of 2.8 metres, complete with three (3) inlet structures, consisting of a 450 millimetre diameter storm sewer, a riprap-lined spillway inlet and a riprap-lined grassed swale inlet, and one (1) outlet structure, consisting of a 375 millimetre diameter storm outlet pipe equipped with a 250 millimetre diameter orifice, as well as a 5.0 metre wide emergency overflow weir and riprap-lined spillway, allowing a maximum discharge of 251 litres per second under the 100-year storm event to the existing oil/grit separator (OGS 2) described below;

oil/grit separator (catchment area 5.19 hectares, 61% impervious): one (1) oil/grit separator (OGS 2) , Hydro First Defense FD-6HC or Equivalent Equipment, located immediately downstream of the dry pond and upstream of the east outlet, having a sediment storage capacity of 1.22 cubic metres, an oil storage capacity of 1,878 litres, and a maximum treatment flow rate of 906 litres per second, receiving inflow from the dry pond via a 250 millimetre diameter storm sewer, discharging via a 250 millimetre diameter outlet pipe to the existing east outlet, which discharges to a ditch along the North Service Road and then to the tributary of Grindstone Creek;

oil/grit separator (catchment area 1.57 hectares, 66% impervious): one (1) oil/grit separator (OGS 1), Hydro First Defense FD-4HC or Equivalent Equipment, located close to the west site entrance (downstream of existing MH 13 and upstream of existing MH 15), having a sediment storage capacity of 0.54 cubic metres, an oil storage capacity of 723 litres, and a maximum treatment flow rate of 510 litres per second, receiving inflow from the storm sewer network to the west of the main building via a 375 millimetre diameter storm sewer, discharging via a 375 millimetre diameter storm sewer and then a 300 millimetre diameter outlet pipe to the existing west outlet, which discharges to a ditch along the North Service Road and then to the tributary of Grindstone Creek;

including 5.79 hectares of external vegetated/wooded lands northwest of the site and 2.26 hectares of drainage area along the northeast and east property boundaries with stormwater runoff discharging uncontrolled to the ditch along the North Service Road; and

including all other controls and appurtenances essential for the proper operation of the aforementioned Works;

all in accordance with the submitted application and supporting documents listed in **Schedule A** forming part of this Approval.

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

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;

2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

3. "District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located;

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

5. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;

6. "Equivalent Equipment" means alternate piece(s) of equipment that meets the design requirements and performance specifications of the piece(s) of equipment to be substituted;

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

8. "Owner" means Ippolito Properties Limited and its successors and assignees;

9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;

10. "Works" means the approved sewage works, and includes Existing Works.

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 CONDITION**

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

3. The Owner shall design, construct, operate and maintain the Works in accordance with the conditions of this Approval.

4. Where there is a conflict between a provision of any document referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence.

5. **CHANGE OF OWNER**

6. 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 address of Owner;

b. change of Owner, including address of new 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. B.17*shall be included in the notification; or

d. change of name of the 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.

7. In the event of any change in ownership of the Works, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

8. The Owner shall ensure that all communications made pursuant to this condition refer to the number of this Approval.

9. **RECORD DRAWINGS**

1. A set of record drawings of the Works shall be kept up to date through revisions undertaken from time to time and a copy shall be readily accessible for reference at the Works.

10.

OPERATION AND MAINTENANCE

11. 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 Works do not constitute a safety, health or flooding hazard to the general public.

12. The Owner shall undertake an inspection of the condition of the 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 Works to prevent the excessive build-up of sediment, oil/grit, debris and/or decaying vegetation, to avoid reduction of the capacity and/or permeability of the Works, as applicable. The Owner shall also regularly inspect and clean out the inlet to and outlet from the Works to ensure that these are not obstructed.

13. The Owner shall construct, operate and maintain the Works 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 discoloration on the receiving waters.

14. The Owner shall carry out and maintain an inspection and maintenance program on the operation of the manhole oil/grit separator in accordance with the manufacturer's recommendation.

15. The Owner shall ensure that the manhole for the oil/grit separator remains accessible year-round to facilitate maintenance access and spill response measures.

16. The Owner shall ensure the immediate clean-out of the Works after a fuel or oil spill capture.

17. The Owner shall ensure that equipment and material for the containment, clean-up and disposal of fuel and oil and materials contaminated with such, is on hand and in good repair for immediate use in the event of:

a. loss of fuel or oil to the Works; or

b. a spill within the meaning of Part X of the EPA.

18. The Owner shall prepare an operations manual prior to the commencement of operation of the Works that includes, but is not necessarily limited to, the following information:

a. operating and maintenance procedures for routine operation of the

Works;

b. inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;

c. repair and maintenance programs, including the frequency of repair and maintenance for the Works;

d. contingency plans and procedures for dealing with potential abnormal situations and for notifying the District Manager; and

e. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.

19. The Owner shall maintain an up to date operations manual and make the manual readily accessible for reference at the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.

20. The Owner shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook at the Works for inspection by the Ministry. The logbook shall include the following:

a. the name of the Works;

b. the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed and method of clean-out of the Works; and

c. the date of each spill within the catchment area, including follow-up actions and remedial measures undertaken.

21. 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 Approval.

22.

REPORTING

23. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

24. In addition to the obligations under Part X of the EPA and O. Reg. 675/98 (Classification and Exemption of Spills and Reporting of Discharges) made under the EPA, the Owner shall, within **fifteen (15) days** of the occurrence of any reportable spill as provided in Part X of the EPA and O. Reg. 675/98, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and a schedule of implementation.

25. The Owner shall prepare performance reports on a calendar year basis and submit to the District Manager by **March 31** of the calendar year following the period being reported upon. The reports shall contain, but shall not be limited to, the following information pertaining to the reporting period:

a. a description of any operating problems encountered and corrective actions taken;
b. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works, including an estimate of the quantity of any materials removed from the Works;
c. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
d. a summary of all spill or abnormal discharge events; and
e. any other information the District Manager requires from time to time.

26. **SPILL CONTINGENCY PLAN**

27. Within **six (6) months** from the issuance of this Approval, 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. The Owner shall, upon request, make this plan available to Ministry staff. This plan shall include as a minimum:

a. the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the facility;
b. the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency plan;
c. a site plan drawn to scale showing the facility, nearby buildings, streets, catch-basins and 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);

d. steps to be taken to report, contain, clean up and dispose of contaminants following a spill;

e. 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 Spills Action Centre 1-800-268-6060;

f. Safety Data Sheets (SDS) for each hazardous material which may be transported or stored within the area serviced by the Works;

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

h. 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;

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

j. the date on which the contingency plan was prepared and subsequently, amended.

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

29. 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 constructed and operated in the manner in which they were described and upon which approval was granted. This condition is also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. Condition 1.6 is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The Condition specifically highlights the need to obtain any necessary conservation authority approvals. The Condition also emphasizes the fact that this Approval doesn’t limit the authority of the Ministry to require further information.

2. Condition 2 is included to ensure that the Ministry records are kept accurate and current with respect to the approved Works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.

3. Condition 3 is included to ensure that the Works are constructed in accordance with the Approval and that record drawings of the Works “as constructed” are maintained for future references.

4. Condition 4 is included as regular inspection and necessary removal of sediment and excessive decaying vegetation from the Works are required to mitigate the impact of sediment, debris and/or decaying vegetation on the treatment capacity of the Works. The Condition also ensures that adequate storage is maintained in the Works at all times as required by the design. Furthermore, this Condition is included to ensure that the Works are operated and maintained to function as designed.

5. Condition 5 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.

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.

Schedule A

1. Application for Environmental Compliance Approval, dated December 1, 2022 and received on December 19, 2022, submitted by Ippolito Properties Limited for the existing storm conveyance system and stormwater management facilities, including the Stormwater Management Implementation Report, engineering drawings, specifications and all other supporting documentation.

2. Memorandum re. The Ippolito Group - Stormwater Management - Reference Number 2934-CMP3UB, dated April 21, 2023 and prepared by Jody Smith, P.Eng. of R.J. Burnside & Associates Limited.

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.

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 25th day of April, 2023

Fariha Pannu.

Fariha Pannu, P.Eng.
Director
appointed for the purposes of Part

II.1 of the *Environmental Protection Act*

SW/
c: District Manager, MECP Halton-Peel District Office
Jody Smith, P.Eng., R.J. Burnside & Associates 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

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

APPENDIX D

AERMOD INPUTS

AERMOD INPUT

St. Mary's Cement Inc.

	Baghouse Dust Collectors					
	(Silo 1)	**(Silo 2)**	**(Silo 3a)**	**(Silo 3b)**	**(Scale)**	**(Loading)**
Emission Rate (g/s) =	0.0043	0.0043	0.0043	0.0043	0.0043	0.0472
Flow Rate (m3/s) =	0.43	0.43	0.43	0.43	0.43	2.36
Diameter (m) =	0.2	0.2	0.2	0.2	0.2	0.4
Height (m) =	17.5	14	25.5	25.5	13	10
Temp (deg C)=	20	20	20	20	20	20

King Paving & Construction

	Dryer
Emission Rate (g/s) =	7.82E-07
Flow Rate (m3/s) =	20.8
Diameter (m) =	1.2
Height (m) =	27.5
Temp (deg C)=	148