

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A-500-5128462414

Version: 1.0

Issue Date: December 3, 2021

*Pursuant to section 20.3 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:*

SHELL CANADA LIMITED/SHELL  
CANADA LIMITÉE

400 4 AVENUE (AVE) SOUTHWEST  
CALGARY ALBERTA  
T2P 0J4

*For the following site:*

5 Orchard Drive  
Stittsville  
City of Ottawa, ON K2S 1T3

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

the establishment of stormwater management Works to service a proposed gas bar with car wash and convenience store located at 5 Orchard Drive in the City of Ottawa, for the collection, transmission, treatment and disposal of storm water runoff from a total catchment area of approximately 0.34 hectares, to provide Enhanced Level water quality protection and erosion control and to attenuate post-development peak flows to the allowable release rates of approximately 10 and 12 L/s for the 5-year and 100 year storm events respectively, discharging to an existing municipal storm sewer, consisting of the following:

- **surface/subsurface storage system (catchment area 0.32 hectares)**, provided within private storm sewers ranging from 450 mm to 1050 mm in diameter, associated manhole structures located within the site as well as within surface depressions up to a maximum ponding depth of 13cm, having a maximum available storage volume of approximately 210 cubic metres, controlled by one (1) Inlet Control Device (Hydrovex 100 VHV-1 or approved equivalent) allowing a maximum discharge of 6 and 8 litres per second during the 5-year and 100-year storm events respectively, discharging to the water quality unit described below;
- **water quality unit (catchment area 0.32 hectares)**: one (1) filtration unit, Hydro International Model UFF-5 or Equivalent Equipment, located within the south-east quadrant of the site, providing Enhanced Level of protection, having a sediment storage capacity of 1,580 litres, an oil storage capacity of 1000 litres, a total storage volume of approximately 2,580 litres, and a maximum treatment rate of 8 litres per second, receiving inflow from the on-site storm sewer system, discharging via a 675 millimetre diameter outlet pipe to the existing storm sewer on Fringewood Drive;

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 1 forming part of this Approval.

## **DEFINITIONS**

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

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
3. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Works is geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Equivalent Equipment" means alternate piece(s) of equipment that meets the design requirements and performance specifications of the piece(s) of equipment to be substituted;
6. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the PEA;
7. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
8. "Owner" means SHELL CANADA LIMITED and its successors and assigns;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
10. "PEA" means *Professional Engineers Act*, R.S.O. 1990, c. P.28, as amended;
11. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
12. "Works" means the approved sewage works, and includes Proposed Works.

## **TERMS AND CONDITIONS**

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

### **1. GENERAL CONDITION**

1. The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. The Owner shall design, construct, operate and maintain the Works in accordance with the conditions of this Approval.
3. Where there is a conflict between a provision of any document referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence.
4. The issuance of, and compliance with the conditions of, 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, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the sewage works; or
- b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

## **2. EXPIRY OF APPROVAL**

1. In the event that completion and commissioning of any portion of the Works is anticipated to be more than five (5) years, the Owner shall submit an application for extension at least twelve (12) months prior to the end of the five (5) years from the day of issuance of this Approval.

## **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 address of Owner;
  - b. change of Owner, including address of new owner;
  - c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c. B.17, as amended, shall be included in the notification;
  - 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. C.39, as amended, shall be included in the notification.
2. In the event of any change in ownership of the Works, the Owner shall notify the succeeding owner in writing, 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 environmental compliance approval number.

## **4. CONSTRUCTION OF THE WORKS**

1. Upon the construction of the Works, the Owner shall prepare and submit a written statement, certified by a Licensed Engineering Practitioner, that the Works are constructed in accordance with this Approval, and upon request, shall make written statement available for inspection by Ministry personnel.
2. Within one (1) year of the construction of the Works, a set of as-built drawings showing the works "as constructed" shall be prepared. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the Works for the operational life of the Works.

## **5. EFFLUENT OBJECTIVES**

1. The Owner shall design and undertake everything practicable to operate the Works in accordance with the following objectives:

- a. Final effluent 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 or sheen or foam or discolouration on the receiving waters.
2. In the event of an exceedence of the objective set out in subsection 1, the Owner shall:
  - a. notify the District Manager as soon as possible during normal working hours;
  - b. take immediate action to identify the source of contamination; and
  - c. take immediate action to prevent further exceedence.

## **6. OPERATIONS AND MAINTENANCE**

1. 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 procedures for routine/periodic operation and self-monitoring 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. a spill prevention, control and countermeasures plan including procedures for notifying the District Manager; and
  - e. procedures for responding to environmental concerns from the public.
2. The Owner shall maintain the operations manual up to date through revisions undertaken from time to time and retain a copy at the location of the Works for as long as they are in operation. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.
3. The Owner shall carry out and maintain an inspection and maintenance program on the operation of the water quality unit in accordance with the manufacturer's recommendation.
4. The Owner shall ensure the immediate inspection of the Works after a fuel or oil spill capture and, if necessary, clean and maintain the Works to prevent the excessive buildup of oil or fuel.
5. The Owner shall ensure that the design minimum liquid retention volume(s) in the subsurface storage is maintained at all times.
6. The Owner shall inspect the Works at least once a year and, if necessary, clean and maintain the Works to prevent the excessive buildup of sediments and/or vegetation.

## **7. RECORD KEEPING**

1. 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 site for inspection by the Ministry. The logbook shall include the following:
  - a. the name of the Works;
  - b. the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed; and
  - c. the date of each spill within the catchment area, including follow-up actions / remedial measures undertaken.

2. The Owner shall retain for a minimum of five (5) years from the date of their creation, or longer if requested in writing by the Director, all records and information required by this Approval.

## **8. 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 millimetres 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.

## **9. SPILL CONTINGENCY PLAN**

1. Within six (6) months from the issuance of this Approval, the Owner shall implement a spill contingency plan - that is a set of procedures describing how to mitigate the impacts of a spill within the area serviced by the Works. The Owner shall, upon request, make this plan available to Ministry staff. This plan shall include as a minimum:
  - a. the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the facility;
  - b. the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency plan;
  - c. a site plan drawn to scale showing the facility, nearby buildings, streets, catch-basins and manholes, drainage patterns (including direction(s) of flow in storm sewers), any receiving body(ies) of water that could potentially be significantly impacted by a spill and any features which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);
  - d. steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
  - e. a listing of telephone numbers for: local clean-up company(ies) who may be called upon to assist in responding to spills; local emergency responders including health institution (s); and Ministry Spills Action Centre 1-800-268-6060;
  - f. Safety Data Sheets (SDS) for each hazardous material which may be transported or stored within the area serviced by the Works;
  - g. the means (internal corporate procedures) by which the spill contingency plan is activated;
  - h. a description of the spill response training provided to employees assigned to work in the area serviced by the Works, the date(s) on which the training was provided and by whom;
  - i. an inventory of response and clean-up equipment available to implement the spill contingency plan, location and, date of maintenance/replacement if warranted; and
  - j. the date on which the contingency plan was prepared and subsequently, amended.
2. The spill contingency plan shall be kept in a conspicuous, readily accessible location on-site.

3. The spill contingency plan shall be amended from time to time as required by changes in the operation of the facility.

## 10. 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 prepare performance reports on a calendar year basis by March 31 of the calendar year following the period being reported upon and submit to the District Manager when requested. The reports shall contain, but shall not be limited to, the following information pertaining to the reporting period:
  - a. a description of any operating problems encountered and corrective actions taken;
  - b. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works, including an estimate of the quantity of any materials removed from the Works;
  - c. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
  - d. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
  - e. a summary of all spill or abnormal discharge events; and
  - f. any other information the District Manager requires from time to time.
3. In addition to the obligations under Part X of the EPA and O. Reg. 675/98 (Classification and Exemption Of Spills and Reporting of Discharges), the Owner shall, within fifteen (15) days of the occurrence of any reportable spill as provided in Part X of the EPA and Ontario Regulation 675/98, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and a schedule of implementation.
4. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

## REASONS

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

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. Condition 1.4 is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The Condition specifically highlights the need to obtain any necessary conservation authority approvals. The Condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.

3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to approved Works and to ensure that any subsequent Owner of the Works is made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 included to ensure that the Works are constructed, and may be operated and maintained such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.
5. Condition 5 is included to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to meet on an ongoing basis. It is also included to establish appropriate actions to be taken to minimize environmental impact in the event the objectives are exceeded.
6. Condition 6 is included to ensure that an operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept current by the Owner and made available to the Ministry. Such a manual is an integral part of the operation of the Works. Its compilation and use should assist the Owner in staff training and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a bench-mark for Ministry staff when reviewing the Owner's operation of the Works.
7. Condition 7 is included to ensure that accurate information is readily available so that a proper and accurate assessment of the operating performance of the works may be conducted and that appropriate measures be taken should the operating performance of the works not be satisfactory.
8. Condition 8 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.
9. Condition 9 is included to ensure that the Owner will implement the Spill Contingency Plan, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.
10. Condition 10 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.

## **APPEAL PROVISIONS**

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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 the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who will place notice of your appeal on the Environmental Registry. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

- I. 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;
- II. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The environmental compliance approval number;
- IV. The date of the environmental compliance approval;
- V. The name of the Director, and;
- VI. 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:

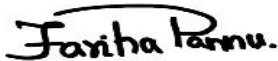
Registrar* Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 <a href="mailto:OLT.Registrar@ontario.ca">OLT.Registrar@ontario.ca</a>	and	The Minister of the Environment, Conservation and Parks 777 Bay Street, 5th Floor Toronto, Ontario M7A 2J3	and	The Director appointed for the purposes of Part II.1 of the <i>Environmental Protection Act</i> Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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**\* 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)**

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 [ero.ontario.ca](http://ero.ontario.ca), you can determine when the leave to appeal period ends.

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

Dated at Toronto this 3rd day of December, 2021



Fariha Pannu

Director

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

c: Kelvin Wong, SHELL CANADA LIMITED/SHELL CANADA LIMITÉE  
Ben C Lam, WSP Canada Group Limited

The following schedules are a part of this environmental compliance approval:



## **SCHEDULE 1**

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1. Application for Environmental Compliance Approval submitted and signed electronically by Bikram Arora, Engineering Analyst of Shell Canada Limited, received April 28, 2021, and all supporting documentation and information.
2. Stormwater Management Report “5 Orchard Drive, Stittsville, City of Ottawa”, dated December 2020 and revised November 2021, including calculations and engineering drawings, prepared by AECOM Canada Ltd.