

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 5408-CCZLKE
Issue Date: June 9, 2022

Geosoils Inc.
953 Wilson Avenue
Toronto, Ontario
M5M 1G2

Site Location: 953 Wilson Avenue
City of Toronto

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 for the collection, transmission, treatment and disposal of stormwater runoff from a total catchment area of 1.6 hectares, located at 953 Wilson Avenue, City of Toronto, to provide erosion and sediment control measures serving the sites yard use to stockpile soil and aggregates for manufacturing operations, consisting of the following:

- **perimeter interceptor swales**, located along the southwestern, northern and southern limits of the site, consisting of a minimum centreline slope of 0.5%, a minimum depth of 300 millimetres and minimum 1.0 metre wide, with maximum side slopes of 2:1, to minimize the potential of on-site sediment runoff to adjacent properties, complete with rock check dams to reduce flow velocities and promote settlement of sediments prior discharging to the existing concrete drainage channel described below;
- **existing concrete drainage channel**, along the eastern limits of the site, consisting of a bottom width of approx. 1.1 metres and a normal depth of approx. 0.75 metre, which conveys stormwater off-site and ultimately discharges into a tributary of the Humber River watershed;

all in accordance with supporting documents listed in Schedule A.

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

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

3. "District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;
6. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the *Professional Engineers Act*, R.S.O. 1990, c. P.28;
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 Geosoils Inc. and its successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
10. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
11. "Works" means the approved sewage works, and includes Proposed Works and Existing Works.

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

TERMS AND CONDITIONS

1. GENERAL 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. 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.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, 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 environmental compliance approval number.

3. CONSTRUCTION OF THE WORKS

1. Upon the construction of the Works, the Owner shall prepare a statement, certified by a Licensed Engineering Practitioner, that the works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry personnel.
2. Within six months 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.

4. OPERATION AND MAINTENANCE

1. The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works do not

constitute a safety, health or flooding hazard to the general public.

2. The Owner shall undertake an inspection of the condition of the concrete drainage channel, on a **quarterly basis**, and undertake any necessary cleaning and maintenance to ensure that sediment, debris and excessive decaying vegetation are removed from the concrete drainage channel to prevent the excessive build-up of sediment, oil/grit, debris and/or decaying vegetation, to avoid obstruction and reduction of the capacity and/or permeability of the Works, as applicable.
3. The Owner shall install and maintain the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and Works during construction and operations of the site located at 953 Wilson Avenue, City of Toronto, 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) or snowmelt event.
4. The Owner shall complete repair, or maintenance identified through the inspections within 48 hours or sooner.
5. The Owner shall ensure the placement of all erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) remain structurally sound.
6. The Owner shall ensure if erosion is observed at the soil and aggregate stockpile, stabilization measures shall be considered to maintain the original design intent of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works.
7. The Owner shall ensure the removal of sediment collected at the base of the perimeter interceptor swales, are periodically maintained and completed to reinstate the Works to original conditions.
8. The Owner shall ensure the filter fabric rolls, ((Siltsoxx™) are installed along the existing concrete retaining wall along the eastern portion of the site, to capture and minimize the amount of sediment that enters the existing concrete drainage channel.
9. The Owner shall ensure the removal of sediments collected at the base of the fabric filter rolls (Siltsoxx™) when sediments collected reach half (1/2) of the exposed height of the fabric filter rolls (Siltsoxx™), is periodically maintained and completed to reinstate the erosion and sediment control measures to original conditions.
10. The Owner shall ensure the existing and new Silt fence are reinstated to original conditions or better along the western, northern and southern limits of the site to minimize the potential of on-site sediment runoff to adjacent properties and additional silt fencing along eastern existing concrete channel to minimize sediment entering the existing concrete drainage channel.
11. The Owner shall ensure the removal of sediment collected at the base of Silt fences, are maintained frequently and that the service life of the Silt fences, if not already repaired by the inspections to identify failed sections, do not exceed approx. 1 year at the site.

12. The Owner shall ensure the existing soil and aggregate stockpile are to be re-graded to remove any slopes that are steeper than 1.5H:1V to minimize any future spills from the site into the existing concrete drainage channel and adjacent properties.
13. 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 erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works.
14. The Owner shall ensure the immediate clean-out of the Works after a fuel, oil spill capture or soil spill/discharge.
15. The Owner shall ensure that equipment and material for the containment, clean-up and disposal of fuel and oil and materials contaminated with such, or the clean-up and disposal of soil spill/discharge, is on hand and in good repair for immediate use in the event of:
 - a. loss of fuel, oil or soil spill/discharge to the Works;
 - b. a spill within the meaning of Part X of the EPA requires the reporting to be done to Ministry's Spills Action Centre at 1-800-268-6060 or 416-325-3000; and/or
 - c. a soil discharges as required by 15 (1) of the EPA. Ontario Regulation 675/98 requires the reporting to be done to Ministry's Spills Action Centre at 1-800-268-6060 or 416-325-3000.
16. The Owner shall prepare an operations manual prior to the commencement of operation of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works that includes, but is not necessarily limited to, the following information:
 - a. operating and maintenance procedures for routine operation of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works;
 - b. inspection programs, including frequency of inspection, for the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of 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 erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works;
 - d. contingency plans and procedures for dealing with potential abnormal situations and for notifying the District Manager; and
 - e. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
17. The Owner shall maintain an up to date operations manual and make the manual readily accessible for reference at the erosion and sediment control measures (i.e. Silt fence, fabric filter

rolls) and of the Works for the operational life of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works. Upon request, the Owner shall make the manual available to Ministry staff.

18. 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 erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works for inspection by the Ministry. The logbook shall include the following:
 - a. the name of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works;
 - b. a tabulation and description of any operating problems encountered and corrective actions taken;
 - c. 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 erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works; and
 - d. the date of each spill within the catchment area, including follow-up actions and remedial measures undertaken.
19. The Owner shall retain for a minimum of five (5) years from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this Approval.

5. REPORTING

1. One (1) week prior to the installation of the operation of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) as outlined in Condition 4 and of the Works, the Owner shall notify the District Manager (in writing) of the pending installation date.
2. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
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 prepare performance reports on a calendar year basis and submit to the District Manager by March 31 of the calendar year following the period being reported upon. The reports shall contain, but shall not be limited to, the following information pertaining to the reporting

period:

- a. a description of any operating problems encountered and corrective actions taken;
- b. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works, including an estimate of the quantity of any materials removed from the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of 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.

6. NOTIFICATION OF COMPLAINTS

1. The Owner 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;

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

1. Condition 1 is imposed to ensure that the the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works are constructed and operated in the manner in which they were described and upon which approval was granted. This condition is also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. Condition 1.4 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 erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works. The Condition specifically highlights the need to obtain any necessary conservation authority approvals. The Condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
2. Condition 2 is included to ensure that the Ministry records are kept accurate and current with respect to the approved Works and to ensure that subsequent owners of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
3. Condition 3 is included to ensure that the erosion and sediment control measures (i.e. Silt fence,

fabric filter rolls) and of the Works are constructed in accordance with the approval and that record drawings of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works “as constructed” are maintained for future references.

4. Condition 4 is included as regular inspection and necessary removal of sediment and excessive decaying vegetation from the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works are required to mitigate the impact of sediment, debris and/or decaying vegetation on the treatment capacity of the erosion and sediment control measures (i.e. Silt fence, fabric filter rolls) and of the Works. The Condition also ensures that adequate storage is maintained in the Works at all times as required by the design. Furthermore, this Condition is included to ensure that the Works are operated and maintained to function as designed.
5. Condition 5 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.
6. Condition 6 is included to require the Owner to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land Tribunal and in accordance with Section 47 of the *Environmental Bill of Rights, 1993*, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the 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.

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

The Minister of the Environment,
Conservation and Parks

The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,

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

and

777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

and

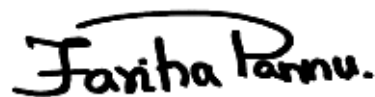
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

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

This instrument is subject to Section 38 of the *Environmental Bill of Rights*, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

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

DATED AT TORONTO this 9th day of June, 2022



Fariha Pannu, P.Eng.

Director

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

RU/

c: District Manager, MECP Toronto - District
Andrew Farina, Crozier & Associates