

Air Quality Land Use Compatibility Study Proposed 320 McCowan Road Development Scarborough, Ontario

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Table of Contents

1.0	Introduction	1
1.1	Guidelines and Regulations Considered in this Assessment	1
1.2	Key Findings	1
2.0	Description of Development and Surrounding Area	2
2.1	Proposed Development	2
2.2	Surroundings	3
2.3	Zoning	3
2.4	Site Visit Observations	4
3.0	Provincial Guidelines and Regulations	4
3.1	Provincial Policy Statement and D-Series of Guidelines	5
	Table 1: Guideline D-6 – Potential Influence Areas and Recommended Minimum Setback Distances for Industrial Land Uses	5
3.1.1	Classification of Nearby Industries	8
3.2	MECP Air Quality Regulations and Odour Policies	11
3.2.1	Air Quality Contaminants	11
3.2.2	Odour	12
3.3	Local Meteorology	12
4.0	Potential Air Quality Impacts	13
4.1	General Air Quality Contaminants and Odour	13
4.1.1	M&M Plating	14
4.1.2	Ram Auto Body	14
4.1.3	G.K. Chemical Specialties Co. Inc.	15
4.1.4	D.Crupi & Sons Ltd	15
4.1.5	Praxair	16
4.2	Proposed Development Mitigation Measures	16
5.0	Conclusions	17

Appendix A: Environmental Compliance Approvals and Environmental Activity Sector Registry

1.0 Introduction

Novus Environmental Inc., now part of SLR Consulting (Canada) Ltd. (NovusSLR) was retained by Blauson Assets Management Ltd. c/o Ling Kee Group to conduct a land use compatibility assessment considering air quality for the proposed 320 McCowan Road development in Scarborough, Ontario. This air quality assessment and report were prepared in support of a rezoning (zoning bylaw amendment) application. The development plan, industrial activities and provincial regulations and guidelines have all been considered in this assessment.

NovusSLR has reviewed the surrounding land uses in the area with respect to Ministry of the Environment and Climate Change (MECP) Guideline D-6 – *Compatibility Between Industrial Facilities and Sensitive Land Uses* (MECP 1995). This report addresses potential air quality impacts from surrounding industrial land uses.

1.1 Guidelines and Regulations Considered in this Assessment

The following guidelines and requirements were considered in this assessment:

- The Ontario Provincial Policy Statement (2014);
- The City of Toronto Official Plan;
- Ministry of the Environment, Conservation and Parks (MECP) Guideline D-6 – *Compatibility Between Industrial Facilities and Sensitive Land Uses*; and
- MECP Ontario Air Quality Regulation 419/05 and various MECP odour policy documents.

1.2 Key Findings

The key findings of the assessment are as follows:

- Absence of adverse impacts due to air quality contaminants, dust and odours will be reviewed following receipt of site specific information that may be included with expected documentation from a Freedom of Information (FOI) request to the Province for the M&M Plating industry, and of the D.Crupi and Sons asphalt plant.
- With the recommended mitigation in place, the proposed development is anticipated to be compatible from the perspective of air quality.

2.0 Description of Development and Surrounding Area

2.1 Proposed Development

The proposed development is located on the west side of McCowan Road, and south of Eglinton in Scarborough, Ontario. The proposed development includes a 31-storey condominium tower and a 27-storey apartment rental tower that sit on a 6-storey podium. The podium is a mix of parking space, common areas, building maintenance rooms, and residential suites. There is to be an outdoor amenity space on the podium rooftop with access at the 7th floor. The current context plan is shown in **Figure 1**.

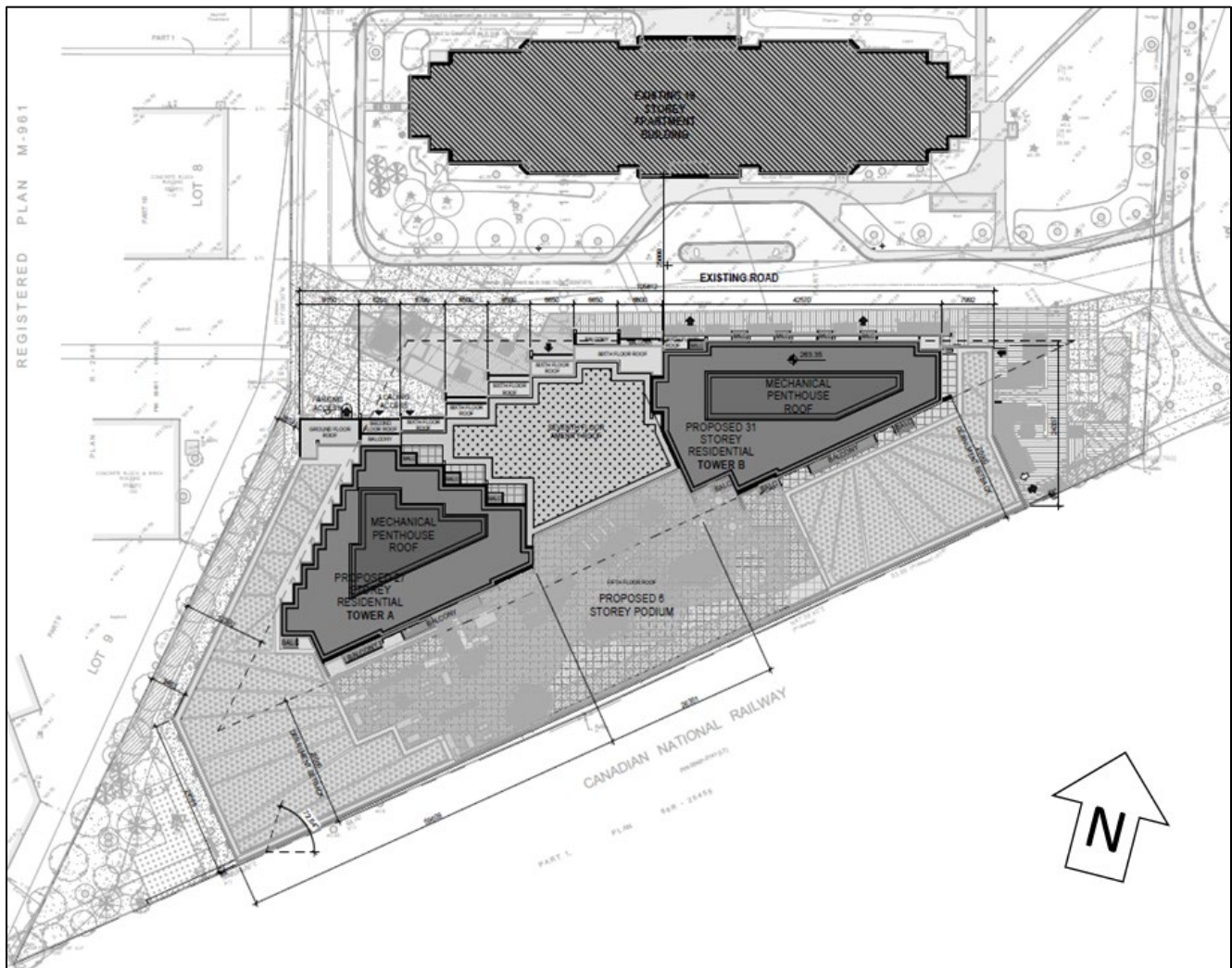


Figure 1: Proposed Development Context Plan

2.2 Surroundings

Surrounding the proposed development is a mix of commercial, residential, and employment lands. Immediately west and southwest of the site are employment lands. Immediately south of the site separated by a railway exists open park land with public recreational features. Neighbouring the site, to the east are mixed commercial lands and residential, and immediately north of the site exists high-rise residential, a community center with commercial and residential beyond Eglinton Avenue.

2.3 Zoning

The subject lands are currently zoned for “Residential Apartment” purposes and are zoned under the City of Toronto Zoning By-law 569-2013.

The area north through directly south of the development site is zoned as mix of Residential Apartment, Commercial Residential, and Residential. The area west and southwest of the site is zoned as Employment Industrial with Residential beyond. The City of Toronto Zoning Map can be seen below in **Figure 2**, with the subject land outlined in red.

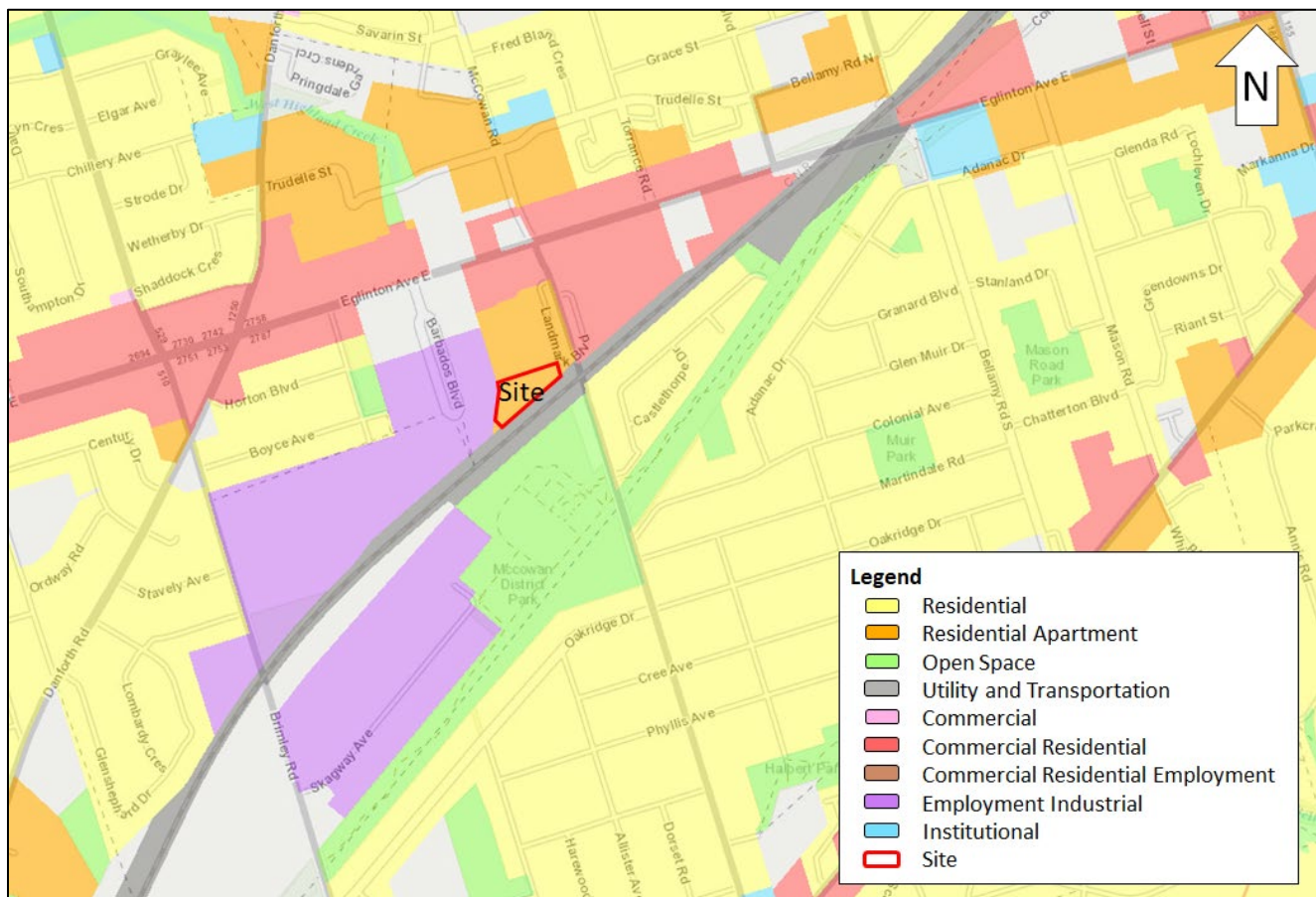


Figure 2: City of Toronto By-Law 569-2013 Zoning Map

2.4 Site Visit Observations

A site visit was conducted on October 23rd, 2019 by NovusSLR personnel to identify the surrounding land uses, and to determine the presence of any odours or dust. Weather conditions during the visit (from 2:00 pm to 4:00 pm) were:

- partly sunny with a temperature of 12°C;
- with westerly through southwesterly winds of 30km/hr with gusts up to 50km/hr.

A “Nasal Ranger” olfactometry measurement device was used to measure odour intensity in the presence of consistent odours. During the visit a mix of odours were observed at the western property line of the development. Odours were detected at the upper levels of the parking garage as well. The odours were described as cannabis, chemical, and industrial measured at light to moderate strengths. The cannabis odours appeared to originate from the businesses west of Barbados Avenue. These odours were not observed to be intense in strength but were frequently noticed. The moderate chemical odours originated from the small industries south of Barbados Avenue, located immediately west of the development site. The source of the odour was noted as M&M Plating, a small-scale metal plating and finishing business.

Finally the light industrial odours were noticed from the asphalt processing industry D.Crupi & Sons, located greater than 250m west of the site. To get better measurements of the asphalt plant, personnel walked to the northern property line of the public McCowan District Park. At the park the industrial asphalt smells were detected stronger on the nasal ranger but at less frequent intervals. A measurement of between moderate to strong intensity was taken on the nasal ranger for approximately 10 to 15 seconds at a time.

The area surrounding the proposed development site is a mix of residential, commercial, and industrial properties. During the visit it was also noted that there are existing residences immediately west and north of the asphalt plant.

3.0 Provincial Guidelines and Regulations

Compatibility assessments in Ontario are typically performed in two stages. In the case of proposed residential uses in proximity to industrial uses, the first step is to determine if there are any potential adverse effects. The MECP D-series of guidelines are meant to identify potential compatibility issues between land uses. Where the potential for compatibility issues is identified a more detailed assessment may be performed.

3.1 Provincial Policy Statement and D-Series of Guidelines

Section 1.1.1(c); 1.2.6.1; and 1.3.2.1 of the Provincial Policy Statement (PPS, 2014) contains guidance on land use compatibility:

“1.1.1 Healthy, liveable and safe communities are sustained by:

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities. (emphasis added).

1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.”

The MECP’s “D-Series” of land use compatibility guidelines set out a process to ensure that the requirements of the PPS with respect to air quality, odour and dust are met, by providing a means to assess recommended separation distances and other control measures for land use planning proposals in an effort to prevent or minimize ‘adverse effects’ from the encroachment of incompatible land uses where a facility either exists or is proposed. To minimize the potential to cause an adverse effect, areas of influence and recommended minimum separation distances are included within the guidelines.

MECP Guideline D-6 “Compatibility Between Industrial Facilities and Sensitive Land Uses” is specific to industrial uses in proximity to more sensitive land uses such as the proposed residential re-development of the Subject Lands.

The areas of influence and recommended separation distances from the guidelines are provided in the table below. **Figure 3** shows the areas of influence for the proposed development site.

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

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

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

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

Industrial categorization criteria are supplied in Guideline D-6-2, and are shown in the following table:

Table 2: Guideline D-6 – Industrial Categorization Criteria

Category	Outputs	Scale	Process	Operations / Intensity	Possible Examples
Class I	<ul style="list-style-type: none"> Noise: Sound not audible off-property Dust: Infrequent and not intense Odour: Infrequent and not intense Vibration: No ground-borne vibration on plant property 	<ul style="list-style-type: none"> No outside storage Small-scale plant or scale is irrelevant in relation to all other criteria for this Class 	<ul style="list-style-type: none"> Self-contained plant or building which produces/stores a packaged product Low probability of fugitive emissions 	<ul style="list-style-type: none"> Daytime operations only Infrequent movement of products and/or heavy trucks 	<ul style="list-style-type: none"> Electronics manufacturing and repair Furniture repair and refinishing Beverage bottling Auto parts supply Packaging and crafting services Distribution of dairy products Laundry and linen supply
Class II	<ul style="list-style-type: none"> Noise: Sound occasionally heard off-property Dust: Frequent and occasionally intense Odour: Frequent and occasionally intense Vibration: Possible ground-borne vibration, but cannot be perceived off-property 	<ul style="list-style-type: none"> Outside storage permitted Medium level of production allowed 	<ul style="list-style-type: none"> Open process Periodic outputs of minor annoyance Low probability of fugitive emissions 	<ul style="list-style-type: none"> Shift operations permitted Frequent movements of products and/or heavy trucks with the majority of movements during daytime hours 	<ul style="list-style-type: none"> Magazine printing Paint spray booths Metal command Electrical production Manufacturing of dairy products Dry cleaning services Feed packing plants
Class III	<ul style="list-style-type: none"> Noise: Sound frequently audible off property Dust: Persistent and/or intense Odour: Persistent and/or intense Vibration: Ground-borne vibration can frequently be perceived off-property 	<ul style="list-style-type: none"> Outside storage of raw and finished products Large production levels 	<ul style="list-style-type: none"> Open process Frequent outputs of major annoyances High probability of fugitive emissions 	<ul style="list-style-type: none"> Continuous movement of products and employees Daily shift operations permitted 	<ul style="list-style-type: none"> Paint and varnish manufacturing Organic chemical manufacturing Breweries Solvent recovery plants Soaps and detergent manufacturing Metal refining and manufacturing

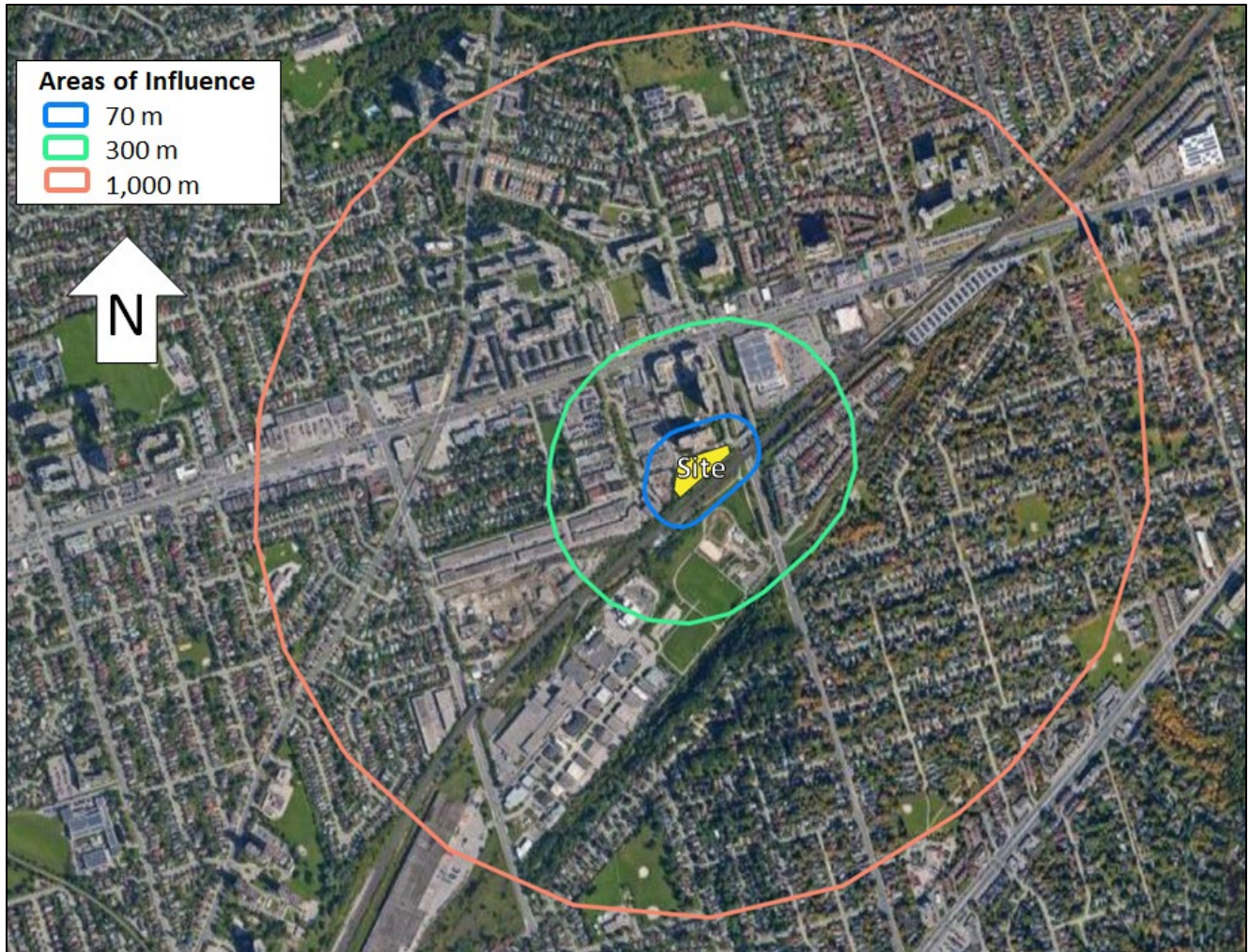


Figure 3: Area of Influences for Proposed Development

3.1.1 Classification of Nearby Industries

The industries within proximity of the proposed development are primarily Class I and Class II facilities, with one Class III industry. The majority of the surrounding facilities are small in scale, self contained, and from an air quality perspective, their operations would be considered Class I. The D-6 classifications of the facilities considered from an air quality perspective are shown in **Table 3**. Also noted is if each facility has an Environmental Compliance Approval (ECA) or is on the Environmental Activity Sector Registry (EASR).

Table 3: Industries / Commercial Properties and D-6 Classifications in the Surrounding Area

Facility # in Figure 4	Name	Address	Description	ECA/EASR	D-6 Classification	Within A of I? ^[1]	Within Setback? ^[2]
	Dufferin Construction	Eglinton Ave E	Storage Yard of Construction Materials		I	No	No
	City Auto Repair	2948 Eglinton Ave E	Auto Repair Shop		I	No	No
	Mega Motors	2944 Eglinton Ave E	Auto Repair Shop		I	No	No
	Aamco Transmissions	2941 Eglinton Ave E	Auto Repair Shop		I	No	No
	Unity Automotive	2937 Eglinton Ave E	Auto Repair Shop	R-001-9111264055	I	No	No
	Speedy Auto Service	2869 Eglinton Ave E	Auto Repair Shop		I	No	No
	Roadsport Chrysler Dodge	2851 Eglinton Ave E	Auto Dealership / Repair Shop	R-001-2434678436	I	No	No
	Small Commercial/Industrial	20 Barbados Blvd	Equipment rental		I	No	No
	Various Small Commercial/Industrial	40 Barbados Blvd	Various Auto Repair Shops		I	No	No
	FOSON Stone, and small commercial	60 Barbados Blvd	Jia Yi Marble & Granite; auto service and repair		I	No	No
	Various Small Commercial/Industrial	80 Barbados Blvd	Numerous small commercial		I	No	No
3	G.K. Chemical Specialties Co.	90 Barbados Blvd	Cleaning product manufacturer	3446-7X7L4Z	II	Yes	No
1	M & M Plating Inc.	100 Barbados Blvd	Electroplating Facility	8744-87BH78	II	Yes	No
2	Ram Auto Body	110 Barbados Blvd	Auto Repair Shop	R-001-7110106776	I	Yes	No
2	Vacant	110 Barbados Blvd	N/A		I	Yes	No
	Acadian Beef Company, and Nattel Inc.	120 Barbados Blvd	Food Distribution, Machine Shop		I	No	No
	Al-Ahad Foods Inc	120 Barbados Blvd	Food Distribution		I	No	No
	Bomba Diamond Tools	120 Barbados Blvd	Metal Bonded Diamond Tools		I	No	No
	DDM Mobile Welding	130 Barbados Blvd	Custom welding and metal fabrication		I	No	No
	Various Small Commercial/Industrial	491 Brimley Road	Includes spray paint booth and cabinet refinishing	9600-7HBPXR; R-010-4111509480	I	No	No
	Various Small Commercial/Industrial	489 Brimley Road	Numerous small commercial		I	No	No
4	D. Crupi & Sons	477 Brimley Road	Asphalt Plant	5374-AFGKB9	III	Yes	No
	City of Toronto Brimley Yard	451 Brimley Rd	City maintenance storage yard		II	No	No
	Atlantic Packaging Products	255 Brimley Rd	Packaging products manufacturer	6725-AEGPFT	II	No	No
	Kariba Foods	185 Brimley Rd	Food Distribution		I	No	No
	Schuller Machine & Tool	10 Skagway Ave	Machine shop services		II	No	No
	M Kabir Contracting	17 Skagway Ave	Paint Spray Booth	6828-AF6PY6	II	No	No
	Imperial Engravers	18 Skagway Ave	Custom engraving and signage		I	No	No
	Bathurst Mobile Ready Mix	20 Skagway Ave	Ready Mix Concrete Plant		II	No	No
	Bento Nouveau	21 Skagway Ave	Catering		I	No	No
	PSM Custom Metal	25 Skagway Ave	Metal Fabrication, Welding Misc Steel		II	No	No
	M & B Halal Meats	28 Skagway Ave	Food Distribution		I	No	No

Facility # in Figure 4	Name	Address	Description	ECA/EASR	D-6 Classification	Within A of I? ^[1]	Within Setback? ^[2]
	Kronos International Shippers	29 Skagway Ave	Shipping Service		I	No	No
	Vulcan-Vulcap Industries	31 Skagway Ave	Tool Rental Service		I	No	No
	Perma Brands	34 Skagway Ave	Wholesale of grooming products		I	No	No
	Daemax Refrigeration	36 Skagway Ave	Air conditioning contractor		I	No	No
	Babbco Office Services	38 Skagway Ave	Office Moving Services		I	No	No
	J & J Trading	40 Skagway Ave	Food Distribution		I	No	No
	Art Mould Plastics	45 - 49 Skagway Ave	Reinforcing concrete industry		II	No	No
	Versatech Mechanical Ltd.	50 Skagway Ave	HVAC supplier and service		I	No	No
	Belfor Canada	55 Skagway Ave	Disaster recovery and property restoration		I	No	No
	Pedisco Canada	59 Skagway Ave	Manufacturer of remotely operated vehicles		I	No	No
	Charlie's Meat & Seafood	63 Skagway Ave	Food Distribution		I	No	No
	MPM Array	67 Skagway Ave	Corporate Apparel warehouse		I	No	No
5	Praxair	80 Skagway Ave	Gas manufacture of liquid oxygen, nitrogen, and argon	3638-BAAUD8	II	Yes	No

Notes:

- [1] A of I = Area of Influence = Area of Influence; Class I = 70m; Class II = 300m; Class III = 1000m
 [2] Setback = Setback Distances = Class I = 20m; Class II = 70m; Class III = 300m
 [3] N/A = Not and industrial or commercial use.

The area of influence and recommended minimum setbacks from 320 McCowan Road to the surroundings are shown in **Figure 3**. Industries of concern within a 1,000m area of influence were identified in red as outlined in **Figure 4**; these numbers correspond to the identifiers in **Table 3**.

As can be seen from **Figure 3**, the existing Class I and Class II facilities identified, with the exception of M&M Plating (1), 110 Barbados Blvd (2), G.K. Chemical Specialties (3), D.Crupi & Sons (4), and Praxair (5) are all outside the respective areas of influence. While the identified industries are within their respective Areas of Influence, 110 Barbados Blvd, G.K. Chemical Specialties and Praxair are located outside the recommended setback distances to the proposed development. The majority of D.Crupi & Sons is located outside the 300m recommended setback distance, including the central processing area.

There are no sources of concern identified from an Air Quality perspective at 110 Barbados Blvd as the business is currently vacant with the exception of a small-scale vehicle service shop; Ram Auto Body.

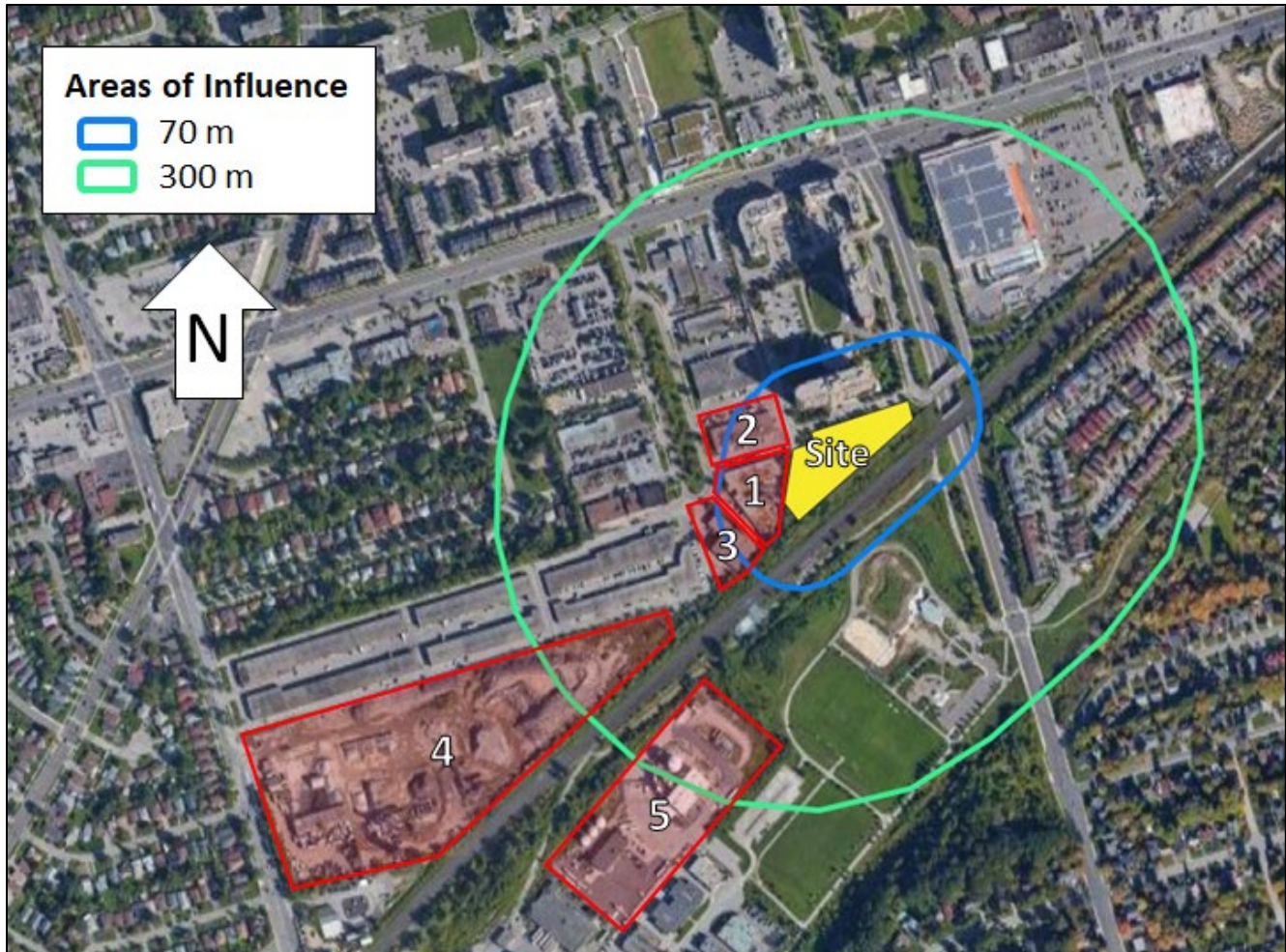


Figure 4: Site and Surrounding Industries of Interest

The D-6 Guideline recommends that when a development is proposed within an industry's area of influence, an assessment may be performed to determine if compatibility can be achieved. Provided below are preliminary comments and findings with respect to predicted impacts at the proposed development from the identified industrial facilities nearby.

3.2 MECP Air Quality Regulations and Odour Policies

3.2.1 Air Quality Contaminants

Under O.Reg. 419/05, a facility is required to meet prescribed standards for air quality contaminants at their property boundary line and any location off-site. The MECP does not require industries to assess their emissions at elevated points off-site if a receptor does not exist at that location. While the introduction of mid-rise to high-rise residential properties could trigger a facility to re-assess compliance at new receptor locations, the introduction of new low-rise receptors does not introduce any new receptors, as the facility is already required to be in compliance at grade-level at their property line.

3.2.2 Odour

There are a select few compounds that are provincially regulated from an odour perspective; there is no formal regulation with respect to mixed odours.

The MECP has decided to apply odour-based standards to locations “where human activities regularly occur at a time when those activities regularly occur,” which is generally accepted to be places that would be considered sensitive such as residences and public meeting places. The MECP Technical Bulletin entitled, *Methodology for Modelling Assessment of Contaminants with 10-Minute Average Standards and Guidelines Under O.Reg. 419/05 (2008)*. Therefore, a new development introduces new sensitive receptors at which odour impacts could potentially occur.

As stated by the Environmental Commissioner of Ontario, impacts from mixed odours produced by industrial facilities are generally only considered and regulated by the MECP in the presence of persistent complaints (ECO 2010).

3.3 Local Meteorology

Surface wind data was obtained to generate a wind rose from data collected at the Toronto Pearson International Airport from 1996 through 2000. The wind rose, as shown in **Figure 5** below, represents the frequency of winds blowing from a certain wind direction. As can be seen in the wind rose, predominant winds are from the west through northern quadrants, while winds from the northeast and southern quadrants may be the least frequent.

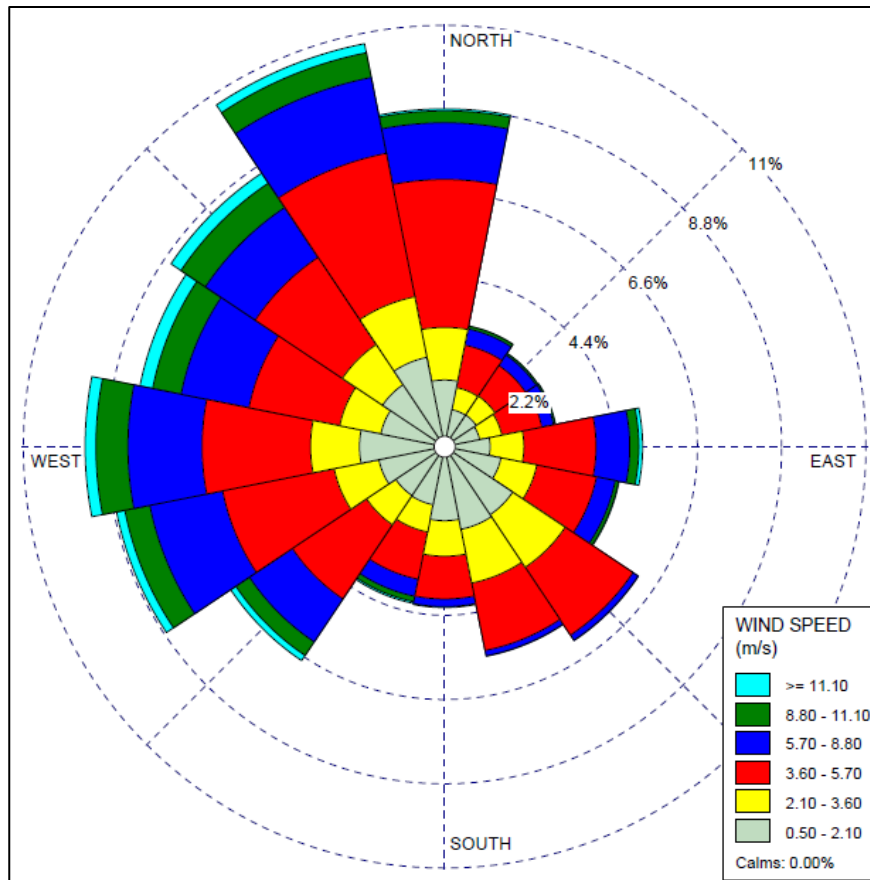


Figure 5: Toronto Pearson International Airport Wind Rose; 1996-2000

4.0 Potential Air Quality Impacts

4.1 General Air Quality Contaminants and Odour

The majority of the existing nearby facilities are small, self-contained buildings with a low risk of fugitive emissions. As stated above, M&M Plating (1), RAM Auto Body (3), G.K. Chemical Specialties (3), D.Crupi & Sons (4), and Praxair (5) currently have ECA's or EASR's registered with the MECP. Facilities with an ECA/EASR are required to meet the MECP guidelines for air quality contaminants at their property line and beyond.

In contrast to general air quality contaminants covered by O.Reg. 419/05, odours are only required to be assessed at locations where human activity is likely to occur. Therefore, any industries identified as potentially incompatible would not have been required to assess odours at the proposed lands as a condition of their provincial ECA applications or EASR. The below assesses the compatibility of the identified industries of concern from a compliance perspective and the potential for odour impacts.

4.1.1 M&M Plating

M&M Plating is a metal finishing and plating industry that specialises in zinc and nickel plating. The industry was identified to have emissions of air quality contaminants and odour; given the operations of the facility it was determined to be a Class II facility. While M&M Plating is located within the recommended setback distance to the proposed development, it is also within the recommended setback distance to the northern existing apartment building at 320 McCowan Rd. To determine the compatibility from a compliance perspective dispersion modelling was undertaken to determine the potential impacts at the proposed development. Source information was obtained from the ECA issued for M&M Plating (Number 8744-87BH78). Specific emission rates are unknown at this time, therefore, a relative assessment was performed. The dispersion modelling indicated that worst case impacts are predicted to occur at the northern property line on 100 Barbados Blvd. As M&M Plating currently operates under an ECA, they are required to meet provincial standards at the property line and beyond. The dispersion modelling results show that provided the industry is compliant at their property line, they will be compliant at the proposed development.

From an odour perspective, the sources of odour are from the rooftop exhaust fans on M&M Plating. The odours can be expected to impact low-elevations, as the building is one-storey with horizontal rooftop exhausts. As an odour mitigation measure, the proposed development will not have any suites on the western side of the building until the seventh floor. Above the seventh level, western facing apartment suites will not have windows or balconies that are oriented westward. As the sources of odour are the same as those assessed in the relative dispersion model, the proposed development will not experience odours at greater levels than those experienced at grade and will be similar to those experienced at the northern existing apartment building at 320 McCowan Rd. In addition to designing the building to have no balconies facing the rooftop of M&M Plating, the building is proposed to supply central air conditioning, screened fresh air intakes, and limited balcony size to 1.8m projection from the building facade.

A Freedom of Information (FOI) request was filed on November 18, 2019. Any information that will be gained through the FOI request will be used to perform a detailed air quality assessment of the M&M Plating industry at all levels of the proposed development. This detailed assessment will be performed under separate cover as an addendum to this compatibility study.

4.1.2 Ram Auto Body

Ram Auto Body was the only source of air emissions at the 110 Barbados Avenue commercial property. There is no identified storage of materials outside that would cause fugitive dust or odours. The auto body repair shop operates under a registered EASR (Number R-001-

7110106776), that states the facility has a spray paint booth. The existing apartment building at 320 McCowan is located in closer proximity to Ram Auto Body. As the industry must meet compliance for contaminants at the existing apartment, it should meet at the proposed development as well.

As suggested in Guideline D-6, automotive repair shops are listed as a Class II facility partly due to the operation of a spray-paint booth. However, auto-repair shops of this size are now generally considered Class I facilities, as the MECP has a specific Environmental Activity and Sector Registry for this industry with specific operating conditions required which reduces emissions. Auto-repair shops are also regulated under Ontario Regulation 347/12: Regulations under part II.2 of the Act – Automotive Refinishing. Therefore, the auto repair shops have been classified as Class I facilities. Ram Auto Body is within the area of influence for a Class I facility but is outside the recommended minimum setback distance from point of exhaust to the proposed development. Therefore, 110 Barbados Blvd was not identified as an industry that would be expected to have an adverse impact on the proposed development from an air quality perspective.

4.1.3 G.K. Chemical Specialties Co. Inc.

G&K Chemical Specialties manufactures cleaning aids and chemical products, such as soap, detergents, finish wax, etc. The industry is small scale and operates under an ECA (Number 3446-7X7L4Z), with emissions controls such as a baghouse on dry mix processes. There is no outdoor storage of loose materials and there were no odours from the industry that were identified during the site visit. The industry was therefore considered to be Class II and is outside the recommended setback distance to any points of reception on the proposed development.

To determine the compatibility from a compliance perspective dispersion modelling was undertaken to determine the potential impacts at the proposed development. Source information was obtained from the ECA issued for G.K. Chemical Specialties (Number 3446-7X7L4Z). Specific emission rates are unknown at this time, therefore, a relative assessment was performed. The dispersion modelling indicated that worst case impacts are predicted to occur at the southern property line on 100 Barbados Blvd. As G.K. Chemical Specialties currently operates under an ECA, they are required to meet provincial standards at the property line and beyond. The dispersion modelling results show that provided the industry is compliant at their property line, they will be compliant at the proposed development.

4.1.4 D.Crupi & Sons Ltd.

D.Crupi & Sons is a hot mix asphalt plant with a production rate of 180 tonnes per hour. The site processes stone and recycled concrete that is stored on-site. The site is equipped with a drum aggregate dryer/mixer, liquid asphalt and hot mix asphalt cement storage tanks, and a

crushing and screening plant. The scope of activities at 477 Brimley Road was determined based on the ECA issued for the site (Number 5374-AFGKB9).

During the site visit, visible plumes of dust were coming from the conveyor transfer system to the central hot-mix asphalt loadout area, and sulphur like odours were observed on site and at the public south of the proposed development. Based on the operations and site visit operations, it was determined that the industry is classified as Class III. The industry is within the 1,000m area of influence but the operations are outside of the recommended setback distance of 300m to the proposed development site. There are existing residential neighbourhoods to the west and north of industry that are located closer than the proposed development.

Due to the operations of D.Crupi & Sons, dispersion modelling was undertaken to determine the potential impacts at the proposed development. Source information was obtained from the ECA issued for D.Crupi & Sons. Specific emission rates are unknown at this time, therefore, a relative assessment was performed. The dispersion modelling indicated that worst case impacts would occur at the at the existing residences west of the industry. The proposed development would experience impacts approximately 12x lower than the existing residences. As D.Crupi & Sons currently operates under an ECA, they are required to meet provincial standards at the property line and beyond. The dispersion modelling results show that provided the industry is compliant at their property line, they will be compliant at the proposed development. From an odour perspective, the modelling also indicates that odours would be experienced at greater strengths at the existing residences. An FOI request was filed on November 18, 2019. Any information that will be gained through the FOI request will be used to perform a detailed air quality assessment of the D.Crupi & Sons industry at all levels of the proposed development. This detailed assessment will be performed under separate cover as an addendum to this compatibility study.

4.1.5 Praxair

Praxair is an industrial gas manufacturing facility that produces oxygen, nitrogen, and argon. No emissions of dust or odour were noticed from Praxair during the site visit. The facility produces non-hazardous and inert gases that would not adversely impact the proposed development. As such the Praxair facility was determined to be a Class II industry. The industry is partially within the area of influence but is well outside the recommended minimum setback distance of 70m. The industry was determined to be compatible from an air quality perspective to the proposed development.

4.2 Proposed Development Mitigation Measures

From a compliance perspective the proposed development is not expected to impose on the operations of the surrounding and preliminary dispersion modelling has indicated that the

industries will continue to remain in compliance. From an odour perspective, the site visit has indicated that M&M Plating and D.Crupi & Sons emit odours. As a means to reduce the potential risk of complaints in the future, a number of mitigation measures are recommended with some of them already included in the initial plans for the design of the development:

- The west façade of the proposed development on the podium and on the west tower will not have terraces, balconies or patio spaces that would be exposed to the industries.
- All windows on the west façade are oriented northward and do not overlook or have line-of-sight to M&M Plating.
- The building is orientated so that the balconies on the south side of the towers face away from D.Crupi & Sons and do not have line-of-sight to the industry.
- The outdoor 6th floor rooftop amenity space will not have line-of-sight to the industries.
- It is recommended to have all fresh air intakes that serve occupied areas of the building located in a screened location, with intake louver placement on the east or north facades or behind significant portions of the building.
- It is recommended that occupied areas of the building be supplied with central air that draws fresh air from the screened intake louvers.

5.0 Conclusions

A review of the existing industries surrounding the proposed development site at 320 McCowan Road with respect to air quality has been performed in accordance with the D-6 Guideline. Based on the review completed, the identified surrounding industries are not expected to be a concern from an air quality perspective. Further details on M&M Plating and D.Crupi & Sons are expected in FOI reports and will be reviewed upon receipt. Given the current findings and the understanding that there are several existing residences and sensitive uses in the area, the proposed development is anticipated to be compatible with the surrounding land uses from an air quality perspective.

Appendix A – ECA / EASR



AMENDED CERTIFICATE OF APPROVAL

AIR

NUMBER 8744-87BH78

Issue Date: July 31, 2010

M & M Plating Inc.
100 Barbados Blvd
Toronto, Ontario
M1J 1K9

Site Location: 100 Barbados Blvd
Toronto City,
M1J 1K9

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

The *equipment* and associated exhaust systems listed in **Schedule "A"** of this *Certificate*;

all in accordance with the application for a Certificate of Approval (Air) submitted by M & M Plating Inc., dated June 23, 2010 and signed by Jerry Mazor, President and the supporting information;

all in accordance with the application for a Certificate of Approval (Air) submitted by M & M Plating Inc., dated November 2, 2006 and signed by Jerry Mazor, President; and the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by ETCOS Inc. dated November 2, 2006 and signed by Jerry Mazor and Ravi Sharma; the Acoustic Assessment Report, dated April 21, 2009, prepared and signed by Alberto Behar and Ravi Sharma, ETOS Inc.; and the updated information submitted by ETCOS Inc. on January 12, 2007, April 28, 2009 and May 28, 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 Section 9 of the Act;
3. "*Company*" means M&M Plating Inc., operating as M&M Plating 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, Toronto District Office, Central Region of the *Ministry*;
5. "*Equipment*" means the metal plating 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. "*Facility*" means the entire operation belonging to the *Company* and 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. "*Noise Abatement Measures*" means the noise control equipment detailed in Schedule "B" of this *Certificate*;
10. "*Property*" means, in accordance with s.4 O.Reg 419, the single property jointly occupied by M&M Plating Inc. and Toronto Aerospace Finishing Inc., as described in the *Company's* application, this *Certificate* and in the supporting

documentation submitted with the application, to the extent approved by this *Certificate*.

11. "*Publication NPC-205*" means the *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

PERFORMANCE

1. The *Company* shall, at all times, ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-205*.

(1) The *Company* shall incorporate the *Noise Abatement Measures* detailed in **Schedule "B"** of this *Certificate*.

OPERATION AND MAINTENANCE

2. 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, including spill clean-up procedures;

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

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

(2) implement the recommendations of the *Manual*.

RECORD RETENTION

3. 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

4. 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;

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

1. Condition No. 1 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.
2. Condition No. 2 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*.
3. Condition No. 3 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.
4. Condition No. 4 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.

Schedule "A"
Equipment and Associated Exhaust Systems

Source ID	Description	Volumetric Flow Rate (cubic metres per second)	Stack Parameters		
			Stack Inner Diameter /Dimensions	Height Above Roof (metres)	Height Above Grade (metres)
100 Barbados Avenue					
Line 100 & Line 500	Automatic Barrel Lines (Acid Zinc Chloride Plating)	0.72	0.5m x 0.35m	1.3	8.3
Line 200	Alkaline Rack Line (Alkali Zinc Plating)	0.72	0.5m x 0.35m	1.3	8.3
Line 400	Hand Rack/Basket Line (Nickel-Zinc Alloy Plating)	0.72	0.20	Side wall	7.0
Line 600	Black Oxide Line	0.72	0.20	Side wall	7.0
Line 700	Hand Rack/Barrel Line (Zinc-Cadmium Plating)	0.72	0.5m x 0.35m	1.3	8.3
Line 300	Acid Rack Line (Zinc Plating)	0.72	0.5m x 0.35m	1.3	8.3
Boiler	Natural gas fired Boiler (Thermal input rating of 1,028,680 kilojoules per hour)	0.72	0.6	1.8	8.8
Line 350	Automatic Rack Line (Zinc Plating)	1.10	0.5m x 0.35m	1.3	8.3
Line 550	Hand Rack / Barrel Line	0.64	0.5m x 0.35m	1.3	8.3

Schedule "B"
Noise Abatement Measures

1. One (1) acoustic silencer for the exhaust fan identified as noise Source Line 300, capable of providing the following values of Insertion-Loss in 1/1 octave frequency bands:

Centre Frequency (Hertz)	63	125	250	500	1,000	2,000	4,000	8,000
Insertion-Loss (decibel)	5	9	19	33	37	34	23	18

2. One (1) acoustic silencer for the exhaust fan identified as noise Source Line 350, capable of providing the following values of Insertion-Loss in 1/1 octave frequency bands:

Centre Frequency (Hertz)	63	125	250	500	1,000	2,000	4,000	8,000
Insertion-Loss (decibel)	5	9	19	33	37	34	23	18

3. One (1) acoustic louvre for the compressor fan identified as noise Source *Comp Room Fan*, capable of providing the following values of Insertion-Loss in 1/1 octave frequency bands:

Centre Frequency (Hertz)	63	125	250	500	1,000	2,000	4,000	8,000
Insertion-Loss (decibel)	3	5	11	23	36	29	19	12

This Certificate of Approval revokes and replaces Certificate(s) of Approval No. 7216-7SNR6J issued on June 22, 2009

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;
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 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 31st day of July, 2010

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

SA/
c: District Manager, MOE Toronto - District
Mike Brener, Toronto Aerospace Finishing

**CERTIFICATE OF APPROVAL****AIR**

NUMBER 3446-7X7L4Z

Issue Date: October 31, 2009

G.K. Chemical Specialties Co. Inc.
90 Barbados Blvd
Toronto, Ontario
M1J 1K9

Site Location: 90 Barbados Blvd, Toronto, Ontario.

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

a liquid cleaning chemicals and detergents manufacturing facility, comprising of the following equipment:

- one (1) exhaust system serving a liquid product mixing and filling process with five (5) mixing tanks, having a volumetric flow rate of 3.5 cubic metres per second, discharging at 7.5 metres above grade;
- one (1) exhaust system serving a paint mixing process, having a volumetric flow rate of 0.7 cubic metre per second, discharging at 7.5 metres above grade;
- one (1) exhaust system serving the powder detergent mixing process, equipped with a shaker type baghouse dust collector, having a volumetric flow rate of 1.45 cubic metres per second, discharging at 7.5 metres above grade;
- one (1) exhaust system serving a toilet bowl cleaning solution mixing process, having a volumetric flow rate of 0.33 cubic metre per second, discharging at 7.5 metres above grade;
- one (1) storage tank, having storage capacity of 6.5 cubic metres, containing 35% hydrochloric acid; and
- one (1) storage tank, having storage capacity of 2.3 cubic metres, containing 95% sulphuric acid;

all in accordance with the application for a Certificate of Approval (Air) and all supporting information dated September 5, 2008 and signed by Gus Kaklamanos.

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 G.K. Chemical Specialties Co. Inc.;
4. "Equipment" means the equipment described in the Company's application, this Certificate and in the supporting documentation referred to herein, to the extent approved by this Certificate;
5. "Facility" means the entire operation located on the property where the Equipment is located;
6. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
7. "Ministry" means the Ontario Ministry of the Environment; and

8. "Publication NPC-205" means Ministry of the Environment 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

1. The Company shall ensure that the Facility 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) procedures for any record keeping activities relating to operation and maintenance of the Equipment;
- (d) all appropriate measures to prevent process upsets and minimize odour, noise and dust emissions; and

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

2. The *Company* shall, at all times, ensure that the noise emissions from the Facility comply with the limits set out in Ministry 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 provide the 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**

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 October, 2009

Victor Low, P.Eng.
Director

QN/
c: District Manager, MOE Toronto - District
Gus Kaklamanos, G.K. Chemical Specialties Co. Ltd.



AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 5374-AFGKB9

Issue Date: November 24, 2016

D. Crupi & Sons Limited
85 Passmore Avenue
Post Office Box, No. 272
Toronto, Ontario
M1S 3B6

Site Location: 477 Brimley Road
Toronto City
M1J 1A2

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) batch mix hot mix asphalt (HMA) plant having a maximum production rate of 180 tonnes per hour; crushing of stone, reclaimed concrete or reclaimed asphalt paving (RAP) a maximum processing rate of 150 tonnes per hour; an aggregate depot operating at the maximum combined receiving/shipping rate of 320 tonnes per hour of stone/reclaimed concrete/RAP; and a seasonal (winter time only) road salt depot, operating at the combined shipping/receiving rate of 300 tonnes per hour; consisting of the following processes and equipment:

- one (1) drum aggregate dryer/mixer, operating at the maximum temperature of 160 degrees Celsius (320F), equipped with a natural gas fired burner, having a maximum heat input of 74 gigajoules per hour, discharging into the air through a baghouse dust collector;
- one (1) pulse-jet type baghouse dust collector, to control emissions from a drum aggregate dryer/mixer, equipped with 595 square metres of Nomex filter bags, discharging into the air at a nominal volumetric flow rate of 21.2 actual cubic metres per second at an approximate temperature of 125 degrees Celsius, through a stack, having a exit diameter of 1.0 metre, extending 19.0 metres above grade;
- liquid asphalt cement receiving operations, performed at the maximum receiving rate of 35 tonnes per hour at the maximum temperature of 163 degrees Celsius (325F);
- four (4) liquid asphalt cement storage tanks, each having a capacity of 38 cubic metres and operating at the maximum temperature of 163 degrees Celsius (325F);
- one (1) natural gas fired hot-oil heater, servicing liquid asphalt cement storage tanks, having a maximum thermal input input of 2,110,000 kilojoules per hour;
- three (3) hot mix asphalt storage silos, each having a capacity each of 180 tonnes, operating at the maximum HMA temperature of 160 degrees Celsius (320F);
- HMA truck loading operations at the maximum loading rate of 180 tonnes per hour;

- cold virgin/recycled aggregate/RAP bins, related conveyors and stockpiles to support HMA production rate of 180 tonnes per hour;
- one (1) water spray controlled crushing plant, processing stone/aggregate materials/RAP and reclaimed concrete at a maximum rate of 150 tonnes per hour, and consisting of;
- one (1) primary crusher;
- one (1) screen; and
- associated conveyors, stackers and stockpiles;
- aggregate depot operations, including receiving of unprocessed aggregate materials (stone, reclaimed concrete and RAP) at the maximum combined receiving/shipping rate of 320 tonnes per hour and associated handling and transfer operations;
- a seasonal (winter time only) road salt depot operations, including receiving of road salt at the maximum rate of 150 tonnes per hour, storage and handling operations and salt truck loading operations at the maximum loading rate of 150 tonnes per hour;

all in accordance with the Application for Approval (Air & Noise) submitted by D. Crupi & Sons Limited dated December 9, 2013 and signed by Domenic Passalacqua, Plant Manager, the updated ESDM Report dated November 3, 2016 and signed by Xiaoxi Song, M.Sc., P.Eng. (BCX Environmental Consulting); and all supporting information associated with the application.

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 December 5, 2013 and signed by Corey Kinart, P.Eng.;
2. "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;
3. "Acoustic Audit Report" means a report presenting the results of an Acoustic Audit, prepared in accordance with Publication NPC-233;
4. "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;
5. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
6. "Best Management Practices Plan (BMPP)" means the measures to minimize dust emissions from the Facility and/or Equipment and includes the document titled "Best Management Practices Plan for the Control of Fugitive Dust Emissions", prepared by the Company, dated October, 2016, as amended;
7. "Company" means D. Crupi & Sons Limited, that is responsible for the construction or operation of the Facility and includes any successors and assigns;
8. "District Manager" means the District Manager of the appropriate local district office of the Ministry,

where the Facility is geographically located;

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

10. "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;

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

12. "Independent Acoustical Consultant" means an Acoustical Consultant not representing the Company, and not involved in the noise impact assessment or the design/implementation of noise control measures for the Facility/Equipment. The Independent Acoustical Consultant shall not be retained by the consultant involved in the noise/vibration impact assessment or the design/implementation of noise/vibration control measures for the Facility/Equipment;

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

14. "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;

15. "Noise Control Measures" means measures to reduce the noise emission from the Facility and/or Equipment including, but not limited to silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures detailed in the Acoustic Assessment Report;

16. "Publication NPC-103" means Publication NPC-103, Procedures, August 1978;

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

18. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", 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 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;

(d) all appropriate measures to minimize noise, fugitive dust and odorous emissions from all

potential sources; and

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

(2) implement the recommendations of the Manual.

2. The Company shall implement the BMPP. The BMPP shall be updated/revised, as necessary, or as per the direction of the District Manager.

RECORD RETENTION

3. 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; 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

4. 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

5. The Company shall:

(1) implement, not later than six (6) months after the date noted on this Approval, the Noise Control Measures as proposed in the Acoustic Assessment Report;

(2) ensure at all times following implementation of the Noise Control Measures that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-205;

(3) properly maintain the Noise Control Measures ensuring that they continue to meet the acoustical performance outlined in the Acoustic Assessment Report;

(4) restrict the number of aggregate trucks to a maximum of four (4) per sixty (60) minute period;

(5) restrict the number of asphalt cement trucks to a maximum of one (1) per sixty (60) minute period; and

(6) restrict the number of hot mix asphalt trucks to a maximum of ten (10) per sixty (60) minute period.

ACOUSTIC AUDIT

6. The Company shall carry out Acoustic Audit measurements on the actual noise emissions due to the operation of the Facility. The Company:

(1) shall carry out Acoustic Audit measurements in accordance with the procedures in Ministry Publication NPC-103; and

(2) 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 Ministry Publication NPC-233, to the District Manager and the Director, not later than three (3) months after fully implementing the Noise Control Measures detailed in the Acoustic Assessment Report.

7. The Director:

(1) may not accept the results of the Acoustic Audit if the requirements of Ministry Publication NPC-233 were not followed; and

(2) may require the Company to repeat the Acoustic Audit if the results of the Acoustic Audit are found unacceptable to the Director.

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

1. Conditions No. 1 and 2 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. Condition No. 3 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. 4 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 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

5. Conditions No. 6 and 7 are 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). 6328-8HWLNL issued on June 21, 2011.

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

The Director appointed for the
purposes of Part II.1 of the
Environmental Protection Act
Ministry of the Environment and
Climate Change
AND
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 24th day of November,
2016

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

JK/
c: District Manager, MOECC Toronto - District

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3638-BAAUD8

Issue Date: June 20, 2019

Praxair Canada Inc.
60 Skagway Ave
Scarborough, Ontario
M1M 3V1

Site Location: 60 Skagway Ave
Toronto City,
M1M 3V1

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

Description Section

An industrial gas manufacturing facility producing liquid oxygen, nitrogen, and argon from ambient air, consisting of the following processes and support units:

- ambient atmospheric air capture, filtration, and liquefaction by compression and cooling;
- molecular sieve adsorption;
- cryogenic distillation and heat exchange;
- nitrogen liquefaction and storage;
- argon purification, liquefaction and storage;
- oxygen storage;
- vaporization of off specification products;
- products loading/filling; and
- outdoor storage of lubricating oil for on-site equipment, controlled by demisters;

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

- equivalent of 12,000 cubic metres per hour of gas at 15 degrees Celsius and 1.0 atmosphere, in liquid nitrogen;
- equivalent of 4,500 cubic metres per hour of gas at 15 degrees Celsius and 1.0 atmosphere, in liquid oxygen; and

- equivalent of 180 cubic metres per hour of gas at 15 degrees Celsius and 1.0 atmosphere, in liquid argon;

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 Gordon Reusing of GHD Limited and dated September 10, 2018 submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*, as updated in accordance with Condition 5 of this *Approval*;
4. "*Acoustic Assessment Summary Table*" means a table prepared in accordance with the *Basic Comprehensive User Guide* summarising the results of the *Acoustic Assessment Report*, as updated in accordance with Condition 5 of this *Approval*;
5. "*Approval*" means this entire Environmental Compliance Approval and any *Schedules* to it;
6. "*Basic Comprehensive User Guide*" means the *Ministry* document titled "Basic Comprehensive Certificates of Approval (Air) User Guide" dated March 2011, as amended;
7. "*Company*" means **Praxair Canada Inc.** 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*;

8. "*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;
9. "*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*;
10. "*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*;
11. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
12. "*Emission Summary Table*" means a table described in paragraph 14 of subsection 26 (1) of *O. Reg. 419/05*;
13. "*Environmental Assessment Act*" means the Environmental Assessment Act, R.S.O. 1990, c.E.18, as amended;
14. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
15. "*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;
16. "*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*;
17. "*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*;
18. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
19. "*Facility Production Limit*" means the production limit placed by the *Director* on the main product(s) or raw materials used by the *Facility*;
20. "*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;

21. "*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;
22. "*Ministry*" means the ministry of the *Minister*;
23. "*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*;
24. "*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;
25. "*O. Reg. 419/05*" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
26. "*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 Gavin Moore / GHD Limited, dated June 7, 2019 and the revisions dated June 13, 2019 submitted in support of the application, and includes any changes to the report made up to the date of issuance of this *Approval*;
27. "*Point of Impingement*" has the same meaning as in section 2 of *O. Reg. 419/05*;
28. "*Point of Reception*" means Point of Reception as defined by *Publication NPC-300*;
29. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated February 2017, as amended;
30. "*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*;
31. "*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;

32. "*Publication NPC-233*" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended;
33. "*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;
34. "*Schedules*" means the following schedules attached to this *Approval* and forming part of this *Approval* namely: Schedule A - Supporting Documentation;
35. "*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
36. "*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*; or
 - 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 ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*.
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*.

5. DOCUMENTATION REQUIREMENTS

1. The *Company* shall maintain an up-to-date *Log*.
2. No later than March 31 in each year, the *Company* shall update the *Acoustic Assessment Report* and shall update the *ESDM Report* in accordance with section 26 of *O. Reg. 419/05* so that the information in the reports is accurate as of December 31 in the previous year.
3. The *Company* shall make the *Emission Summary Table* (see section 27 of *O. Reg. 419/05*) and *Acoustic Assessment Summary Table* available for examination by any person, without charge, by posting it on the Internet or by making it available during regular business hours at the *Facility*.
4. The *Company* shall, within three (3) months after the expiry of Condition 2.1 of this *Approval*, update the *ESDM Report* and the *Acoustic Assessment Report* such that the information in the reports is accurate as of the date that Condition 2.1 of this *Approval* expired.
5. Conditions 5.1 and 5.2 do not apply if Condition 2.1 has expired.

6. REPORTING REQUIREMENTS

1. Subject to Condition 6.2, the *Company* shall provide the *Director* no later than June 30 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. 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.

9. RECORD KEEPING REQUIREMENTS

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

10. REVOCATION OF PREVIOUS APPROVALS

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

SCHEDULE A

Supporting Documentation

1. Environmental Compliance Approval Application, dated September 11, 2018, signed by Patrice Poulin, and submitted by the *Company*;
2. the email dated March 14, 2019, signed by Cherry Ballesteros and submitted by the *Company*;
3. Emission Summary and Dispersion Modelling Report, prepared by Gavin Moore / GHD Limited, dated June 7, 2019 and the revisions dated June 13, 2019;
4. Acoustic Assessment Report prepared by Gordon Reusing / GHD Limited, dated September 10, 2018.

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

Condition No. 7 is included to require the *Company* to properly operate and maintain the *Processes with Significant Environmental Aspects* to minimize the impact to the environment from these processes.

6. COMPLAINTS RECORDING AND REPORTING PROCEDURE

Condition No. 8 is included to require the *Company* to respond to any

environmental complaints regarding the operation of the *Equipment*, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

7. RECORD KEEPING REQUIREMENTS

Condition No. 9 is included to require the *Company* to retain all documentation related to this *Approval* and provide access to employees in or agents of the *Ministry*, upon request, so that the *Ministry* can determine if a more detailed review of compliance with the performance limits as specified in Condition 4 of this *Approval* is necessary.

8. REVOCATION OF PREVIOUS APPROVALS

Condition No. 10 is included to identify that this *Approval* replaces all Section 9 Certificate(s) of Approval and Part II.1 Approvals in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 6777-82QSQR issued on February 23, 2010.

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:

- 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 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, 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 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 20th day of June,
2019

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

MV/
c: District Manager, MECP Toronto - District
Gordon Reusing, GHD Limited



Ministry of the Environment and Climate Change
Operations Division

Confirmation of Registration

Registration Number: R-001-7110106776

Version Number: 001

Date Registration Filed: Mar 31, 2017 13:40:59 PM

Dear Sir/Madam,

RAM AUTO INC.

4-110 BARBADOS BLVD
SCARBOROUGH ON M1J 1K9

You have registered, in accordance with Section 20.21(1)(a) of the *Environmental Protection Act*, the use, operation, construction, alteration, extension or replacement of any structure, equipment, apparatus, mechanism or thing that is used for Automotive Refinishing Facility at an Automotive Refinishing Facility located at:

110 BARBADOS Boulevard (blvd) East Unit 4 SCARBOROUGH ON M1J 1K9

Please note that the Automotive Refinishing Facility is subject to the applicable provisions of O.Reg 245/11 and O. Reg. 347/12.

The activity related information provided during the registration process is included as part of the confirmation of registration as schedule 'A'.

Dated on Mar 31, 2017

Director
Environmental Approvals Access and Service Integration Branch
Ministry of the Environment and Climate Change
135 St. Clair Avenue West, 1st Floor
Toronto ON M4V 1P5

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

Ministry of the Environment and Climate Change
Customer Service Representative
Environmental Approvals Access and Service Integration Branch
Phone: (416) 314-8001
Toll free: 1-800-461-6290

Schedule 'A'

Part 3 . Activity Information

3.1 Registration Information

This form is to be used to register the use, operation, construction, alteration, extension, or replacement of equipment or things that are used in an automotive refinishing facility. Please confirm that you will be engaging in one or more of these activities.

☒ Yes

☐ No

3.2 Activity Design-Related Information

(a) Is the facility one in which the application of coating to or the repair or customization of a motor vehicle body or parts of a motor vehicle body and the repair or customization of the interior of a motor vehicle occurs?

☒ Yes

☐ No

(b) Is the automotive refinishing facility, in respect of which this registration is filed, located in a building that is wholly occupied by the facility?

☒ Yes

☐ No

(c) How many spray booths are located at the facility?

1

(d) What is the facility-wide coating application rate under normal operation?

3 to 4L/h

(e) Does the facility have only one spray booth?

☐ Yes

☐ No

(f) Is the facility-wide coating application rate under normal operation 2 L/hr or less?

☐ Yes

☐ No

(g) Does the facility meet all applicable requirements related to the management of air and noise emissions produced at the facility as specified in section 2(2) of Ontario Regulation 347/12?

☒ Yes

☐ No

(h) Is the wastewater from the automotive refinishing facility, if any:
- transferred to a waste management system that is subject to an Environmental Compliance Approval or is registered in the Environmental Activity and Sector Registry;
- discharged to a sewage works that is subject to an Environmental Compliance Approval; or
- discharged to a municipal sanitary sewer?

☒ Yes

☐ No

3.3 Environmental Activity and Sector Registration Exemptions

(a) Does the facility manufacture motor vehicles or motor vehicle parts?

☐ Yes

☒ No

(b) Is the facility primarily engaged in the replacement and repair of glass with respect to motor vehicles?

☐ Yes

☒ No

(c) Is the facility primarily engaged in the repair of mechanical or electrical components of motor vehicles?

☐ Yes

☒ No

(d) Is the facility a mobile refinishing facility?

☐ Yes

☒ No

(e) Do any of the spray booths that are part of the facility control emissions using water wash filtration?

☐ Yes

☒ No

3.4 Niagara Escarpment Planning Area Information

(a) Is the facility located in an area of development control within the Niagara Escarpment Planning Area?

☐ Yes

☒ No

(b) If the answer to 3.4(a) is Yes, is a development permit required under section 24 of the Niagara Escarpment Planning and Development Act?

☐ Yes

☐ No

(c) If the answer to 3.4(b) is Yes, has the required development permit been obtained?

☐ Yes

☐ No

(d) If the answer to 3.4(c) is Yes, have you confirmed that the requirements of Ontario Regulation 347/12 are not in conflict with any conditions of the permit?

☐ Yes

☐ No