

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 5286-B9T29A

Issue Date: March 6, 2019

Nascent (Tisdale) Inc.  
60 Renfrew Drive, No. 210  
Markham, Ontario  
L3R 0E1

**Site Location:** 78 Tisdale Avenue,  
Part of Lot 4, Registered Plan 5413,  
Former City of North York  
City of Toronto,  
Ontario, M4A 1Y7

*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:*

amendment and consolidation of approvals to establish stormwater management Works for the collection, transmission and disposal of stormwater run-off from a catchment area of 0.61 hectares, to attenuate post-development peak flows to pre-development levels, discharging to a replaced 450 mm diameter municipal storm sewer on Tisdale Avenue for all storm events up to and including the 100-year return storm, consisting of the following:

**Proposed Works:****Stormwater Management System:**

a stormwater management system to service the site of the proposed residential development at 78 Tisdale Avenue Townhouses, relying on underground Super Pipe storage with three (3) proprietary flow control device (Hydrovex SVHV vertical Vortex Flow Regulators), to discharge site surface run-off via a 375 mm diameter pipe at a controlled peak flow rate of 7.89 L/sec into a new manhole MH 101 on Tisdale Avenue on an existing 375 mm diameter municipal storm sewer;

including all locations of porous pavement as shown on drawing C-1; along with the following previous works:

**Previous Works:** wastewater infrastructure Works consisting of the following:

**sanitary sewer** on Street 'A' (from Cul-de-Sac to approximately 76 metres west of Tisdale Avenue), discharging to the proposed sanitary sewer, located

on Street 'A';

**sanitary sewer** on Street 'A' (from approximately 28 metres west of Tisdale Avenue to approximately 76 metres west of Tisdale Avenue), discharging to the proposed sanitary sewer, located on a 6 metre Easement in Block 8 (private open space);

**sanitary sewer** on a 6 metre Easement in Block 8 (private open space) (from Street 'A', approximately 76 metres west of Tisdale Avenue, to the existing Easement, approximately 45 metres northwest of Street 'A'), discharging to the proposed sanitary sewer, located on the existing Easement;

**sanitary sewer** on the existing Easement (from the 6 metre Easement in Block 8 (private open space) to approximately 3 metres west of the 6 metre Easement in Block 8 (private open space), discharging to an existing sanitary sewer, located on the existing Easement;

**storm sewer** on Street 'A' (from Cul-de-Sac to Tisdale Avenue), discharging to the proposed storm sewer, located on Tisdale Avenue;

**storm sewer** on Tisdale Avenue (from Street 'A', approximately 170 metres north of Bartley Avenue to approximately 107 metres north of Bartley Avenue, discharging to the existing storm sewer, located on Tisdale Avenue;

**oversized concrete storm pipes** on Street 'A', and Block 9, designed to control the peak run-off from the 100-year post-development to the 2-year pre-development level, for a total catchment area of approximately 0.61 hectares, with a maximum runoff coefficient of 0.5 of 7.89 litres per second and a storage volume of 273 cubic metres, to an allowable storm discharge rate of 25.02 litres per second, discharging to the proposed storm sewers and to the manufactured treatment devices identified below, located on Street 'A';

**one (1) oil and grit separator** (Stormceptor STC 300 or Equivalent), located on Street 'A' (approximately 33 metres west of Tisdale Avenue), serving a total drainage area of approximately 0.25 hectares, having a sediment storage capacity of 1.45 cubic metres, an oil storage capacity of 300 litres, a total storage volume of approximately 1.78 cubic metres, and a maximum treatment rate of 9 litres per second, and a peak flow capacity of 123.9 litres per second, receiving inflow from the 375 millimetre storm sewer located on Street 'A', discharging via a 375 millimetre diameter outlet pipe to the Jellyfish Filtration Device, located on Street 'A'; and

**one (1) filtration device** (Jellyfish JF4-2-1-LO Filtration MTD or Equivalent),

located on Street 'A' (approximately 30 metres west of the Tisdale Avenue intersection), serving a total drainage area of approximately 0.25 hectares, having two high-flo cartridges and one draindown cartridge, with a manhole diameter of 1.2 metres, a treatment flow rate of 12.6 litres per second, a peak capacity of 12.6 litres per second, a sediment storage capacity of 142 kilograms, an oil storage capacity of 379 litres, receiving inflow from the 375 millimetre storm sewer located on Street 'A', discharging via a 375 millimetre diameter outlet pipe to an existing storm sewer on Tisdale Avenue;

with the manufactured treatment units together, designed to control a minimum of 90% of the annual run-off volume and provide 80% TSS removal (Enhanced Level) protection;

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

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

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

1. "Approval" means this entire document and any schedules attached to it, and the application;
2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
3. "District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Equivalent Equipment" means a substituted equipment or like-for-like equipment that meets the required quality and performance standards of the approved named equipment;
6. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
7. "Owner" means Nascent (Tisdale) Inc., and includes its successors and assignees;

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

9. "Works" means the sewage Works described in the Owner's application, including previously approved works and proposed works in this Approval.

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

## TERMS AND CONDITIONS

### 1. GENERAL CONDITIONS

2.

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

4. Except as otherwise provided by these Conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with the description given in this Approval, and the application for approval of the Works.

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

6. Where there is a conflict between the documents listed in Schedule "A" and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.

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

### 2. EXPIRY OF APPROVAL

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

2. In the event that completion and commissioning of any portion of the Works is anticipated to be delayed beyond the specified expiry period, the Owner shall submit an application of extension to the expiry period, at least twelve (12) months prior to the end of the period. The application for extension shall include the reason(s) for the delay, whether there is any design change(s) and a review of whether the standards applicable at the time of Approval of the Works are still applicable at the time of request for extension, to ensure the ongoing protection of the environment.

### **3. CHANGE OF OWNER**

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

- a. change of Owner;
- b. change of address of the Owner;
- c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c.B17 shall be included in the notification to the District Manager; or
- d. change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the *Corporations Information Act*, R.S.O. 1990, c. C39 shall be included in the notification to the District Manager.

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

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

### **4. OPERATION AND MAINTENANCE**

1. If applicable, any proposed storm sewers or other stormwater conveyance in this Approval can be constructed but not operated until the proposed stormwater management facilities in this Approval or any other Approval that are designed to service the storm sewers or other stormwater conveyance are in operation.

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

3. The Owner shall undertake an inspection of the condition of the Works, at least once a year, and undertake any necessary cleaning and maintenance to ensure that sediment, debris and excessive decaying vegetation are removed from the Works to prevent the excessive build-up of sediment, oil/grit, debris and/or decaying vegetation, to avoid reduction of the capacity and/or permeability of the Works, as applicable. The Owner shall also regularly inspect and clean out the inlet to and outlet from the Works to ensure that these are not obstructed.

4. The Owner shall construct, operate and maintain the Works with the objective that the effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen, foam or discoloration on the receiving waters.

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

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

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

- a. operating and maintenance procedures for routine operation of the Works;
- b. inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;
- c. repair and maintenance programs, including the frequency of repair and maintenance for the Works;
- d. contingency plans and procedures for dealing with potential spills and any other abnormal situations and for notifying the District Manager; and
- e. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.

7. The Owner shall maintain the operations manual current and retain a copy at the Owner's administrative office for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.

## **5. TEMPORARY EROSION AND SEDIMENT CONTROL**

1. The Owner shall install and maintain temporary sediment and erosion control measures during construction and conduct inspections once every two (2) weeks and after each significant storm event (a significant storm event is defined as a minimum of 25 mm of rain in any 24 hours period). The inspections and maintenance of the temporary sediment and erosion control measures shall continue until they are no longer required and at which time they shall be removed and all disturbed areas reinstated properly.
2. The Owner shall maintain records of inspections and maintenance which shall be made available for inspection by the Ministry, upon request. The record shall include the name of the inspector, date of inspection, and the remedial measures, if any, undertaken to maintain the temporary sediment and erosion control measures.

## **6. REPORTING**

1. One (1) week prior to the start-up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start-up date.
2. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
3. The Owner shall prepare a performance report within ninety (90) days following the end of the period being reported upon, and submit the report(s) to the District Manager when requested. The first such report shall cover the first annual period following the commencement of operation of the Works and subsequent reports shall be prepared to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:
  - a. a description of any operating problems encountered and corrective actions taken;
  - b. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works, including an estimate of the quantity of any materials removed from the Works;
  - c. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
  - d. a summary of all spill or abnormal discharge events; and
  - e. any other information the District Manager requires from time to time.

## **7. RECORD KEEPING**

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

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

1. Condition 1 is imposed to ensure that the Works are constructed and operated in the manner in which they were described and upon which approval was granted. This condition is also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.

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

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

4. Condition 4(1) is included to prevent the operation of stormwater pipes and other conveyance until such time that their required associated stormwater management Works are also constructed.

5. Condition 4(2-7) is included as regular inspection and necessary removal of sediment and excessive decaying vegetation from the Works are required to mitigate the impact of sediment, debris and/or decaying vegetation on the treatment capacity of the Works. The Condition also ensures that adequate storage is maintained in the Works at all times as required by the design. Furthermore, this Condition is included to ensure that the Works are operated and maintained to function as designed.

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

7. Condition 6 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.



8. Condition 7 is included to require that all records are retained for a sufficient time period to adequately evaluate the long-term operation and maintenance of the Works.

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### **Schedule "A"**

1. Application for Approval of Sewage Works submitted by Norman Li, P.Eng. of Cole Engineering Group Ltd. dated May 30, 2018;
2. Servicing and Stormwater management report/design brief/drainage report and enclosed plans/design drawings, dated December, 2018, prepared by Cole Engineering Group Ltd.
3. Application for Environmental Compliance Approval, dated May 30, 2018, received on December 20, 2018, submitted by Nascent (Tisdale) Inc.;
4. Transfer of Review Letter of Recommendation, dated December 18, 2018 and signed by Lawrence Shintani, P.Eng., Manager, Policy and Program Development, Water Infrastructure Management, City of Toronto, including the following supporting documents:
5. Final Plans and Specifications prepared by Cole Engineering Group Ltd.
6. Pipe Data Form - Watermain, Storm Sewer, Sanitary Sewer, and Forcemain Design Supplement to Application for Approval for Water and Sewage Works.
7. Hydraulic Design Sheets prepared by Cole Engineering Group Ltd.
8. Stormwater Management Report prepared by Cole Engineering Group Ltd.
9. Design brief, calculations and specifications prepared by Cole Engineering Group Ltd.
10. Email received on January 3, 2019 from Norman Li, P.Eng., Cole Engineering Group Ltd.
11. Email received on January 4, 2019, January 17, 2019, from Kirk Allan, P.Eng., Senior Engineer, Policy and Program Development, Water Infrastructure Management, Toronto Water.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 1974-B84SNZ issued on February 2, 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  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5

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)**

*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 March,  
2019

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

c: District Manager, MECP Toronto - District  
Norman Li, Cole Engineering Group Ltd.