

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 5953-CR8SHU  
Issue Date: June 30, 2023

2722260 Ontario Inc.  
993 Adelaide Street South  
London, Ontario  
N6E 1R5

Site Location: 825 Bradley Avenue  
City of London, County of Middlesex

*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 proposed commercial warehouse addition to the existing industrial site, having approximately 2.05 hectares, located at 825 Bradley Avenue, in the City of London, Ontario, for the treatment and disposal of stormwater runoff, providing Enhanced level of stormwater quality control, and attenuating post development flows to allowable release rate for all the storm events, up to and including the 100-year storm event, consisting of the following Proposed Works:

**Proposed Works:**

- **rooftop storage:** approximately 148 cubic metres of rooftop stormwater storage provided with a maximum ponding depth of 150 millimetres;
- **stormwater storage:** approximately 375 cubic metres of stormwater storage provided via surface ponding at two existing loading decks, and approximately 43 cubic metres of stormwater storage provided via approximately 67 metres long 900 millimetre diameter super pipe located upstream of STMH2, discharging to proposed oil and grit separator, identified below;
- **oil and grit separator (catchment area 1.97 hectares):** one (1) oil and grit separator Model CDS 3025\_6 or Equivalent Equipment, located at south-east corner of the site, having a sediment storage capacity of 1,200 litres, an oil storage capacity of 895 litres, a total holding capacity of 2,095 litres, and a maximum treatment flow rate of 68 litres per second, discharging to existing storm sewers located along NewBold Street;

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 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;
5. "Equivalent Equipment" means a substituted equipment or like-for-like equipment that meets the required quality and performance standards of a named equipment;
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 2722260 Ontario Inc., and includes any successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40;
10. "PEA" means *Professional Engineers Act*, R.S.O. 1990, c. P.28;
11. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed; and
12. "Works" means the approved sewage works, and includes Proposed 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 PROVISIONS

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 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. 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.

## 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* shall be included in the notification;
  - d. change of name of the corporation and a copy of the most current information filed under the *Corporations Information Act, R.S.O. 1990, c. C.39* shall be included in the notification.
2. In the event of any change in ownership of the Works, other than a change in ownership to the municipality, i.e. assumption 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 number of this Approval.

#### **4. CONSTRUCTION OF PROPOSED WORKS**

1. Upon 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 staff.
2. Within six (6) 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 revision undertaken from time to time and a copy shall be retained for the operational life of the Works.

#### **5. OPERATIONS 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 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 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.
3. 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.
4. The Owner shall carry out and maintain an inspection and maintenance program on the operation of the oil and grit separator in accordance with the manufacturer's recommendation.
5. The Owner shall ensure that the manhole for the oil and grit separator remains accessible year-round to facilitate maintenance access and spill response measures.
6. 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.
7. The Owner shall ensure that equipment and material for the containment, clean-up and disposal of fuel and oil and materials contaminated with such, is on hand and in good repair for immediate use in the event of:

- a. loss of fuel or oil to the Works; or
  - b. a spill within the meaning of Part X of the EPA.
8. 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 Stormwater Management 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.
9. 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.
10. 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.
11. 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.

## **6. 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.

## 7. REPORTING

1. 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 upon request. 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;
  - c. a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
  - d. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
  - e. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
  - f. a summary of all spill or abnormal discharge events; and
  - g. any other information the District Manager requires from time to time.
2. 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) made under the EPA, the Owner shall, within fifteen (15) days of the occurrence of any reportable spill as provided in Part X of the EPA and O. Reg. 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.
  3. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

## **Schedule A**

1. Application for Environmental Compliance Approval, dated September 19, 2022 and received on September 26, 2022, submitted by Development Engineering (London) Limited, on behalf of 2722260 Ontario Inc., along with all other supporting information, including engineering drawings submitted by Development Engineering (London) Limited.
2. Stormwater Management and Site Servicing Report, 825 Bradley Ave. London, Ontario, dated May 03, 2022, prepared by Development Engineering (London) Limited.



*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.
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 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. Furthermore, this Condition is included to ensure that the Works are operated and maintained to function as designed.
6. Condition 6 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.
7. Condition 7 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.

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

and

The Minister of the Environment,  
Conservation and Parks  
777 Bay Street, 5th Floor  
Toronto, Ontario  
M7A 2J3

and

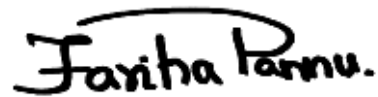
The Director appointed for the purposes of  
Part II.1 of the *Environmental Protection Act*  
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

**\* 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)**

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 30th day of June, 2023



---

Fariha Pannu, P.Eng.

Director

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

MS/

c: District Manager, MECP London - District  
Jon Baker, Development Engineering (London) Limited