

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3163-CWPP46
Issue Date: December 4, 2023

Toro GP Inc. as General Partner for and on behalf of Toro
Limited Partnership
2680 Skymark Ave, No. 800
Mississauga, Ontario
L4W 5L6

Site Location: 640 College Street East
City of Belleville
County of Hastings, Ontario

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:

establishment, usage and operation of stormwater management Works, for the collection, transmission, treatment and disposal of stormwater runoff from a distribution centre located at the above Site Location, to provide water quality and quantity for all storm events up to and including the 100-year storm event, discharging to municipal storm sewer system on College Street East and to Bell Creek, consisting of the following:

Details of Catchment Areas

- Eastern Portion Catchment Area: a total catchment area of approximately 25.34 hectares (ha), including the main building roof of the warehouse (9.56 ha), the surrounding truck loading/parking areas (9.62 ha), as well as the wet pond and existing undeveloped areas (6.16 ha).
- Western Portion Catchment Area (to dry pond): a total catchment area of approximately 5.97 ha, including the roof of warehouse entrance (0.19 ha), parking lot (3.37 ha), the dry pond (0.58 ha), as well as the access roads and open space north of the dry pond (1.83 ha).
- Western Portion Catchment Area (total): a total catchment area of approximately 12.74 ha, including the areas to the dry pond listed above (5.97 ha), the southern access road and arterial road connecting the College Street East (2.94 ha), and existing undeveloped areas (3.83 ha).

Proposed Works

Eastern Portion Catchment Area

Stormwater management system located at the south-east corner of the property, for the collection, transmission, treatment and disposal of stormwater runoff from the 25.34 ha of Eastern Portion Catchment Area, to provide Enhanced water quality protection and to attenuate post-development peak flows to the pre-development levels for all storm events up to and including the 100-year storm event, discharging to Bell River, consisting of the following:

- stormwater collection sewer system, discharging, via a 1,650 millimetre (mm) diameter inlet sewer, to a stormwater management wet pond;
- one (1) stormwater management wet pond, consisting of one (1) 68 metre (m) long and 12/23.4 m wide (bottom/top) sediment forebay and one (1) main cell, having a design minimum total liquid retention volume of 5,598 cubic metres at a permanent pool elevation of 92.00 m, an extended detention volume of 1,088 cubic metres for the first 0.2 m active storage, and a total active storage volume of approximately 9,586 cubic metres at an elevation of 93.25 m for the 100 year storm event, complete with one (1) inlet structure connected to the 1,650 mm diameter inlet sewer, and outlet structures as follows:
 - one (1) pumping outlet (seasonal operation during May 1 to November 30), discharging the extended detention volume to an infiltration system, at a flow rate of 12 litres per second (L/s);
 - one (1) outlet structure consisting of a box maintenance hole structure with a opening as a weir with a crest elevation of 92.20 m to control outflow for the storms up to the 5 year storm event, and a 4.3 m wide spillway with an invert elevation of 92.97 m for the storms more than 5 year storm and up the 100 year storm, discharging via a 600 mm diameter pipe and an outlet ditch, with a controlled maximum flow rate of 1,885 L/s for the 100 year storm event, to the Bell Creek;
- one infiltration chamber system located within the available land east of the stormwater management wet pond, having a footprint of approximately 1,500 square metres with a total water storage volume of 465 cubic metres and a design infiltration rate of 17 mm per hour; and

including erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned stormwater management system.

Western Portion Catchment Area

Stormwater management system for the collection, transmission, detention and disposal of stormwater runoff from the 12.74 ha of Western Portion Catchment Area, to attenuate post-development peak flows to allowable capacity of the downstream storm sewers on the College Street East, for the storms up to and including the 100-year storm event, discharging the municipal storm sewer system on College Street East, and then to an existing stormwater management facility to the south, which was designed to provide water quality and quantity control for this watershed prior to discharging to Bell Creek, consisting of the following:

- stormwater collection sewer system, discharging via inlets consisting of 300 mm to 1,050 mm storm

sewers to a stormwater management dry pond;

- one (1) stormwater management dry pond, having a storage volume of 970 cubic metres at an elevation of 93.72 metres for the 100 year storm event, discharging via outlet structure that consists of a ditch inlet catch basin (DICB) at the southern end of the pond and a 525 mm diameter pipe connecting to the storm sewers along the proposed arterial road connecting to College Street East, with a controlled maximum flow rate of 572 L/s for the 100 year storm event, to the downstream storm sewer system on College Street East;
- stormwater collection sewer system along the proposed arterial road connecting to College Street East, receiving storm runoff from the dry pond and uncontrolled portions, discharging to the downstream storm sewer system on College Street East, with a maximum flow rate of 1,272 L/s for the 100-year storm event; and

including erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned stormwater management system.

All in accordance with the submitted 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 is geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
5. "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;
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. "Operating Agency" means the Owner, or the person or the entity that is authorized by the Owner for the management, operation, maintenance, or alteration of the Works in accordance with this Approval;
8. "Owner" means Toro GP Inc. as General Partner for and on behalf of Toro Limited Partnership, including any successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40;
10. "Proposed Works" means those portions of the Works included in the Approval that are under construction

or to be constructed;

11. "Single Sample Result" means the test result of a parameter in the effluent discharged on any day, as measured by a probe, analyzer or in a composite or grab sample, as required; 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. This Approval is for the treatment and disposal of stormwater run-off from the proposed development of approximately 25.3 hectares of Eastern Portion Catchment Area and approximately 12.7 ha of Western Portion Catchment Area. The Approval is based on an average imperviousness of approximately 73% for Eastern Portion Catchment Area and approximately 42% for Western Portion Catchment Area. Any future development changes within the total drainage area that might increase the required storage volumes or increase the flows to or from the wet pond or any structural/physical changes to the stormwater management facility including inlets or outlets will require an amendment to this Approval.
5. 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. CHANGE OF OWNER AND OPERATING AGENCY

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. The Owner shall notify the District Manager, in writing, of any of the following changes within **thirty (30) days** of the change occurring:
 - a. change of address of the Operating Agency;
 - b. change of the Operating Agency, including address of the new Operating Agency.
 3. 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 forward a copy of the notice to the District Manager.
 4. The Owner shall ensure that all communications made pursuant to this condition refer to the number of this Approval.

3. CONSTRUCTION OF PROPOSED WORKS

1. All Proposed Works in this Approval shall be constructed and installed and must commence operation within **five (5) years** of issuance of this Approval, after which time the Approval ceases to apply in respect of any portions of the Works not in operation.
2. Upon completion of construction of the Proposed Works, the Owner shall prepare and submit a written statement to the District Manager, certified by a Licensed Engineering Practitioner, that the Proposed Works is constructed in accordance with this Approval.
3. Within **one (1) year** of completion of construction of the Proposed Works, a set of record drawings of the Works shall be prepared or updated. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be readily accessible for reference at the Works.

4. OPERATION AND MAINTENANCE

1. The Owner shall ensure that the design minimum liquid retention volume(s) is maintained at all times in the stormwater management wet pond.

2. The Owner shall inspect the Works at least once a year and, if necessary, clean and maintain the Works to prevent the excessive build-up of sediments, oil/grit, and/or vegetation.
3. 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 available 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.
4. 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. EFFLUENT OBJECTIVES

1. The Owner shall design and undertake everything practicable to operate the stormwater management wet pond (Eastern Portion Catchment Area) in accordance with the effluent objectives listed in the table included in **Schedule B**.

6. MONITORING AND RECORDING

1. The Owner shall, upon commencement of operation of the Works, carry out a scheduled monitoring program of collecting samples at the required sampling points, at the frequency specified or higher, by means of the specified sample type and analyzed for each parameter listed in the tables under the monitoring program included in **Schedule C** and record all results, as follows:
 - a. all samples and measurements are to be taken at a time and in a location characteristic of the quality and quantity of the sewage stream over the time period being monitored.
 - b. definitions and preparation requirements for each sample type are included in document referenced in Paragraph 2.a.
 - c. definitions for frequency:
 - i. Monthly means once every month;
 - d. The measurement frequencies specified in **Schedule C** in respect to any parameter may, after three (3) years of monitoring in accordance with this Condition, be modified with concurrence from District Manager in writing if the Owner is able to demonstrate satisfactory performance. If the District Manager concurs that performance is satisfactory then monitoring would be once every three (3) years thereafter to ensure performance of the stormwater pond is maintained in the long-term.

2. The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following documents and all analysis shall be conducted by a laboratory accredited to the ISO/IEC:17025 standard or as directed by the District Manager:
 - a. the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater Version 2.0" (January 2016), PIBS 2724e02, as amended;
 - b. the publication "Standard Methods for the Examination of Water and Wastewater", as amended; and
 - c. for any parameters not mentioned in the documents referenced in Paragraphs 2.a and 2.b, the written approval of the District Manager shall be obtained prior to sampling.
3. 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 monitoring activities required by this Approval.

7. REPORTING

1. 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.
2. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
3. The Owner shall prepare performance reports on a calendar year basis and submit to the District Manager upon request in an electronic format 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 summary and interpretation of all monitoring data, and a comparison to the effluent objectives, including an overview of the success and adequacy of the Works;
 - b. a summary of all operating issues encountered and corrective actions taken;
 - c. a summary of all normal and emergency repairs and maintenance activities carried out on any major structure, equipment, or apparatus of the Works;
 - d. a summary of any effluent quality assurance or control measures undertaken;
 - e. a summary of any complaints received and any steps taken to address the complaints;
 - f. a summary of all overflows and spills within the meaning of Part X of EPA and abnormal discharge

events;

g. any other information the District Manager requires from time to time.

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 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.

Schedule A

1. Application for Environmental Compliance Approval dated January 24, 2023 and received on January 31, 2023 submitted by Joseph Broccolini, Executive Vice-President, Toro GP Inc. as General Partner for and on behalf of Toro Limited Partnership for the proposed stormwater management works serving a Distribution Centre, including stormwater management report, final plans and specifications.

Schedule B

Effluent Objectives

Effluent Parameter	Averaging Calculator	Concentration Objectives (maximum unless otherwise indicated)
Total Suspended Solids	Single Sample Result	25.0 mg/L*
Oil and Grease	Single Sample Result	10.0 mg/L

Note*: mg/L means milligrams per litre.

Schedule C

Monitoring Plan

Table C-1 Influent Monitoring

Sampling Location	one (1) sampling point at the sediment forebay for the influent to the stormwater management wet pond (Eastern Portion Catchment Area)
Sampling Frequency	Monthly/once every three (3) years*
Sampling Type	Grab
Sampling Parameters	Total Suspended Solids

Note*: After three (3) years of monitoring, if the District Manager concurs that performance is satisfactory then the Sampling frequency can be changed to "once every three (3) years"; and there shall be an interval of at least eighteen (18) months between successive sampling days.

Table C-2 Effluent Monitoring

Sampling Location	one (1) sampling point in the stormwater management wet pond (Eastern Portion Catchment Area) in the vicinity of the outlet structure.
Sampling Frequency	Monthly/once every three (3) years*
Sampling Type	Grab
Sampling Parameters	Total Suspended Solids, Total Phosphorus, Oil and Grease, Total Petroleum Hydrocarbons Fractions (F1-F4) and Heavy Metals (Hg, Pb, Mn, Cd, Zn, Cu, Ni, Fe and Cr III and Cr VI at a minimum).

Note*: After three (3) years of monitoring, if the District Manager concurs that performance is satisfactory then the Sampling frequency can be changed to "once every three (3) years"; and there shall be an interval of at least eighteen (18) months between successive sampling days.

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

1. Condition 1 regarding general provisions 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.
2. Condition 2 regarding change of Owner and Operating Agency is included to ensure that the Ministry records are kept accurate and current with respect to ownership and Operating Agency of the 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.
3. Condition 3 regarding construction of Proposed Works is included to ensure that the Works are constructed in a timely manner so that standards applicable at the time of Approval of the Works are still applicable at the time of construction to ensure the ongoing protection of the environment, and also ensure that the Works are constructed in accordance with the Approval and that record drawings of the Works "as constructed" are updated and maintained for future references.
4. Condition 4 regarding operation and maintenance is included to require that the Works be properly operated and maintained such that the environment is protected.
5. Condition 5 regarding effluent objectives is imposed to establish non-enforceable design objectives to be used as a mechanism to trigger corrective action proactively and voluntarily before environmental impairment occurs.
6. Condition 6 regarding monitoring and recording is included to enable the Owner to evaluate and demonstrate the performance of the Works, on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the effluent objectives.
7. Condition 7 regarding reporting 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 this Approval.
8. Condition 8 regarding temporary erosion and sediment control 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.

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 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.

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

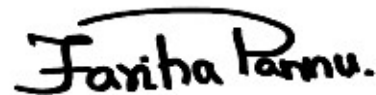
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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**

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 4th day of December, 2023



Fariha Pannu, P.Eng.

Director

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

NH/

- c: Area Manager, MECP Belleville Area Office
- c: District Manager, MECP Kingston District Office
- Michael Petepiece, Novatech Engineering