



# Compatibility Mitigation Study and Air Quality, Odour and Dust Study

**2343 Eglinton Avenue W, Toronto**

**1764174 Ontario Inc.**

Prepared by:

**SLR Consulting (Canada) Ltd.**

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**Revision Record**

Revision	Date	Prepared By	Checked By	Authorized By
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## Executive Summary

SLR Consulting (Canada) Ltd. (SLR), was retained by 1764174 Ontario Inc., to conduct a Compatibility / Mitigation Study focusing on air quality, odour, and dust in support of a Zoning By-law Amendment (ZBA) application for the proposed development. The development site is located at 2343 Eglinton Avenue West in Toronto, Ontario ("the Project site").

This assessment is intended to address the requirement for an air quality, odour, and dust study as well as the Land Use Compatibility/Mitigation study Terms of Reference of the City of Toronto OPA 231 ("the OPA 231 ToR").

This assessment has considered:

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

A detailed environmental noise and vibration assessment for the proposed development was completed by SLR and provided in a separate report entitled, "Environmental Noise & Vibration Assessment", and dated March 26, 2025.

It is recommended that a Warning Clause and receptor based physical mitigation measures be included in the architectural design of the Project site structures. The mitigation measures include strategic location of fresh air intakes facing away from Eglinton Avenue West and Caledonia Road. Physical mitigation measures include installation of carbon and MERV rated filters and positive pressurization of the building. A summary of the mitigation measures and the Warning Clause is provided in Appendix E.

With the inclusion of the at receptor mitigation, the Project site is anticipated to be compatible with the surrounding land uses from an air quality perspective. Further, the Project site will not affect the ability for industrial facilities to obtain or maintain compliance with applicable Provincial environmental policies, regulations, approvals, authorizations, and guidelines. The requirements of MECP Guideline D-6 and Regulation 419/05 are met. As the applicable policies and guidelines are met, the Project site is:

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



## Table of Contents

<b>Statement of Limitations .....</b>	<b>ii</b>
<b>Executive Summary .....</b>	<b>iii</b>
<b>Table of Contents .....</b>	<b>iv</b>
<b>Acronyms and Abbreviations .....</b>	<b>vii</b>
<b>1.0 Introduction .....</b>	<b>8</b>
<b>2.0 Description of Development and Surroundings .....</b>	<b>8</b>
2.1 Proposed Development .....	8
2.2 Surroundings .....	9
2.3 Land Use Designations in the Area .....	9
2.3.1 City of Toronto Official Plan .....	9
2.3.2 City of Toronto Zoning By-Law 569-2013 .....	9
<b>3.0 Assessment Framework .....</b>	<b>10</b>
3.1 Planning Act, R.S.O. 1990, c. P.13 .....	10
3.2 Provincial Planning Statement (2024) .....	11
3.3 City of Toronto Official Plan Amendment No. 231 .....	11
3.3.1 Compatibility/Mitigation Studies .....	12
3.3.2 Air Quality and Odour Study .....	12
3.4 D-Series of Guidelines .....	13
3.4.1 Guideline D-6 Requirements .....	14
3.4.2 Requirements for Assessments .....	15
3.4.3 Recommended Minimum Separation Distances .....	16
<b>4.0 Nearby Industries .....</b>	<b>16</b>
4.1 Class III Heavy Industries .....	17
4.1.1 GFL Environmental .....	17
4.1.2 Ingram Asphalt Inc. ....	18
4.2 Class I Light and Class II Medium Industries .....	18
4.2.1 Castlefield Yard – City of Toronto Transportation Services Facility .....	18
4.3 Propane Suppliers .....	19
4.3.1 Canadian Tire Corporation .....	19
4.4 Future Development Uses .....	20
4.5 Summary .....	22
<b>5.0 Air Quality, Dust and Odour Assessment .....</b>	<b>22</b>
5.1 Industrial Sources .....	22



5.1.1 Guidelines and Regulations.....	22
5.1.2 Air Quality.....	22
5.1.3 Site Visits and Odour and Dust Observations.....	23
5.1.4 Ministry of Environment, Conservation and Parks Facility Information.....	24
5.1.5 Assessment of Potential Air Emissions.....	24
5.2 Transportation Related Air Pollution .....	33
5.2.1 Arterial Roadways .....	33
5.2.2 GO Line.....	34
5.3 Summary of Air Quality, Dust and Odour Conclusions and Recommendations .....	34
<b>6.0 Conclusions.....</b>	<b>34</b>
<b>7.0 Closure.....</b>	<b>35</b>
<b>8.0 References.....</b>	<b>36</b>

## Tables in Text

Table 1: Guideline D-6 - Potential Areas of Influence and Recommended Minimum Separation Distances for Industrial Land Uses .....	14
Table 2: Guideline D-6 - Industrial Categorization Criteria .....	14
Table 3: Identified Industries Within the Potential Area of Influence of the Project Site .....	16
Table 4: Development Applications in the Area .....	20
Table 5: D-6 Classification of Proposed City of Toronto Zoning By-law No. 569-2013 Chapter 60.20 - Employment Uses.....	29
Table 6: D-6 Classification of Former City of York Zoning By-law No. 1-83 Prestige Employment Zones PE - Permitted Uses.....	31

## Appended Figures

Figure 1a: Site And Context Plan	
Figure 1b: Excerpt From Site Plan	
Figure 2a: Excerpt From Official Plan Map	
Figure 2b: Excerpt From Area Zoning Map	
Figure 3a: Guideline D-6 Separation Distances To 1000 Metres	
Figure 3b: Guideline D-6 Separation Distances To 300 Metres	
Figure 4: Future Development	
Figure 5: Wind Frequency Distribution Diagram (Wind Rose) Toronto Lester B Pearson Int'l Airport 1991-2020	



## **Appendices**

<b>Appendix A</b>	<b>Industry List</b>
<b>Appendix B</b>	<b>GFL Environmental Permit</b>
<b>Appendix C</b>	<b>Power Waste Service Permit</b>
<b>Appendix D</b>	<b>Ingram Asphalt Inc. Permit</b>
<b>Appendix E</b>	<b>Warning Clause and Mitigation Measures</b>



## Acronyms and Abbreviations

CR SS2	Commercial Residential
EASR	Environmental Activity and Sector Registry
ECA	Environmental Compliance Approval
HVAC	Heating, Ventilation and Air Conditioning
m	Metres
MECP	Ministry of the Environment, Conservation and Parks
NOx	Nitrogen Oxides
OPA	Official Plan Amendment
O	Open Space
PM	Particulate Matter
PPS	Provincial Planning Statement
RM	Residential
SO2	Sulphur Dioxide
SPA	Site Plan Approval
TRAP	Transportation Related Air Pollution
TTC	Toronto Transit Commission
VOCs	Volatile Organic Compounds
ZBA	Zoning Bylaw Amendment





## 1.0 Introduction

SLR Consulting (Canada) Ltd. (SLR), was retained by 1764174 Ontario Inc., to conduct a Compatibility / Mitigation Study focusing on air quality, odour, and dust in support of a Zoning By-law Amendment (ZBA) application for the proposed development. The development site is located at 2343 Eglinton Avenue West in Toronto, Ontario ("the Project site").

This assessment is intended to address the requirement for an air quality, odour, and dust study as well as the Land Use Compatibility/Mitigation study Terms of Reference of the City of Toronto OPA 231 ("the OPA 231 ToR").

This assessment has considered:

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

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

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

- The City of Toronto Terms of Reference for Compatibility/Mitigation Studies;
- The City of Toronto Terms of Reference for Air Quality and Odour Studies;
- The Provincial Policy Statement;
- Ministry of the Environment, Conservation and Parks ("MECP") D-Series Guidelines;
- Ontario Regulation 419/05: *Air Pollution – Local Air Quality* and its associated air quality standards and assessment requirements;
- The MECP draft policies on odour impacts and assessment; and
- Public Health Toronto report "City of Toronto. Avoiding the TRAP: Traffic-Related Air Pollution in Toronto and Options for Reducing Exposure. Technical Report", dated October 2017.

This report identifies existing and potential land use compatibility issues and identifies and evaluates options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses, including residential uses, and nearby Employment Areas and/or major facilities.

## 2.0 Description of Development and Surroundings

### 2.1 Proposed Development

The proposed Project site is at 2343 Eglinton Avenue West in Toronto. The site is currently occupied by a 1-storey commercial building.

The proposed Project site consists of a mixed-use residential building with a 43-storey residential tower, and a 12-storey mid-rise building atop of a 6-storey podium. The Project site will also have a landscaped courtyard at grade, two levels of underground parking, and retail space along the north end of the development, fronting Eglinton Avenue West.



A site and context plan is provided in Figure 1a. An excerpt from the site plan is provided in Figure 1b.

## 2.2 Surroundings

The Project site is bounded by Eglinton Avenue West to the north, Caledonia Road to the East, Gilbert Avenue to the west, and residential properties to the south. There are a number of commercial and industrial facilities surrounding the Project site. The area surrounding the Project site is currently a residential neighbourhood to the south, east and west, a parkette to the west, and commercial and residential properties to the north.

## 2.3 Land Use Designations in the Area

The sections to follow outline the current land use designations under the City of Toronto Official Plan (OP) (February 2019 consolidation). Note that the Project site and many of the lands immediately surrounding the Project site are subject to the new City of Toronto By-law 569-2013, as amended.

### 2.3.1 City of Toronto Official Plan

An excerpt from the City of Toronto Official Plan Map for the area can be seen in Figure 2a. The Project site is designated as Mixed Use Areas. The lands to the north and east are also designated as Mixed Use Areas. The lands to the west are designated Parks and Mixed Use Areas. The areas to the south are designated both Mixed Use Areas and Neighbourhoods.

### 2.3.2 City of Toronto Zoning By-Law 569-2013

An excerpt from the City of Toronto Zoning Map for the area can be seen in Figure 2b. The Project site is zoned Commercial Residential ("CR SS2") with the exception x2628. The Site-Specific Provisions include:

- (A) The maximum height of a building or structure is 25.5 metres;
- (B) Up to a height of 13.5 metres, at least 75% of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 1.6 metres and 2.1 metres from the front lot line, and all of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 1.6 metres and 7.1 metres from the front lot line; and [ By-law: 451-2022 ]
- (C) Any part of a building located above the point, measured at 13.5 metres above the average elevation of the grade of the lot line abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the building setback of the highest storey of the building located below that point.
- (D) Despite regulation 40.10.20.40(1), dwelling units are permitted in an apartment building and a mixed-use building. [ By-law: 1774-2019 ]

The lands to the north and east are also zoned CR SS2 with the exceptions x254, x2634, and x2628. The lands to the south are zoned Residential ("RM") (f12.0; u4; d0.8) (x252). The lands to the west are zoned Open Space ("O").



### 3.0 Assessment Framework

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

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

- The Ontario Planning Act, Section 2.1 – sets the ground rules for land use planning in Ontario, whereby planning decisions have regard to matters of provincial interest including orderly development, public health, and safety; then
- The Provincial Planning Statement (“PPS”) sets out goals – making sure adjacent land uses are compatible from a health and safety perspective and are appropriately buffered; then
- The MECP D-series of guidelines set out methods to determine if assessments are required (Areas of Influence, Recommended Minimum Separation Distances, and the need for additional studies); then
- MECP and Municipal regulations, policies, standards, and guidelines then set out the requirements of additional air quality studies and the applicable policies, standards, guidelines, and objectives to ensure that adverse effects do not occur.

#### 3.1 Planning Act, R.S.O. 1990, c. P.13

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

“The purpose of the Act is to (Section 1.1 of the Act):

- provide for planning processes that are fair by making them open, accessible, timely and efficient;
- promote sustainable economic development in a healthy natural environment within a provincial policy framework;
- provide for a land use planning system led by provincial policy;
- integrate matters of provincial interest into provincial and municipal planning decisions by requiring that all decisions be consistent with the Provincial Policy Statement and conform/not conflict with provincial plans;
- encourage co-operation and coordination among various interests;
- recognize the decision-making authority and accountability of municipal councils in planning”<sup>1</sup>

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<sup>1</sup> <https://www.ontario.ca/document/citizens-guide-land-use-planning/planning-act>



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

### 3.2 Provincial Planning Statement (2024)

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

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

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

*“Policy 2.8.3: In addition to Policy 3.5, on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.*

*Policy 3.5.1: Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*

*Policy 3.5.2: Where avoidance is not possible in accordance with Policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.*

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

### 3.3 City of Toronto Official Plan Amendment No. 231

The City of Toronto has released a Terms of Reference for Compatibility/ Mitigation Studies and Air Quality and Odour Studies, based on the framework developed under Official Plan Amendment No. 231 (OPA 231). The Terms of Reference for these two studies can be found on the City website at:

<https://www.toronto.ca/city-government/planning-development/application-forms-fees/building-toronto-together-a-development-guide/application-support-material-terms-of-reference/>



### 3.3.1 Compatibility/Mitigation Studies

The purpose of the compatibility/mitigation study is to identify any existing and potential land use compatibility issues and identify and evaluate options to achieve appropriate design, including buffering and/or separation distances between land uses.

The compatibility/mitigation study is to provide a written description of:

- Potential land use compatibility impacts by type (traffic, noise, vibration, dust, odour, etc.), including severity, frequency and duration of impacts that may cause an adverse effect on the proposed development;
- Existing approvals from the MECP;
- Within the immediate area of the proposed development, the history of complaints received by the City or MECP;
- Potential intensification or operational changes such as expansion plans for existing major facilities in the area; and
- Potential land use compatibility issues that may have a negative impact on nearby employment areas and major facilities.

Where a land use compatibility issue is identified, the compatibility/mitigation study should identify options to achieve appropriate design, such as buffering/separation distance, at-source mitigation or at-receptor mitigation.

### 3.3.2 Air Quality and Odour Study

The purpose of the air quality and odour study is to assess the impact of air emissions, including odour and dust, by the surrounding environment on the proposed development as well as mitigation measures to reduce any negative impacts.

The air quality and odour study is to include:

- The Area of Influence (as defined by the MECP D-Series Guidelines) of sensitive land uses relative to nearby industrial uses based on the distance measured property boundary to property boundary;
- Classification of nearby industrial uses based on the MECP D-Series Guideline;
- Copies of MECP ECAs/EASR documents for facilities located within the Area of Influence of the sensitive land use;
- Emission Summary Table for each industry located within the Area of Influence of the sensitive land use;
- Analysis of the Emission Summary Table for industry ground-level concentrations and potential emissions at sensitive land uses;
- Analysis including dispersion modelling or long-term air sampling and monitoring if necessary to quantify potential air emissions at sensitive land uses;
- Assess industrial facilities for the potential to emit fugitive odour;
- If odour is deemed to be a significant fugitive emission, prepare a plan to undertake a community odour survey for approval by the City prior to implementation;



- Assess industrial facilities for the potential to emit fugitive dust; and
- If the potential exists for significant air emissions including fugitive dust or odour consider requirements for the development to be designed, buffered and/or separated from the industries to mitigate adverse effects.

### 3.4 D-Series of Guidelines

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

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

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

"A building, 'amenity area' or outdoor space where routine or normal activities occurring at reasonably expected times would experience 1 or more 'adverse effect(s)' from contaminant discharges generated by a nearby 'facility'. The 'sensitive land use' may be a part of the natural or built environment. Depending upon the particular 'facility' involved, a sensitive land use and associated activities may include one or a combination of:

- I. residences or facilities where people sleep (e.g. single and multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.). These uses are considered to be sensitive 24 hours/day.
- II. a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres).
- III. certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.).
- IV. certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards).
- V. bird/wildlife habitats or sanctuaries."

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

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

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<sup>2</sup> <https://www.ontario.ca/page/environmental-land-use-planning-guides>



- loss of enjoyment of normal use of property, and
- interference with the normal conduct of business”.

### 3.4.1 Guideline D-6 Requirements

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

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

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

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

**Table 2: Guideline D-6 - Industrial Categorization Criteria**

Category	Outputs	Scale	Process	Operations / Intensity	Possible Examples
<b>Class I Light Industry</b>	<ul style="list-style-type: none"> <li>• Noise: Sound not audible off-property</li> <li>• Dust: Infrequent and not intense</li> <li>• Odour: Infrequent and not intense</li> <li>• Vibration: No ground-borne vibration on plant property</li> </ul>	<ul style="list-style-type: none"> <li>• No outside storage</li> <li>• Small-scale plant or scale is irrelevant in relation to all other criteria for this Class</li> </ul>	<ul style="list-style-type: none"> <li>• Self-contained plant or building which produces/ stores a packaged product</li> <li>• Low probability of fugitive emissions</li> </ul>	<ul style="list-style-type: none"> <li>• Daytime operations only</li> <li>• Infrequent movement of products and/ or heavy trucks</li> </ul>	<ul style="list-style-type: none"> <li>• Electronics manufacturing and repair</li> <li>• Furniture repair and refinishing</li> <li>• Beverage bottling</li> <li>• Auto parts supply</li> <li>• Packaging and crafting services</li> <li>• Distribution of dairy products</li> <li>• Laundry and linen supply</li> </ul>





Category	Outputs	Scale	Process	Operations / Intensity	Possible Examples
<b>Class II Medium Industry</b>	<ul style="list-style-type: none"> <li>Noise: Sound occasionally heard off-property</li> <li>Dust: Frequent and occasionally intense</li> <li>Odour: Frequent and occasionally intense</li> <li>Vibration: Possible ground-borne vibration, but cannot be perceived off-property</li> </ul>	<ul style="list-style-type: none"> <li>Outside storage permitted</li> <li>Medium level of production allowed</li> </ul>	<ul style="list-style-type: none"> <li>Open process</li> <li>Periodic outputs of minor annoyance</li> <li>Low probability of fugitive emissions</li> </ul>	<ul style="list-style-type: none"> <li>Shift operations permitted</li> <li>Frequent movements of products and/ or heavy trucks with the majority of movements during daytime hours</li> </ul>	<ul style="list-style-type: none"> <li>Magazine printing</li> <li>Paint spray booths</li> <li>Metal command</li> <li>Electrical production</li> <li>Manufacturing of dairy products</li> <li>Dry cleaning services</li> <li>Feed packing plants</li> </ul>
<b>Class III Heavy Industry</b>	<ul style="list-style-type: none"> <li>Noise: Sound frequently audible off property</li> <li>Dust: Persistent and/ or intense</li> <li>Odour: Persistent and/ or intense</li> <li>Vibration: Ground-borne vibration can frequently be perceived off-property</li> </ul>	<ul style="list-style-type: none"> <li>Outside storage of raw and finished products</li> <li>Large production levels</li> </ul>	<ul style="list-style-type: none"> <li>Open process</li> <li>Frequent outputs of major annoyances</li> <li>High probability of fugitive emissions</li> </ul>	<ul style="list-style-type: none"> <li>Continuous movement of products and employees</li> <li>Daily shift operations permitted</li> </ul>	<ul style="list-style-type: none"> <li>Paint and varnish manufacturing</li> <li>Organic chemical manufacturing</li> <li>Breweries</li> <li>Solvent recovery plants</li> <li>Soaps and detergent manufacturing</li> <li>Metal refining and manufacturing</li> </ul>

### 3.4.2 Requirements for Assessments

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

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





### 3.4.3 Recommended Minimum Separation Distances

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

## 4.0 Nearby Industries

The Guideline D-6 Separation distances from the Project site are shown in Figures 3a (1000 m Separation Distance) and 3b (300 m Separation Distance). SLR personnel conducted a site visit to the area on October 2, 2024. Local industries within 1 km of the Project site were inventoried. The lands surrounding the Project site are generally comprised of commercial, residential and employment uses.

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

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

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

Facility	Type of Operation	Environmental Compliance Approval No.	Industry Class	Area of Influence Dist. (m)	Actual Distance to Site (m)	Additional Assessment Required?
Castlefield Yard - City of Toronto Transportation Services Facility	Transportation Services	-	II	300	300	Yes
Ingram Asphalt	Asphalt Manufacturer	1300-BAHKY9	III	1000	885	Yes
GFL Environmental	Waste Management	7416-5RFLK9 6885-4ZKKYH	III	1000	885	Yes

<sup>3</sup> <https://www.accessenvironment.ene.gov.on.ca/AEWeb/ae/GoSearch.action>



The industries listed above were identified inside their Potential Area of Influence and, therefore, require additional assessment.

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

## 4.1 Class III Heavy Industries

The area within 1 km of the Project site was reviewed. As shown in Figure 3a, there are two Class III Heavy industries within 1 km of the Project site, namely GFL Environmental and Ingram Asphalt.

### 4.1.1 GFL Environmental

Address:	105-111 Ingram Dr
Distance To Project:	885 m
D-6 Classification:	Class III heavy industry

Green For Life (GFL) operates the Optimum Environmental Corporation municipal waste transfer station at 105-111 Ingram Drive, located approximately 885 m north of the Project site. The facility operates under MECP Environmental Compliance Approval (ECA) (Waste Disposal Sites) 7416-5RFLK9, dated June 6, 2022, and provided in Appendix B. The compliance approval is in the name of Optimum Environmental Corporation, which is part of the GFL Environmental companies. There is also an Environmental Compliance Approval (ECA) (Waste Management Systems) no. 6885-4ZKKYH dated August 13, 2001, belonging to Power Waste Service, provided in Appendix C. It is unconfirmed whether this organization is still in operation, has been acquired by GFL Environmental, or is no longer operating.

Based on the ECA (Waste Disposal Sites) dated June 6, 2022, the facility may operate seven days per week from 3:00 a.m. to 12:00 a.m. and receives solid, non-hazardous waste limited to construction and demolition waste and waste generated from industrial, commercial, and institutional sources. The facility may store up to 800 tonnes of waste at any given time. However, the facility is not permitted to accept any putrescible waste with the exception of incidental amounts of food waste and such incidental amounts of putrescible waste shall be removed from the facility within 24 hours or immediately if odorous. All waste transfer, processing, and storage must occur indoors, with the exception of certain types of construction materials, which may be stored outdoors. The facility must also follow the Dust Plan dated June 15, 2018.

During the site visit conducted by SLR personnel on October 2, 2024, SLR personnel noted dust on nearby roadways and intermittent, faint odours of waste at the property boundary. SLR personnel noticed unpaved roadways on the facility property as well as three open bay doors.

The facility is a large-scale operation with continuous movement of products/employees, including shift operations. It is expected that the emission sources have the potential to emit fugitive dust and odour.

Based on the size and nature of the above noted operations, the facility is considered a Class III Heavy Industry under MECP Guideline D-6, with a 1000 m Area of Influence and a 300 m Recommended Minimum Separation Distance. The Project lands are located within the 1000 m Area of Influence. Therefore, additional review and further analysis of the sources is warranted. The analysis is provided in subsequent sections of the report.



#### 4.1.2 Ingram Asphalt Inc.

Address:	103 Ingram Dr
Distance To Project:	885 m
D-6 Classification:	Class III heavy industry

The Ingram Asphalt facility is a hot mix asphalt plant located approximately 885 m north of the Project site. The facility operates under MECP Environmental Compliance Approval (“ECA”) (Air) No. 1300-BAHKY9 dated June 13, 2019, and amended on October 30, 2019, and July 26, 2022. A copy of the permits have been provided in Appendix D. Based on a review of the permit information, the asphalt facility is permitted to produce up to 1,800 tonnes of hot mix asphalt per day with a maximum of 100,000 tonnes per year.

Based on a review of the permit, the air quality sources at the facility include:

- Drying and mixing tower with a baghouse dust collector;
- Truck loading, silo transfers and filling, controlled by a vapour recovery system;
- Liquid asphalt cement storage tanks;
- Natural gas fired hot oil heater;
- Portable crushing plant, containing a crusher, screener, and stacker; and
- Other fugitive emissions resulting from receiving, movement, and shipping of materials and products.

SLR personnel conducted a site visit on October 2, 2024. During the site visit, SLR personnel noticed outdoor piles of fine materials such as aggregate as well as unpaved roads within the facility property. SLR personnel also observed wind blown dust conditions on nearby roadways. Odours from the facility were not detected at the time of the site visit.

The facility has the potential for fugitive emissions of odour and dust. Therefore, the Ingram Asphalt Inc. facility is considered to be a Class III Heavy Industry. The proposed site is within the potential 1000 m Area of Influence but is outside of the 300 m Recommended Minimum Separation Distance. Therefore, additional review and further analysis of Ingram Asphalt is warranted. The analysis is provided in subsequent sections of the report.

## 4.2 Class I Light and Class II Medium Industries

The area within 300 m of the Project site was reviewed. There is one Class II Medium Industry within 300 m of the Project site, as shown in Figure 3b, namely, the Castlefield Yard - City of Toronto Transportation Services Facility.

#### 4.2.1 Castlefield Yard – City of Toronto Transportation Services Facility

Address:	1401 Castlefield Rd
Distance To Project:	300m
D-6 Classification:	Class II Medium Industry



The Castlefield Yard is a City of Toronto Transportation Services Facility located approximately 300 m north of the Project site. A search of the MECP registry did not yield a registration or permit. Based on publicly available information, the Castlefield Yard is used for vehicle maintenance, refuelling, and storage, as well as materials storage.

SLR personnel conducted a site visit on October 2, 2024. During this site visit, SLR personnel did not observe any fugitive dust or odour emissions.

Based on the site visit, a review of aerial photography, and in-house SLR knowledge, the facility has the potential for air emissions from the following sources:

- Vehicle movement and idling;
- Vehicle fueling and repairs;
- Brine tanks; and
- Movement and storage of road maintenance materials such as road salt, gravel, and soil.

These operations have the potential to generate fugitive dust and odour emissions.

Due to the size and operations of this facility, including the large number of vehicles and outdoor storage of road maintenance materials, the facility is considered a Class II Medium Industry with a Potential Area of Influence of 300 m and a Recommended Minimum Separation Distance of 70m. The Project site falls outside the Recommended Minimum Separation Distance but within the Potential Area of Influence. Therefore, further assessment is warranted and is provided in subsequent sections of this report.

### 4.3 Propane Suppliers

As per the City of Toronto Zoning By-law 569-2013, dated September 2021, as amended:

*“i. In the EH zone, a propane transfer, handing, and storage facility pertains to facilities which transfer, handle, or store propane in quantities equal to or greater than 5,000 U.S. Water Gallons (USWG) on the lot, and:*

*(A) may be on a lot that is at least 500 metres from a lot in the Residential Zone category, Residential Apartment Zone category, Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone category, or Open Space Zone category; and*

*(B) is not a permitted manufacturing use that involves propane in the manufacturing process, or in the operation of equipment or vehicles that is not subject to regulation (A) above.”*

The area within 500 m of the Project site was reviewed. There is a propane supplier located within 500 m of the Project site, namely the Canadian Tire Corporation.

#### 4.3.1 Canadian Tire Corporation

Address:	2360 Eglinton Avenue West
Distance To Project:	145 m
D-6 Classification:	Propane Supplier



Canadian Tire is a large-scale retailer that is located approximately 145 m northwest of the Project site. Canadian Tire is located less than 500 m west of the property line and is a “propane supplier”.

SLR personnel conducted a site visit on October 2, 2024. During this site visit, SLR personnel confirmed that the propane vessel size is less than 5,000 USWG. Therefore, additional assessment of this operation is not warranted.

#### 4.4 Future Development Uses

A review of development applications in the area indicated that there are 100 active development applications within 1000 m of the Project site. The following is a summary of the significant applications and excludes committee of adjustment applications such as minor variance or consent and is presented in Figure 4. This information is reflective of those applications listed online at the City of Toronto [applications information centre](#) as of September 24, 2024:

**Table 4: Development Applications in the Area**

Address	Date	Development Application Information *	Details
2400 Eglinton Ave W	11/10/2023 19/02/2021	23 210768 WET 05 OZ 21 111665 WET 05 OZ	This application will provide an Amendment to the Official Plan for the lands designated as 2400 Eglinton Avenue West. The subject lands are designated as Mixed-Use Areas in the Official Plan. They are also designated as Block A of "Certain Lands in the vicinity of Eglinton Avenue West and Gabian Way" per OPA 253, in line with the Eglinton Connects Study. The Amendment proposes a new Site and Area Specific Policy for Block A that is fully aligned with the direction already provided in OPA 253 for Block A but providing further definition and details for key elements of site development including built form, phasing, public rights-of-way, and public realm.
2421 Eglinton Ave W	30/01/2019 30/01/2019	19 109790 WET 05 SA 19 109784 WET 05 OZ	Proposal for a 4-storey townhouse building containing 7 residential units. No parking is proposed.
2116 Eglinton Ave W	07/03/2021 14/09/2020	21 12403 NNY 08 OZ 20 192945 NNY 08 SA	Approved - Site Plan application for the proposal to permit a 9 storey building with 101 residential units including retail at grade. The proposal includes 23 resident parking spaces, and 107 bicycle parking spaces. The loading and the parking would be accessible from the existing laneway at the rear.
2485 Eglinton Ave W	20/03/2024	24 121747 WET 05 OZ	The application proposes a new 45-storey mixed-use building containing 500



Address	Date	Development Application Information *	Details
			residential units, and a residential Gross Floor Area of 31,327 square metres. The building will have a Floor Space Index of approximately 18.3 times the area of the lot, and a two-level underground parking garage.
1886 - 1920 Eglinton Avenue West	26/08/2024	20 185654 NNY 08 SA	Approved - Site Plan application to permit the proposal for a 9 storey mixed use building. The proposal has a total gross floor area of 14,207.5 square metres. 194 residential units and 1,201 square metres of ground-floor retail are proposed. The proposal includes 87 underground vehicle parking spaces and 235 bicycle spaces.
1875 - 1901 Eglinton Ave W, 137 Kirknewton Rd & 156 Dynevor Rd	19/09/2024	24 204279 STE 09 OZ	Combined Official Plan & Zoning By-law Amendments for a 32-storey mixed-use building with 422 residential dwelling units. The total Gross Floor Area is 32,455.8 square metres, including 946.1 square metres of retail, 121 parking spaces with three levels of underground parking and 1988 square metres of amenity space.
2636 Eglinton Ave W	22/12/2022 22/12/2022	22 241754 WET 05 OZ 22 241752 WET 05 SA	The development applications would permit a 33-storey mixed use building with height of 106.1 metres (112.1 inclusive of the mechanical penthouse), containing 370 dwelling units, 324 square metres of non-residential space, 63 parking spaces and 434 bicycle parking spaces within three levels of underground parking. The total proposed gross floor area is 22,529 square metres, resulting in a density of 16.7 times the area of the lot.
1860 - 1868 Keele Street	18/12/2021 27/01/2020	21 241239 WET 05 SA 20 109056 WET 05 OZ	Approved - Proposed development of a 16-storey mixed use building with 272 residential units and 393m <sup>2</sup> of retail space. The development would have a total gross floor area of 17460m <sup>2</sup> .
2402-2418 Dufferin St & 4-10 Ramsden Rd	08/11/2021 08/11/2021 08/11/2021	21 235229 NNY 08 OZ 21 235231 NNY 08 SB 21 235230 NNY 08 SA	Approved - Official Plan and zoning by-law amendment to facilitate the redevelopment of the site for a 24-storey mixed use building and a 9-storey apartment building. the proposed total non-residential gross floor area is 883 square metres, and the proposed residential gross floor area is 29053. A total of 405 units are proposed.



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

## 4.5 Summary

From the list of industries discussed in Section 4, three are identified to require further analysis as a result of being within their Area of Influence. These industries include:

- GFL Environmental;
- Ingram Asphalt Inc.; and
- Castlefield Yard – City of Toronto Transportation Services Facility.

## 5.0 Air Quality, Dust and Odour Assessment

### 5.1 Industrial Sources

#### 5.1.1 Guidelines and Regulations

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

#### 5.1.2 Air Quality

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

##### 5.1.2.1 Odour

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

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





The following factors may be considered:

- **Frequency** – How often the odour occurs. The MECP typically allows odours to exceed 1 OU with a 0.5% frequency.
- **Intensity** – The strength of the odour, in odour units. 1 OU is often used in odour assessments in Ontario.
- **Duration** – How long the odour occurs.
- **Offensiveness** – How objectionable the odour is.
- **Location** – Where the odour occurs. The MECP assesses at odours where human activity is likely to occur.

The MECP has decided to apply odour-based standards to locations “where human activities regularly occur at a time when those activities regularly occur,” which is generally accepted to be places that would be considered sensitive such as residences and public meeting places.

#### 5.1.2.2 Dust

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

#### 5.1.2.3 Cumulative Assessments

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

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

#### 5.1.2.4 Local Meteorology

Surface wind data was obtained to generate a wind rose from data collected at the Pearson International Airport in Toronto from 1991 through 2020, as shown in **Figure 5**. As can be seen in the wind rose, predominant winds are from the north through to the southwest quadrants, while winds from the northeast and southeast quadrants may be the least frequent.

### 5.1.3 Site Visits and Odour and Dust Observations

A site visit was conducted to the area on October 2, 2024, by SLR personnel to identify significant sources of air quality emissions and to identify any significant sources of odour or dust in the area surrounding the Project site. During the site visit, the staff members observed existing industries from the sidewalks and other publicly accessible areas. Wind conditions during the site visit were noted as:

- October 2, 2024 north westerly winds, 11 km/h, 14 °C, 69% RH





During the site visit, in the immediate vicinity of the GFL Environmental facility, SLR personnel noted dust on nearby roadways and intermittent, faint odours of waste at the property boundary. SLR personnel noticed unpaved roadways on the facility property as well as three open bay doors.

At the Ingram Asphalt facility, SLR personnel noticed outdoor piles of fine materials such as aggregate as well as unpaved roads within the facility property. SLR personnel also observed wind blown dust conditions on nearby roadways.

No odours or fugitive dust emissions were detected at the Project site during the site visit.

#### **5.1.4 Ministry of Environment, Conservation and Parks Facility Information**

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

SLR did not seek complaint history for the proposed Project site development for the following reasons:

- The Project site is not within the Recommended Minimum Separation Distance of any nearby industries;
- There are existing high-rise multi-residential buildings located at 33 Gabian Way and 2468 Eglinton West, approximately 370 m northwest of the Project site. These buildings are as close or closer to nearby industries of interest than the Project site. Therefore, the Project site will not introduce a new condition for compliance for surrounding industries of interest.

#### **5.1.5 Assessment of Potential Air Emissions**

The following facilities were identified as being within the Potential Area of Influence for their industrial classification and were identified to require additional review from an air quality perspective:

- GFL Environmental;
- Ingram Asphalt Inc.; and
- Castlefield Yard – City of Toronto Transportation Services Facility.

Further discussion regarding each of these facilities and potential air emissions is provided below.

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

##### **5.1.5.1 GFL Environmental**

Green For Life (GFL) operates the Optimum Environmental Corporation municipal waste transfer station at 105-111 Ingram Drive, located approximately 885 m north of the Project site. The facility operates under MECP Environmental Compliance Approval (ECA) (Waste Disposal Sites) 7416-5RFLK9, dated June 6, 2022, and provided in Appendix B.



The signs at the facility location are branded under the name GFL. Based on the ECA information, the facility is permitted to be used for the transfer and processing of solid, non-hazardous waste limited to construction and demolition waste and other waste generated from industrial, commercial and institutional sources.

During the site visit conducted by SLR personnel on October 2, 2024, SLR personnel noted dust on nearby roadways and intermittent, faint odours of waste at the property boundary. SLR personnel noticed unpaved roadways on the facility property as well as three open bay doors.

Section 13 (2) of the MECP permit states that “the Site shall not accept any putrescible waste with the exception of an incidental amount of food waste that may not be separated out of the waste stream. If an incidental amount of putrescible waste is accepted at the Site, it shall be removed from the Site within twenty-four (24) hours or immediately if the waste is odourous.”

Based on the permit information, the site is limited to receiving waste that has a low potential for odour generation. The site visit confirmed that odours were faint and inconsistent. No long-term storage of the waste materials is permitted on the property.

The MECP permit requires the Owner to conduct daily inspections to ensure that no off-site emissions of odour are present and resulting from the Facility operations. In addition, the facility is required to operate and maintain in compliance with the requirements of their MECP permit. The MECP determines compliance to be required at the property boundary, and any elevated receptor locations.

The Project site is located approximately 885 m south of the facility. This is almost three times the Recommended Minimum Separation Distance for a Class III facility (300m). There are existing sensitive receptors located nearer to the facility than the Project site, including within the Recommended Minimum Separation Distance.

There are existing elevated receptors located at the northwest corner of Caledonia Road and Lotherton Pathway, approximately 260 m east of the facility. There are mid-rise residences at the northeast corner of Ingram Drive and Keele Street, approximately 620 m east of the facility. There are also existing high-rise residences at the northeast corner of Eglinton Avenue West and Gabian Way, located approximately 780 m south of the facility. These residential facilities are located closer to the facility than the Project site.

A wind distribution diagram (wind rose) is provided in Figure 5. As can be seen in the provided wind rose, local winds primarily originate from the north and west, with winds from the south and northeast being less frequent. Many of the aforementioned sensitive receptors are located downwind of the facility.

Based on the above, it is anticipated that the Project site will be compatible with the GFL Environmental facility from an air quality perspective. In addition, emissions of dust, and/or odour at the Project site are not anticipated. The Project site is not anticipated to limit the ability of the GFL Environmental facility to obtain or maintain required MECP permits and/or approvals.

#### **5.1.5.2 Ingram Asphalt Inc.**

The Ingram Asphalt facility is a hot mix asphalt plant located approximately 885 m north of the Project site. The facility operates under MECP Environmental Compliance Approval (“ECA”) (Air) No. 1300-BAHKY9 dated June 13, 2019, and amended on October 30, 2019, and July 26, 2022. Copies of the permit have been provided in Appendix D. Based on a review of the permit information, the asphalt facility is permitted to produce up to 1,800 tonnes of hot mix asphalt per day with a maximum of 100,000 tonnes per year.



Based on a review of the permit, the air quality sources at the facility include:

- Drying and mixing tower with a baghouse dust collector;
- Truck loading, silo transfers and filling, controlled by a vapour recovery system;
- Liquid asphalt cement storage tanks;
- Natural gas fired hot oil heater;
- Portable crushing plant, containing a crusher, screener, and stacker; and
- Other fugitive emissions resulting from receiving, movement, and shipping of materials and products.

The facility has the potential for fugitive emissions of odour and dust. Therefore, the Ingram Asphalt Inc. facility is considered to be a Class III Heavy Industry.

The Project site is within the 1000 m Potential Area of Influence but is almost three times the Recommended Minimum Separation Distance (300 m) from the facility.

SLR personnel conducted a site visit on October 2, 2024. During the site visit, SLR personnel noticed outdoor piles of fine materials such as aggregate as well as unpaved roads within the facility property. SLR personnel also observed wind blown dust conditions on nearby roadways. Odours from the facility were not detected at the time of the site visit.

On October 27, 2020, the MECP implemented The Asphalt Mix, Industry Standard<sup>4</sup> as a technical standard for the purposes of O. Reg. 419/05 (Air Pollution – Local Air Quality) made under the Environmental Protection Act, R.S.O. 1990, c. E.19. This standard is intended to regulate best practices at asphalt-related facilities and minimize air, odour, and dust emissions. The draft standard includes:

- performance limits (such as asphalt mix temperature limits);
- requirements for emissions control technology for Volatile Organic Compounds (VOC) and metal emissions;
- requirements to enclose certain operations within the facility;
- requirements for baghouse or wet scrubbers for drum-mix and batch-mix processes;
- reporting requirements;
- measurement and monitoring requirements of control equipment and their operating parameters;
- maintenance and inspection requirements; and
- requirements for a BMPP for odour and particulate matter.

It is assumed that the Ingram Asphalt facility is in compliance with the draft standard. The Ingram Asphalt facility maintains a BMPP.

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<sup>4</sup> [Technical Standards to Manage Air Pollution: Asphalt mix - Industry standard | Ontario.ca](https://www.ontario.ca/gov/technical-standards-manage-air-pollution-asphalt-mix-industry-standard)



The Project site is more than 500 m from the asphalt facility and therefore, would not trigger the requirement of an Odour Management Plan under the guideline. The 500 m requirement in the standard suggests that odour impacts outside the 500 m buffer are low. However, there are existing sensitive receptors within the 500 m buffer and therefore, the facility maintains a BMPP.

Particulate matter at this facility is controlled by a cyclone exhausting into a baghouse dust collector equipped with 732 square meters of nomex filter material and a jet pulse air cleaning mechanism. Odour at this facility is controlled using Ecosorb additive mixing with liquid asphalt cement. According to the ECA Operation and Maintenance Manual, the facility must take all appropriate measure to minimize odours emissions for all potential sources.

There are existing elevated receptors located at the northwest corner of Caledonia Road and Lotherton Pathway, approximately 260 m east of the facility. There are mid-rise residences at the northeast corner of Ingram Drive and Keele Street, approximately 620 m east of the facility.

There are also existing high-rise residences at the northeast corner of Eglinton Avenue West and Gabian Way, located approximately 780 m south of the facility. These residential facilities are located closer to the facility than the Project site.

A wind distribution diagram (wind rose) is provided in Figure 5. As can be seen in the provided wind rose, local winds primarily originate from the north and west, with winds from the south and northeast being less frequent. Many of the aforementioned sensitive receptors are downwind of the facility.

Most air emissions emitted from this site will be fugitive in nature and anticipated to be at a relatively low elevation when dispersed off site. Therefore, it is not anticipated that the air emissions will impact elevated points of reception that may be associated with the proposed high-rise residential blocks at the Project site.

Based on the above, the Project site is anticipated to be compatible with the Ingram Asphalt facility. In addition, emissions of dust, and/or odour at the Project site are not anticipated. The Project site is not anticipated to limit the ability of Ingram Asphalt to obtain or maintain required MECP permits and approvals.

#### **5.1.5.3 Castlefield Yard – City of Toronto Transportation Services Facility**

The Castlefield Yard is a City of Toronto Transportation Services Facility located approximately 300 m north of the Project site. A search of the MECP registry did not yield a registration or permit. Based on publicly available information, the Castlefield Yard is used for vehicle maintenance, refuelling, and storage, as well as materials storage.

SLR personnel conducted a site visit on October 2, 2024. During this site visit, SLR personnel did not observe any fugitive dust or odour emissions.

Based on the site visit, a review of aerial photography, and in-house SLR knowledge, the facility has the potential for air emissions from the following sources:

- Vehicle movement and idling;
- Vehicle fueling and repairs;
- Brine tanks; and
- Movement and storage of road maintenance materials such as road salt, gravel, and soil.



Vehicle repair shops are regulated under Ontario Regulation 347/12: Regulations under part II.2 of the Ontario Environmental Protection Act – Automotive Refinishing. The MECP has a specific Environmental Activity and Sector Registry for this industry with specific operating conditions required which reduces emissions and requires the use of non-solvent water-based paints. These facilities are typically considered a Class I light industry.

Due to the outdoor storage at the Castlefield Yard, the facility is considered a Class II Medium Industry.

In addition to the vehicle repair operations at this facility, additional operations include the movement and storage of vehicles as well as storage of road maintenance materials. These operations have the potential to generate fugitive dust and odour emissions.

The Castlefield Yard is located over four times the Recommended Minimum Separation Distance for a Class II facility (70 m) from the Project site. The yard is located on the edge of the Potential Area of Influence (300 m).

There are existing low-density residences located approximately 50 m south of the facility, six times closer than the Project site. The Project site is buffered from the facility by low-density residential developments.

Significant emissions of dust or odour from the facility are not anticipated. It is anticipated that any potential emissions will be fugitive in nature and anticipated to be at a relatively low elevation when dispersed off site. Furthermore, it is expected that any fugitive dust emissions or material handling emissions such as fugitive dust will have limited buoyancy and will “fall out” near the vicinity of the source(s) and along adjacent streets.

Therefore, it is anticipated that if nearby residential developments are compatible with the facility, the Project site will also be compatible with the facility.

Based on the above, the Project site is anticipated to be compatible with the facility and is not anticipated to limit the ability of the facility to obtain or maintain required MECP permits or approvals.

#### **5.1.5.4 Nearby Residential Developments**

The majority of the significant development applications listed in Section 4.4, as well as the Project site, are proposals for mixed-use or residential developments.

Based on SLR experience with similar developments, the proposed new buildings, including the Project site will include mechanical heating, ventilation, and air conditioning systems. These systems will be designed to ensure that the applicable MECP air quality regulations, standards and guidelines are met off-site and at the building itself. If required (depending on the type and size of systems used), an MECP ECA or EASR will need to be obtained.

Therefore, the air quality emissions from new mixed use facility sources at the Project site are not anticipated. Further, the Project site uses are anticipated to be compatible with other mixed-use developments.

#### **5.1.5.5 Future Uses**

The potential exists for industries to turn over, therefore SLR completed a review of City of Toronto Zoning By-law No. 569-2013 Chapter applicable Chapter 60.20 Employment uses and have classified the uses in accordance with the MECP D-6 Guidelines.



**Table 5: D-6 Classification of Proposed City of Toronto Zoning By-law No. 569-2013  
Chapter 60.20 - Employment Uses**

Land Use	Type of Operation	Industry Class	Area of Influence Distance (m)	Recommended Minimum Separation Distance (m)
Ambulance Depot	N/A	N/A	N/A	N/A
Animal Shelter	If completed with outdoor animal runs maybe considered as an industry. Expected to be self-contained minimal air/noise emissions	I	70	20
Artist Studio	Self-contained minimal air/noise emissions	I	70	20
Bindery	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Building Supply Yards	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Carpenter's Shop	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Cold Storage	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Contractor's Establishment	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Custom Workshop	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Dry Cleaning or Laundry Plant	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Financial Institution	N/A	N/A	N/A	N/A
Fire Hall	N/A	N/A	N/A	N/A
Industrial Sales and Service Use	N/A	N/A	N/A	N/A
Kennel	Self-contained minimal air/noise emissions	I	70	20
Laboratory	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70



Land Use	Type of Operation	Industry Class	Area of Influence Distance (m)	Recommended Minimum Separation Distance (m)
All Manufacturing Uses with prohibitions to facilities primarily classified as a Class III use	Classification depends on intensity. Given prohibitions listed, expected to be a Class I or Class II industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Office	N/A	N/A	N/A	N/A
Park	Typically a Sensitive Receptor	N/A	N/A	N/A
Performing Arts Studio	N/A	N/A	N/A	N/A
Pet Services	N/A	N/A	N/A	N/A
Police Station	N/A	N/A	N/A	N/A
Printing Establishment	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Production Studio	Self-contained minimal air/noise emissions	I	70	20
Public Works Yard	MECP Permits required for emissions to atmosphere	II	300	70
Service Shop	Self-contained minimal air/noise emissions	I	70	20
Software Development and Processing	Self-contained minimal air/noise emissions	I	70	20
Warehouse	Self-contained minimal air/noise emissions	I	70	20
Wholesaling Use	Self-contained minimal air/noise emissions	I	70	20

Some additional uses are also permitted under Chapter 60.20,20,20 (1), however these uses are permitted with constraints that would result in the potential D6 Industry classification as Class I.

SLR also completed a review of the Former City of York By-Law No. 1-83 Prestige Employment ("PE") and Former City of North York By-Law No. 7625 Industrial Zone ("M").





**Table 6: D-6 Classification of Former City of York Zoning By-law No. 1-83  
Prestige Employment Zones PE - Permitted Uses**

Land Use	Type of Operation	Industry Class	Area of Influence Distance (m)	Recommended Minimum Separation Distance (m)
Business Service Establishment	N/A	N/A	N/A	N/A
Day Nurseries	Typically a Sensitive Receptor	N/A	N/A	N/A
Design Centre	N/A	N/A	N/A	N/A
Industrial Uses	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II or III	70 or 300 or 1000	20 or 70 or 300
Offices	N/A	N/A	N/A	N/A
Motor Vehicle Sales and Rentals	Classification depends on intensity. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Recreational Uses	Typically a Sensitive Receptor	N/A	N/A	N/A
Offices	N/A	N/A	N/A	N/A
Restaurants	N/A	N/A	N/A	N/A
Retail Stores	N/A	N/A	N/A	N/A

Based on the above employment characteristics, existing surrounding sensitive land uses, size, and nature of the possible employment land uses, the majority of the possible uses are considered a Class I Light Industries under MECP Guideline D-6, with a 70 m Area of Influence and a Recommended Minimum Separation Distance of 20 m. Depending on the intensity of the employment uses, Class II Medium Industries or Class III Heavy Industries may also occur. Under MECP Guideline D-6, Class II industries have a 300 m Area of Influence, and a Recommended Minimum Separation Distance of 70 m. Class III Heavy Industries have a 1000m Potential Area of Influence and a 300m Recommended Minimum Separation Distance.

The nearest lands to the Project site covered under the Former City of York By-Law No. 1-83 are located approximately 230 m north of the Project site. This is outside the Recommended Minimum Separation Distance of Class I Light Industries and Class II Medium Industries, which are most likely to be developed in the area.

The nearest lands to the Project site covered under the Former City of North York By-Law No. 7625 are located approximately 600m north of the Project site. This is outside the Recommended Minimum Separation Distance of Class I Light Industries, Class II Medium Industries, and Class III Heavy Industries.

Facilities with significant emission to atmosphere are required, under the Environmental Protection Act, to ensure compliance with the applicable Provincial air quality regulations at all existing sensitive receptors and any elevated receptor locations.





Based on this, it is expected that the Project site will be outside the Recommended Minimum Separation Distance of the majority of potential future uses. Furthermore, any future uses with significant emissions to the atmosphere must ensure compliance with the applicable Provincial air quality regulations at the Project site. Therefore, it is anticipated that the Project site will be compatible with future uses.

#### **5.1.5.6 Vacant Lots**

A vacant land parcel is located at the northwest corner of Gilbert Avenue and Keith Avenue. This property is located approximately 180 m south of the Project site. A review of the Toronto Application Information Centre<sup>5</sup> did not identify any active development applications for the lands. The property is zoned Prestige Employment ("PE") under the Former City of York Zoning By-Law No. 1-83. As can be seen in Table 6, the majority of permitted land uses are considered to be Class I Light Industries with a Potential Area of Influence of 70 m and a Minimum Separation Distance of 20 m. The proposed Project site is outside the Potential Area of Influence and therefore, is anticipated to be compatible with future potential uses.

There is another vacant land parcel located at 8 Preston Road. A review of the Toronto Application Information Centre did not identify any active development applications for the lands. The property is zoned as Residential Multiple Dwelling ("RM"). Therefore, it is anticipated that the Project site will be compatible with future developments on this land parcel.

#### **5.1.5.7 Existing Project Site Lands**

The Project Site is currently occupied by a commercial pharmacy and retail store, Shoppers Drug Mart. Riverdale Shopping Centre. This building includes mechanical heating, ventilation, and air conditioning systems.

The proposed new building will include mechanical heating, ventilation, and air conditioning systems. These systems will be designed to ensure that the applicable MECP air quality regulations, standards and guidelines are met off-site and at the building itself. If required (depending on the type and size of systems used), an MECP ECA or EASR will need to be obtained. This is no different from any other similar development.

Overall, adverse air quality emissions from new facility sources on the surroundings and on itself are not anticipated.

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<sup>5</sup> <https://www.toronto.ca/city-government/planning-development/application-information-centre/>



## 5.2 Transportation Related Air Pollution

Transportation related air pollution (TRAP) is generally considered in background pollution levels, however, based on recent studies conducted by Toronto Public Health (TPH), the City of Toronto is starting to look more closely at TRAP and its potential air emissions on new residential developments near major highways and roadways. The 2017 Toronto Public Health *'Avoiding the Trap' Technical Report – Land Use Planning at the Project site Level* and *"Operational and Behaviour strategies in Buildings"* document notes that TRAP is a major local contributor to air pollution in Toronto and can result in adverse health outcomes for people residing near highways and roadways.

Common mitigation strategies for TRAP include filtration, strategic intake/amenity location, HVAC system operational procedures (i.e. timing around rush hour), physical barriers and vegetation buffers.

The City of Toronto document entitled *Reducing Health Risks from Traffic Related Air Pollution (TRAP)* in Toronto, October 16, 2017<sup>6</sup> identifies that:

"Exposures to traffic-related air pollution (TRAP) are highest near highways and busy roads. The health literature indicates that health risk from TRAP is higher within 500 metres of highways with an average daily traffic volume of 100,000 vehicles or more, and within 100 metres of arterial roads with an average daily traffic volume of 15,000 vehicles or more."

The report recommends that City Staff

"develop guidance to assist appropriate City agencies, corporations, and divisions in establishing traffic-related air pollution mitigation measures at City owned sites located within 500 metres of roads with annual average traffic volumes of 100,000 vehicles or more per day, and within 100 metres of roads with annual average traffic volumes of 15,000 vehicles or more per day; and

develop best practices guidelines for new and existing buildings, in consultation with industry professionals, and raise awareness of these practices among school board staff, childcare centre operators, long-term care facility operators, and residents, as well as builders, developers, designers, architects, engineers and other professionals"

At this time, there is no guidance related to addressing TRAP within potential exposure zones.

### 5.2.1 Arterial Roadways

The surrounding arterial roadways within the potential 100 m TRAP exposure zone include Eglinton Avenue West and Caledonia Road. The 2034 forecasted AADT for Eglinton Avenue West is 26,263. The 2034 forecasted AADT for Caledonia Road is 14,997. Based on forecasting, only Eglinton Avenue West is expected to exceed the AADT values of 15,000. However, the AADT of Caledonia Road is three vehicles short of the 15,000 AADT threshold. Therefore, Caledonia Road is conservatively considered in this assessment.

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<sup>6</sup> <https://www.toronto.ca/legdocs/mmis/2017/pe/bgrd/backgroundfile-108665.pdf>



SLR has experience with responding to City requests for detailed quantitative TRAP studies. To date, the City has only requested quantitative detailed TRAP studies to be completed for developments located within 100 m of major highways with average traffic volumes of 100,000 vehicles or more per day. Therefore, a detailed TRAP assessment is not warranted for the Project site.

The potential exists for TRAP emissions from the surrounding arterial roadways. Therefore, it is recommended that a Warning Clause and receptor based physical mitigation measures be included in the architectural design of the Project site structures. A summary of the mitigation measures and Warning Clauses is provided in Appendix E.

### **5.2.2 GO Line**

The GO Transit Newmarket Subdivision transportation rail corridor (UT), also known as the Barrie Line runs west of the Project site. The subdivision currently consists of a single track used for through traffic of passenger trains.

The closest existing points of reception are residences along Croham Road, Blackthorn Avenue, and Gilbert Avenue. These residences are adjacent to the rail corridor, which is closer than the Project site, located approximately 100 m away.

Since there is no idling of rail cars associated with storage and yard facilities along this corridor, air emissions from the GO Barrie Line are not anticipated to impact the Project site.

## **5.3 Summary of Air Quality, Dust and Odour Conclusions and Recommendations**

The potential for air quality emissions at the Project Site including dust and odour have been assessed.

It is recommended that a Warning Clause and receptor based physical mitigation measures be included in the architectural design of the Project site structures. The mitigation measures include strategic location of fresh air intakes facing away from Eglinton Avenue West and Caledonia Road. Physical mitigation measures include installation of carbon and MERV rated filters and positive pressurization of the building. A summary of the mitigation measures and the Warning Clause is provided in Appendix E.

With the inclusion of the at receptor mitigation, the Project Site is anticipated to be compatible with the surrounding land uses.

## **6.0 Conclusions**

SLR Consulting (Canada) Ltd. (SLR), was retained by 1764174 Ontario Inc., to conduct a Compatibility / Mitigation Study focusing on air quality, odour, and dust in support of a Zoning By-law Amendment (ZBA) application for the proposed development. The development site is located at 2343 Eglinton Avenue West in Toronto, Ontario ("the Project site").

This assessment is intended to address the requirement for an air quality, odour, and dust study as well as the Land Use Compatibility/Mitigation study Terms of Reference of the City of Toronto OPA 231 ("the OPA 231 ToR").

This assessment has considered:

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



A detailed environmental noise and vibration assessment for the proposed development was completed by SLR and provided in a separate report entitled, "Environmental Noise & Vibration Assessment", and dated March 26, 2025.

It is recommended that a Warning Clause and receptor based physical mitigation measures be included in the architectural design of the Project site structures. The mitigation measures include strategic location of fresh air intakes facing away from Eglinton Avenue West and Caledonia Road. Physical mitigation measures include installation of carbon and MERV rated filters and positive pressurization of the building. A summary of the mitigation measures and the Warning Clause is provided in Appendix E.

With the inclusion of the at receptor mitigation, the Project site is anticipated to be compatible with the surrounding land uses from an air quality perspective. Further, the Project site will not affect the ability for industrial facilities to obtain or maintain compliance with applicable Provincial environmental policies, regulations, approvals, authorizations, and guidelines.

The requirements of MECP Guideline D-6 and Regulation 419/05 are met. As the applicable policies and guidelines are met, the Project site is:

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

## 7.0 Closure

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

Regards,

**SLR Consulting (Canada) Ltd.**



**Alice Najjar, B.A.**  
Scientist, Air Quality



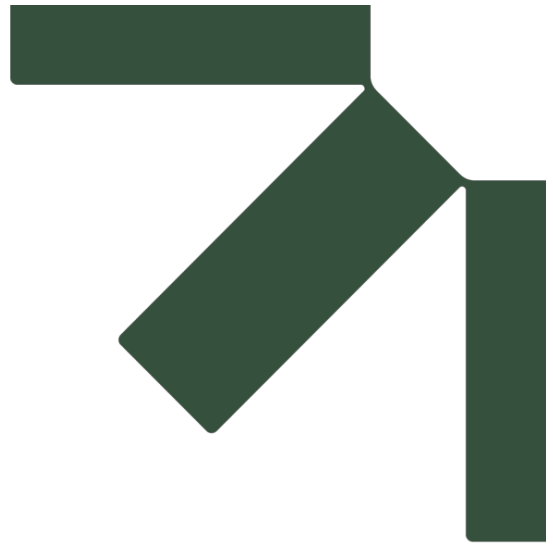
**Diane Freeman, P.Eng, FEC, FCAE**  
Principal, Air Quality



## 8.0 References

- Environmental Commissioner of Ontario (ECO, 2010), *Review of Posted Decision: Developing an Odour Policy Framework*, April 2010.
- Ontario Ministry of the Environment, Conservation & Parks (MECP, 1995), Guideline D-1: *Land Use Compatibility*
- Ontario Ministry of the Environment, Conservation & Parks (MECP, 1995), Guideline D-6: *Compatibility Between Industrial Facilities and Sensitive Land Uses*
- Ontario Ministry of the Environment, Conservation & Parks (MECP, 2008), *Technical Bulletin, Standards Development Branch, Methodology For Modelling Assessments Of Contaminants With 10-Minute Average Standards And Guidelines Under O. Reg. 419/05*, September 2016
- Ontario Ministry of Municipal Affairs and Housing (MMAH, 2024). *Provincial Policy Statement*
- Ontario Ministry of the Environment, Conservation & Parks (MECP, 2008), *Technical Bulletin, Standards Development Branch, Methodology For Modelling Assessments Of Contaminants With 10-Minute Average Standards And Guidelines Under O. Reg. 419/05*, April 2008.
- Ontario Regulation 419/05 – *Local Air Quality*.





# Figures

## **Compatibility Mitigation Study and Air Quality, Odour and Dust Study**

2343 Eglinton Avenue W, Toronto

**1764174 Ontario Inc.**



SLR Project No.: 241.031162.00001

March 26, 2025



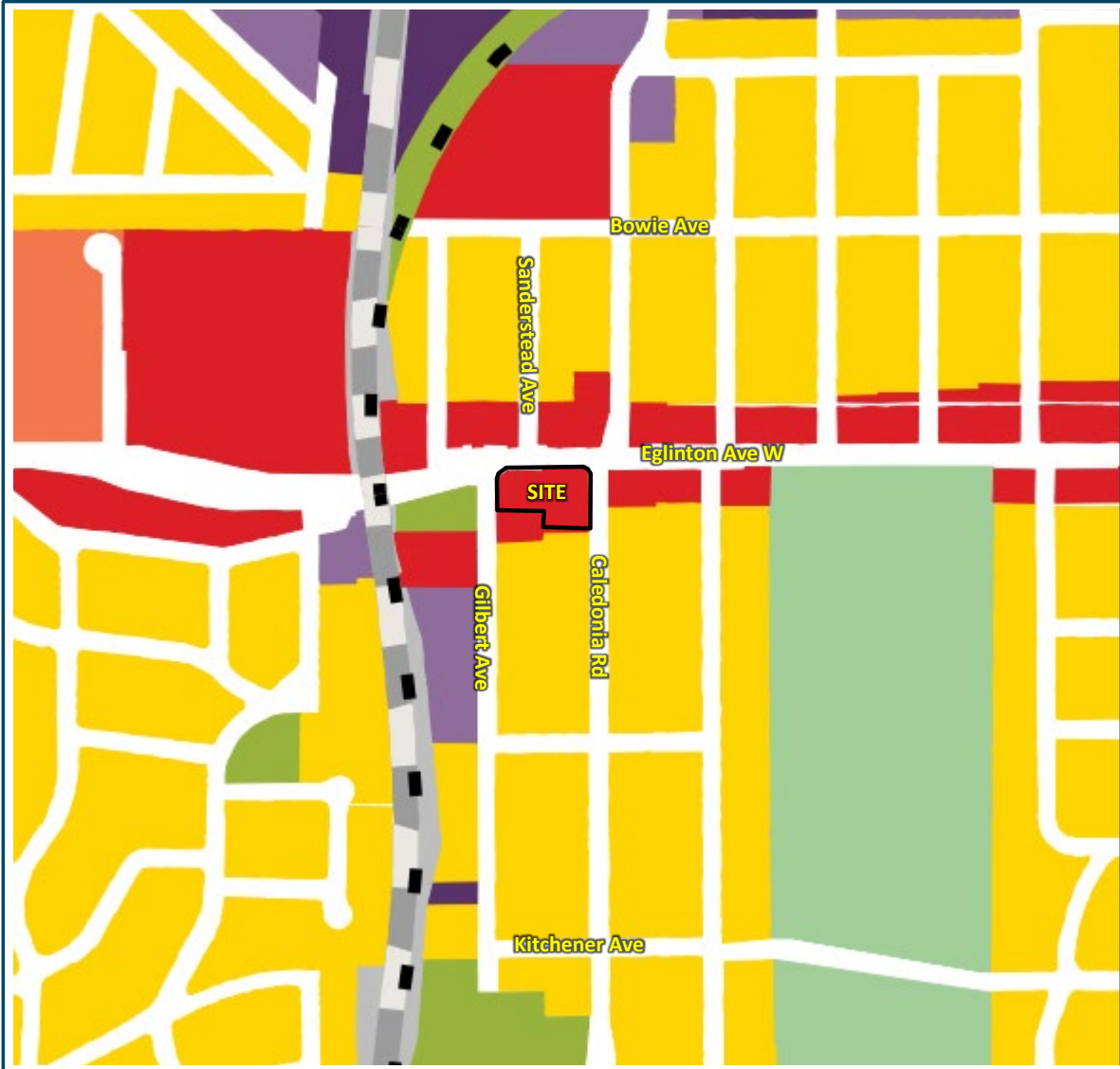


Aerial Photography from Bing

1764174 ONTARIO INC.		Scale: 1:1,500		METRES	
2343 EGLINTON AVENUE WEST, TORONTO		Date: Mar. 26, 2025	Rev 0.0	Figure No. <b>1a</b>	
SITE AND CONTEXT PLAN		Project No. 241.031162.00001			







**Land Use Designations**

- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Natural Areas
- Parks
- Other Open Space Areas (Including Golf Courses, Cemeteries, Public Utilities)
- Institutional Areas
- Regeneration Areas
- General Employment Areas
- Core Employment Areas
- Utility Corridors

True North

1764174 ONTARIO INC.

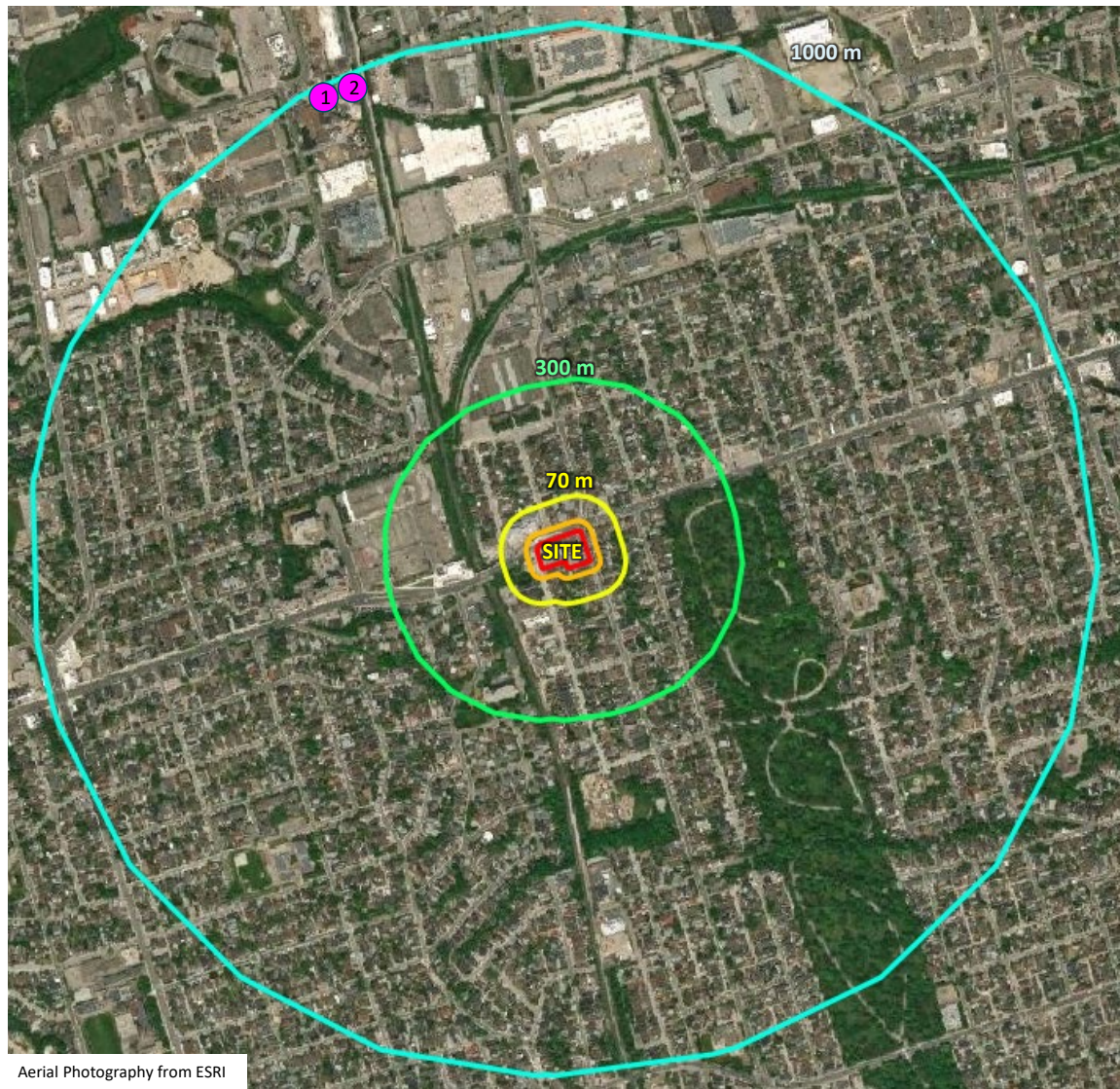
2343 EGLINTON AVENUE WEST,  
TORONTO

EXCERPT FROM OFFICIAL  
PLAN MAP

Scale:	n/a	METRES
Date: Mar. 26, 2025	Rev 0.0	Figure No.
Project No. 241.031162.00001		<b>2a</b>







● Facility

1. GFL Environmental
2. Ingram Asphalt

True North



1764174 ONTARIO INC.

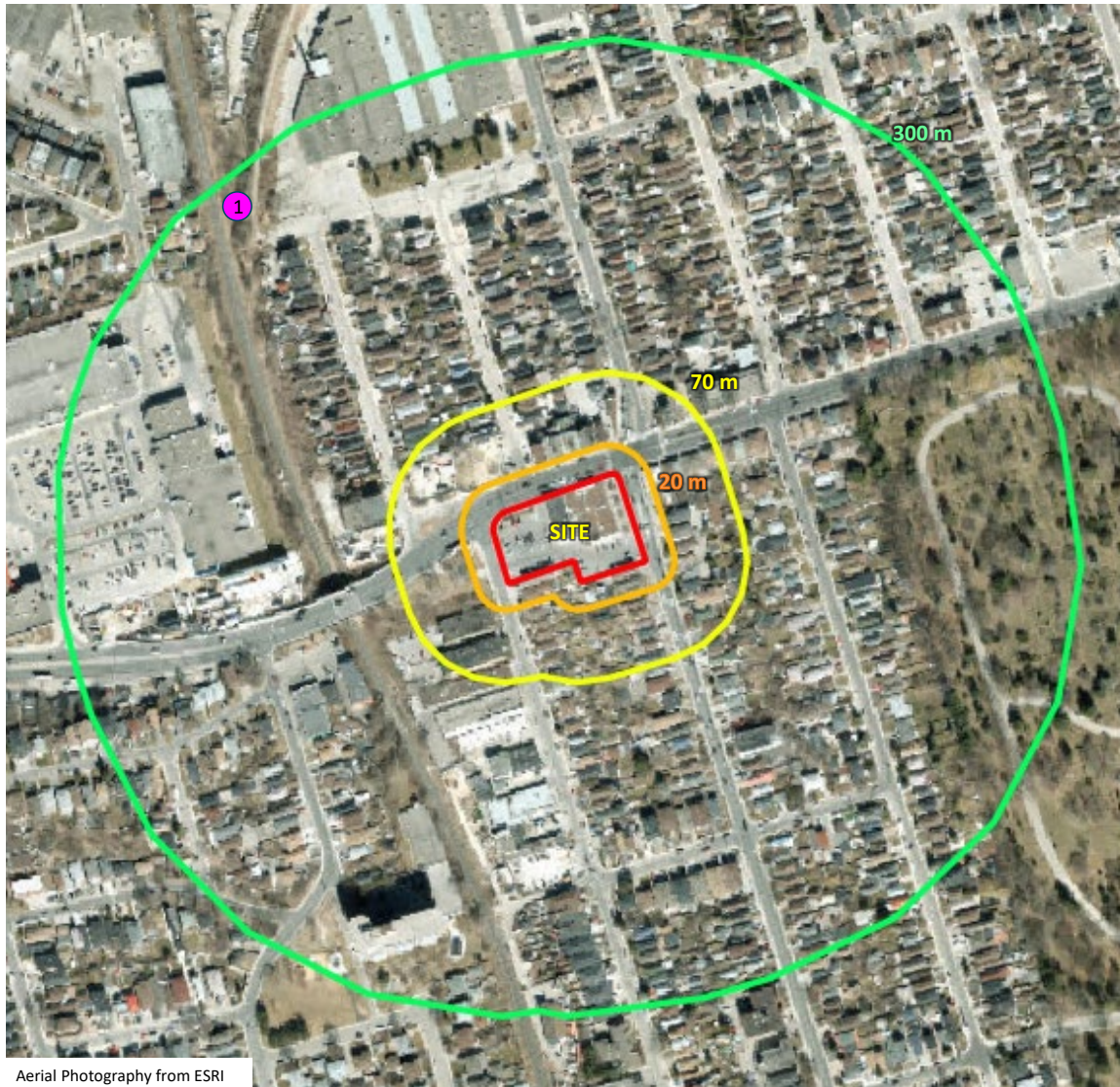
2343 EGLINTON AVENUE WEST,  
TORONTO

GUIDELINE D-6 SEPARATION  
DISTANCES TO 1000 METRES

Scale:	1: 10,000	METRES
Date: Mar. 26, 2025	Rev 0.0	Figure No.
Project No. 241.031162.00001		<b>3a</b>







Aerial Photography from ESRI



Facility

1. City of Toronto Transportation Services Facility

True North



1764174 ONTARIO INC.

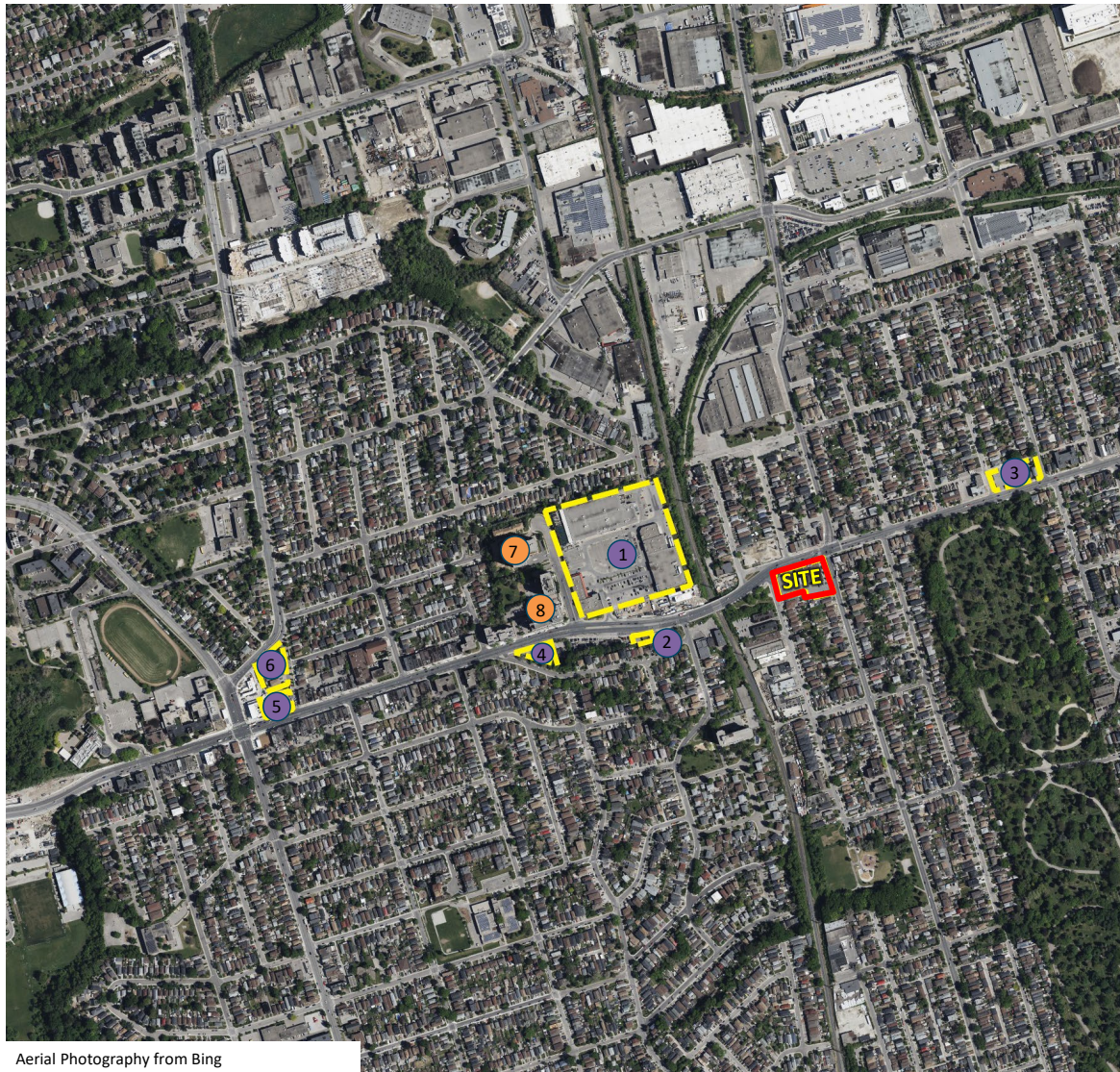
2343 EGLINTON AVENUE WEST,  
TORONTO

GUIDELINE D-6 SEPARATION  
DISTANCES TO 300 METRES

Scale:	1: 10,000	METRES
Date: Mar. 26, 2025	Rev 0.0	Figure No.
Project No. 241.031162.00001		<b>3b</b>







Aerial Photography from Bing

- Proposed Residential/Mixed Use Development
  - Existing High-Density Residential Development
1. 2400 Eglinton Avenue West
  2. 2421 Eglinton Avenue West
  3. 2116 Eglinton Avenue West
  4. 2485 Eglinton Avenue West
  5. 2636 Eglinton Avenue West
  6. 1860-1868 Keele Street
  7. 33 Gabian Way
  8. 2468 Eglinton Avenue West

True North



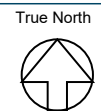
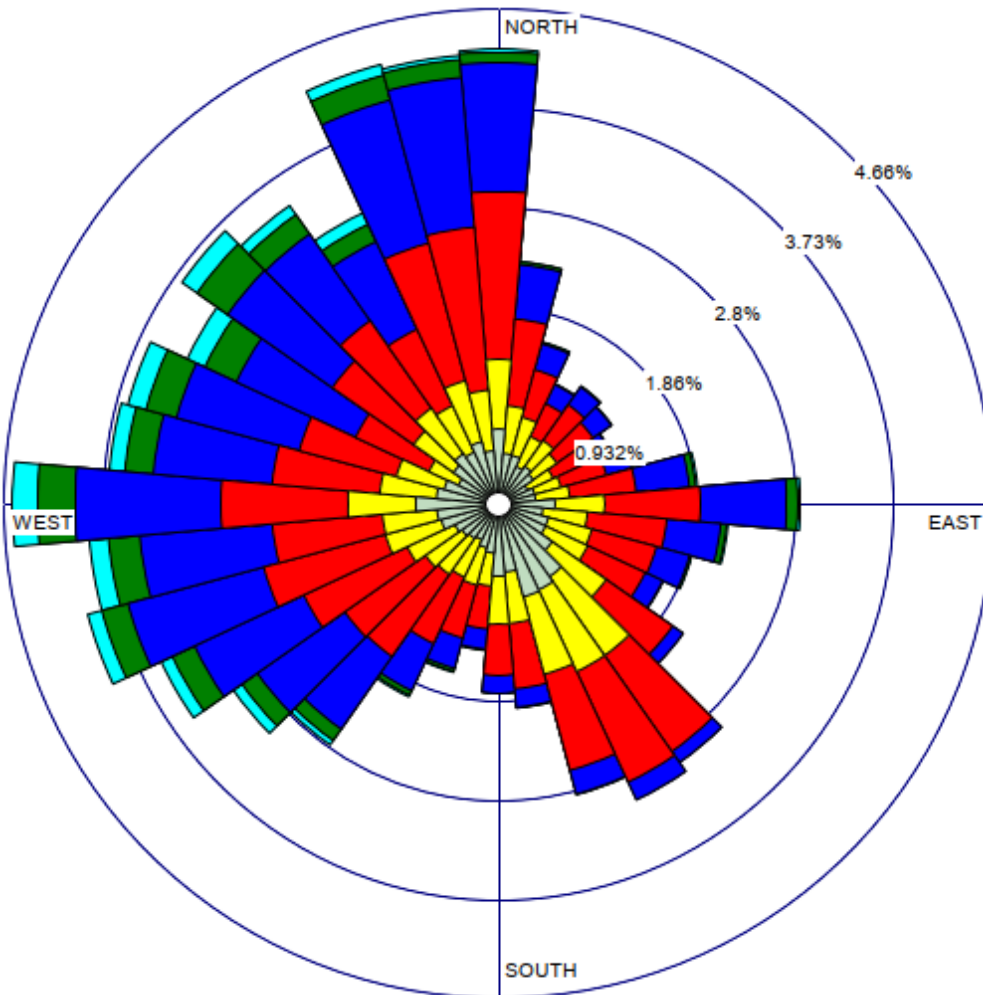
1764174 ONTARIO INC.

2343 EGLINTON AVENUE WEST,  
TORONTO

#### FUTURE DEVELOPMENTS

Scale:	1: 10,000	METRES
Date: Mar. 26, 2025	Rev 0.0	Figure No.
Project No. 241.031162.00001		<b>4</b>





1764174 ONTARIO INC.

2343 EGLINTON AVENUE WEST,  
TORONTO

WIND FREQUENCY  
DISTRIBUTION DIAGRAM  
(WIND ROSE)  
TORONTO LESTER B PEARSON  
INT'L AIRPORT 1991-2020

Scale:	n/a	METRES
Date: Mar. 26, 2025	Rev 0.0	Figure No.
Project No. 241.031162.00001		<b>5</b>





# Appendix A Industry List

## **Compatibility Mitigation Study and Air Quality, Odour and Dust Study**

2343 Eglinton Avenue W, Toronto

**1764174 Ontario Inc.**

SLR Project No.: 241.031162.00001

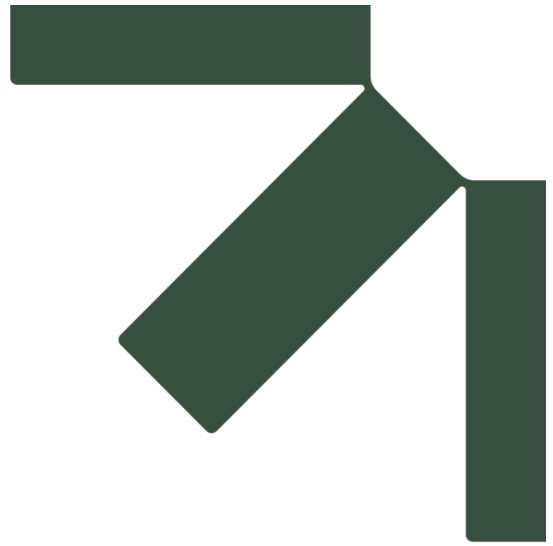
March 26, 2025

## Land Uses Surrounding 2343 Eglinton

Name	Address	Description	MECP ECA or EASR No. (Date)	MECP Guideline D-6					
				Class	A of I	R M S	Actual Dist.	Within A of I?	Within R M S?
City of Toronto Transportation Services Facility	1401 Castlefield Rd	Transportation Services		II	300	70	300	Yes	-
Ingram Asphalt	103 Ingram Dr	Asphalt Manufacturer	1300-BAHKY9	III	1000	300	885	Yes	-
GFL Environmental	109-111 Ingram Dr	Waste Management	7416-5RFL9 6885-4ZKKYH	III	1000	300	885	Yes	-
Mkt	1381 Castlefield Ave	Furniture Store		I	70	20	300	-	-
Peter's Volkswagen Service	1151 Roselawn Ave	Auto Sales		I	70	20	980	-	-
Luxury Auto Sales	1171 Roselawn Ave	Used Car Dealer		I	70	20	950	-	-
Assurance Collision Repair	1173 Roselawn Ave	Auto Body Shop		I	70	20	900	-	-
Carols Cheesecake Company Ltd	1272 Castlefield Ave	Bakery		I	70	20	765	-	-
AyA Castlefield	1290 Castlefield Ave	Kitchen Remodeller		I	70	20	680	-	-
Lowe's Companies Canada Rona	1300 Castlefield Ave	Commercial	L-232-1208158617 0035-72DRKC 1370-6U3QBX 5264-8F2NAY	I	70	20	750	-	-
Rose E Dee International	1450 Castlefield Rd	Textile Wholesale		I	70	20	715	-	-
Cars in Motion Auto Sales D&M Auto	1460 Castlefield Ave	Car Dealer Auto Repair		I	70	20	615	-	-
MySleep Furniture Corporation	15 Ingram Dr	Furniture Store		I	70	20	930	-	-
Crown Lift Truck Service	16 Northwestern Ave	Forklift Rental Service		I	70	20	855	-	-
Ginos No Frills	1951 Eglinton Ave W	Grocery Store		I	70	20	750	-	-
Dial Auto Parts	2120 Eglinton Ave W	Auto parts store		I	70	20	280	-	-
Caledonia GO Station	2322 Eglinton Ave W	Train Line		I	70	20	150	-	-
Freshco	2330 Eglinton Ave W	Grocery Store		I	70	20	190	-	-
Fil Euro Bakery	2348 Dufferin St	Bakery		I	70	20	950	-	-



Name	Address	Description	MECP ECA or EASR No. (Date)	MECP Guideline D-6					
				Class	A of I	R M S	Actual Dist.	Within A of I?	Within R M S?
Dupont Kitchen and Bath Fixtures	2397 Eglinton Ave W	Bathroom Supply Store		I	70	20	115	-	-
Active Green + Ross Automotive Center	2401 Eglinton Ave W	Car Repair and Maintenance		I	70	20	145	-	-
Caldense Bakery	2406 Eglinton Ave W	Bakery		I	70	20	200	-	-
Viselco Auto Centre	2485 Eglinton Ave W	Auto Repair Shop		I	70	20	410	-	-
Canada Goose Headquarters Mead School and Office Products	250 Bowie Ave	Corporate Office	3012-6LYPH7 (2006) (EASR for previous building use)	I	70	20	250	-	-
J.B. Motorsports	37 Clarkson Ave	Auto Repair Shop		I	70	20	460	-	-
PJB Construction Ltd	420 Gilbert Ave	Millwork Shop		I	70	20	360	-	-
Clear Ice Solid Blocks Inc.	464 Gilbert Ave	Ice Supplier	N/A	I	70	20	135	-	-
Elite Auto Collision Night Train Auto	47 Ingram Dr	Auto Repair Shop		I	70	20	930	-	-



# **Appendix B    GFL Environmental Permit**

## **Compatibility Mitigation Study and Air Quality, Odour and Dust Study**

2343 Eglinton Avenue W, Toronto

**1764174 Ontario Inc.**

SLR Project No.: 241.031162.00001

March 26, 2025

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 7416-5RFL9

Issue Date: June 6, 2022

Optimum Environmental Corp.  
109 Ingram Dr  
Toronto, Ontario  
M6M 2L7

**Site Location:** 109 Ingram Drive  
Lot Part of 3, Concession 3  
City of Toronto  
M6M 2L7

*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:*

a Waste Disposal Site (Transfer and Processing) serving the Province of Ontario

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

" **Approval** " or "**ECA**" means this Environmental Compliance Approval as amended  
from time to time, including all Schedules attached to and forming part of this Approval;

" **Director** " means any Ministry employee appointed in writing by the Minister pursuant  
to section 5 of the EPA as a Director for the purposes of Part II.1 of the EPA;

" **District Manager** " means the District Manager of the local district office of the  
Ministry for the geographic area in which the Site is located;

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

" **Indoors** " means the transfer facility will be enclosed from the natural environment  
and will include a roof, walls and doors;

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

" **Operator** " means any person, other than the Owner's employees, authorized by the  
Owner as having the charge, management or control of any aspect of the Site;

" **Owner** " means Optimum Environmental Corp., as York Resource Recovery,  
including its officers, employees, agents, contractors, successors and assigns;

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

" **PA** " means the Pesticides Act, R.S.O. 1990, c. P-11 , as amended from time to time;

" **Provincial Officer** " means any person designated in writing by the Minister as a  
provincial officer pursuant to section 5 of the OWRA or section 5 of the EPA or section

17 of PA;

" **Recyclable Waste** " means waste types as listed in Schedules 1, 2 and 3 of Ontario Regulation 101/94 , as amended from time to time;

" **Regulation 347** " means Regulation 347 - R.R.O. 1990, General - Waste Management, as amended from time to time, made under the EPA ;

" **Site** " means the transfer and processing station being approved under this Approval, located at 105 - 111 Ingram Drive, Part Lot 3, Concession 3 West of Yonge Street, Part Lot 51, Part Lot 52, Lot 53 of Registered Plan 4026 (64R-16147) in the City of Toronto;

" **Trained** " means knowledgeable in the following through instruction and practice:

- (i) relevant waste management legislation, regulations and guidelines;
- (ii) major environmental concerns pertaining to the waste to be handled;
- (iii) occupational health and safety concerns pertaining to the processes and wastes to be handled;
- (iv) emergency management procedures for the process and wastes to be handled;
- (v) use and operation of the equipment to be used;
- (vi) emergency response procedures;
- (vii) company specific written procedures for the control of nuisance conditions; and
- (viii) the requirements of this Approval.

" **Woodwaste** " is as defined in Regulation 347.

*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. Compliance

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

(2) Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

### 2. In Accordance

(1) Except as otherwise provided for in this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the Application for a Certificate of Approval for a Waste Disposal Site dated September 26, 2019, and the supporting documentation listed in Schedule "A".

(2) Use of the Site for any other type of waste, or other waste management activity, is not permitted under this Approval, and requires obtaining a separate approval amending this Approval.

(3) Applications to amend this Approval, for reasons other than administrative amendments, shall include submission of a revised and updated Design and Operations Report.

### **3. Interpretation**

(1) Where there is a conflict between a provision of any document, including the application, referred to in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.

(2) Where there is a conflict between the application and a provision in any documents listed in Schedule "A", the application shall take precedence, unless it is clear that the purpose of the document was to amend the application, and that the Ministry approved the amendment.

(3) Where there is a conflict between any two documents listed in Schedule "A", other than the application, the document bearing the most recent date shall take precedence.

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

### **4. Other Legal Obligations**

(1) The issuance of, and compliance with, this Approval does not:

(a) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement; or

(b) limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner to furnish any further information related to compliance with this Approval.

(2) All wastes at the Site shall be managed and disposed in accordance with the EPA and Regulation 347.

### **5. Adverse Effect**

(1) The Owner shall take steps to minimize and ameliorate any adverse effect on the natural environment or impairment of water quality resulting from the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.

(2) Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Approval, the person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect to the natural environment or impairment of water quality.

### **6. Change of Owner**

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

- (a) the ownership of the Site;
- (b) appointment of, or a change in, the Operator of the Site;
- (c) the name or address of the Owner;
- (d) the partners, where the Owner is or at any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act , R. S. O. 1990, c. B.17, shall be included in the notification.

(2) No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance and sufficient financial assurance is deposited with the Ministry to ensure that these conditions will be carried out.

(3) In the event of any change in ownership of the Site, other than change to a successor municipality, the Owner shall notify the successor of and provide the successor with a copy of this Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.

## **7. Inspections**

(1) No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, or the PA, of any place to which this Approval relates, and without limiting the foregoing:

- (a) to enter upon the premises where the approved works are located, or the location where the records required by the conditions of this Approval are kept;
- (b) to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
- (c) to inspect the Site, related equipment and appurtenances;
- (d) to inspect the practices, procedures, or operations required by the conditions of this Approval; and
- (e) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the EPA, the OWRA or the PA.

## **8. Information and Record Retention**

(1) Any information requested, by the Ministry, concerning the Site 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 Ministry, upon request , in a timely manner .

(2) The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this Approval or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:

- (a) an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any term or condition of this Approval or any statute, regulation or other legal requirement; or
- (b) acceptance by the Ministry of the information's completeness or accuracy.

(3) Any information relating to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act , R.S.O. 1990, C. F-31.

## **9. Financial Assurance**

(1) The Owner shall maintain financial assurance, as defined in Section 131 of the EPA, in the amount of **\$38,264.56** . This financial assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, and disposal of all quantities of waste on the Site at any one time, Site decommissioning and clean-up, and contingency and project management costs.

(2) By no later than **May 31, 2025** , and at intervals of **three (3) years** thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of financial assurance to implement the actions required under condition 9(1). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The financial assurance must be submitted to the Director within ten (10) days of written acceptance of the re-evaluation by the Director.

(3) The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion.

(4) If any financial assurance is scheduled to expire or notice is received, indicating financial assurance will not be renewed, and satisfactory methods have not been made to replace the financial assurance at least sixty (60) days before the financial assurance terminates, the financial assurance shall forthwith be replaced by cash.

## **10. Spills**

(1) All Spills, as defined in the EPA, shall be immediately reported to the Ministry's Spills Action Centre at 1-800-268-6060 and shall be recorded in the log book as to the nature and cause of the spill, and the action taken for clean-up, correction and prevention of similar future occurrences.

(2) The Owner shall promptly take all necessary steps to contain and clean up any spills, discharges or process upsets which result from this operation.

## **11. Hours of Operations**

(1) The Site may operate seven (7) days per week from 3:00 a.m. to 12:00 a.m.

(2) All doors and windows shall be closed and locked during non-operational hours.

(3) Notwithstanding condition 11(1) and 11(2) above, from the hours of 12:00 a.m. to

3:00 a.m., the Owner is permitted to conduct only indoor loading and dispatching of no more than six (6) outbound trucks.

## **12. Signage**

(1) A sign displaying the operating hours, this Approval number, and a telephone number to contact in case of emergency shall be posted in plain view at the entrance to the Site.

## **13. Waste Types and Receiving**

(1) The Site shall only receive solid, non-hazardous waste limited to construction and demolition waste and other waste generated from industrial, commercial and institutional sources.

(2) The Site shall not accept any putrescible waste with the exception of an incidental amount of food waste that may not be separated out of the waste stream. If an incidental amount of putrescible waste is accepted at the Site, it shall be removed from the Site within twenty-four (24) hours or immediately if the waste is odourous.

## **14. Waste Storage and Processing**

(1) All tipping, transfer, storage and processing of waste shall be conducted indoors at all times with the exception of separated concrete, brick, asphalt and wood, which may be stored in bunkers outdoors, in accordance with the Site Plan amended as Item (15) of Schedule "A".

(2) The amount of waste stored at the Site at any time shall not exceed 800 tonnes;

(3) All woodwaste and raw and chipped wood stored indoors shall not exceed pile sizes of 500 square metres and 4.5 metres in height;

(4) The amount of waste shipped off Site for final disposal shall not exceed 599 tonnes per day;

(5) The amount of waste received at the Site shall not exceed 799 tonnes per day;

## **15. Waste Screening**

(1) If any incoming waste load is known to, or is discovered to, contain unacceptable waste, that load shall not be accepted at the Site;

(2) If any unacceptable waste is discovered on-site, that waste shall immediately be disposed of in accordance with the Act and Regulation 347 with the exception of gas cylinders and vehicle batteries which shall be handled in accordance with the following sub-conditions:

- (i) All gas cylinders discovered on-site shall be stored outdoors in a secure area on racks, secured together or in any other fashion which will prevent the cylinders from being knocked over and ruptured, in the location detailed in the Site Plan drawing "D", included in the approved Design and Operations Report, amended to this Approval as Item 14 in Schedule "A"; and
- (ii) All vehicle batteries shall be stored in the location detailed in the Site Plan drawing "D", included in the approved Design and



Operations Report, amended to this Approval as Item 14 in Schedule "A", and in accordance with section 5.4 of the ministry document entitled " *Household Hazardous Waste Collection and Facility Guidelines* " dated May 1993.

- (3) Incoming waste shall be inspected by a trained employee(s) prior to being received to ensure that the Site is approved to accept that type of waste; and
- (4) The Owner shall ensure that trained staff are on duty at all times when the Site is open to ensure proper supervision of all activities.
- (5) The Owner shall ensure that all wastes transported to and from the Site shall be transported in accordance with the Act and Regulation 347.
- (6) Upon entry to the Site, all loads of waste shall be immediately weighed and recorded and promptly placed inside the transfer/processing building.

#### **16. Site Security**

- (1) The Owner shall ensure that the Site is operated in a secure manner, such that unauthorized persons cannot enter.
- (2) The Owner shall ensure that the Site is operated in a safe manner, and that all waste is properly handled, processed and contained so as not to pose any threat or nuisance to the general public and site personnel.
- (3) The Owner shall ensure that no waste be received or removed from the Site unless a Site supervisor or designated alternate(s) is present.

#### **17. Surface Water Management**

- (1) The Owner shall ensure that the paved areas of the site are maintained in an on-going manner to ensure that surface water is effectively managed and directed on site.

#### **18. Dust Plan**

- (1) The Owner shall implement the procedures and protocols detailed in the document entitled " *Dust Plan* " dated June 15, 2018, and amended to this Approval as Item 13 in Schedule "A".

#### **19. Staff Training**

- (1) The Owner shall ensure that all staff on-site shall be trained with respect to the following:

- (a) the terms, conditions and operating requirements of this Approval;
- (b) operation and management of the Site, or areas within the Site, as per the specific job requirements of each staff member, and which may include
- (c) shipping and manifesting procedures;
- (d) the Site plan and location of relevant equipment, including

- that for emergencies and spills;
- (e) an outline of the responsibilities of Site personnel including roles and responsibilities during emergencies and spills;
- (f) procedures for receiving, screening, refusal, and handling of waste;
- (g) Spill Emergency and Contingency Plan equipment and procedures;
- (h) any environmental and occupational health and safety concerns pertaining to the waste to be processed;
- (i) emergency first-aid information;
- (j) relevant waste management legislation and regulations, including the *EPA* and *Regulation 347*;
- (k) information recording procedures;
- (l) Equipment and Site Inspection procedures; and
- (m) procedures for recording and responding to public complaints.

(2) The Owner shall maintain a written record at the Site which shall include (as a minimum) the following:

- (a) the date of training;
- (b) the name and signature of the person who has been trained;
- and
- (c) a description of the training provided.

## **20. Equipment and Daily Site Inspections**

(1) The Owner shall routinely conduct regular inspections of the equipment, buildings, facilities, security fencing and barriers to ensure that all are maintained in good working order and secure at all times. Any deficiencies detected during these regular inspections shall be promptly corrected. A written record shall be maintained at the Site, including (as a minimum) the following:

- (a) the name and signature of the trained personnel conducting the inspection;
- (b) the date and time of the inspection;
- (c) a list of equipment inspected and all deficiencies observed;
- (d) a detailed description of the maintenance activity;
- (e) the date and time of maintenance activity; and

(f) recommendations for remedial actions undertaken.

(2) The Owner shall conduct, on each operating day during operational hours, a visual inspection of the following areas to ensure the Site is secure and that no off-site impacts such as vermin, vectors, odour, dust, litter, noise and traffic, result from the operation of the Facility:

- (a) loading/unloading area(s);
- (b) transfer and processing area(s);
- (c) storage area(s); and
- (d) security fences, barriers and property lines.

## **21. Contingency Plan**

(1) The Owner shall maintain a written contingency plan which details emergency response procedures, fire safety plans and how residual waste and processed materials will be stored or disposed in the event that they cannot be shipped from the Site. If implementation of the contingency plan is necessary, it shall be effected through written concurrence from the District Manager.

## **22. Complaint Response Procedure**

(1) If at any time, the Owner receives complaints regarding the operation of the Site, the Owner shall respond to these complaints according to the following procedure:

- (a) The Owner shall record each complaint on a formal complaint form entered in a sequentially numbered log book.  
The information recorded shall include the nature of the complaint, the name, address and the telephone number of the complainant and the time and date of the complaint;
- (b) The Operator, upon notification of the complaint shall initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant; and
- (c) The Operator shall retain on-site a report written within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the re-occurrence of similar incidents.

## **23. Record Keeping**

(1) The Owner shall maintain at the Site for a minimum of two (2) years from the date of their creation, a log book or electronic file format which records the following information:

(a) Daily operations:

- (i) Date of record;
- (ii) Types, quantities and sources of waste received at the Site;
- (iii) Quantity and type of waste transferred from the Site;
- (iv) Quantity and destination of residual waste shipped from the Site for final disposal; and
- (v) Quantities and destination of processed waste shipped from the Site for re-use;
- (vi) Quantities and destination of any other waste shipped from the Site for further processing;
- (vii) A continuous running total of the material entering the facility and this shall be balanced with materials leaving the facility for further processing, re-use and disposal.

- (b) Training records as required in Condition 19(2);
- (c) Daily inspection log as referenced in Condition 20(2), including the date and time of the inspection and name of the trained personnel who performed the inspection;
- (d) Spill logs as referenced in Condition 10(1);
- (e) Complaint logs as referenced in Condition 22(1);
- (f) Annual Report as referenced in Condition 24(1);
- (g) All inspection and service records from pest control organizations contracted by the Owner and/or Operator; and
- (h) All service records from contracted services retained for the implementation of the "Dust Plan" amended as Item 13 in Schedule "A".

## **24. Annual Report**

(1) By **March 31st of each year**, the Owner shall prepare and retain on-site an annual report covering the previous calendar year. Each report shall include, as a minimum, the following information:

- (a) a detailed monthly summary of the type and quantity of all waste transfer to and from the Site, including the information required under Condition 23(1)(a) above;
- (b) any environmental and operational problems that could negatively impact the environment, encountered during the operation of the Site and during the facility inspections, and any mitigative actions taken;
- (c) a statement as to compliance with all Conditions of this Approval and with the inspection and reporting requirements of the Conditions herein; and
- (d) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

## **25. Closure Plan**

(1) The Owner must submit, for approval by the Director, a written Closure Plan for the Site four (4) months prior to closure of the Site. This plan must include, as a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work; and

(2) Within ten (10) days after closure of the Site, the Owner must notify the Director, in writing, that the Site has been closed in accordance with the approved Closure Plan.

### **Schedule "A"**

*This Schedule "A" forms part of this Approval.*

1. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated March 31, 2010, signed by Rino Adamo, President, Optimum Disposal Services Inc.
- 2.
3. Design & Operations Report, in support of Optimum Disposal Services Inc., o/a York Resource Recovery, dated March 2010.
- 4.
5. Site Plan, Revision 7, prepared by Maat Environmental Engineering Corp., dated March 29, 2010.
- 6.
7. Dust Plan, dated March 31, 2010.
- 8.
9. Spill Contingency Plan, dated March 2010.
- 10.
11. Fire Safety Plan, dated March 2010.
- 12.

13. Application for Emergency Amendment to CofA #7416-5RFLK9 dated April 8, 2011 from Rino Adamo, President, Operating Authority, Optimum Disposal Services Inc. to Tesfaye Gebrezghi, Director, MOE, including all supporting documentation.
- 14.
15. Email dated June 16, 2011 [10:35 a.m.] from Dennis Lam, General Supervisor - Waste Diversion Operations, City of Toronto to Lucie Guichelaar, Waste Evaluator, MOE, re: Response to MOE on Optimum C of A Emergency Amendment.
- 16.
17. Email dated June 21, 2011 [9:48 a.m.] from Rino Adamo, President, Operating Authority, Optimum Disposal Services Inc. to Lucie Guichelaar, Waste Evaluator, MOE, re: Response to MOE on Optimum C of A Emergency Amendment.
- 18.
19. Environmental Compliance Approval Application, signed by Mr. R. Adamo, dated May 30, 2012.
- 20.
21. Site Plan, Revision No. 8, Optimum Disposal Services Inc., 105-111 Ingram Drive, Toronto, prepared by MAAT Environmental Engineering Corp., dated May 29, 2012.
- 22.
23. Environmental Compliance Approval Application. dated September 31, 2019, including all attached supporting information.
- 24.
25. Report entitled "Dust Management", dated June 15, 2018, and submitted as part of the application listed as Item 12 of Schedule "A".
- 26.
27. Document entitled "Design and Operations Report", dated June 2020, version R5 issued July 7, 2020, including all attached supporting information, figures, drawings and appendices.
- 28.
29. Drawing no. GFL1-01-7301 entitled "105-111 Ingram Drive, Application to Amend Existing, ECA no. 7416-5RFLK9, Site Plan", dated June 2018, revision R5.
- 30.
31. Letter dated March 15, 2021 to the Ministry from Kevin Sherrard, Foreman for the re-evaluation of Financial Assurance for ECA No. 7416-5RFLK9

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

*The reason for Conditions 1, 3, 4, 5, 8 and 10 is to clarify the legal rights and responsibilities of the Owner and Operator.*

*The reason for Conditions 2, is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Company, and not in a manner which the Director has not been asked to consider.*

*The reasons for Condition 6.1 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes.*

*The reasons for Condition 6.2 are to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this ECA.*

*The reason for Condition 7 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this ECA of Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.*

*The reason for Condition 9 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Company is unable or unwilling to do so.*

*The reason for Condition 11 is to specify the hours of operation for the Site.*

*The reason for Condition 12 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this ECA.*

*The reasons for Conditions 13, 14 and 15 are to specify the types of waste that may be accepted at the Site, the amounts of waste that may be stored at the Site, how the waste is to be stored and screened and the maximum rate at which the Site may receive and ship waste based on the Owner's application and supporting documentation.*

*The reasons for Condition 16 is to ensure the controlled access and integrity of the Site by preventing unauthorized access.*

*The reason for Condition 17 is to ensure that the paved areas of the Site are adequately maintained to ensure any surface water is effectively managed and directed on site.*

*The reason for Condition 18 is to ensure that the Site is operated in a manner which minimizes potential nuisances from dust.*

*The reason for Condition 19 is to ensure that the Site is operated by properly Trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.*

*The reason for Condition 20 is to ensure that detailed records of Site inspections are recorded and maintained for inspection, security and information purposes.*

*The reasons for Condition 21 is to ensure that an Contingency Plan is developed and maintained at the Site to ensure that staff are properly trained in emergency response procedures and other operational contingencies.*

*The reason for Condition 22 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.*

*The reasons for Condition 23 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns.*

*Record keeping is necessary to determine compliance with this ECA, the EPA and its regulations.*

*The reasons for Condition 24 are to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site*

*design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.*

*The reasons for Condition 25 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.*

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 7416-5RFLK9 issued on August 17, 2020**

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

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

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

The Notice should also include:

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

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

This Notice must be served upon:

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

and

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



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

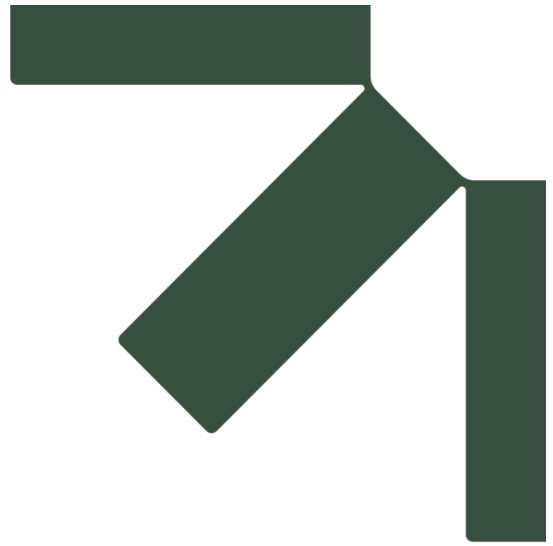
The above noted activity is approved under s.20.3 of Part II.1 of the *Environmental Protection Act*.

DATED AT TORONTO this 6th day of June,  
2022



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

SF/  
c: District Manager, MECP Toronto - District Office  
Kevin Sherrard, Optimum Environmental Corp.



# **Appendix C   Power Waste Service Permit**

## **Compatibility Mitigation Study and Air Quality, Odour and Dust Study**

2343 Eglinton Avenue W, Toronto

**1764174 Ontario Inc.**

SLR Project No.: 241.031162.00001

March 26, 2025



CONTENT COPY OF ORIGINAL



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

PROVISIONAL CERTIFICATE OF APPROVAL  
WASTE MANAGEMENT SYSTEM  
NUMBER 6885-4ZKKYH

1461492 Ontario Inc.  
operating as Power Waste Service  
989 Queen St. West  
Mississauga, Ontario  
L5H 4E1

*You have applied in accordance with Section 27 of the Environmental Protection Act for approval of:*

a waste management system serving:

the Province of Ontario

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

For the purpose of this Provisional Certificate of Approval:

- a. "Certificate" means the entire Certificate of Approval including its schedules, if any, issued in accordance with Section 27 of the Environmental Protection Act;
- b. "Company" means only 1461492 Ontario Inc. operating as Power Waste Service;
- c. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the Environmental Protection Act;
- d. "District Manager" means the District Manager of the Ministry of the Environment for the geographic area in which the waste described in condition 2 is located; and
- e. "Spill clean-up material" means the results of a clean up of a leak or spill which includes materials leaked or spilled and materials which have been absorbed on, or have contaminated, soil, fabric, paper, or other similar absorbent material and including contaminated, protective equipment used in the clean-up.

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

**TERMS AND CONDITIONS**

1. Except as otherwise provided by these conditions, the waste management system shall be operated in accordance with the application submitted for this Provisional Certificate of Approval dated April 20, 2001 and with the supporting information submitted to the Ministry of the Environment as part of the application listed below:

(A) Letter dated July 3, 2001 from William Lotthrinex, Manager, 1421301 Ontario Inc. operating as Target Transfer & Resource Recovery, consenting to the vehicles and trailers being parked at 109 Ingram Drive, Toronto.

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(B) Letter dated August 10, 2001 from Anthony (Tony) Alonzi indicating the Company Head Office and trailer/vehicle storage yard addresses.

(C) Letter dated August 13, 2001 from Michael J. Mahoney, President, 1461492 Ontario Inc. operating as Power Waste Service giving Anthony Alonzi signing authority.

2. Only domestic, commercial and non-hazardous solid industrial waste including contaminated soil and other waste limited to spill clean-up material shall be transported pursuant to this Provisional Certificate of Approval and in any case, no subject waste may be transported pursuant to this Provisional Certificate of Approval.

3. "Other" waste limited to spill clean-up material shall only be transported:

(A) to a waste disposal site conforming to the requirements specified in condition 5 of this Provisional Certificate of Approval, or,

(B) in accordance with a direction made pursuant to Section 94 of the Environmental Protection Act or an order made pursuant to Section 97 of the Act, which includes references to the reuse or disposal of the pollutant for the purpose of Section 96(1)(a) of the Act, or,

(C) in accordance with the Director's approval or direction pursuant to Section 96(2) of the Environmental Protection Act.

4. The Company shall promptly take whatever steps are necessary to contain and clean up any spills of waste which have resulted from the operation of this waste management system.

5. Waste shall only be delivered to a waste disposal site or facility which has a Certificate of Approval or a Provisional Certificate of Approval, and only where the waste being delivered complies with the Certificate of Approval or Provisional Certificate of Approval of the receiving waste disposal site or facility.

6. All waste shall only be transported in a covered vehicle.

7. Any addition, deletion or other change to the fleet of vehicles, trailers and equipment (i.e., year, make, model, serial number, licence number and ownership of each vehicle, trailer or piece of equipment) in particular those which are leased or rented, shall be reported to the Director within fourteen (14) days of any such change.

8. Every vehicle used for the collection and transportation of waste pursuant to this Provisional Certificate of Approval shall be clearly marked with the company name and the number which appears on the face of the Certificate of Approval or Provisional Certificate of Approval that authorizes the collection and transportation of waste.

9. (1) The Company shall notify the Director in writing of any of the following changes within thirty (30) days of the changes occurring:

(a) change of Company name, owner or operating authority;

(b) change of Company address or address of new owner or operating authority;

(2) In the event of any change in ownership of the waste management system the company shall notify the succeeding (new owner) company of the existence of this Certificate, and a copy of such notice shall be forwarded to the Director.

(3) The Company shall ensure that all communications made pursuant to this condition will refer to this Certificate number.

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

1. The reason for condition 1 is to set out clearly that this waste management system is operated in accordance with the

## CONTENT COPY OF ORIGINAL

application for this Provisional Certificate of Approval and the supporting information submitted therewith and not on a basis or in any way which the Director has not been asked to consider.

2. The reason for condition 2 is to ensure that this waste management system is only used to collect, handle and transport waste which it is able to in a suitable manner as the transportation of waste which this waste management system is not able to collect, handle and transport may create a nuisance or result in a hazard to the health and safety of any person or the natural environment.
3. The reason for condition 3 is to ensure that spill clean-up material is handled in accordance with the requirements and specifications of Part X of the Environmental Protection Act.
4. The reason for condition 4 is to ensure that any waste spilled onto the vehicle is promptly contained and cleaned up to minimize the risk of further spillage or the discharge of waste from the vehicle to the environment and to ensure that the proper officials of the Ministry of the Environment are notified and able to give direction to the Company to ensure the complete decontamination of the vehicle and clean up of the spilled material.
5. The reason for condition 5 is to ensure that this waste management system is used to transport waste only to waste disposal sites or facilities that have been approved by the Ministry of the Environment to receive the waste which this waste management system is delivering under this Provisional Certificate of Approval, and that by accepting the waste being delivered by the waste management system, the waste disposal site and facilities will not be out of compliance with its Certificate of Approval or Provisional Certificate of Approval.
6. The reason for condition 6 is to ensure that waste particulates are not emitted to the environment as any such emission may result in a hazard to the health and safety of any person or the natural environment.
7. The reason for condition 7 is to ensure that all vehicles, trailers and equipment including those leased or rented for operation under this Provisional Certificate of Approval have been approved as part of a suitable waste transportation system to collect and transport waste as an unsuitable waste transportation system could result in a hazard to the health and safety of any person or the natural environment.
8. The reason for condition 8 is to ensure that the collection, handling and transportation of waste is conducted in a safe and environmentally acceptable manner, as outlined in Regulation 347.
9. The reason for condition 9 is to ensure that the waste management system is operated under the corporate, limited or the applicant's own name which appears on the application and supporting information submitted for this Provisional Certificate of Approval and not under any name which the Director has not been asked to consider.

*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 Appeal Board within 15 days after receipt of this Notice, require a hearing by the Board. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:*

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

*The Notice should also include:*

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

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

**CONTENT COPY OF ORIGINAL**

*This Notice must be served upon:*

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

AND

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

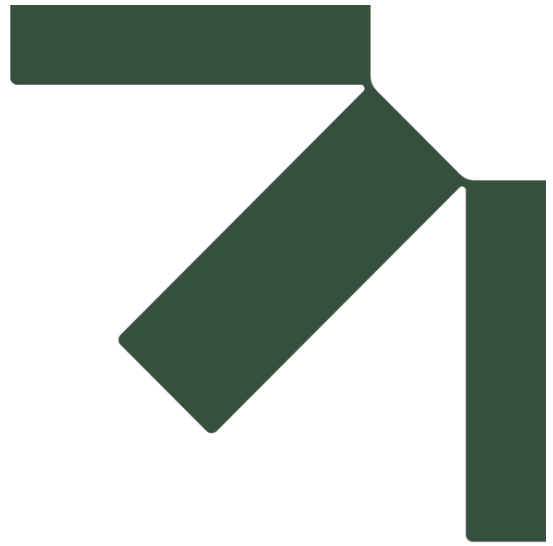
**\* Further information on the Environmental Appeal Board's requirements for an appeal can be obtained directly from the Board at: Tel: (416) 314-4600, Fax: (416) 314-4506 or [www.ert.gov.on.ca](http://www.ert.gov.on.ca)**

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

DATED AT TORONTO this 14th day of August, 2001

Ian Parrott, P.Eng.  
Director  
Section 39, *Environmental Protection Act*

NB/  
c: District Manager, MOE Metro Toronto - District  
District Manager, MOE Halton-Peel - District



# **Appendix D   Ingram Asphalt Inc. Permit**

## **Compatibility Mitigation Study and Air Quality, Odour and Dust Study**

2343 Eglinton Avenue W, Toronto

**1764174 Ontario Inc.**

SLR Project No.: 241.031162.00001

March 26, 2025





**Content Copy Of Original**

Ministry of the Environment, Conservation and Parks  
Ministère de l'Environnement, de la Protection de la nature et des Parcs

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 1300-BAHKY9

Issue Date: June 13, 2019

Ingram Asphalt Inc.  
103 Ingram Drive  
Toronto, Ontario  
M6M 2L7

**Site Location:** 103 Ingram Drive  
103 Ingram Dr Toronto Ontario  
Toronto City,

*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 asphalt (HMA) plant, having a maximum production rate up to 1,800 tonnes of HMA per day and up to 100,000 tonnes of HMA per year, consisting of the following equipment and operations:

- one (1) aggregate dryer, equipped with a natural gas fired burner, having a maximum thermal input rating of 137 gigajoules per hour, and one (1) mixing tower, operating at the maximum temperature of HMA of 154 degrees Celsius (310 F), discharging into the air through a cyclone separator and a baghouse dust collector;
- one (1) pulse jet type baghouse dust collector to control emissions from an aggregate dryer and mixing tower, equipped with;
  - a. cyclone separator (pre-cleaner);
  - b. 732 square metres of nomex filter material;
  - c. clean-on-demand bags cleaning system; and
  - d. leak detection and a baghouse performance system;

exhausting into the atmosphere at a nominal volumetric flow rate of 25.5 actual cubic metres per second at an approximate temperature of 110 degrees Celsius, through a stack, having a rectangular exit of 1.0 metre by 0.9 metre, extending 15.2 metres above grade;

- one (1) vapour recovery system (VRS) to control emissions from HMA trucks loading operations, HMA storage silos transfers and filling operations, exhausting into the atmosphere at a nominal volumetric flow rate of 18.9 actual cubic metres per second at an approximate temperature of 25 degrees Celsius, through a stack, having a rectangular exit of 1.09 metre by 0.86 metre, extending 5.6 metres above grade;



- two (2) liquid asphalt cement storage tanks, each having a nominal capacity of 37 tonnes, each operating at the maximum temperature of 154 degrees Celsius (310 F), each venting into the atmosphere through an aggregate dryer;
- one (1) liquid asphalt cement storage tank, having a nominal capacity of 40 tonnes, operating at the maximum temperature of 154 degrees Celsius (310 F), venting into the atmosphere through an aggregate dryer;
- liquid asphalt cement receiving operations, performed at the maximum receiving rate of 40 tonnes per day at the maximum receiving temperature of 154 degrees Celsius (310 F);
- Ecosorb additive mixing with liquid asphalt cement to control odour emissions;
- one (1) natural gas fired hot oil heater, to maintain asphalt cement storage tanks temperature, having a maximum thermal input of 2.11 gigajoules per hour;
- two (2) not heated insulated HMA storage silos, each having a nominal capacity of 80 tonnes, each discharging into the atmosphere through a VRS system;
- cold virgin/recycled asphalt pavements (RAP) receiving, storage, transfers and any other supporting equipment/operations to support HMA production rate of 1,800 tonnes per day;
- portable crushing plant, containing a crusher, screen and stacker, to process recycled concrete and RAP at the maximum 2,400 tonnes per day and up to 20,000 tonnes per year

all in accordance with the Application for Approval (Air & Noise) submitted by Ingram Asphalt Inc. dated February 14, 2019, and signed by Rohit Bhansal, President, the ESDM Report dated April 8, 2019 and prepared by Melisa Annett (RWDI AIR Inc.), the emails from Alison Gonano, B.Sc. (RWDI) dated April 26 and April 30, 2019, and all other supporting information associated, including the *Acoustic Assessment Report* prepared by RWDI AIR Inc., dated April 12, 2019 and signed by Kyle Hellewell, P.Eng.; and the emails from Katie Allen (RWDI) dated May 2 and May 15, 2019.

*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 RWDI AIR Inc., dated April 12, 2019 and signed by Kyle Hellewell,

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. "*BMPP*" means the "Ingram Asphalt Inc., North York, ON, Mitigation Plan" dated March 5, 2019, prepared by RWDI and submitted with the application;
7. "*Company*" means Ingram Asphalt Inc. that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
8. "*Director*" means any person appointed in writing by the Minister pursuant to section 5 of the *EPA* as a Director for the purposes of section 9 of the *EPA*;
9. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
10. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
11. "*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*;
12. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
13. "*Independent Acoustical Consultant*" means an *Acoustical Consultant* who is not representing the *Company* and was not involved in preparing the *Acoustic Assessment Report* or the design/implementation of *Noise Control Measures* for the *Facility* and/or *Equipment*. The Independent Acoustical Consultant shall not be retained by the *Acoustical Consultant* involved in the noise impact assessment or the design/implementation of *Noise Control Measures* for the *Facility* and/or *Equipment*;

14. "*Manager*" means the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, or any other person who represents and carries out the duties of the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, as those duties relate to the conditions of this *Approval*;
15. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
16. "*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;
17. "*Noise Control Measures*" means measures to reduce the noise emission from the *Facility* including, but not limited to silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures outlined in the *Acoustic Assessment Report*;
18. "*Pre-Test Plan*" means "Compliance Source Testing Pre-Test Plan Dryer Exhaust Stack & New Vapour Recovery System, Ingram Asphalt Inc.", RWDI #1402206 dated September 4, 2018 and submitted by Melissa Annett, Senior project Manager, Associate and John Green, QSTI, Senior Field Group Specialist;
19. "*Publication NPC-103*" means the *Ministry* Publication NPC-103 of the Model Municipal Noise Control By-Law, Final Report, August 1978, published by the *Ministry*, as amended;
20. "*Publication NPC-233*" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended; and
21. "*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.
22. "*Source Testing Code*" means the Ontario Source Testing Code, dated June 2010, prepared by the *Ministry*, as amended.

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

## TERMS AND CONDITIONS

### 1. OPERATION AND MAINTENANCE

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

- a. prepare, not later than three (3) months after the date of this *Approval*, and update, as necessary, a *Manual* outlining the operating procedures and a maintenance program for the *Equipment*, including:
  - i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the *Equipment* suppliers, including;
  - ii. set-up and operations of the clean-on-demand bags cleaning system;
  - iii. set-up and operations of the VRS;
  - iv. set up and operations of the leak detection and a baghouse performance system;
  - v. frequency of the inspection and replacement of the filter bags in the baghouse based on the leak detection and a baghouse performance system reading;
  - vi. preseason start-up procedures, including the baghouse/baghouse differential pressure system inspection/maintenance;
  - vii. emergency procedures, including;
    - a. spill clean-up procedures;
    - b. shut-down of the dryer/mixer, as indicated by the leak detection and a baghouse performance system reading;
    - c. shut-down the production of HMA when VRS is malfunctioning or operating out of recommended parameters;
  - viii. procedures for any record keeping activities relating to operation and maintenance of the *Equipment*;and
  - ix. all appropriate measures to minimize noise, fugitive dust and odorous emissions from all potential sources; and
- b. implement the recommendations of the *Manual*;
- c. implement the *BMPP*. The *BMPP* shall be updated/revised as necessary, or as per *District Manager* request;
- d. prepare and implement procedures to monitor and keep records of the loss on heating (standard RTFOT test) of the received liquid asphalt cement to ensure that the annual average loss on heating for the received liquid asphalt cement is not greater than 0.5%;
- e. prepare and implement procedures to monitor and keep records of the liquid asphalt cement storage tanks temperature, to ensure that liquid

cement storage tanks do not operate above the maximum operating temperature described in this *Approval*;

- f. prepare and implement procedures to monitor and keep records of the Ecosorb additive usage to reduce odour emissions from liquid asphalt cement;
  - g. prepare and implement procedures to determine and keep records of the temperatures of the HMA as it leaves the mixing process to ensure that drum mixer and HMA silos do not operate above the maximum operating temperature described in this *Approval*;
  - h. the facility should not start operation unless;
    - i. the annual preseason start-up inspection have been conducted and all required repairs to the baghouse, the baghouse pressure differential system, the leak detection and a baghouse performance system, and any other items related to environmental emissions have been made and;
    - ii. the *District Manager* has been notified about planned start-up date (annually, or as per agreement with *District Manager*);
2. Portable crushers/screeners and other equipment should be located at the site according to the "Site Plan Showing Locations of Significant Sources, Buildings, and Property Boundary" drawing included with the *ESDM Report*;
3. HMA truck loading operations shall be performed only from HMA storage silos.

## **2. RECORD RETENTION**

1. The *Company* shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this *Approval*, and make these records available for review by staff of the *Ministry* upon request. The *Company* shall retain:
  - a. all records on the maintenance, repair and inspection of the *Equipment*, including;
    - i. record of the baghouse differential pressure monitoring system and the leak detection and a baghouse performance system;
    - ii. records of shut-down of the dryer/mixer when the differential pressure reading or the leak detection and a baghouse performance system is not within the recommended range;
    - iii. records of the annual preseason start-up inspections;

- iv. all production records;
- b. all records of any environmental complaints, including:
  - i. a description, time and date of each incident to which the complaint relates;
  - ii. wind direction at the time of the incident to which the complaint relates; and
  - iii. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

### 3. NOTIFICATION REQUIREMENTS

1. The *Company* shall notify the *District Manager*, in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:
  - a. a description of the nature of the complaint; and
  - b. the time and date of the incident to which the complaint relates.
2. The *Company* shall notify the *District Manager* of the baghouse differential pressure system and the leak detection and a baghouse performance system installation schedule, commissioning, verification of performance and a start up of operations.

### 4. NOISE

1. The *Company* shall:
  - a. implement the *Noise Control Measures* as outlined in Table F.2 of the *Acoustic Assessment Report*;
  - b. following the implementation of the *Noise Control Measures*, comply with the limits set out in *Publication NPC-300*; and
  - c. properly maintain the *Noise Control Measures* ensuring that they continue to meet the acoustical performance outlined in the *Acoustic Assessment Report*.

### 5. SOURCE TESTING

1. The *Company* shall finalize the Source Testing of the VRS (as described in the *Pre-Test Plan*, excluding testing for benzo(a)pyrene) not later than three (3) months after the date of this *Approval* or within a period as directed or agreed to in writing by the *Manager* and the *District Manager*.
2. The *Company* shall notify the *Manager*, the *District Manager* and the *Director* in writing of the location, date and time of any impending *Source Testing*

required by this *Approval*, at least fifteen (15) days prior to the *Source Testing*.

3. The *Company* shall submit a report (hard copy and electronic format) on the *Source Testing* to the *Manager*, the *District Manager* and the *Director* not later than three (3) months after completing the *Source Testing*. The report shall be in the format described in the *Source Testing Code*, and shall also include, but not be limited to:
  - a. an executive summary;
  - b. an identification of the applicable North American Industry Classification System code (NAICS) for the *Facility*;
  - c. records of operating conditions at the time of *Source Testing*, including but not limited to the following:
    - i. production data;
    - ii. *Facility*/process information related to the operation of the VRS system;
    - iii. description of the emission sources controlled by the VRS system sources at the time of testing;
    - iv. control equipment/stacks operating parameters at the time of *Source Testing* and recommended operating parameters range;
  - d. results of *Source Testing*, including the emission rate, emission concentration, and relevant emission factors of the tested contaminants from the VRS system; and
  - e. a tabular comparison of *Source Testing* results to original emission estimates described in the *Company's* application and the *ESDM Report*.
4. The *Director* may not accept the results of the *Source Testing* if:
  - a. the *Source Testing Code* or the requirements of the *Manager* were not followed;
  - b. the *Company* did not notify the *Manager*, the *District Manager* and *Director* of the *Source Testing*; or
  - c. the *Company* failed to provide a complete report on the *Source Testing*.
5. If the *Director* does not accept the results of the *Source Testing*, the *Director* may require re-testing. If re-testing is required, the *Pre-Test Plan* strategies need to be revised and submitted to the *Manager* for approval. The actions

taken to minimize the possibility of the *Source Testing* results not being accepted by the *Director* must be noted in the revision.

6. If the *Source Testing* results are higher than the emission estimates in the *Company's ESDM Report*, the *Company* shall update their *ESDM Report* in accordance with Section 26 of O. Reg. 419/05 with the results from the *Source Testing* report and make these records available for review by staff of the *Ministry* upon request. The updated Emission Summary Table from the updated *ESDM Report* shall be submitted with the report on the *Source Testing*.

## 6. ACOUSTIC AUDIT

1. The *Company* shall carry out *Acoustic Audit* measurements on the actual noise emissions due to the operation of the *Facility*. The *Company*:
  - a. shall carry out *Acoustic Audit* measurements in accordance with the procedures in *Publication NPC-103*;
  - b. shall submit an *Acoustic Audit Report* on the results of the *Acoustic Audit*, prepared by an *Independent Acoustical Consultant*, in accordance with the requirements of *Publication NPC-233*, to the *District Manager* and the *Director* not later than three (3) months after the full implementation of the *Noise Control Measures*.
2. The *Director*:
  - a. may not accept the results of the *Acoustic Audit* if the requirements of *Publication NPC-233* were not followed;
  - b. may require the *Company* to repeat the *Acoustic Audit* if the results of the *Acoustic Audit* are found unacceptable to the *Director*.

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

1. Condition No. 1 is included to emphasize that the *Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA*, the Regulations and this *Approval*.
2. Condition No. 2 is included to require the *Company* to keep records and to provide information to staff of the *Ministry* so that compliance with the *EPA*, the Regulations and this *Approval* can be verified.
3. Condition No. 3 is included to require the *Company* to notify staff of the *Ministry* so as to assist the *Ministry* with the review of the site's compliance.



4. Condition No. 4 is included to provide the minimum performance requirement considered necessary to limit the adverse effect resulting from the operation of the *Facility*.
5. Condition No. 5 is included to require the Company to provide accurate information to assist the Ministry with the review of the site's compliance.
6. Condition No. 6 is included to require the *Company* to gather accurate information and submit an *Acoustic Audit Report* in accordance with procedures set in the *Ministry's* noise guidelines, so that the environmental impact and subsequent compliance with this *Approval* can be verified.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 6482-AF4SDA issued on December 16, 2016.**

*In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, 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](http://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](http://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 13th day of June,  
2019

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

JK/  
c: District Manager, MECP Toronto - District  
Melissa Annett, RWDI AIR Inc.

**AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 1300-BAHKY9

Notice No. 1

Issue Date: October 30, 2019

Ingram Asphalt Inc.  
103 Ingram Drive  
Toronto, Ontario  
M6M 2L7

**Site Location:** 103 Ingram Drive  
103 Ingram Dr  
Toronto City

*You are hereby notified that I have amended Approval No. 1300-BAHKY9 issued on June 13, 2019 for a batch mix hot asphalt (HMA) plant, having a maximum production rate up to 1,800 tonnes of HMA per day and up to 100,000 tonnes of HMA per year , as follows:*

**The following Condition is revoked:**

**6. ACOUSTIC AUDIT**

1. The *Company* shall carry out *Acoustic Audit* measurements on the actual noise emissions due to the operation of the *Facility*. The *Company*:
  - a. shall carry out *Acoustic Audit* measurements in accordance with the procedures in *Publication NPC-103*;
  - b. shall submit an *Acoustic Audit Report* on the results of the *Acoustic Audit*, prepared by an *Independent Acoustical Consultant*, in accordance with the requirements of *Publication NPC-233*, to the *District Manager* and the *Director* not later than three (3) months after the full implementation of the *Noise Control Measures*.
2. The *Director*:
  - a. may not accept the results of the *Acoustic Audit* if the requirements of *Publication NPC-233* were not followed;
  - b. may require the *Company* to repeat the *Acoustic Audit* if the results of the *Acoustic Audit* are found unacceptable to the

*Director.*

**All other Terms and Conditions remain the same.**

The reason for this amendment to the Approval is to address information provided in the Acoustic Audit Report prepared by HGC Engineering, dated September 10, 2019 and signed by Petr Chocensky.

**This Notice shall constitute part of the approval issued under Approval No. 1300-BAHKY9 dated June 13, 2019**

*In accordance with Section 139 of the Environmental Protection Act, 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:*

- 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

AND

The Director appointed for the purposes of Part  
II.1 of the Environmental Protection Act

655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5

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](http://www.ert.gov.on.ca)**

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

DATED AT TORONTO this 30th day of  
October, 2019

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

HM/  
c: District Manager, MECP Toronto - District  
Petr Chocensky, HGC Engineering

**AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 1300-BAHKY9

Notice No. 2

Issue Date: July 26, 2022

Ingram Asphalt Inc.  
103 Ingram Dr  
Toronto, Ontario  
M6M 2L7

**Site Location:** 103 Ingram Drive  
103 Ingram Dr  
Toronto City,

*You are hereby notified that I have amended Approval No. 1300-BAHKY9 issued on June 13, 2019 for batch mix hot asphalt (HMA) plant , as follows:*

**The following changes have been made to the equipment description:**

- **equipment revoked;**

portable crushing plant, containing a crusher, screen and stacker, to process recycled concrete and RAP at the maximum 2,400 tonnes per day and up to 20,000 tonnes per year;

- **equipment added;**

portable crushing plant, containing a crusher, screen and stacker, to process recycled concrete and RAP at the maximum 2,400 tonnes per day and up to 20,000 tonnes per year, equipped with;

- a diesel engine, having a maximum output power rating of 261 kilowatts and to comply with EPA Tier 1 Standards (as the minimum) emission limits for off-road engines, exhausting into the atmosphere through a stack, having a maximum exit diameter of 0.31 metre and a minimum height of 5.0 metres above grade;

**All other Definitions, Terms and Conditions remain the same.**

all in accordance with the ESDM Report dated April 22, 2022 and prepared by Melissa Annett, d.E.T. and Sarah Pellatt, B.Sc. (RWDI Air Inc.).

**This Notice shall constitute part of the approval issued under Approval No. 1300-BAHKY9 dated June 13, 2019.**

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

- 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 available with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

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

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

This Notice must be served upon:

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

and

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

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

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

DATED AT TORONTO this 26th day of July,  
2022

A handwritten signature in dark ink, reading "Nancy Orpana". The signature is written in a cursive, flowing style.

Nancy E Orpana, P.Eng.

Director

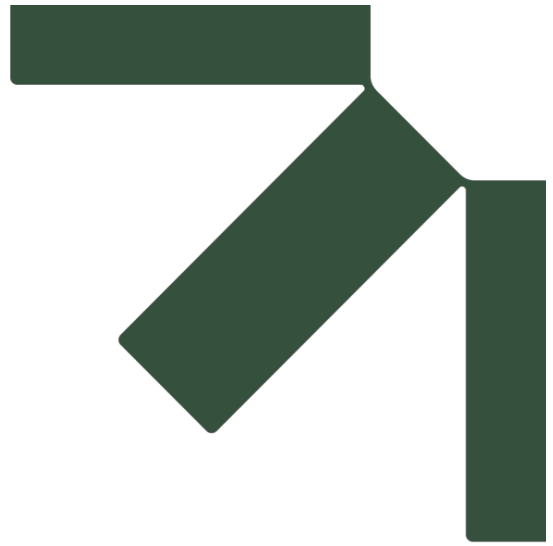
appointed for the purposes of Part  
II.1 of the *Environmental Protection  
Act*

JK/

c: District Manager, MECP Toronto - District

N/A





# **Appendix E    Warning Clause and Mitigation Measures**

## **Compatibility Mitigation Study and Air Quality, Odour and Dust Study**

2343 Eglinton Avenue W, Toronto

**1764174 Ontario Inc.**

SLR Project No.: 241.031162.00001

March 26, 2025

## **SUMMARY OF MITIGATION MEASURES AND WARNING CLAUSES**

### **Warning Clauses**

Warning Clauses may be used individually or in combination. The following Warning Clauses should be included in agreements registered on Title for the residential units, and included in all agreements of purchase and sale or lease, and all rental agreements:

#### **Air Quality, Odour, Dust Emissions**

“Purchasers/tenants are advised that due to the proximity of adjacent industries and roadways, dust and odours from these facilities may at times be perceptible.”

### **Receptor-Based Physical Mitigation Measures**

#### **Ventilation System Design**

##### **Forced Air Heating Systems / Future Air Conditioning**

The above listed unit should be designed with a provision for the installation of central air conditioning in the future, at the occupant’s discretion.

##### **Air Conditioning**

The above listed units should be designed with central air conditioning systems, will allow windows and exterior doors to remain closed.

##### **Air Intake Locations**

All air intakes for building mechanical systems, central air conditioning units and heat recovery units shall be located in areas of least impact, on the lea-side of the building (south and west facades), facing away from Eglinton Avenue West and Caledonia Road, or behind a significant intervening building or structure.

##### **Provisions for Carbon/ Dust Filters**

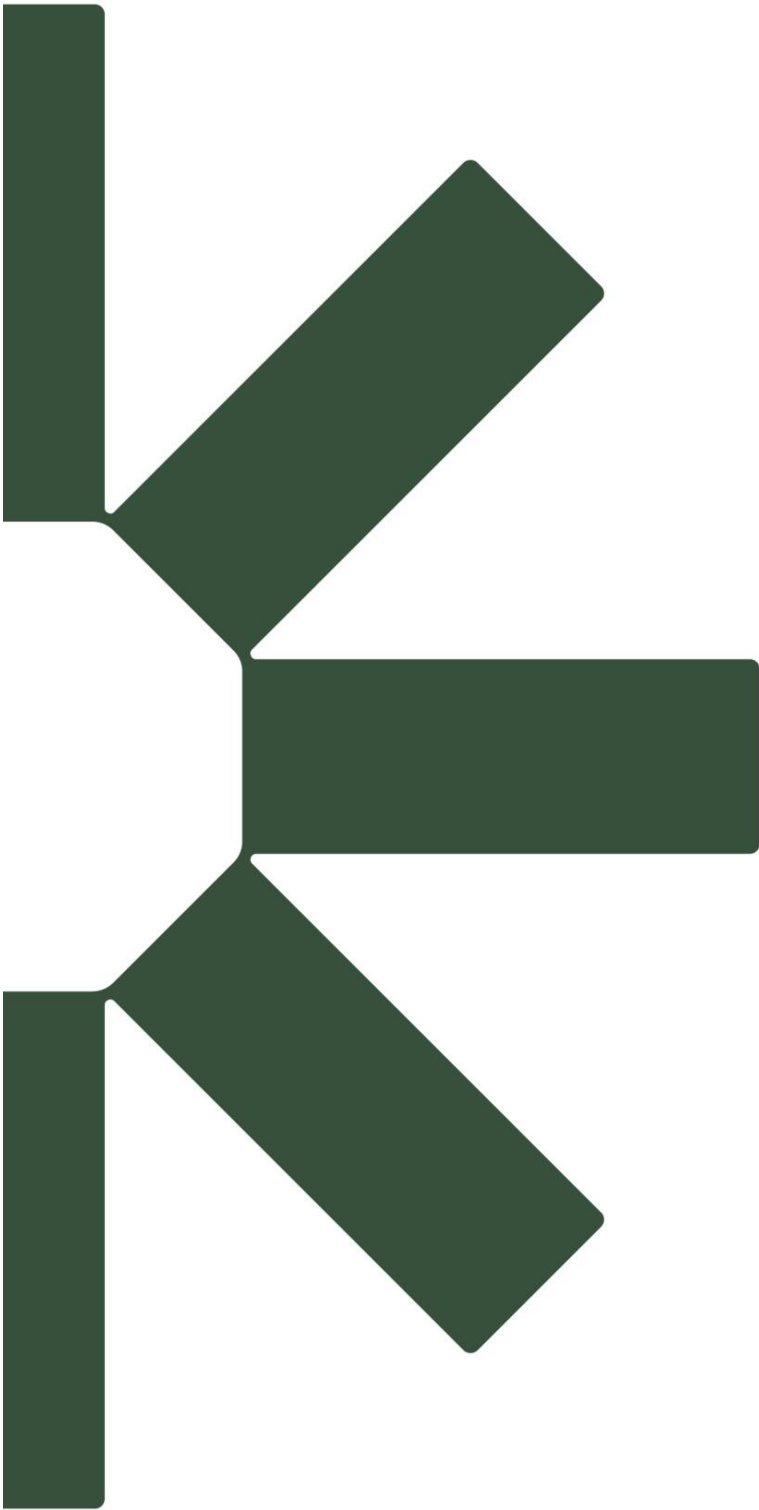
All air intakes for building mechanical systems, make-up air units, HVAC units, central air conditioning units and heat recovery units shall include space for the future installation of carbon and/or dust filters. The filtration system is to be designed to supply the space with 100% odour filtered air drawn from outside the building envelope.

##### **Carbon/ Dust Filters**

All air intakes for building mechanical systems, make-up air units, HVAC units, central air conditioning units and heat recovery units shall include carbon and/or dust filters. The filtration system is to be designed to supply the space with 100% odour filtered air drawn from outside the building envelope.

### **Positive Pressurization**

The building mechanical systems, make-up air units, HVAC units, central air conditioning units and heat recovery units shall be designed to maintain positive pressurization under normal weather conditions of all occupied areas, in accordance with current ASHRAE recommendations.



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