

➔ **1941 Eglinton East Holdings Inc.**
Eglinton East and Warden

Compatibility & Mitigation Study
Air Quality, Dust, Odour, Noise & Vibration
Toronto, ON

SLR Project No: 241.30190.00000

July 2021



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Compatibility & Mitigation Study Air Quality, Dust, Odour, Noise, & Vibration Toronto, ON

SLR Project No.: 241.30190.00000, Version 1

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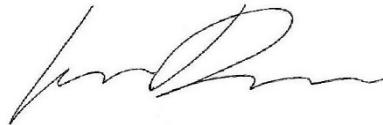
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EXECUTIVE SUMMARY

SLR Consulting (Canada) Ltd. (SLR), was retained by 1941 Eglinton East Holdings Inc. to conduct a Compatibility / Mitigation Study focusing on air quality, odour, dust, noise, and vibration, for their potential mixed-use redevelopment, including residential uses, of the block located at the southeast corner of the intersection of Eglinton Avenue East and Warden Avenue in Toronto, Ontario (the “Project site”).

This assessment has been completed in support of the Employment Lands conversion request for the block, from General Employment Areas to Mixed-Use Areas, which is being sought as part of the current City of Toronto Municipal Comprehensive Review (“MCR”) exercise.

This assessment has considered:

- Industrial air quality, odour, and dust emissions;
- Industrial/ commercial and transportation related noise and vibration.

Based on the review completed, the Project site is anticipated to be compatible with the surrounding land uses from an air quality perspective. No adverse impacts from air quality contaminants, dust or odour are anticipated. There will be no negative impacts on surrounding industries and their ability to obtain/maintain their required Ministry of Environment, Conservation & Parks permits and approvals.

No adverse impacts from industrial noise or vibration are anticipated at the Project site. Based on this initial assessment, no other receptor-based or source-based mitigation measures would be required. Transportation noise and vibration impacts are not anticipated. Air conditioning and a noise warning clause will be required for residential units on the Project site due to the proximity to Eglinton Avenue.

Versions

Version	Date	Comment
1	July 14, 2021	<ul style="list-style-type: none"> First Submission
2	July 28, 2021	<ul style="list-style-type: none"> Final Submission

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1. INTRODUCTION

SLR Consulting (Canada) Ltd. (SLR), was retained by 1941 Eglinton East Holdings Inc. to conduct a Compatibility / Mitigation Study focusing on air quality, odour, dust, noise, and vibration, for their potential mixed-use redevelopment, including residential uses, of the block located at the southeast corner of the intersection of Eglinton Avenue East and Warden Avenue in Toronto, Ontario (the “Project site”).

This assessment has been completed in support of the Employment Lands conversion request for the block, from General Employment Areas to Mixed-Use Areas, which is being sought as part of the current City of Toronto Municipal Comprehensive Review (“MCR”) exercise.

Potential environmental impacts from the following sources have been considered:

- Industrial air quality, odour, and dust emissions; and
- Industrial/commercial and transportation related noise and vibration.

In this assessment, SLR has reviewed the surrounding industrial land uses and major facilities in the area with respect to the following guidelines:

- The City of Toronto’s Terms of Reference for Compatibility/ Mitigation Studies;
- The Provincial Policy Statement;
- Ministry of the Environment, Conservation and Parks (“MECP”) Guidelines D-1 and D-6;
- Ontario Regulation 419/05: *Air Pollution – Local Air Quality* and its associated air quality standards and assessment requirements;
- The MECP’s draft policies on odour impacts and assessment;
- MECP Publication NPC-300 noise guidelines for industrial and transportation; and
- The City Noise By-law (Chapter 591 of the Municipal Code).

This report is intended to meet the requirements of the “Compatibility/ Mitigation Study” Terms of Reference published by the City of Toronto (“the OPA 231 ToR”). This report identifies existing and potential land use compatibility issues and identifies and evaluates options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses, including residential uses, and nearby Employment Areas and/or major facilities.

2. DESCRIPTION OF DEVELOPMENT AND SURROUNDINGS

2.1 PROPOSED DEVELOPMENT

The Project site, at the southeast corner of the intersection of Eglinton Avenue East and Warden Avenue, is currently occupied by two large low-rise commercial buildings, including Kingscross Hyundai, and Scarborough Nissan. The Project site also contains other small scale commercial buildings. A context plan can be found in Figure 1. The proposed redevelopment of the block is in its early design process and building design has not been determined at this time, but it is anticipated that the proposed redevelopment of the block would consist of multiple mid-rise and/or high-rise buildings, with commercial uses in lower levels and residential uses above

2.2 SURROUNDINGS

The Project site is bounded by Eglinton Avenue East to the north, Civic Road to the south, Prudham Gate to the east, and Warden Avenue to the west. There are a number of commercial and industrial developments in the immediate vicinity of the Project site. The area surrounding the Project site is a mix of commercial and employment properties with applications for several high-density mixed use redevelopment proposals for the lands north of Eglinton Avenue East. Immediately south of the Project site is a variety of industrial uses, including several automotive repair shops along Civic Road.

2.3 LAND USE DESIGNATIONS IN THE AREA

The sections to follow outline the current land use designations under the City of Toronto Official Plan (OP) (February 2019 consolidation). Note that the Project site and many of the lands immediately surrounding the Project site are not subject to the new City of Toronto By-law 569-2013.

2.3.1 CITY OF TORONTO OFFICIAL PLAN

The City of Toronto Official Plan Map for the area can be seen in **Figure 2a**. The Project site is designated as General Employment Areas. The lands east, and west of the Project are also designated as General Employment Areas. To the south lands are zoned General and Core Employment Areas. The lands north of the Project site, on the north side of Eglinton Avenue East, are designated as Mixed-Use Areas.

2.3.2 CITY OF TORONTO ZONING BY-LAW 569-2013

The City of Toronto Zoning Map for the area can be seen in **Figure 2b**. The Project site is not covered under the current City of Toronto By-Law 569-2013 and is covered under the former City of Scarborough Employment District By-Law (Golden Mile). Most of the lands surrounding the Project site are also covered under the former by-law. The lands located southeast of the site are covered under the City of Toronto zoning by-law and are zoned as Employment Industrial (E 1.0).

2.3.3 FORMER CITY OF SCARBOROUGH EMPLOYMENT DISTRICT BY-LAW (GOLDEN MILE)

The project site is not covered under the current City of Toronto By-Law 569-2013 and is covered under the former City of Scarborough Employment District By-Law (Golden Mile District West). The Project site is zoned MDC – Industrial District Commercial Zone. The lands located south of the Project site are zoned M – Industrial Zone, I - Institutional and MDC. To the east the lands are zoned MDC. The Former City of Scarborough Zoning Map for the area can be seen in **Figure 2c**.

3. ASSESSMENT FRAMEWORK

The intent of this report is to identify any existing and potential land use compatibility issues and to identify and evaluate options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses, including residential uses, and nearby Employment Areas and/or major facilities. Recommended measures intended to eliminate or mitigate negative impacts and adverse effects are provided.

The requirements of Ontario's planning regime are organized such that generic policy is informed by specific policy, guidance, and legislation, as follows:

- The Provincial Policy Statement (“PPS”) sets out goals – making sure adjacent land uses are compatible from a health and safety perspective and are appropriately buffered; then
- The Ministry of the Environment, Conservation & Parks (“MECP”) D-series of guidelines set out methods to determine if assessments are required (areas of influence, recommended minimum separation distances, and the need for additional studies); then
- MECP and Municipal regulations, policies, standards, and guidelines then set out the requirements of additional air quality, noise and vibration studies and the applicable policies, standards, guidelines, and objectives to ensure that adverse effects do not occur.

3.1 PROVINCIAL POLICY STATEMENT

The PPS “provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.”

The PPS is a generic document, providing a consolidated statement of the government’s policies on land use planning and is issued under section 3 of the Planning Act. Municipalities are the primary implementers of the PPS through policies in their local official plans, zoning by-laws and other planning related decisions. The current 2020 PPS came into effect on May 1, 2020. Policy direction concerning land use compatibility is provided in Section 1.2.6 of the PPS.

From the current 2020 version:

“1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;

-
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
 - d) potential impacts to industrial, manufacturing, or other uses are minimized and mitigated.”

The goals of the PPS are implemented through Municipal and Provincial policies, as discussed below. Provided the Municipal and Provincial policies, guidelines, standards, and procedures are met, the requirements of the PPS will be met.

3.2 CITY OF TORONTO OFFICIAL PLAN AMENDMENT NO. 231

The City of Toronto has recently released a Terms of Reference for Compatibility/ Mitigation Studies, based on the framework developed under Official Plan Amendment No. 231 (OPA 231). The Terms of Reference can be found on the City’s website at:

<https://www.toronto.ca/city-government/planning-development/application-forms-fees/building-toronto-together-a-development-guide/application-support-material-terms-of-reference/>

The purpose of the compatibility/mitigation study is to identify any existing and potential land use compatibility issues and identify and evaluate options to achieve appropriate design, including buffering and/or separation distances between land uses.

The compatibility/mitigation study is to provide a written description of:

- Potential land use compatibility impacts by type (traffic, noise, vibration, dust, odour, etc.), including severity, frequency and duration of impacts that may cause an adverse effect on the proposed development;
- Existing approvals from the MECP;
- Within the immediate area of the proposed development, the history of complaints received by the City or MECP;
- Potential intensification or operational changes such as expansion plans for existing major facilities in the area;
- Potential land use compatibility issues that may have a negative impact on nearby employment areas and major facilities.

Where a land use compatibility issue is identified, the compatibility/mitigation study should identify options to achieve appropriate design, such as buffering/separation distance, at-source mitigation or at-receptor mitigation.

3.3 D-SERIES OF GUIDELINES

The D-series of guidelines were developed by the MECP in 1995 as a means to assess recommended separation distances and other control measures for land use planning proposals in an effort to prevent or minimize ‘adverse effects’ from the encroachment of incompatible land uses where a facility either exists or is proposed. D-series guidelines address sources including sewage treatment (Guideline D-2), gas and oil pipelines (Guideline D-3), landfills (Guideline D-4), water services (Guideline D-5) and industries (Guideline D-6).

For this assessment, the applicable guideline is Guideline D-6 - *Compatibility between Industrial Facilities and Sensitive Land Uses*.

Adverse effect is a term defined in the Environmental Protection Act and “means one or more of

- impairment of the quality of the natural environment for any use that can be made of it,
- injury or damage to property or to plant or animal life,
- harm or material discomfort to any person,
- an adverse effect on the health of any person,
- impairment of the safety of any person,
- rendering any property or plant or animal life unfit for human use,
- loss of enjoyment of normal use of property, and
- interference with the normal conduct of business”.

3.3.1 GUIDELINE D-6 REQUIREMENTS

The guideline specifically addresses issues of air quality, odour, dust, noise, and litter. To minimize the potential to cause an adverse effect, areas of influence and recommended minimum separation distances are included within the guidelines. The areas of influence and recommended minimum separation distances from the guidelines are provided in the table below.

Table 1: Guideline D-6 - Potential Influence Areas and Recommended Minimum Separation Distances for Industrial Land Uses

Industry Classification	Area of Influence	Recommended Minimum Separation Distance
Class I – Light Industrial	70 m	20 m
Class II – Medium Industrial	300 m	70 m
Class III – Heavy Industrial	1000 m	300 m

Industrial categorization criteria are supplied in Guideline D-6, and are shown in the following table:

Table 2: Guideline D-6 - Industrial Categorization Criteria

Category	Outputs	Scale	Process	Operations / Intensity	Possible Examples
Class I Light Industry	<ul style="list-style-type: none"> • Noise: Sound not audible off-property • Dust: Infrequent and not intense • Odour: Infrequent and not intense • Vibration: No ground-borne vibration on plant property 	<ul style="list-style-type: none"> • No outside storage • Small-scale plant or scale is irrelevant in relation to all other criteria for this Class 	<ul style="list-style-type: none"> • Self-contained plant or building which produces/ stores a packaged product • Low probability of fugitive emissions 	<ul style="list-style-type: none"> • Daytime operations only • Infrequent movement of products and/ or heavy trucks 	<ul style="list-style-type: none"> • Electronics manufacturing and repair • Furniture repair and refinishing • Beverage bottling • Auto parts supply • Packaging and crafting services • Distribution of dairy products • Laundry and linen supply

Category	Outputs	Scale	Process	Operations / Intensity	Possible Examples
Class II Medium Industry	<ul style="list-style-type: none"> Noise: Sound occasionally heard off-property Dust: Frequent and occasionally intense Odour: Frequent and occasionally intense Vibration: Possible ground-borne vibration, but cannot be perceived off-property 	<ul style="list-style-type: none"> Outside storage permitted Medium level of production allowed 	<ul style="list-style-type: none"> Open process Periodic outputs of minor annoyance Low probability of fugitive emissions 	<ul style="list-style-type: none"> Shift operations permitted Frequent movements of products and/ or heavy trucks with the majority of movements during daytime hours 	<ul style="list-style-type: none"> Magazine printing Paint spray booths Metal command production Manufacturing of dairy products Dry cleaning services Feed packing plants
Class III Heavy Industry	<ul style="list-style-type: none"> Noise: Sound frequently audible off property Dust: Persistent and/ or intense Odour: Persistent and/ or intense Vibration: Ground-borne vibration can frequently be perceived off-property 	<ul style="list-style-type: none"> Outside storage of raw and finished products Large production levels 	<ul style="list-style-type: none"> Open process Frequent outputs of major annoyances High probability of fugitive emissions 	<ul style="list-style-type: none"> Continuous movement of products and employees Daily shift operations permitted 	<ul style="list-style-type: none"> Paint and varnish manufacturing Organic chemical manufacturing Breweries Solvent recovery plants Soaps and detergent manufacturing Metal refining and manufacturing

3.3.2 REQUIREMENTS FOR ASSESSMENTS

Guideline D-6 requires that studies be conducted to assess impacts where sensitive land uses are proposed within the potential area of influence of an industrial facility. This report is intended to fulfill this requirement.

The D-series guidelines reference previous versions of the air quality regulation (Regulation 346) and noise guidelines (Publications NPC-205 and LU-131). However, the D-series of guidelines are still in force, still represent current MECP policy and are specifically referenced in numerous other current MECP policies. In applying the D-series guidelines, the current policies, regulations, standards, and guidelines have been used (e.g., Regulation 419, Publication NPC-300).

SLR is aware that the MECP has recently released draft guidelines to replace the D-series land use compatibility guidelines. These guidelines are currently under public review and subject to change. These guidelines have not been considered in preparing this report.

3.3.3 RECOMMENDED MINIMUM SEPARATION DISTANCES

Guideline D-6 also *recommends* that no sensitive land use be placed within the Recommended Minimum Separation Distance. However, it should be noted that this is a recommendation only. Section 4.10 of the Guideline allows for development within the separation distance, in cases of redevelopment, infilling, and transitions to mixed use, provided that the appropriate studies are conducted and that the relevant air quality and noise guidelines are met.

4. NEARBY INDUSTRIES

Zoning information for the area is provided in **Figure 2**. The Guideline D-6 setback distances from the Development are shown in **Figure 3**. Local industries within 1 km of the site were inventoried. The lands surrounding the Project site are generally comprised of employment/commercial properties.

In Ontario, facilities that emit significant amounts of contaminants to the environment are required to obtain and maintain an Environmental Compliance Approval (“ECA”) from the MECP or submit an Environmental Activity and Sector Registry (“EASR”). ECAs/ EASRs within 1 km of the Project site were obtained from the MECP’s *Access Environment* website. Copies are provided in **Appendix A**.

Table 3 lists the identified industries within 1000m of the Project site. A more detailed table of the identified industries is provided in **Appendix A**. Industries which lie within their applicable Area of Influence in respect to the Project site are discussed further below.

Table 3: Identified Industries Within the Potential Area of Influence of the Project Site

Facility	Type of Operation	Environmental Compliance Approval No.	Industry Class	Area of Influence Dist (m)	Actual Distance to Site (m)	Additional Assessment Required?
Kingscross Hyundai Body Shop	Automotive Repair Shop	R-001-811029786 (2017)	Class I	70	10	Yes
Villar Automotive	Automotive Repair Shop	-	Class I	70	10	Yes
Enzo’s Automotive	Automotive Repair Shop	-	Class I	70	10	
RT Auto Works Inc.	Automotive Repair Shop	-	Class I	70	10	
Shield Auto Glass	Automotive Repair Shop	-	Class I	70	10	
Happy Auto	Automotive Repair Shop	3427-5PYP37 (2003)	Class I	70	10	Yes
MP Auto Repairs & Collision	Automotive Repair Shop	R-001-5110422596	Class I	70	10	Yes
Donway Ford	Dealership	R-001-5112057697	Class I	70	10	Yes
Cosmetica Laboratories	A Packaged Cosmetics Manufacturer	5918-AGNKY8(2016)	Class II	300	30	Yes
EMIRFI Shield Plating	Electroplating Facility	3825-9UGJH4 (2015)	Class II	300	200	Yes
Prologix	Logistics and Trucking Services	-	Class II	300	230	Yes
SI Group	Aggregate Storage Yard	-	Class III	1000	620	Yes
IPEX Inc.	Polyvinyl Chloride Pipe Manufacturer	1701-AG8JCZ (2017)	Class III	1000	690	Yes

All the Industries listed above were identified inside their potential area of influence and, therefore, require additional assessment:

All other industries, detailed in Appendix A, are outside of their respective Guideline D-6 Areas of Influence and, therefore, are unlikely to result in adverse effects at the Project site.

4.1 CLASS III HEAVY INDUSTRIES

The area within 1 km of the Project site was reviewed. As shown in **Figure 3**, there are two Class III Heavy industries within 1 km of the Project site, namely SI Group Aggregate Storage Yard, and IPEX Inc.

4.1.1 SI GROUP

ADDRESS	309-319 Comstock Road
DISTANCE TO PROJECT:	620 m
D-6 CLASSIFICATION:	Class III heavy industry

The SI Group aggregate storage yard contains large piles of aggregate materials including coarse and fine materials. A review the MECP Access Environment database did not identify an approval for the facility's current operations. An approval from 2007 for production of resins, polyesters and varnishes was identified, however, this facility no longer exists, and the property is now used to store aggregate materials.

The aggregate storage yard is considered Class III due to the amount of outdoor storage, possible usage of a crusher, open process, and potential for persistent fugitive dust. The Potential Area of Influence is 1000 m and the Recommended Minimum Separation distance is 300m. The Project site lies within the Potential Area of Influence.

During the site visit to the area, SLR staff walked along Comstock Road to observe operations of the facility. No fugitive dust emissions were observed. From a noise perspective, no major noise sources were identified.

The potential exists for adverse air quality impacts from SI Group's current operations on the Project site. Additional assessment is therefore warranted and is provided in section 5.1.4.1.

4.1.2 IPEX INC.

ADDRESS	807 Pharmacy Avenue
DISTANCE TO PROJECT:	690 m
D-6 CLASSIFICATION:	Class III heavy industry

IPEX is a heavy use industrial facility which manufactures 100,000 kg of polyvinyl chloride pipes on a daily basis through blending, extrusion, regrinding and pelletizing processes. The Facility operates under MECP ECA Number 1701-AG8JCZ, dated June 23, 2017. Copies of the MECP permit can be found in **Appendix A**.

On June 22, 2021, SLR personnel conducted a site visit to the area. No odours, visible dust, or noise was observed at the facility at the time of the site visit.

Based on the size and nature of the of the facility operations, including daytime, evening and night-time operations, IPEX would be considered to be a Class III Heavy Industry under MECP Guideline D-6, with a Recommended Minimum Separation Distance of 300 m and a Potential Area of Influence of 1000m. The Project site lies outside of the Recommended Minimum Separation distance, but within the Potential Area of Influence.

The potential exists for adverse air quality and noise impacts from IPEX's current operations on the Project site. Additional assessment is therefore warranted and is provided in Section 5.1.4.2

4.2 CLASS I LIGHT AND CLASS II MEDIUM INDUSTRIES

There are a number of Class I light and Class II medium scale industries within 300 m of the Project site, as shown in **Figure 3**, namely:

- Cosmetica Laboratories;
- EMIRFI Shield Plating;
- Prologix
- Kingscross Hyundai Body Shop;
- Villar Automotive;
- Enzo's Automotive.;

- RT Auto Works Inc.;
- Shield Auto Glass;
- Happy Auto;
- MP Auto Repairs & Collision; and
- Donway Ford.

4.2.1 COSMETICA LABORATORIES

ADDRESS	1960 Eglinton Avenue East
DISTANCE TO PROJECT:	30
D-6 CLASSIFICATION:	Class II Medium Industry

The Cosmetica Laboratories facility is a packaged cosmetics manufacturing facility. The Facility operates under MECP ECA Number 5918-AGNKY8, dated December 15, 2016. Copies of the MECP permit can be found in **Appendix A**.

On June 22, 2021, SLR personnel conducted a site visit to the area. No odours or visible dust were observed at the facility at the time of the site visit. Significant air quality sources of interest may include:

- Lip gloss, lipstick, pencil, powder, and concealer processing;
- Hot pour compounding processes; and
- Stand-by diesel generator.

Based on the size and nature of the of facility operations, including daytime, evening and night-time operations, Cosmetica Laboratories is considered to be a Class II Medium Industry under MECP Guideline D-6, with a Recommended Minimum Separation Distance of 70 m. The Project lies within this distance.

Given the above, there is potential for adverse air quality and noise impacts from Cosmetica’s current operations on the Project site. Additional assessment is therefore warranted and is provided in Section 5.1.4.3.

4.2.2 EMIRFI SHIELD PLATING INC.

ADDRESS	123 Manville Road
DISTANCE TO PROJECT:	200
D-6 CLASSIFICATION:	Class II Medium Industry

EMIRFI Shield Plating is an electroplating facility that specializes in custom surface finishing solutions for a variety of industries including electronics, automotive and telecommunications. The facility operates with a Production Limit of up to 200,000 pieces plated per day. The Facility operates under MECP ECA Number 3825-9UGJH4, dated April 14, 2015. Copies of the MECP permit can be found in **Appendix A**.

On June 22, 2021, SLR personnel conducted a site visit to the area. No odours or visible dust were observed at the facility at the time of the site visit. Significant air quality, and noise sources of interest include:

- Fume hood exhaust;
- Electroplating lines; and
- Nitric strippers.

Based on the size and nature of the facility operations, EMIFRI Shield Plating is considered a Class II Medium Industry under MECP Guideline D-6, with a Potential Area of Influence of 300 m. The Project lies within this distance.

Given the above, there is potential for adverse air quality impacts from the Facility's current operations on the Project Site. Additional assessment is therefore warranted and provided in Section 5.1.4.4.

4.2.3 PROLOGIX

ADDRESS	120 Sinnott Road
DISTANCE TO PROJECT:	230
D-6 CLASSIFICATION:	Class II Medium Industry

Prologix is a logistics company that is located southeast of the Project site. A search of the MECP registry did not yield a permit or registration for this site.

On June 22, 2021, SLR personnel conducted a site visit to the area. No odours or visible dust were observed at the facility. There was minimal truck activity observed at the time of the site visit.

Significant noise sources of interest based on the site visit, aerial photography and typical operations for this type of facility include:

- HVAC equipment, ventilation fans;
- Vehicle idling and movements.

Based on the size and nature of the facility operations, including the potential for night-time vehicle movements, Prologix would be considered a Class II medium industry, with a Recommended Minimum Separation Distance of 70 m, and a Potential Area of Influence of 300 m. The Project site lies within the Potential Area of Influence.

Given the above, there is potential for adverse air quality and noise impacts from Prologix's current operations on the Project site. Additional assessment is therefore warranted and is provided in Section 5.1.4.5.

4.2.4 AUTO REPAIR SHOPS

FACILITY	ADDRESS	DISTANCE TO PROJECT	D-6 CLASSIFICATION
Kingscross Hyundai Body Shop	19 Civic Road	10	Class I
Villar Automotive	15 Civic Road	10	Class I
Enzo's Automotive	15 Civic Road	10	Class I
RT Auto Works Inc.	15 Civic Road	10	Class I
Shield Auto Glass	15 Civic Road	10	Class I
Happy Auto	17 Civic Road	10	Class I
MP Auto Repairs & Collision	17 Civic Road	10	Class I
Donway Ford	1975 Eglinton Avenue East	10	Class I

The facilities listed above are all auto repair shops that are located to the south of the Project site, except for Donway Ford which is located to the east of the Project site.

On June 22, 2021, SLR personnel conducted a site visit to the area to observe the potential air exhaust sources at the facilities. No odour or dust was observed at these facilities at the time of the visit.

As suggested in Guideline D-6, automotive repair shops maybe listed as a Class II facility partly due to the operation of a spray-paint booth. However, auto-repair shops of this size are now generally considered Class I facilities, as the MECP has a specific Environmental Activity and Sector Registry for this industry with specific operating conditions required which reduces emissions. Auto-repair shops are regulated under Ontario Regulation 347/12: Regulations under part II.2 of the Ontario Environmental Protection Act – Automotive Refinishing. Therefore, the auto repair shops in the vicinity of the Project site have been classified as Class I facilities, with a Recommended Minimum Separation Distance of 20 m and a potential area of influence of 70 m. All the auto repair facilities listed above are within the 20 m Recommended Minimum Separation Distance.

Given the above, there is potential for adverse air impacts from the auto repair shops’ current operations on the Project site. Additional assessment is therefore warranted and is provided in Section 5.1.4.6.

4.3 FUTURE USES

4.3.1 DEVELOPMENT APPLICATIONS

A review of development applications in the area indicated that there are 17 active development applications within 1000 m of the Project site. The following is a summary of the significant applications and excludes committee of adjustment applications such as minor variance or consent. This information is reflective of those applications listed online at the City of Toronto [applications information centre](#) as of July 5, 2021:

Table 4: Development Applications in the Area

Address	Date	Development Application Information *	Details
20 & 50 Ashtonbee Road	15/02/2019	19 115893 ESC 21 OZ	Official Plan Amendment application to add new policies to the Official Plan for the subject lands at 1920-1940 Eglinton Ave E, 880-900 Warden Ave and 20-50 Ashtonbee Rd. The SASP would permit future mixed-use development, new public streets and parkland.
1100 Birchmount Road	04/11/2013	13 260777 ESC 37 SA	The applicant proposes to expand the existing place of worship uses in the building so that total area of the proposed PofW use is 4364 square metres in size. The proposal contemplates an access off Betrand and an access off of Birchmount. A total of 337 parking spaces is proposed consisting of surface parking and a reconfigured floor plan inclusive of indoor space within the existing structure converted into a parking garage. A total of 13 bike parking spaces.
1891 Eglinton Avenue East	19/06/2020	20 158264 ESC 20 OZ	Official Plan Amendment application for a new Site and Area Specific Policy (SASP) for the northerly portion of the subject site to permit a mixed-use development with new streets and public parkland. The application consists of four mixed-use tall buildings with heights that range from 33 to 48 storeys; a 10-storey residential mid-rise building; and 2,823 square metres of public parkland.

Address	Date	Development Application Information *	Details
1900 Eglinton Avenue East	29/06/2020	20 161237 ESC 21 OZ	Proposed site plan approval to permit an existing 640 sq.ft. (59.5 sm), "Penguin Pick-Up (PPU)" building located on the retail/commercial lands at 1900 Eglinton Avenue East. The PPU is designed as a convenience pick-up facility for customers to retrieve on-line purchases. PPU staff retrieve the parcel from the PPU building and bring the item to customers who can park in the PPU designated parking area. The PPU is self-sufficient without the need to connect to utility services, such as stormwater or sewage, to operate. Hydro connection is provided via an existing light standard.
1910 Eglinton Avenue East	17/08/2020	20 181262 NNY 15 OZ	Official Plan and Zoning By-law Amendment application to redevelop the site with a 35-storey mixed use building.
1920 & 1940 Eglinton Avenue East	15/02/2019	19 115893 ESC 21 OZ	Official Plan Amendment application to add new policies to the Official Plan for the subject lands at 1920-1940 Eglinton Ave E, 880-900 Warden Ave and 20-50 Ashtonbee Rd. The SASP would permit future mixed-use development, new public streets and parkland.
1960 Eglinton Avenue East	04/02/2020	20 112107 ESC 21 OZ	Official Plan Amendment application to add new policies for the subject site at 1960 Eglinton Ave E (Cosmetica lands). The Site and Area Specific Policy (SASP) would permit a mixed-use development with a new street and parkland. The development would consist of mixed-use buildings that range in height from 30 to 45 storeys and a six-storey non-residential building to replace and expand the gross floor area of the existing non-residential building (to be demolished). The site is located within the Golden Mile Secondary Plan (GMSP) study area.
1966, 1972,1980, 2000 Eglinton Avenue East	30/11/2015	15 258686 ESC 37 OZ	Official Plan Amendment application to add a Site and Area Specific Policy ("SASP") to the property at 1966-2050 Eglinton Avenue East (RioCan lands) to permit a mixed-use development with new streets and parkland.
2200-2206 Eglinton Avenue East	09/08/2018	18 206702 ESC 37 OZ	Official Plan Amendment application to add new policies to the Official Plan for the subject site. The SASP would permit future mixed-use development, new public streets and parks. The applicant is proposing to retain the existing office building at 2206 Eglinton Ave E and the existing (east) above-grade parking structure fronting onto Birchmount Rd. The application is related to Zoning By-law Amendment applications 20 154599 ESC 21 OZ (Block 2) and 21 166739 ESC 21 OZ (Blocks 1, 5, 7, & 10).
2222 Eglinton Avenue East	12/05/2021	21 153596 ESC 21 SA	Redevelopment of existing police station for new 2 storey facility.
971 & 973 Warden Avenue	29/12/2016	16 271669 ESC 37 OZ	Application to rezone the subject properties for a residential development comprised of 26 residential lots with single detached dwellings accessed by a one-way private road to and from Warden Avenue. City Council adopted item SC31.4 and By-law Nos 811-2018 and 812-2018 were enacted on June 29, 2018.

4.4 SUMMARY

From the list of industries identified in **Section 4**, thirteen were identified to require further analysis as a result of being within their area of influence: SI Group, IPEX Inc., Cosmetica Laboratories, EMIFRI Shield Plating, Prologix, and the Automotive Repair Shops.

Provided below are preliminary comments and findings with respect to predicted impacts at the Project site from the identified industrial facilities nearby.

5. AIR QUALITY, DUST AND ODOUR ASSESSMENT

5.1 INDUSTRIAL SOURCES

5.1.1 GUIDELINES AND REGULATIONS

Within Ontario, facilities which emit significant amounts of contaminants to the environment are required to obtain and maintain an Environmental Compliance Approval (an “ECA”) from the MECP or submit an Environmental Activity and Sector Registry (“EASR”). Facilities with an ECA/EASR should already meet the MECP guidelines for air quality contaminants at their property line.

5.1.1.1 Air Quality Contaminants

Under O.Reg. 419/05, a facility is required to meet prescribed standards for air quality contaminants at their property boundary line and any location off-site. The MECP does not require industries to assess their emissions at elevated points off-site, if a receptor does not exist at that location. While the introduction of mid-rise or high-rise residential buildings could trigger a facility to re-assess compliance at new receptor locations, the introduction of new low-rise receptors does not introduce any new receptors, as the facility is already required to be in compliance at grade-level at their property line.

5.1.1.2 Odour

There are a select few compounds that are provincially regulated from an odour perspective; however, there is no formal regulation with respect to mixed odours. Impacts from mixed odours produced by industrial facilities are generally only considered and regulated by the MECP in the presence of persistent complaints (ECO 2010).

The MECP assesses mixed odours, in Odour Units, following draft guidelines. One odour unit (1 OU) has been used as a default threshold. This is the concentration at which 50 % of the population will just detect an odour (but not necessarily identify/recognize or object to it). Recognition of an odour will typically occur between 3 and 5 odour units. The following factors may be considered:

- **Frequency** – How often the odour occurs. The MECP typically allows odours to exceed 1 OU with a 0.5 % frequency.
- **Intensity** – The strength of the odour, in odour units. 1 OU is often used in odour assessments in Ontario.
- **Duration** – How long the odour occurs.
- **Offensiveness** – How objectionable the odour is. The MECP may allow for a higher concentration of pleasant smells such as baking as opposed to off-putting smells such as rotting garbage or rancid meat.
- **Location** – Where the odour occurs. The MECP assesses odours where human activity is likely to

occur.

The MECP has decided to apply odour-based standards to locations “where human activities regularly occur at a time when those activities regularly occur,” which is generally accepted to be places that would be considered sensitive such as residences and public meeting places. As a guide, the MECP has provided proposed clarification of human odour receptors, as shown in the following table:

Table 5: Proposed Clarification of Human Receptors (MECP 2008)

Receptor Category	Examples	Exposure Type	Type of Assessment
Permanent potential 24-hour sensitivity	Anywhere someone could sleep including any residence or house, motels, hospitals, senior citizen homes, campgrounds, farmhouse, etc.	Individual likely to receive multiple exposures	Considered sensitive 24 hours per day
Permanent daily hours but with definite periods of shutdown/closure	Schools, daycares, community centres, soccer fields, farmland, churches, bicycle paths, hiking areas, lakes, commercial or institutional facilities (with consideration of hours of operation such as night clubs, restaurants, etc.)	Individual could receive multiple exposures	Night-time or daytime exclusion only (consider all other hours)
Seasonal variations with clear restrictions on accessibility during the off season	Golf courses, amusement parks, ski hills, other clearly seasonal private property	Short term potential for exposure	Exclusions allowed for non-seasonal use
Transient	Open fields, roadways, easements, driveways, parking lots, pump houses	Very short-term potential for exposure, may not be a single resident exposed to multiple events	Generally, would not be included as human receptors unless otherwise specified.

Note that commercial facilities are considered to be odour sensitive points of reception, as well as community spaces and residences.

5.1.1.3 Dust

Ontario Regulation 419/05 also provides limits for dust, including limits for suspended particulates and dust fall. Under Reg. 419/05, these air quality limits must be met at the property line and all points beyond. This is not changed by the addition of the Project site. That is to say, the existing mutual property line is already a point of reception for dust, and the limits must already be met at that location.

5.1.1.4 Cumulative Assessments

Cumulative impact assessments, examining the combined effects of individual industries, or the combined effects of industry and roadway emissions, are generally not required. Neither the PPS, the D-Series of guidelines, Regulation 419/05, or the current MECP odour assessment protocols require an assessment of cumulative impacts.

Which is not to say that such assessments are never warranted; rather, the need to do so is considered on a case-by-case basis, depending on the nature and intensity of the industrial operation(s), and the nature of the pollutants released. Based on the types of pollutants released by the industries in this area, cumulative effects assessments are not warranted.

5.1.2 LOCAL METEOROLOGY

Surface wind data was obtained to generate a wind rose from data collected at the Pearson International Airport in Toronto from 1986 through 2015, as shown in **Figure 4**. As can be seen in the wind rose, predominant winds are from the west and northwestern quadrants, while winds from the northeast and southeast quadrants may be the least frequent.

5.1.3 SITE VISITS AND ODOUR AND DUST OBSERVATIONS

A site visit was conducted to the area on June 22, 2021 by SLR personnel to identify significant sources of air quality emissions and to identify any significant sources of noise, vibration, odour, or dust in the area surrounding the Project site. During the site visit, the staff members observed existing industries from the sidewalks and other publicly accessible areas. Wind conditions during the site visit were noted as:

- June 22, 2021: north westerly winds, 21 km/h, 18 °C, 37 %RH

No odours or fugitive dust emissions were detected at the Project site during the site visit.

5.1.4 ASSESSMENT OF POTENTIAL AIR QUALITY IMPACTS

The following facilities were identified as being within the potential area of influence for their industrial classification and were identified to require additional review from an air quality perspective:

- SI Group;
- IPEX Inc.
- Cosmetica Laboratories;
- EMIRFI Shield Plating;
- Prologix; and
- Automotive Repair Shops.

Further discussion regarding each of these facilities and potential air quality impacts on the Project site is provided below.

All the other industries surrounding the Project site were outside of the Potential Area of Influence. As such, they do not pose a concern from an air quality perspective and are not discussed further.

5.1.4.1 SI Group

The SI Group aggregate storage yard contains large piles of aggregate materials including coarse and fine materials. A review the MECP Access Environment database did not identify an approval for the facility's current operations.

The aggregate storage yard is considered Class III due to the amount of outdoor storage, possible usage of a crusher, open process, and potential for persistent fugitive dust. The Area of Influence is 1000 m and the Recommended Minimum Separation Distance is 300m.

During the site visit to the area, SLR staff walked along Comstock Road to observe operations of the facility. No fugitive dust emissions were observed. The combination of a large separation distance and screening effect from intersecting buildings will provide enough attenuation to be compliant with mixed-use redevelopment on the Project site.

There are also existing residences located to the south of the property along Ferguson Street. These residences are approximately 475 m from the SI Group facility and therefore are in closer proximity to the SI Group facility than the Project site.

Should fugitive dust emissions occur, they would generally be localized to the vicinity of the source and along adjacent streets due to tracking in/out from vehicles. Road dust was not observed in the vicinity of the property. The combination of a large separation distance and screening effect from intersecting buildings will provide enough attenuation to be compliant with mixed-use redevelopment on the Project site. Given the nature of fugitive dust emissions, the separation distance between the Project site and aggregate storage yard is expected to be sufficient. No further analysis for air quality is required.

5.1.4.2 IPEX Inc.

IPEX is a heavy use industrial facility which manufactures 100,000 kg of polyvinyl chloride pipes on a daily basis through blending, extrusion, regrinding and pelletizing processes. The Facility operates under MECP ECA Number 1701-AG8JCZ, dated June 23, 2017, replacing the revoked ECA Number 5336-6FTJRQ, issued June 12, 2006.

These processes may release air quality contaminants and odour emissions. Due to the size and nature of the operations the facility is considered a Class III Heavy Industry. The IPEX facility is located approximately 690 m from the Project site. Therefore, the Project site lies within the Potential Area of Influence (1000m) but is outside of the Recommended Minimum Separation Distance (300m).

There are existing residences located west of IPEX and are side lotted to Pharmacy Avenue. The residences front to Sundridge Drive and Coniston Road. These residences are approximately 50 m from IPEX and therefore are in closer proximity to IPEX than the Project site.

As the IPEX facility is currently operating under an ECA, it is assumed to be in compliance with all applicable MECP air quality and noise standards and guidelines at its property line and at existing residences which are closer than the Project site. If the applicable air quality guidelines from the IPEX operations are met at the existing receptors, it is expected they would be met at the Project site. Adverse air quality impacts from IPEX Inc. are not anticipated at the Project site, given the separation distance.

5.1.4.3 Cosmetica Laboratories

The Cosmetica Laboratories facility is a packaged cosmetics manufacturing facility north of the Project site, on the northeast corner of Warden Avenue and Eglinton Avenue East. The Facility operates under MECP ECA Number 5918-AGNKY8, dated December 15, 2016.

A proposed residential mixed-use development is planned for the Cosmetica Laboratories property. A “land-use compatibility study” was conducted by BCX Environmental Consulting for the proposed development. The sources listed in Section 4.2.1 are expected to continue at a new 6-storey facility at the northern portion of the property. Cosmetica Laboratories’ operations are anticipated to meet the requirements at the proposed mixed-use development at the south portion of the Cosmetica property, which includes five high-rise towers (30 – 45-storeys), including residential use.

Based on the size and nature of the facility operations, including daytime, evening and night-time operations, Cosmetica Laboratories would be considered to be a Class II Medium Industry under MECP Guideline D-6, with a Recommended Minimum Separation Distance of 70 m. The Project site lies within this distance. However, given that residential uses are proposed as part of the re-development of the existing property (also within the Recommended Minimum Separation Distance) and that the facility is to be designed to meet applicable noise and air quality requirements at the proposed Cosmetica high-rise buildings, it is expected that applicable guidelines will be met at the Project site, as well.

5.1.4.4 EMIFRI Shield Plating Inc.

EMIRFI Shield Plating is an electroplating facility that specializes in custom surface finishing solutions for a variety of industries including electronics, automotive and telecommunications. The facility operates with a Production Limit of up to 200,000 pieces plated per day. The Facility operates under MECP ECA Number 3825-9UGJH4, dated April 14, 2015. Copies of the MECP permit can be found in **Appendix A**.

These processes may release air quality emissions. Due to the size and nature of the operations the facility is considered a Class II Medium Industry. EMIFRI is located approximately 200 m from the Project site. Therefore, the Project site lies within the Potential Area of Influence (300 m) but is outside of the Recommended Minimum Separation Distance (70 m).

The combination of a large separation distance and screening effect from intersecting buildings will provide enough attenuation to be compliant with mixed-use redevelopment at the Project site. Since the EMIFRI facility is currently operating under an ECA, it is assumed to be in compliance with all applicable MECP air quality standards and guidelines at its property line. Adverse air quality impacts from EMIFRI are not anticipated at the Project site, given the separation distance.

5.1.4.5 Prologix

Prologix is a logistics facility that transports a variety of products. The facility was identified to be within the Class II Potential Area of Influence for the Project site. The facility was identified with potential air quality emissions due to its proximity to the Project site. A search of the MECP registry did not yield a permit or registration for the site.

On June 22, 2021, SLR personnel conducted a site visit to the area. There was no odour or visible dust observed from the facility. There was minimal truck activity observed during the site visit.

Based on the size and nature of the facility operations, Prologix would be considered a Class II Medium Industry, with a Recommended Minimum Separation Distance of 70 m. The Class II classification is considered due to potential noise activity at the facility. From an air quality perspective, potential exhaust sources from this type of facility are generally not considered significant.

There will be emissions associated with vehicles and trucks accessing the facility. Emissions from on-site vehicle activity are expected to be similar to that of nearby roadways and are generally not considered as an industrial activity.

Therefore, Prologix does not present a concern at the Project site from an air quality perspective.

5.1.4.6 Automotive Repair Facilities

The following automotive repair facilities were identified in the vicinity of the Project site:

- Kingscross Hyundai Body Shop;
- Villar Automotive;
- Enzo's Automotive;
- RT Auto Works Inc.;
- Shield Auto Glass;
- Happy Auto;
- MP Auto Repairs & Collision; and
- Donway Ford.

Automotive repair shops may contain a spray-paint booth which could have potential to release air quality contaminants and/or odours. From the list of the auto repair shops identified, the following four facilities

contain a spray-paint booth, based on a review of offered services on their websites, MECP permits, and observations made during the site visit:

- Kingscross Hyundai Body Shop;
- Happy Auto;
- MP Auto Repairs & Collision; and
- Donway Ford.

As suggested in the D-6 Industrial Categorization criteria, automotive repair shops are listed as a Class II facility partly due to the operation of spray-paint booths. However, given that the MECP has a specific Environmental and Activity Sector Registry (EASR) for this industry with specific operating condition requirements that limit emissions, auto-repair shops can now generally be considered Class I facilities. In addition, the paint types which are now used are less odorous (water- versus solvent-based). Auto-repair shops are regulated under Ontario Regulation 347/12: Regulations Under Part II.2 of the Act – Automotive Refinishing (under the Environmental Protection Act). Therefore, the auto repair shops have been classified as Class I facilities.

All of the listed auto repair facilities with spray paint booths are currently operating under a MECP permit (ECA/EASR) and are assumed to comply with all applicable MECP air quality standards and guidelines at their property lines. Odour impacts from paint booth operations associated with auto-body shops are expected to be infrequent and not intense.

Given the above, mixed-use redevelopment on the Project site is not anticipated to interfere with the facilities' ability to operate. Mitigation measures at the Project site related to the auto repair shops is not warranted.

5.2 SUMMARY OF AIR QUALITY, DUST AND ODOUR CONCLUSIONS AND RECOMMENDATIONS

The potential for air quality impacts on a mixed-use redevelopment on the Project site, including dust and odour have been assessed. Based on the results of our studies adverse air quality impacts from industrial sources are not anticipated at the Project site. The requirements of MECP Guideline D-6 are met. No air quality mitigation measures are required.

6. NOISE ASSESSMENT

6.1 INDUSTRIAL (STATIONARY) SOURCES

6.1.1 GUIDELINES

6.1.1.1 MECP Publication NPC-300 Guidelines for Stationary Noise

The applicable MECP noise guidelines for new sensitive land uses in proximity to existing industrial or commercial uses are provided in MECP Publication NPC-300. NPC-300 revokes and replaces the previous noise assessment guidelines, Publication LU-131 and Publication NPC-205, which was previously used for assessing noise impacts as part of Certificates of Approval / Environmental Compliance Approvals granted by the MECP for industries.

The new guideline sets out noise limits for two main types of noise sources:

- Non-impulsive, “continuous” noise sources such as ventilation fans, mechanical equipment, and vehicles while moving within the property boundary of an industry. Continuous noise is measured using 1-hour average sound exposures (L_{eq} (1-hr) values), in dBA; and
- Impulsive noise, which is a “banging” type noise characterized by rapid rise time and decay. Impulsive noise is measured using a logarithmic mean (average) level (L_{LM}) of the impulses in a one-hour period, in dBAI.

Furthermore, the guideline requires an assessment at, and provides separate guideline limits for:

- Outdoor points of reception (e.g., back yards, communal outdoor amenity areas); and
- Façade points of reception such as the plane of windows on the outdoor façade which connect onto noise sensitive spaces, such as living rooms, dens, eat-in kitchens, dining rooms and bedrooms.

The applicable noise limits at a point of reception are the higher of:

- The existing ambient sound level due to road traffic, or
- The exclusion limits set out in the guideline.

The following tables set out the exclusion limits from the guideline.

Table 6: NPC-300 Exclusion Limits for Non-Impulsive Sounds (L_{eq} (1-hr), dBA)

Time of Day	Class 1 Area		Class 4 Area	
	Plane of Windows of Noise Sensitive Spaces	Outdoor Points of Reception	Plane of Windows of Noise Sensitive Spaces	Outdoor Points of Reception
7 am to 7 pm	50	50	60	55
7 pm to 11 pm	50	50	60	55
11 pm to 7 am	45	n/a	55	n/a

Table 7: NPC-300 Exclusion Limits for Impulsive Sounds (L_{LM} , dBAI)

Time of Day	No. of Impulses in a 1-hour Period	Class 1 Area		Class 4 Area	
		Plane of Windows of Noise Sensitive Spaces	Outdoor Points of Reception	Plane of Windows of Noise Sensitive Spaces	Outdoor Points of Reception
7 am to 11 pm	9 or more	50	50	60	55
	7 to 8	55	55	65	60
	5 to 6	60	60	70	65
	4	65	65	75	70
	3	70	70	80	75
	2	75	75	85	80
	1	80	80	90	85
11 pm to 7 am	9 or more	45	n/a	55	n/a
	7 to 8	50	n/a	60	n/a
	5 to 6	55	n/a	65	n/a
	4	60	n/a	70	n/a
	3	65	n/a	75	n/a
	2	70	n/a	80	n/a
	1	75	n/a	85	n/a

Notes:

n/a Not Applicable. Outdoor points of reception are not considered to be noise sensitive during the overnight period.
- Area classifications are: Class 1 - Urban Class 4 - Urban Redevelopment

The applicable guideline limits for infrequent events such as emergency generator set testing are +5 dB higher than the values above.

6.1.2 APPLICATION OF THE NPC-300 GUIDELINES

The stationary noise guidelines apply only to residential land uses and to noise-sensitive commercial and institutional uses, as defined in NPC-300 (e.g., schools, daycares, hotels). For the Project site, the stationary noise guidelines only apply to the residential portions of the proposed mixed use redevelopment, including:

- Individual residences;
- Schools, daycares, hotels, etc.;
- Communal indoor amenity areas; and
- Communal outdoor amenity areas.

All of the above have been considered as noise-sensitive points of reception in the analysis.

6.1.2.1 City of Toronto Noise By-law

The City of Toronto Noise By-law (Chapter 591 of the Municipal Code) applies to noise emissions within the city, including from industrial/ commercial uses. The following provisions of the By-law apply:

Section 591-2.4. Loading and unloading.

No person shall emit or cause or permit the emission of sound resulting from loading, unloading, delivering, packing, unpacking, and otherwise handling any containers, products, or materials from 11 p.m. to 7 a.m. the next day, except until 9 a.m. on Saturdays, Sundays and statutory holidays.

And:

Section 591-2.8. Stationary sources and residential air conditioners.

A. No person shall cause or permit the emission of sound from a stationary source or residential air conditioner that, when measured with a sound level meter a point of reception, has a sound level (expressed in terms of Leq for a one-hour period) exceeding 50 dB(A) or the applicable sound level limit prescribed in provincial noise pollution control guidelines.

B. Subsection A does not apply to the emission of sound from a stationary source that is in compliance with a provincial environmental compliance approval.

6.1.2.2 Guideline Summary and Interpretation

The following presents a summary of the guidelines presented above.

- The applicable Ministry of the Environment noise guideline for assessing new residential development applications is Publication NPC-300, which is also referenced in the City Noise By-law. Noise levels from industry meeting NPC-300 requirements will meet the requirements of Bylaw Section 591-2.8
- **The Class 1 limits have been adopted in this study.**

6.1.3 SOURCES OF INTEREST

Based on the information obtained from the site visit and the review of the aerial imagery, the significant sources of noise in the area of the Project site have been identified. A screening level noise model was prepared for each of the facilities identified in **Section 4** above, as follows:

Table 8: Modelled Noise Sources

Facility	Modelled Noise Sources
Donway Ford 1975 Eglinton Ave E	<ul style="list-style-type: none"> Various Air Tools (1), Impact Wrench (1), HVAC Units (6)
Kingscross Hyundai Parts & Service 23 Civic Road	<ul style="list-style-type: none"> Various Air Tools (1), Impact Wrench (1), HVAC Units (3)
Villar Automotive, Enzo's Automotive RT Auto Works Inc., Shield Auto Glass 15 Civic Road	<ul style="list-style-type: none"> Various Air Tools (2), Impact Wrench (2), Exhaust Fan (1)
Cosmetica Laboratories 1960 Eglinton Avenue East	<ul style="list-style-type: none"> HVAC units (13), Air-cooled condensers (4)

Figure 6 shows the location of the above facilities. Noise emission data used in the assessment can be found in Appendix B.

Noise sources from IPEX Inc., SI Group, Prologix, and EmIRFI Shield Plating, were not audible on-site.

6.1.4 AMBIENT ROADWAY - BACKGROUND SOUND LEVEL

During the site visit on June 22nd, 2021, it was observed that the acoustic environment surrounding the Project site is dominated by the roadway noise from Eglinton Ave East, Civic Road, and Warden Avenue. As NPC-300 allows for the higher of the existing ambient sound level or the exclusion limits, an assessment of roadway noise ambient levels was completed.

Road traffic data was obtained from the Golden Mile Transportation Master Plan. Average annual daily traffic (AADT) volumes were then calculated for each roadway based on the turning movement counts provided in the document. The percentage of vehicle splits were assumed based on historical data for similar roadways in the Toronto area. Excerpts of the traffic data taken from the Master Plan and traffic volume calculations are provided in Appendix D. The road traffic data used in the modelling is summarized in Table 9.

Table 9: Summary of Ambient Road Traffic Data ^[1]

Roadway Link	Existing Traffic Volume (AADT)	Minimum Hourly Percentages ^[2]			% Commercial Traffic Breakdown		Vehicle Speed (km/h)
		Daytime 7am-7pm	Evening 7pm-11pm	Night-time 11pm-6am	Medium Trucks	Heavy Trucks	
Eglinton Avenue East	22,190	4.3	3.1	0.4	2.0	2.0	50
Lebovic Avenue	10,710	3.5	2.5	0.2	2.0	2.0	50
Hakimi Avenue	11,330	3.5	2.5	0.2	2.0	2.0	50
Warden Avenue	23,980	4.3	3.1	0.4	2.0	2.0	50
Civic Road	20,290	3.5	2.5	0.2	2.0	2.0	50

Notes: [1] Traffic data per data from the Golden Mile Transportation Master Plan.

[2] Determined based on ITE and Arterial distribution for roadways.

Existing road traffic was modelled using Cadna/A (a commercially available noise propagation modelling software). Line sources of sound were used, with sound emission rates calculated using the ORNAMENT algorithms, the road traffic noise model of the MECP. These predictions were validated and are equivalent to those made using the MECP's ORNAMENT or STAMSON v5.04 road traffic noise models.

Resulting ambient (background) sound levels from the surrounding roadways are shown in **Table 10** as the applicable guideline limit.

6.1.5 NOISE MODELLING AND RESULTS

Noise impacts were predicted within the Project site for each individual facility using Cadna/A, a computerized version of the internationally recognized ISO 9613-2 noise propagation algorithms. This is the preferred noise modelling methodology of the MECP. The ISO 9613 equations account for:

- Source to receiver geometry
- Distance attenuation
- Atmospheric absorption
- Reflections off of the ground and ground absorption
- Reflections off of vertical walls
- Screening effects of buildings, terrain, and purpose-built noise barriers (noise walls, berms, etc.).

The following additional parameters were used in the modelling, which are consistent with providing a conservative (worst-case) assessment of noise levels:

- Temperature: 10°C
- Relative Humidity: 70%
- Ground Absorption G: G=0.0 (reflective) as default global parameter, specific absorptive areas such as parks, grassy areas defined as G=1.0 (absorptive).
- Reflection: An order of reflection of 2 was used (accounts for noise reflecting from walls)
- Wall Absorption Coefficients: Set to 0.20 (20 % of energy is absorbed, 80% reflected)
- Terrain: Assumed to be flat

The predicted noise levels for each of the above facilities are summarized in the following tables.

Table 10: Overall Industrial Sound Levels – Normal Operations, Non-Impulsive Noise

Unit/ Location	Normal Operations				Meets Guideline?
	Predicted Level		Guideline Limit		
	Day	Night ^[1]	Day	Night ^[1]	
North	47	46	59	48	Yes
East	50	40	56	45	Yes
South	54	40	58	46	Yes
West	41	31	60	48	Yes

Notes: Sound levels are L_{eq} (1-hr) sound levels, in dBA

[1] Auto body shops along Civic Road are only operational during the daytime between 7AM and 7PM.

6.1.6 STATIONARY NOISE MITIGATION MEASURES

Based on the screening level noise modelling above, noise mitigation measures are not expected to be required. The NPC-300 Class 1 guideline limits would be met.

As the Project Site is in proximity to the industrial/stationary noise sources, a “**Type E**” warning clause would be recommended for all residential units. See **Appendix C** for warning clause details.

6.2 TRANSPORTATION SOURCES

6.2.1 TRANSPORTATION NOISE SOURCES

Transportation sources of interest with the potential to produce noise at the proposed Project site are:

- Roadway noise from the Eglinton Ave East, Warden Avenue, Civic Road, Lebovic Ave, and Hakimi Ave.
- Light-rail noise from the Eglinton Crosstown LRT system.

A review was completed of the above transportation sources and summarized below.

6.2.2 MECP PUBLICATION NPC-300 GUIDELINES FOR TRANSPORTATION SOURCES

Indoor Criteria

The following table summarizes the criteria in terms of energy equivalent sound exposure (L_{eq}) levels for specific indoor noise-sensitive locations. These indoor criteria vary with sensitivity of the space. As a result, sleeping areas have more stringent criteria than Living / Dining room space.

Table 11: NPC-300 Sound Level Criteria for Road and Rail Noise

Type of Space	Time Period	Energy Equivalent Sound Exposure Level L_{eq} (dBA) ^[1]		Assessment Location
		Road	Rail ^[2]	
Criteria for Residential Units				
Living / Dining Room	Daytime (7 am to 11 pm)	45	40	Indoors
	Night-time (11 pm to 7 am)	45	40	Indoors
Sleeping Quarters	Daytime (7 am to 11 pm)	45	40	Indoors
	Night-time (11 pm to 7 am)	40	35	Indoors
Supplementary Criteria for Non-Residential Uses				
General offices, reception areas, retail stores, etc.	Daytime (7 am to 11 pm)	50	45	Indoors
Living/dining areas of residences, hospitals, schools, nursing/retirement homes, day-care centres, theatres, places of worship, libraries, individual or semi-private offices, conference rooms, reading rooms, etc.	Daytime (7 am to 11 pm)	45	40	Indoors
Sleeping quarters of hotels/motels	Night-time (11 pm to 7 am)	45	40	Indoors
Sleeping quarters of residences, hospitals, nursing/retirement homes, etc.	Night-time (11 pm to 7 am)	40	35	Indoors

Notes: [1] Road and Rail noise impacts are to be combined for assessment of impacts.

[2] Whistle/warning bell noise is excluded for OLA noise assessments and included for indoor assessments, where applicable.

Ventilation and Warning Clauses

The following table summarizes requirements for ventilation where windows potentially would have to remain closed as a means of noise control. Despite the implementation of ventilation measures where

required, some occupants may choose not to use the ventilation means provided, and as such, warning clauses advising future occupants of the potential excess over the indoor guideline limits are required.

Table 12: NPC-300 Ventilation and Warning Clause Requirements

Assessment Location	Time Period	Energy Equivalent Sound Exposure Level - L_{eq} (dBA)		Ventilation and Warning Clause Requirements ^[2, 3]
		Road	Rail ^[1]	
Plane of Window	Daytime (7am to 11 pm)	≤ 55		None
		56 to 65 incl.		Forced Air Heating with provision to add AC + Applicable Warning Clause(s)
		> 65		Central AC + Applicable Warning Clause(s)
	Night-time (11 pm to 7 am)	51 to 60 incl.		Forced Air Heating with provision to add AC+ Applicable Warning Clause(s)
		> 60		Central AC + Applicable Warning Clause(s)

Notes: [1] Whistle/warning bell noise is excluded.

[2] Road and Rail noise is combined for determining Ventilation and Warning Clause requirements.

Building Shell Requirements

The following table provides sound exposure (L_{eq}) thresholds which, if exceeded, require the building shell and components (i.e., wall, windows) to be designed and selected accordingly to ensure that the indoor location criteria are met.

Table 13: NPC-300 Building Component Requirements

Assessment Location	Time Period	Energy Equivalent Sound Exposure Level - L_{eq} (dBA)		Component Requirements
		Road	Rail ^[1]	
Facade	Daytime (7am to 11 pm)	> 65	> 60	Designed/ Selected to Meet Indoor Requirements [2]
	Night-time (11 pm to 7 am)	> 60	> 55	

Notes: [1] Including whistle/warning bell noise.

[2] The resultant sound isolation parameter from Road and Rail are to be combined for determining the overall acoustic parameter.

Outdoor Sound Level Criteria

The following table summarizes criteria in terms of energy equivalent sound exposure (L_{eq}) levels for the outdoor noise-sensitive locations, with a focus of outdoor areas being amenity spaces (called Outdoor Living Areas (OLAs) per NPC-300).

Table 14: NPC-300 Outdoor Sound Level Criteria for Road and Rail Noise

Type of Space	Time Period	Energy Equivalent Sound Exposure Level L_{eq} (dBA) ^[1, 2]	Assessment Location
OLA	Daytime (0700-2300h)	55	Outdoors

Notes: [1] Excluding whistle/warning bell noise for OLA noise assessments
[2] Road and Rail noise impacts are to be combined for assessment of OLA impacts.

Mitigation and Warning Clauses

The following table summarizes mitigation and warning clause requirements for outdoor amenity spaces.

Table 15: NPC-300 Outdoor Living Area Mitigation & Warning Clause Requirements

Assessment Location	Time Period	Energy Equivalent Sound Exposure Level - L_{eq} ^[1, 2] (dBA)	Mitigation and Warning Clause Requirements ^[3]
OLA	Daytime (0700-2300h)	≤ 55	None
		56 to 60 incl.	Noise Control Measures may be applied, and/or Applicable Warning Clause(s)
		> 60	Noise barrier to reduce noise to 55 dBA, or Noise barrier to reduce noise to 60 dBA and Applicable Warning Clause(s)

Notes: [1] Whistle/warning bell noise is excluded.

[2] Road and Rail noise is combined for determining Ventilation and Warning Clause requirements.

As indicated in NPC-300, noise control measures may be applied to reduce sound levels to 55 dBA. If measures are not provided, potential purchasers/tenants are required to be informed of potential noise problems with the applicable Warning Clause(s).

If noise impacts are predicted to be greater than 60 dBA, noise control measures are required to reduce noise levels to 55 dBA. If noise control measures are not technically feasible for meeting 55 dBA, an excess of up to 5 dBA is allowed, with the inclusion of the applicable Warning Clause(s).

6.2.3 TRANSPORTATION IMPACT REVIEW

6.2.3.1 Façade Sound Levels

The Project site is in close proximity to both Eglinton Ave E and Warden Avenue, which are considered major arterial roadways. A detailed roadway/LRT noise assessment is expected to be required at a future time when designed and development of the Project site progresses to include building design.

This assessment is focused solely on land use. The future residential/commercial lands along the north side of Eglinton Avenue East, to the east and west of the Project site have the same potential for transportation noise as the Project site.

Additional warning clause text (**Type C** or **Type D**) and mandatory air conditioning may be required for some units facing both Eglinton Avenue East and Warden Avenue.

6.2.3.2 Outdoor Living Areas

Outdoor amenity areas on podium rooftops or on the ground level may require physical noise controls, given the high roadway traffic volumes along Eglinton Avenue. This would likely involve noise barriers around 1.0 – 1.5 m in height above the roof/ground.

Should common rooftop amenity areas be included with the development, a MECF **Type A** or **Type B** warning clause is also expected to be required, given the proximity to Eglinton Avenue East. See **Appendix C** for warning clause details.

Private balconies and terraces are not expected to meet the MECF minimum width requirement of 4 m for inclusions and would not be included in the assessment.

6.3 SUMMARY OF NOISE CONCLUSIONS AND RECOMMENDATIONS

The potential for noise impacts on the Project site have been assessed. Based on the results of our studies:

- SLR staff completed a site visit on June 22nd, 2021, to the Project site and surrounding area. The various auto repair facilities were identified as a potential contribution to stationary noise impacts at portions of the Project site.
- An assessment of surrounding stationary noise was conducted. The surrounding facilities are predicted to meet the Class 1 NPC-300 guideline limits during all periods of the daytime, evening, and night.
- A detailed roadway, and light-rail noise assessment is expected to be required at a future time when design and development of the Project site proceeds to including building design.
- With the inclusion of potential, future mitigation measures (upgraded glazing/barriers) and warning clauses, adverse noise impacts to the proposed mixed use residential/commercial tenants on the Project site from transportation sources are not anticipated.
- Further Assessment of the surrounding facilities (Donway Ford, Hyundai Parts and Service, Cosmetica Laboratories, etc.) may be required during future planning applications such as ZBA once building plans are further progressed.

7. VIBRATION ASSESSMENT

7.1 INDUSTRIAL (STATIONARY) SOURCES

There are no existing or proposed significant industrial vibration sources within 75 m of the Project site, such as large stamping presses or forges. Under applicable MECP Publication NPC-207 guidelines, a detailed vibration assessment is not required. Adverse impacts from industrial vibration are not anticipated.

7.2 TRANSPORTATION SOURCES

The existing Eglinton Crosstown LRT line is located in close proximity from the Project site, and a detailed vibration assessment is likely required at a later design stage. However, given the nature of light-rail systems and SLR's experience with the similar systems, adverse impacts from transportation vibration are not anticipated.

7.2.1 GUIDELINES

The Railway Association of Canada / Federation of Canadian Municipalities ("RAC/FCM") have developed *Guidelines for New Development in Proximity to Railway Operations*. The "Proximity Guidelines" have been adopted by CN, CP, and Metrolinx. International Standard ISO 2631-2: 2003 (1989) also provides supplementation criteria for commercial and office space and for industrial buildings. For public transit systems, the MECP has previously issued a number of draft protocols for vibration assessment of various planned TTC expansions. The MECP has also developed a draft *Guideline for Noise and Vibration Assessment of Transit Projects*. The adopted guideline limits are presented in the following table.

Table 16: Transportation Vibration Guideline Limits

Train Type	Receptor Type	Limit (mm/s RMS)	Source
Heavy Rail (Freight and Commuter)	Residential	0.14	RAC/FCM, CN, CP, Metrolinx, MECP
	Commercial / Office	0.40	ISO 2631-2: 2003 (1989)
	Industrial	0.80	ISO 2631-2: 2003 (1989)
Transit Rail (Streetcars and LRTs)	Residential	0.10	TTC, MECP

Notes: Limits are overall vibration levels in the vertical direction, measured in root-mean square (“RMS”) values (1-second averaging time), in the frequency range from 4 Hz to 200 Hz.

Rail vibration levels were not captured as the building outlines were not finalized at the time of this assessment. Adverse impacts from transportation vibration are not anticipated, regardless, vibration measurements should be conducted at a later design stage once the building massing and locations are finalized. Feasible vibration mitigation measures exist which can be included in the building foundation design in the unlikely event that vibration guideline limits are exceeded.

7.3 SUMMARY OF VIBRATION CONCLUSIONS AND RECOMMENDATIONS

The potential for vibration impacts on the Project site have been assessed. Based on the separation distances to industry and transportation sources:

- Adverse vibration impacts from industrial facilities are not anticipated at the Project site. The requirements of MECP Guideline D-6 are met.
- Adverse vibration impacts from LRT activity on the existing Eglinton Crosstown line are not anticipated. Feasible vibration mitigation measures exist which can be included in the building foundation design in the unlikely event that vibration guideline limits are exceeded.

8. CONCLUSIONS

A compatibility/mitigation assessment has been completed, examining the potential for air quality, dust, odour, and noise and vibration impacts from surrounding roadways and nearby industrial land uses to affect the Project site.

The assessment has included a review of the major industrial facilities in the area.

The potential for air quality impacts on a mixed-use redevelopment on the Project site, including dust and odour have been assessed. Based on the results of our studies adverse air quality impacts from industrial sources are not anticipated at the Project site. The requirements of MECP Guideline D-6 are met. No air quality mitigation measures are required.

With the inclusion of the applicable warning clause measures discussed in this report, the Project site will not affect the industrial facilities’ compliance with applicable Provincial environmental policies, regulations, approvals, authorizations, and guidelines, including the City’s Noise Bylaw. The requirements of MECP Guideline D-6, Regulation 419/05, and Publication NPC-300 can be met. As the applicable policies and guidelines can be met, the mixed-use redevelopment of the Project site is:

- Unlikely to result in increased risk of complaint and nuisance claims;
- Unlikely to result in operational constraints for the major facilities;

- Unlikely to result in constraints on major facilities to reasonably expand, intensify or introduce changes to their operations.

9. REFERENCES

Environmental Commissioner of Ontario (ECO, 2010), *Review of Posted Decision: Developing an Odour Policy Framework*, April 2010.

City of Toronto Noise By-law, Municipal Code Chapter 591

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National Research Council Canada (NRCC, 1985), Building Practice Note BPN 56: *Controlling Sound Transmission Into Buildings*

Ontario Ministry of the Environment, Conservation & Parks (MECP), 1989, *ORNAMENT Ontario Road Noise Analysis Method for Environment and Transportation – Technical Document*.

Ontario Ministry of the Environment, Conservation & Parks (MECP), 1993, Publication NPC-207: *Impulse Vibration in Residential Buildings (Draft)*

Ontario Ministry of the Environment, Conservation & Parks (MECP), 1993, Publication NPC-216: *Residential Air Conditioning Devices*

Ontario Ministry of the Environment, Conservation & Parks (MECP), 1994, *Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices*

Ontario Ministry of the Environment, Conservation & Parks (MECP, 1995), Guideline D-1: *Land Use Compatibility*

Ontario Ministry of the Environment, Conservation & Parks (MECP, 1995), Guideline D-6: *Compatibility Between Industrial Facilities and Sensitive Land Uses*

Ontario Ministry of the Environment, Conservation & Parks (MECP, 2008), *Technical Bulletin, Standards Development Branch, Methodology For Modelling Assessments Of Contaminants With 10-Minute Average Standards And Guidelines Under O. Reg. 419/05*, April 2008.

Ontario Ministry of the Environment, Conservation & Parks (MECP), 2013, Publication NPC-300: *Environmental Noise Guideline: Stationary and Transportation Sources – Approval and Planning*

Ontario Ministry of Municipal Affairs and Housing (MMAH, 2014). *Provincial Policy Statement*
<http://www.ontario.ca/document/provincial-policy-statement-2014>

Ontario Ministry of Municipal Affairs and Housing (MMAH, 2019). Draft *Provincial Policy Statement*. https://prod-environmental-registry.s3.amazonaws.com/2019-07/EN_PPS_Proposed_Policies_July2019.pdf

Ontario Regulation 419/01 – *Local Air Quality*.

10. STATEMENT OF LIMITATIONS

This report has been prepared and the work referred to in this report has been undertaken by SLR Consulting (Canada) Ltd. (SLR) for 1941 Eglinton East Holdings Inc., hereafter referred to as the “Client”. It is intended for the sole and exclusive use of the Client. The report has been prepared in accordance with the Scope of Work and agreement between SLR and the Client. Other than by the Client and as set out herein, copying or distribution of this report or use of or reliance on the information contained herein, in whole or in part, is not permitted unless payment for the work has been made in full and express written permission has been obtained from SLR.

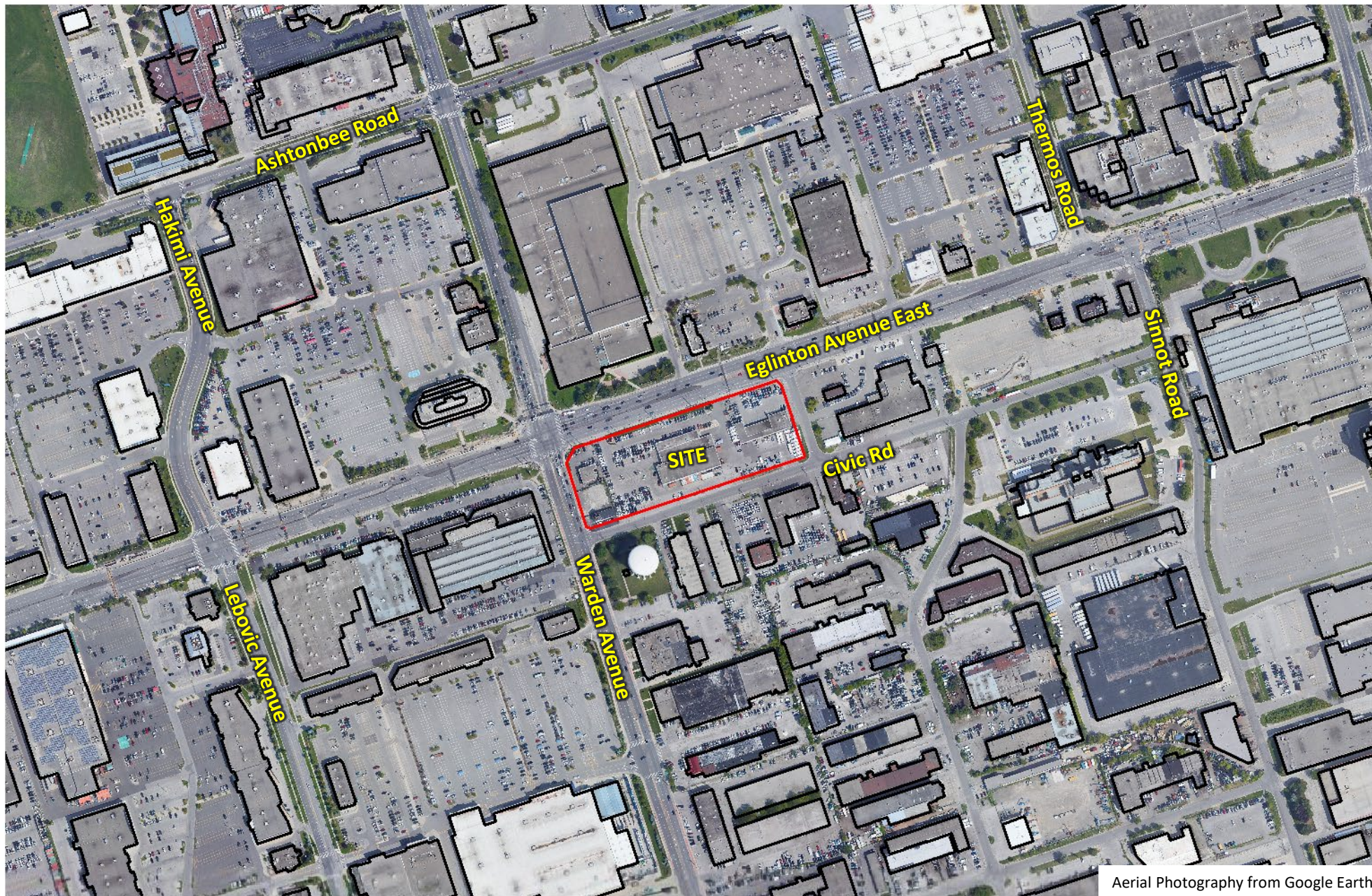
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Figures

Eglinton East and Warden
Compatibility & Mitigation Study
SLR Project No.: 241.30190.00000



Aerial Photography from Google Earth

1941 EGLINTON EAST HOLDINGS INC.

EGLINTON EAST & WARDEN – TORONTO, ONTARIO

SITE AND CONTEXT PLAN

True North



Scale: 1:5,000

Date: June 21, 2021 Rev 0.0

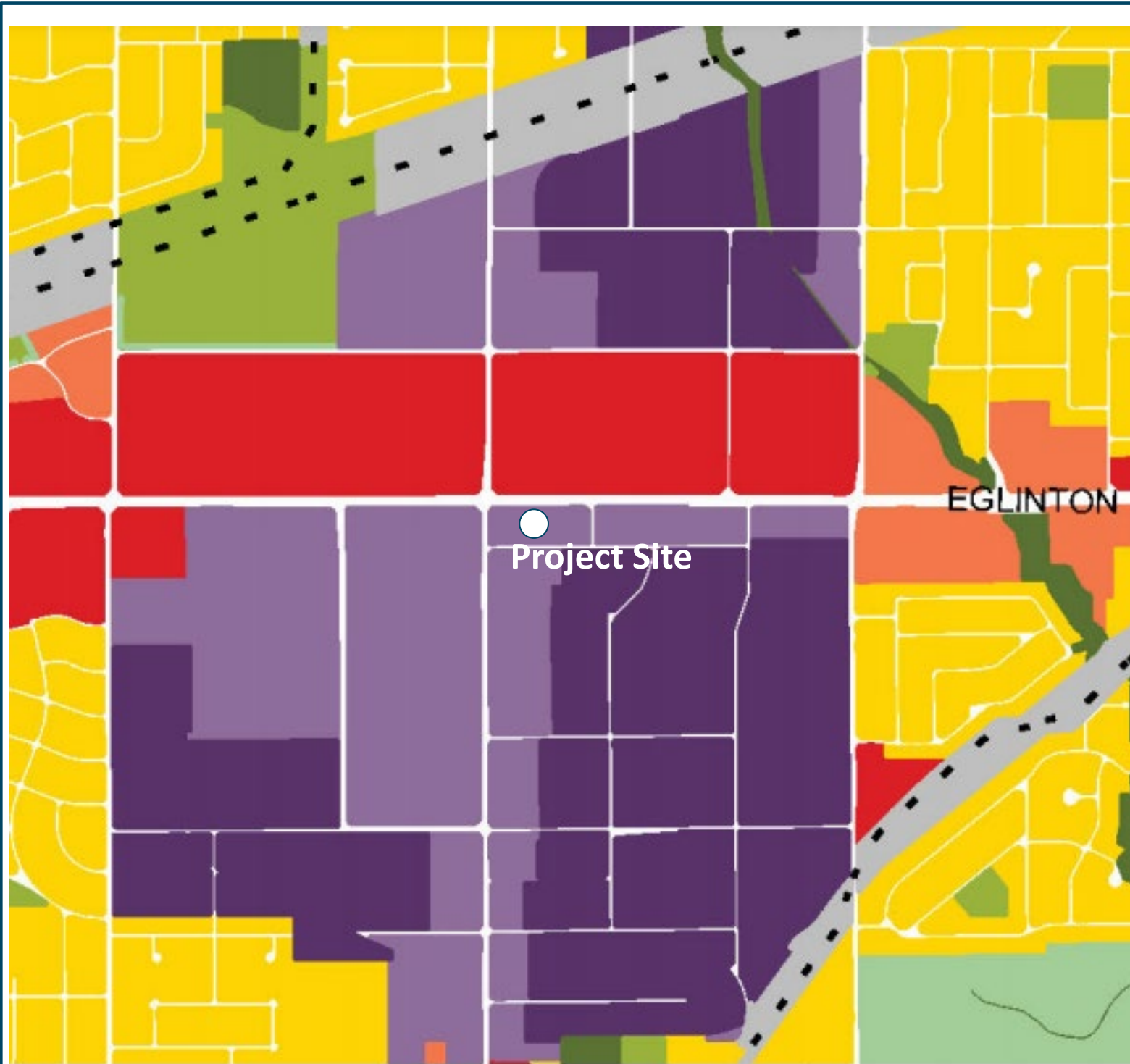
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Figure No.

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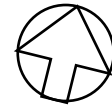




Land Use Designations

- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Natural Areas
- Parks
- Other Open Space Areas (Including Golf Courses, Cemeteries, Public Utilities)
- Institutional Areas
- Regeneration Areas
- General Employment Areas
- Core Employment Areas
- Utility Corridors

True North



1941 EGLINTON EAST HOLDINGS INC.

EGLINTON EAST & WARDEN
TORONTO, ONTARIO

OFFICIAL PLAN MAP
https://www.toronto.ca/wp-content/uploads/2017/11/9070-cp-official-plan-Map-20_LandUse_AODA.pdf

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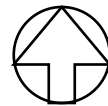
Project No. 241.300190.00000	2a
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- Zone Categories**
- Residential
 - Residential Apartment
 - Open Space
 - Utility and Transportation
 - Commercial
 - Commercial Residential
 - Commercial Residential Employment
 - Employment Industrial
 - Institutional

True North



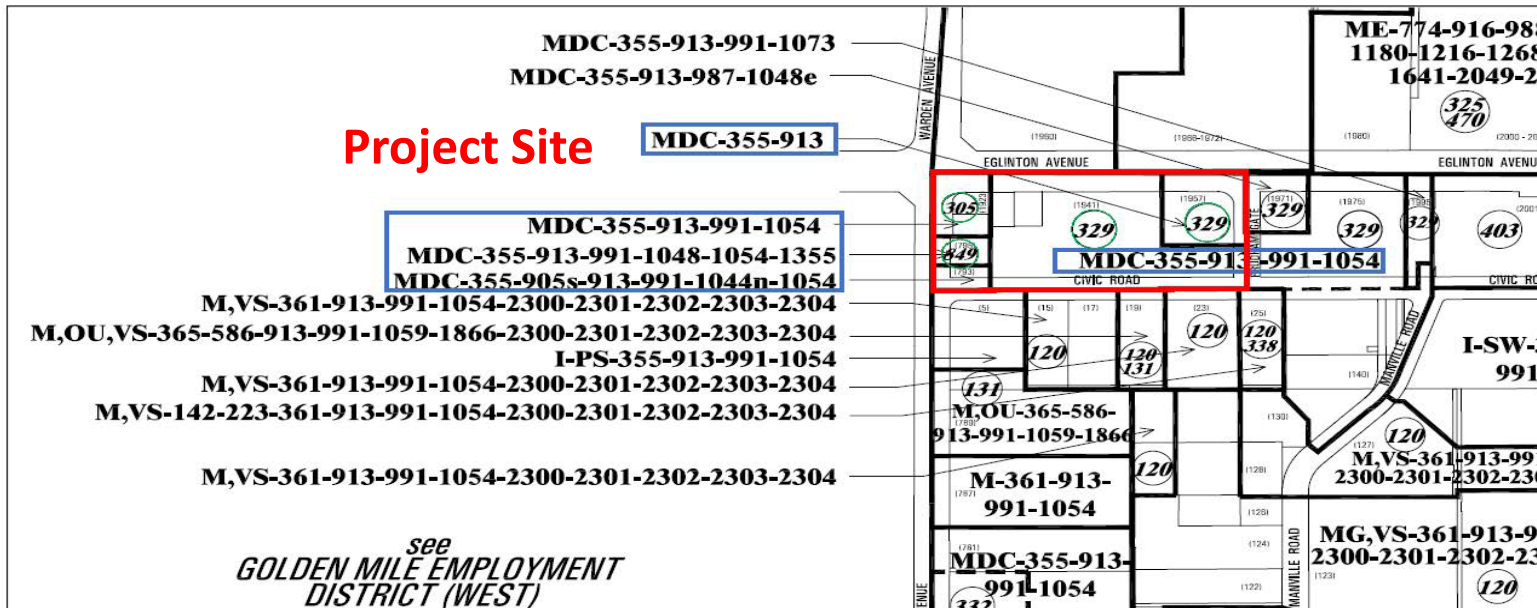
1941 EGLINTON EAST HOLDINGS INC.

EGLINTON EAST & WARDEN
TORONTO, ONTARIO

AREA ZONING MAP
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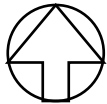
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Project No. 241.300190.00000	Figure No. 2b	





SUBJECT BLOCK APPLICABLE ZONES APPLICABLE EXCEPTIONS

True North




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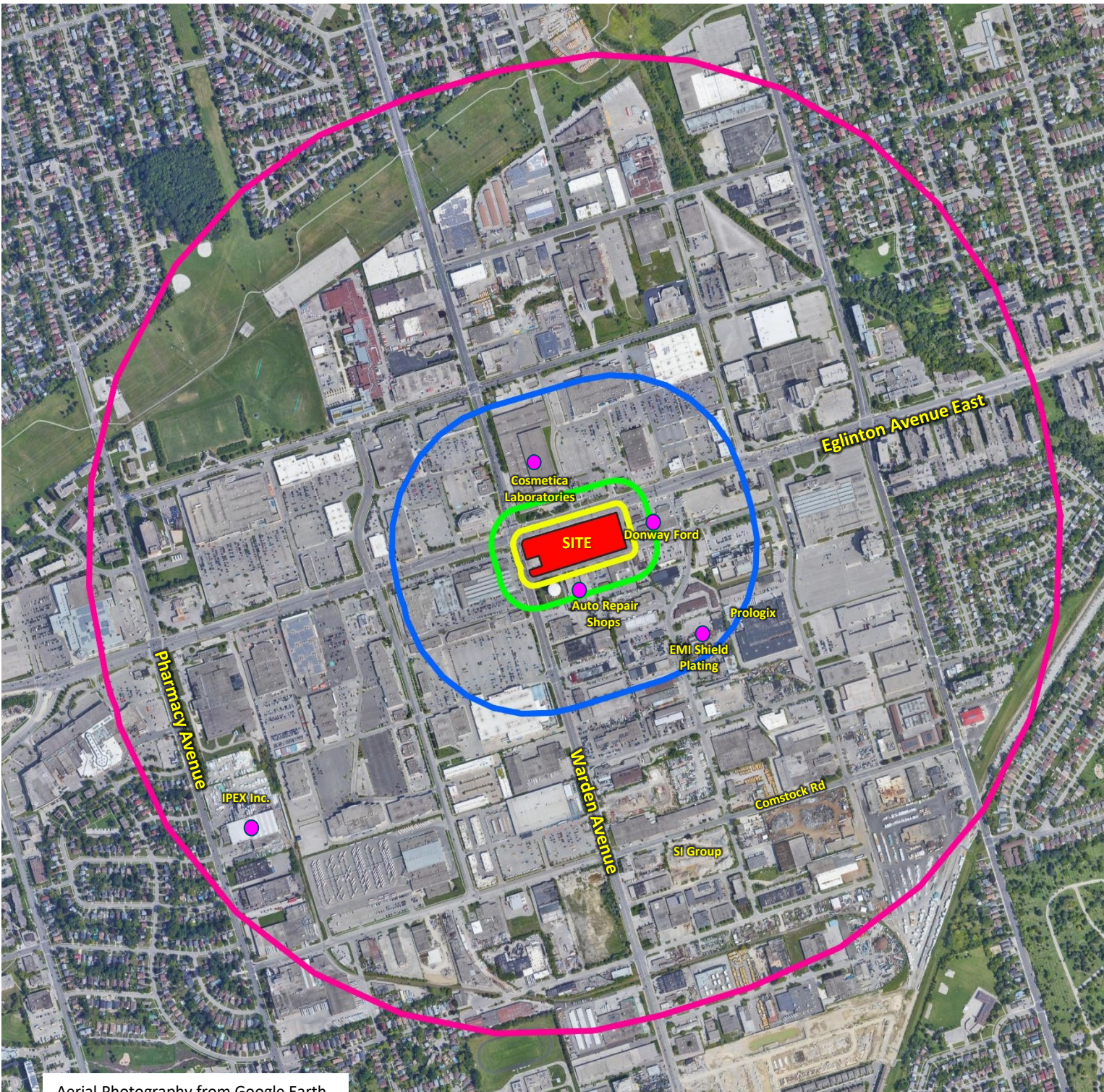
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FORMER SCARBOROUGH
ZONING MAP

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Date: June 21, 2021	Rev 0.0	Figure No.
Project No. 241.300190.00000		2c



SLR
global environmental solutions



-  Facility with MECP Permit (ECA/EASR)
-  20 m Separation
-  70 m Separation
-  300 m Separation
-  1000 m Separation

True North



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EGLINTON EAST & WARDEN
TORONTO, ONTARIO

GUIDELINE D-6 SEPARATION
DISTANCES

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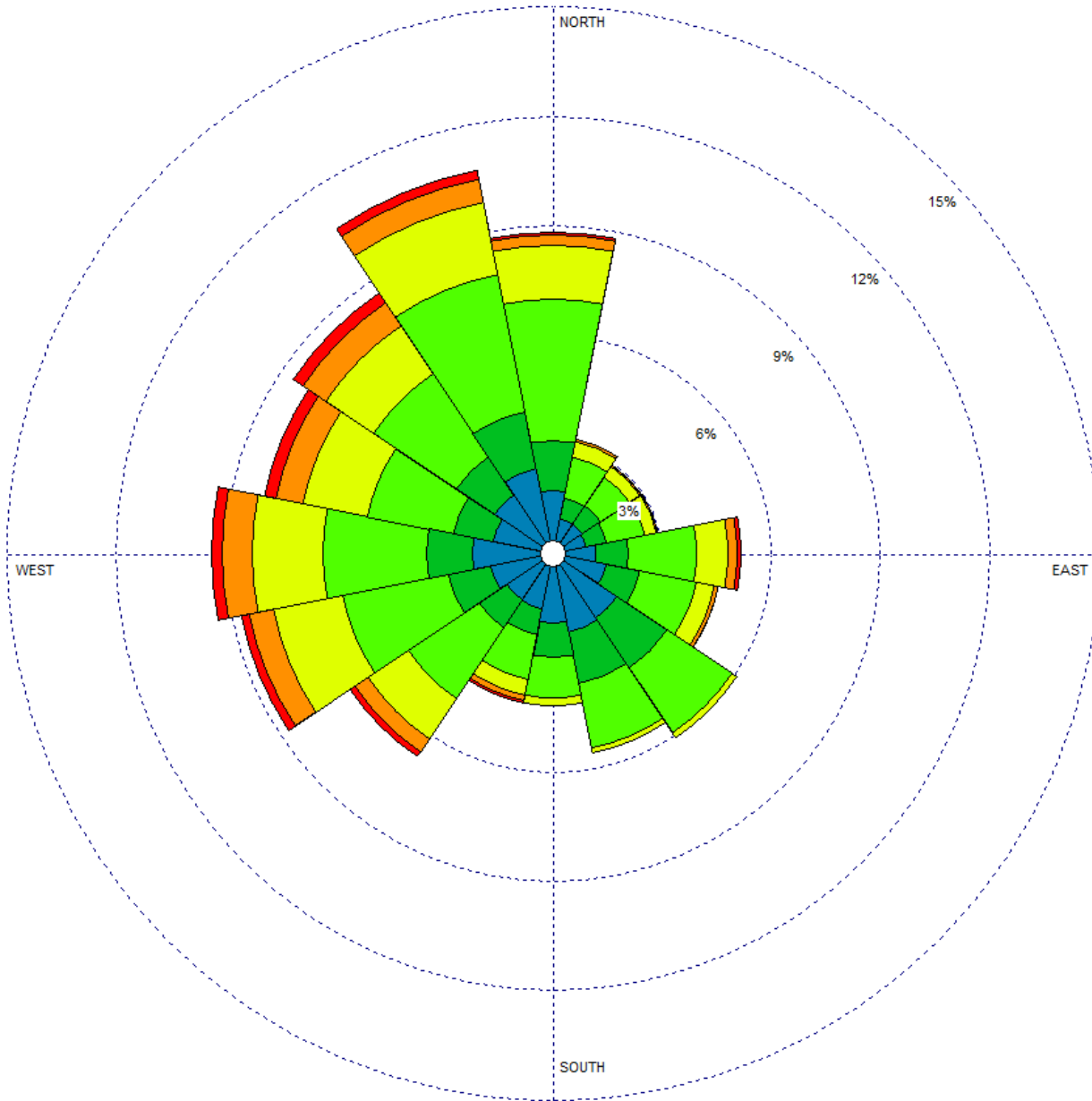
Date: June 21, 2021 Rev 0.0 Figure No.

Project No. 241.300190.00000

3



Aerial Photography from Google Earth

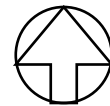


WIND SPEED (m/s)

- >= 11.10
- 8.80 - 11.10
- 5.70 - 8.80
- 3.60 - 5.70
- 2.10 - 3.60
- 0.50 - 2.10

Calms: 0.00%

True North



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EGLINTON EAST & WARDEN
TORONTO, ONTARIO

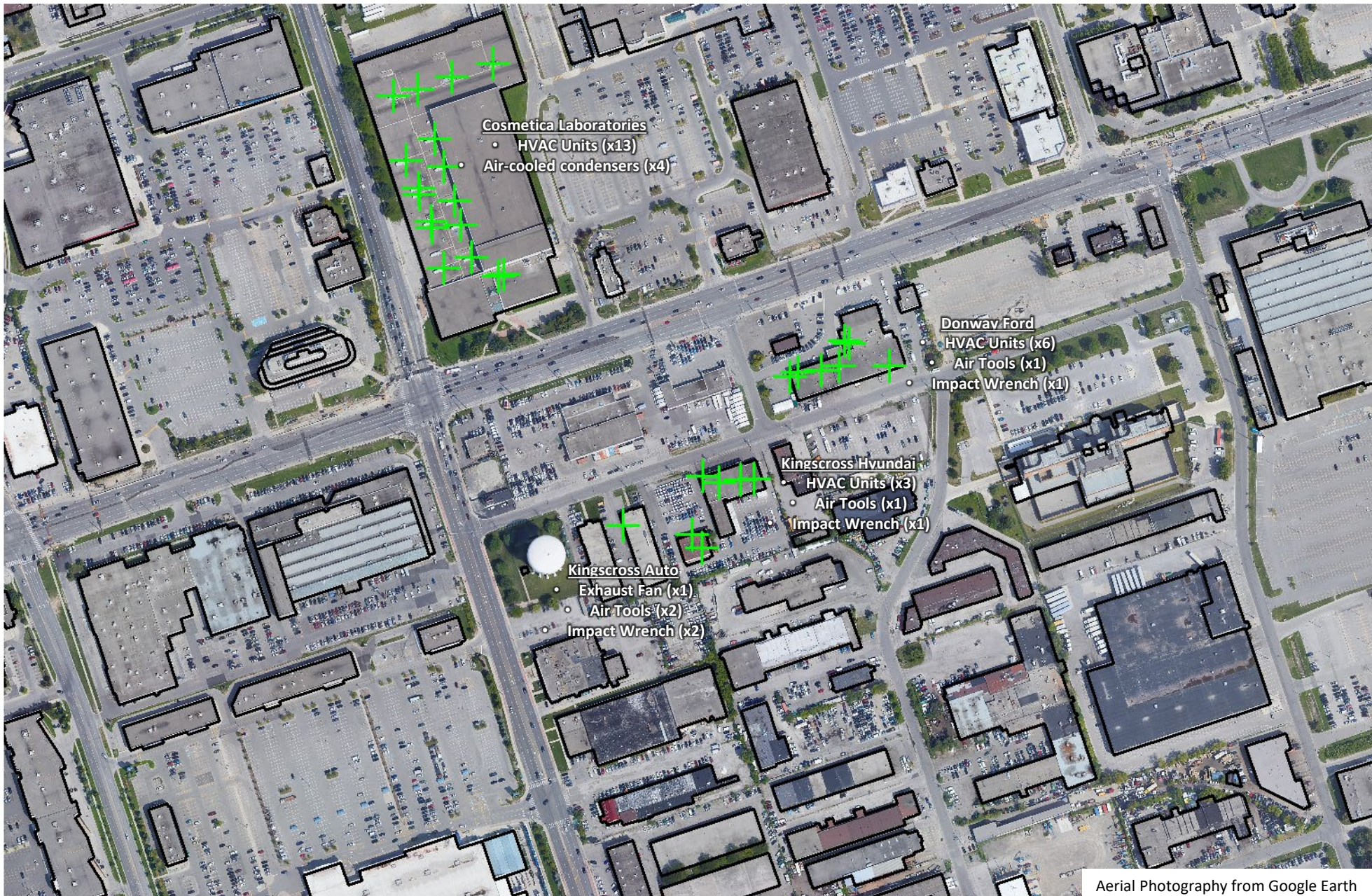
WIND FREQUENCY
DISTRIBUTION DIAGRAM
(WIND ROSE)
TORONTO LESTER B.
PEARSON INT' L AIRPORT

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Date: June 21, 2021 Rev 0.0 Figure No.

Project No. 241.300190.00000

4

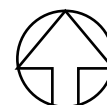


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1941 EGLINTON AVENUE EAST - TORONTO, ONTARIO

MODELLED STATIONARY NOISE SOURCES

True North



Scale: 1: 4,000

Date: June 21, 2021 Rev 0.0

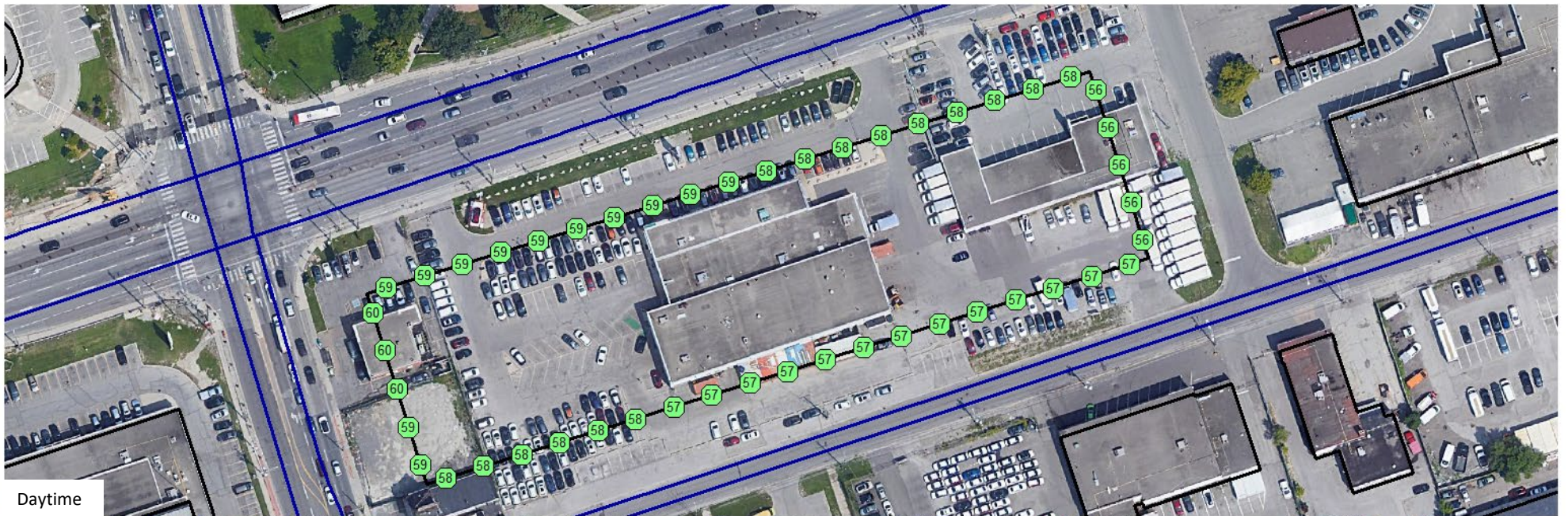
Project No. 241.300170.00000

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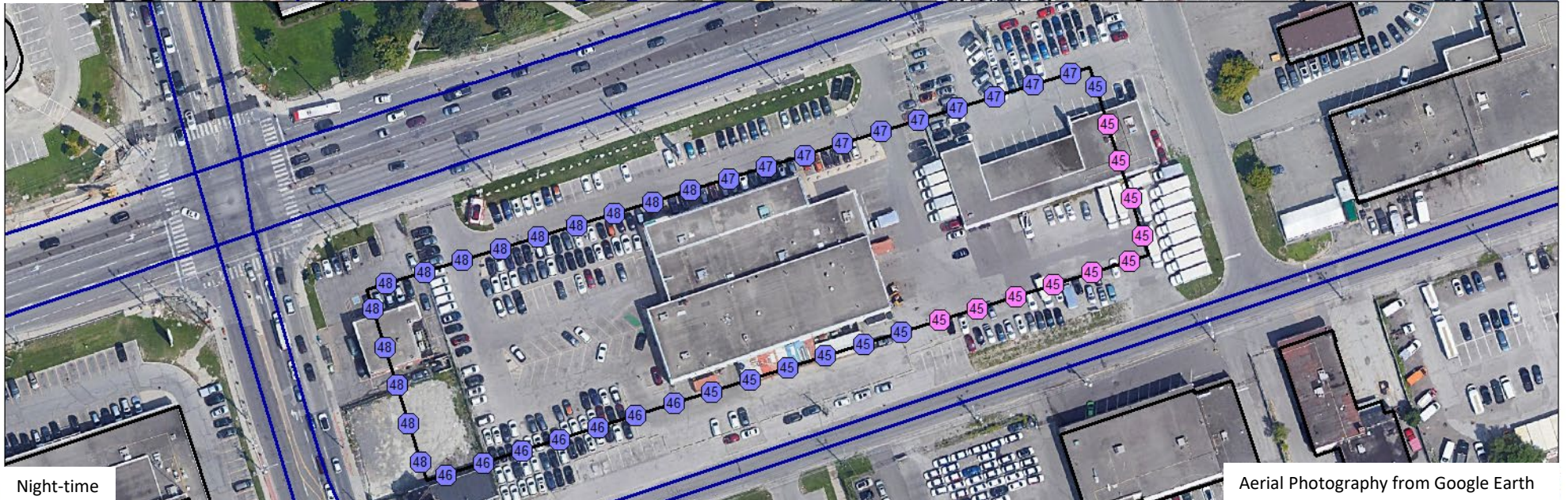
Figure No.

5





Daytime



Night-time

Aerial Photography from Google Earth

1941 EGLINTON EAST HOLDINGS INC.

1941 EGLINTON AVENUE EAST - TORONTO, ONTARIO

PREDICTED AMBIENT ROADWAY SOUND LEVELS

True North



Scale: 1: 1,000

Date: June 21, 2021 Rev 0.0

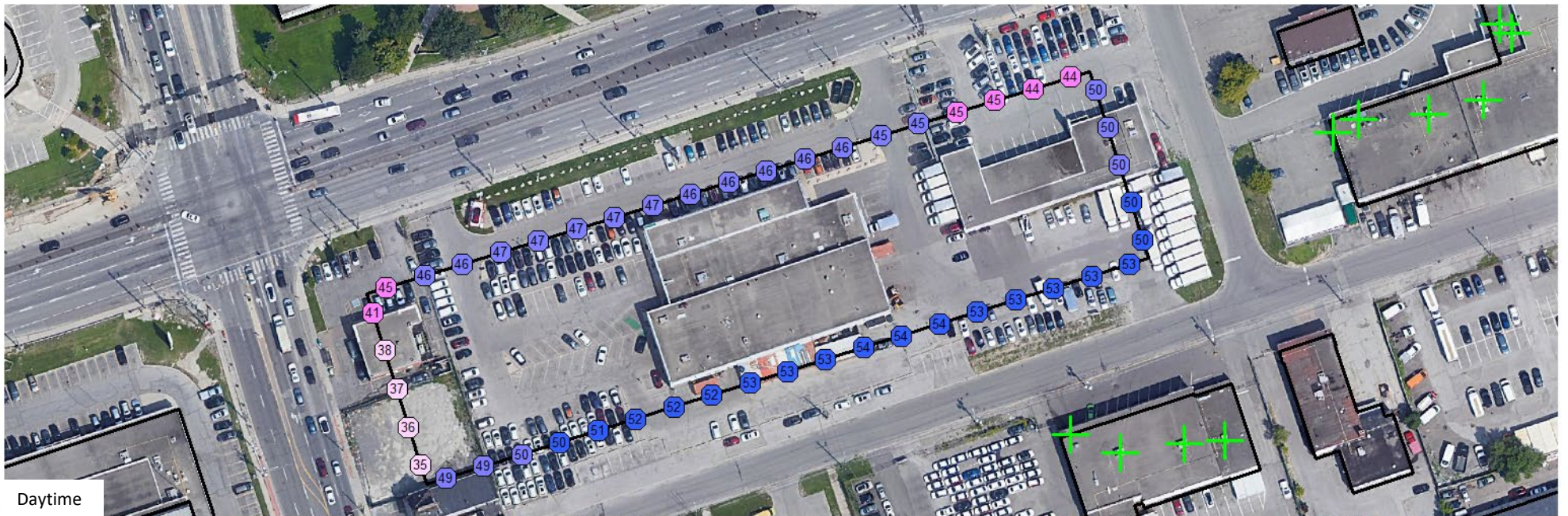
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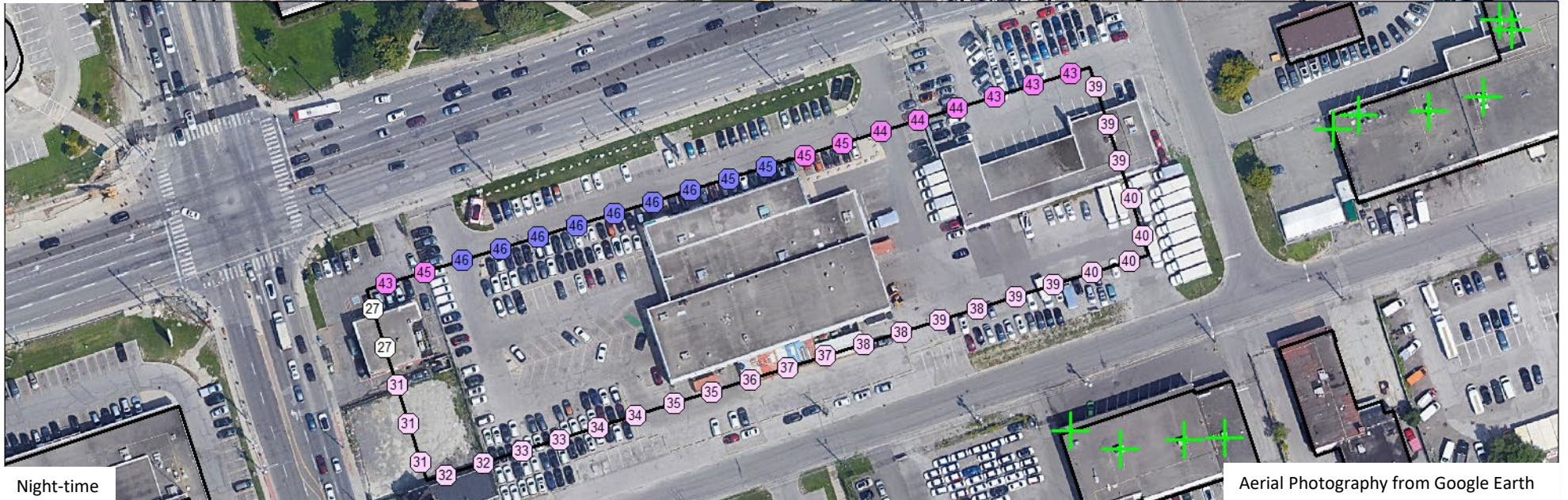
Figure No.

6





Daytime



Night-time

Aerial Photography from Google Earth

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1941 EGLINTON AVENUE EAST - TORONTO, ONTARIO

PREDICTED CONTINUOUS STATIONARY SOUND LEVELS

True North



Scale:

1: 1,000

METRES

Date: June 21, 2021

Rev 0.0

Figure No.

Project No. 241.300170.00000

7





Appendix A Industrial Information

Eglinton East and Warden

Compatibility & Mitigation Study

SLR Project No.: 241.30190.00000

Land Uses Surrounding the 1941 Eglinton Ave E Site

Zoning	Name	Address	Description	MECP ECA or EASR No. (Date)	Class	MECP Guideline D-6					
						A of I	R	M	S	Actual Dist.	Within A of I?
	SI Group	309/319 Comstock Road	Aggregate Storage Yard		III	1000	300	620	Yes	-	
	IPEX Inc.	807 Pharmacy Ave	polyvinyl chloride pipe manufacturer	1701-AG8ICZ (2017)	III	1000	300	690	Yes	-	
	Cosmetica Laboratories	1960 Eglinton Ave E.	A packaged cosmetics manufacturing facility	5918-AGNKY8(2016)	II	300	70	30	Yes	Yes	
	Emi RFI Shield Plating	123 Manville Road	Electroplating facility	3825-9UGJH4 (2015)	II	300	70	200	Yes	-	
	Prologix	120 Sinnott Road	Logistics and Trucking Services		II	300	70	230	Yes	-	
Employment Industrial	Marsan Foods Ltd.	160 Thermos Road	frozen food manufacturer	R-010-4111467631 (2019)	II	300	70	400	-	-	
	Cintas Uniform Services	940 warden Avenue	Uniform sales and cleaning	R-010-1110531521 (2018)	II	300	70	470	-	-	
	Oak Leaf Confections	440 Comstock Road	Confectionary		II	300	70	505	-	-	
Employment Industrial	Kaiser Aluminum Co.	191 Ashtonbee Road	aluminum supplier		II	300	70	520	-	-	
	Manville Recycling	107 Manville Road	Metal Recycler		II	300	70	530	-	-	
	TTC Bus Depot	38 Comstock Road	Bus Depot	9517-8NANKZ (2012)	II	300	70	540	-	-	
	anstey + Specialties	946 Warden Avenue	print shop w/ dust collector		II	300	70	545	-	-	
	Workrite	950 Warden Avenue	Office ergonomic manufacturer and supply	2146-AG6TH2	II	300	70	610	-	-	
	Triple M Metal	80 Sinnott Road	Triple M Metal	R-007-5679256651 (2016)	II	300	70	635	-	-	
	DTE Industries	69 Comstock Road	fuel tank manufacturer	1646-AV4LRY (2018)	II	300	70	645	-	-	
Employment Industrial	Modelez	40 Bertrand Ave	candy and cough drop producer	4570-AEVP57 (2016)	II	300	70	675	-	-	
	H&E Plating Canada Ltd.	51 Comstock Rd	Plating service	3455-4WTQ23	II	300	70	730	-	-	
	Dextran Products Lt.d	421 Comstock Road	Pharmaceutical Manufacturer	3380-A3AJTJ (2016)	II	300	70	750	-	-	
	Omega Alpha Pharmaceuticals Canada	795 Pharmacy Ave	Corporate Office		II	300	70	790	-	-	
	Sterigenics EO Canada Inc.	781 Pharmacy Ave	Medical Laboratory		II	300	70	860	-	-	
	Griffith Foods Ltd.	757 Pharmacy Ave	Food products supplier (seasoning, coatings, bakery)	7478-4QMOPF	II	300	70	890	-	-	
	Kingscross Hyundai Body Shop	19 Civic Road	Dealership/Auto Body Shop	R-001-811029786 (2017)	I	70	20	10	Yes	Yes	
	Donway Ford	1975 Eglinton Ave E	Dealership	R-001-5112057697	I	70	20	10	Yes	Yes	
	New Civic Auto Body	17 Civic Road	auto body shop w/ paint booth	2040-4Q9JX2 (2000)	I	70	20	10	Yes	Yes	
	Hapy Auto	17 Civic Road	auto body shop w/ paint booth	3427-5PPY37 (2003)	I	70	20	10	Yes	Yes	
	MP Auto Repairs & Collision	17 Civic Road	auto body shop	R-001-5110422596	I	70	20	10	Yes	Yes	
	Eglinton Corner Mall	1940-1950 Eglinton Ave E.	Various: dentists, bank,		I	70	20	60	Yes	-	
	European Poultry and Meats	130 Manville Road	Grocery Store/Meat Packer		I	70	20	100	-	-	
	Toronto Flameworking Technologies	128 Manville Road	Glass Blowing Service		I	70	20	140	-	-	
	Toronto East Detention Centre	55 Civic Road	detention centre		I	70	20	170	-	-	
	McKenzie Auto Body Repair Ltd	122 Manville Road	Autobody Shop w/ paintbooth	8723-4NJKLC (2000)	I	70	20	240	-	-	
	CDI College	2206 Eglinton Ave E	college w/ boiler	4185-568MLG (2002)	I	70	20	325	-	-	
	Scotiabank Eglinton Campus	2201 Eglinton Ave E	contact center		I	70	20	355	-	-	
Employment Industrial	S.A Armstrong Ltd.	23 Bertrand Ave	pump manufacturer	5214-A4EPE7 (2017)	I	70	20	360	-	-	
	Centennial College of Applied Arts and Technology	75 Ashtonbee Road	college w/ boilers & generator	3739-7E8JUE	I	70	20	360	-	-	
	Mother Autobody & Auto Services Limited	116 Manville Road	Autobody Shop w/ paintbooth	5284-8BZSKU (2010)	I	70	20	365	-	-	
	Kawasaki Motors	101 Thermos Road	Office Building/Sales		I	70	20	400	-	-	
	6ix Auto Collision	76 Sherry Road	Auto Body Repair Shop		I	70	20	400	-	-	
	Kruger Products L.P.	111 Manville Road	Paper Napkin Manufacturing	0709-AKJN6N (2017)	I	70	20	440	-	-	
Employment Industrial	Informco	35 Bertrand Ave	lithographic and digital printing	2819-83NRWV (2010)	I	70	20	515	-	-	
	Newcastle Aluminum	21 Bertrand Avenue	Window and Door Supplier		I	70	20	525	-	-	
	Pro stone	19 Bertrand Avenue	Stone fabrication/installation		I	70	20	525	-	-	
	Metalex	9 Bertrand Avenue	Showroom for windows/doors		I	70	20	525	-	-	
	Scarborough Toyota	1897 Eglinton Avenue East	Auto body shop	R-001-6383476286	I	70	20	565	-	-	
	Midway Metal Products	201 Ashtonbee Road	Sheet Metal Products Manufacturer		I	70	20	595	-	-	
	Lesena Steel Ltd	1060 Birchmount Road	Steel Products Manufacturer		I	70	20	685	-	-	
	Multiflex	6 Crockford Boulevard	Custom Cabinet Manufacturer - Showroom		I	70	20	710	-	-	
	Long-Lok Canada	5 Crockford Boulevard	Bolts & Fasteners Manufacturer/Warehouse	4602-AE6PUR (2016)	I	70	20	740	-	-	
	Eclipse Tint	15 Crockford Boulevard	Window Tinting		I	70	20	805	-	-	
	T Dot Auto Collision	15 Crockford Boulevard	Auto Body Repair Shop		I	70	20	805	-	-	
	M.V. Cultured Marble Manufacturing Co Ltd.	15 Crockford Boulevard	fiberglass counter tops and sinks manufacturing	3486-A4YLVA (2015)	I	70	20	805	-	-	
	Commercial Studios	793 Pharmacy Ave	Film production company		I	70	20	825	-	-	
	Golden Mile Auo Collision	31 Comstock Rd	Auto body shop	7348-7EPQ5B	I	70	20	845	-	-	

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Ministry of the Environment and Climate Change
Ministère de l'Environnement et de l'Action en matière de changement
climatique

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 1701-AG8JCZ
Issue Date: June 23, 2017

IPEX Inc.
807 Pharmacy Avenue
Toronto, Ontario
M1L 3K2

Site Location: 807 Pharmacy Avenue
Toronto City, 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:

Description Section

A polyvinyl chloride pipe manufacturing facility, consisting of the following processes and support units:

- blending / compounding;
- extrusion;
- regrinding;
- pelletizing;

including the *Equipment* and any other ancillary and support processes and activities, operating at a *Facility Production Limit* of up to **100,000 kilograms of polyvinyl chloride compound extruded per day** discharging to the air as described in the *Original ESDM Report*.

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

1. "*ACB list*" means the document entitled "Air Contaminants Benchmarks (ACB) List: Standards, guidelines and screening levels for assessing point of impingement concentrations of air contaminants", as amended from time to time and published by the *Ministry* and available on a Government website;
2. "*Acceptable Point of Impingement Concentration*" means a concentration accepted by the *Ministry* as not likely to cause an adverse effect for a *Compound of Concern* that,
 - a. is not identified in the *ACB list*, or
 - b. is identified in the *ACB list* as belonging to the category "Benchmark 2" and has a concentration at a *Point of Impingement* that exceeds the concentration set out for the contaminant in that document.

With respect to the *Original ESDM Report*, the *Acceptable Point of Impingement Concentration* for a *Compound of Concern* mentioned above is the concentration set out in the *Original ESDM Report*;

3. "*Acoustic Assessment Report*" means the report, prepared in accordance with *Publication NPC-*

233 and Appendix A of the *Basic Comprehensive User Guide*, by Tim Gully of Golder Associates Ltd. and dated July 2016 submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*, as updated in accordance with Condition 5 of this *Approval*;

4. "*Acoustic Assessment Summary Table*" means a table prepared in accordance with the *Basic Comprehensive User Guide* summarising the results of the *Acoustic Assessment Report*, as updated in accordance with Condition 5 of this *Approval*;
5. "*Approval*" means this entire Environmental Compliance Approval and any *Schedules* to it;
6. "*Basic Comprehensive User Guide*" means the *Ministry* document titled "Basic Comprehensive Certificates of Approval (Air) User Guide" dated March 2011, as amended;
7. "*Company*" means **IPEX Inc.** that is responsible for the construction or operation of the *Facility* and includes any successors and assigns in accordance with section 19 of the *EPA*;
8. "*Compound of Concern*" means a contaminant described in paragraph 4 subsection 26 (1) of *O. Reg. 419/05*, namely, a contaminant that is discharged from the *Facility* in an amount that is not negligible;
9. "*Description Section*" means the section on page one of this *Approval* describing the *Company's* operations and the *Equipment* located at the *Facility* and specifying the *Facility Production Limit* for the *Facility*;
10. "*Director*" means a person appointed for the purpose of section 20.3 of the *EPA* by the *Minister* pursuant to section 5 of the *EPA*;
11. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
12. "*Emission Summary Table*" means a table described in paragraph 14 of subsection 26 (1) of *O. Reg. 419/05*;
13. "*Environmental Assessment Act*" means the Environmental Assessment Act, R.S.O. 1990, c.E.18, as amended;
14. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
15. "*Equipment*" means equipment or processes described in the *ESDM Report*, this *Approval* and in the *Schedules* referred to herein and any other equipment or processes;
16. "*Equipment with Specific Operational Limits*" means any *Equipment* related to the thermal oxidation of waste or waste derived fuels, fume incinerators or any other *Equipment* that is specifically referenced in any published *Ministry* document that outlines specific operational guidance that must be considered by the *Director* in issuing an *Approval*;
17. "*ESDM Report*" means the most current Emission Summary and Dispersion Modelling Report that describes the *Facility*. The *ESDM Report* is based on the *Original ESDM Report* and is updated after the issuance of this *Approval* in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document*;
18. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
19. "*Facility Production Limit*" means the production limit placed by the *Director* on the main product(s) or raw materials used by the *Facility*;
20. "*Log*" means a document that contains a record of each change that is required to be made to the *ESDM Report* and *Acoustic Assessment Report*, including the date on which the change occurred. For example, a record would have to be made of a more accurate emission rate for a source of contaminant, more accurate meteorological data, a more accurate value of a parameter that is related to a source of contaminant, a change to a *Point of Impingement* and all changes to information associated with a *Modification* to the *Facility* that satisfies Condition 2;
21. "*Minister*" means the Minister of the Environment and Climate Change or such other member of the Executive Council as may be assigned the administration of the *EPA* under the Executive

Council Act;

22. "*Ministry*" means the ministry of the *Minister*;
23. "*Modification*" means any construction, alteration, extension or replacement of any plant, structure, equipment, apparatus, mechanism or thing, or alteration of a process or rate of production at the *Facility* that may discharge or alter the rate or manner of discharge of a *Compound of Concern* to the air or discharge or alter noise or vibration emissions from the *Facility*;
24. "*Noise Control Measures*" means measures to reduce the noise emissions from the *Facility* and/or *Equipment* including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers;
25. "*O. Reg. 419/05*" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
26. "*Original ESDM Report*" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by Bonnie Choi / Golder Associates Ltd. and dated July 2016 submitted in support of the application, and includes any changes to the report made up to the date of issuance of this *Approval*;
27. "*Point of Impingement*" has the same meaning as in section 2 of *O. Reg. 419/05*;
28. "*Point of Reception*" means Point of Reception as defined by *Publication NPC-300*;
29. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated February 2017, as amended;
30. "*Processes with Significant Environmental Aspects*" means the *Equipment* which, during regular operation, would discharge one or more contaminants into the air in an amount which is not considered as negligible in accordance with section 26 (1) 4 of *O. Reg. 419/05* and the *Procedure Document*;
31. "*Publication NPC-207*" means the *Ministry* draft technical publication "Impulse Vibration in Residential Buildings", November 1983, supplementing the Model Municipal Noise Control By-Law, Final Report, published by the *Ministry*, August 1978, as amended;
32. "*Publication NPC-233*" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended;
33. "*Publication NPC-300*" means the *Ministry* Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August 2013, as amended;
34. "*Schedules*" means the following schedules attached to this *Approval* and forming part of this *Approval* namely:

Schedule A - Supporting Documentation

35. "*Toxicologist*" means a qualified professional currently active in the field of risk assessment and toxicology that has a combination of formal university education, training and experience necessary to assess contaminants; and
36. "*Written Summary Form*" means the electronic questionnaire form, available on the *Ministry* website, and supporting documentation, that documents the activities undertaken at the *Facility* in the previous calendar year.

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

1. Except as otherwise provided by this *Approval*, the *Facility* shall be designed, developed, built, operated and maintained in accordance with the terms and conditions of this *Approval* and in accordance with the following *Schedules* attached hereto:
 - Schedule A - Supporting Documentation

2. LIMITED OPERATIONAL FLEXIBILITY

1. Pursuant to section 20.6 (1) of the *EPA* and subject to Conditions 2.2 and 2.3 of this *Approval*, future construction, alterations, extensions or replacements are approved in this *Approval* if the future construction, alterations, extensions or replacements are *Modifications* to the *Facility* that:
 - a. are within the scope of the operations of the *Facility* as described in the *Description Section* of this *Approval*;
 - b. do not result in an increase of the *Facility Production Limit* above the level specified in the *Description Section* of this *Approval*; and
 - c. result in compliance with the performance limits as specified in Condition 4.
2. Condition 2.1 does not apply to,
 - a. the addition of any new *Equipment with Specific Operational Limits* or to the *Modification* of any existing *Equipment with Specific Operational Limits* at the *Facility*; or
 - b. *Modifications* to the *Facility* that would be subject to the *Environmental Assessment Act*.
3. Condition 2.1 of this *Approval* shall expire on January 31, 2027, unless this *Approval* is revoked prior to the expiry date.

3. REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION

1. Prior to making a *Modification* to the *Facility* that satisfies Condition 2.1.a and 2.1.b, the *Company* shall prepare a proposed update to the *ESDM Report* to reflect the proposed *Modification*.
2. The *Company* shall request approval of an *Acceptable Point of Impingement Concentration* for a *Compound of Concern* if the *Compound of Concern* is not identified in the *ACB list* as belonging to the category "Benchmark 1" and a proposed update to an *ESDM Report* indicates that one of the following changes with respect to the concentration of the *Compound of Concern* may occur:
 - a. The *Compound of Concern* was not a *Compound of Concern* in the previous version of the *ESDM Report* and
 - i. the concentration of the *Compound of Concern* exceeds the concentration set out for the contaminant in the *ACB list*; or
 - ii. the *Compound of Concern* is not identified in the *ACB list*; or
 - b. The concentration of the *Compound of Concern* in the updated *ESDM Report* exceeds the higher of,
 - i. the most recent *Acceptable Point of Impingement Concentration*, and
 - ii. the concentration set out for the contaminant in the *ACB list*, if the contaminant is identified in that document.
3. The request required by Condition 3.2 shall propose a concentration for the *Compound of Concern* and shall contain an assessment, performed by a *Toxicologist*, of the likelihood of the proposed concentration causing an adverse effect at *Points of Impingement*.
4. If the request required by Condition 3.2 is a result of a proposed *Modification* described in Condition 3.1, the *Company* shall submit the request, in writing, to the *Director* at least 30 days prior to commencing to make the *Modification*. The *Director* shall provide written confirmation of receipt of this request to the *Company*.
5. If a request is required to be made under Condition 3.2 in respect of a proposed

Modification described in Condition 3.1, the *Company* shall not make the *Modification* mentioned in Condition 3.1 unless the request is approved in writing by the *Director*.

6. If the *Director* notifies the *Company* in writing that the *Director* does not approve the request, the *Company* shall,
 - a. revise and resubmit the request; or
 - b. notify the *Director* that it will not be making the *Modification*.
7. The re-submission mentioned in Condition 3.6 shall be deemed a new submission under Condition 3.2.
8. If the *Director* approves the request, the *Company* shall update the *ESDM Report* to reflect the *Modification*.
9. Condition 3 does not apply if Condition 2.1 has expired.

4. PERFORMANCE LIMITS

1. Subject to Condition 4.2, the *Company* shall not discharge or cause or permit the discharge of a *Compound of Concern* into the air if,
 - a. the *Compound of Concern* is identified in the *ACB list* as belonging to the category "Benchmark 1" and the discharge results in the concentration at a *Point of Impingement* exceeding the Benchmark 1 concentration; or
 - b. the *Compound of Concern* is not identified in the *ACB list* as belonging to the category "Benchmark 1" and the discharge results in the concentration at a *Point of Impingement* exceeding the higher of,
 - i. if an *Acceptable Point of Impingement Concentration* exists, the most recent *Acceptable Point of Impingement Concentration*, and
 - ii. the concentration set out for the contaminant in the *ACB list*, if the contaminant is identified in that document.
2. Condition 4.1 does not apply if the benchmark set out in the *ACB list* has a 10-minute averaging period and no ambient monitor indicates an exceedance at a *Point of Impingement* where human activities regularly occur at a time when those activities regularly occur.
3. The *Company* shall:
 - a. implement by not later than six (6) months from the date of this *Approval*, the *Noise Control Measures* as outlined in the *Acoustic Assessment Report*;
 - b. ensure, subsequent to the implementation of the proposed *Noise Control Measures* that the noise emissions from the *Facility* comply with the limits set in *Ministry Publication NPC-300*; and
 - c. ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report*.
4. The *Company* shall ensure that the vibration emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-207*.
5. The *Company* shall operate any *Equipment with Specific Operational Limits* approved by this *Approval* in accordance with the *Original ESDM Report*.

5. DOCUMENTATION REQUIREMENTS

1. The *Company* shall maintain an up-to-date *Log*.
2. No later than June 30 in each year, the *Company* shall update the *Acoustic Assessment Report* and shall update the *ESDM Report* in accordance with section 26 of *O. Reg. 419/05* so that the information in the reports is accurate as of December 31 in the previous year.
3. The *Company* shall make the *Emission Summary Table* (see section 27 of *O. Reg. 419/05*) and *Acoustic Assessment Summary Table* available for examination by any person, without charge, by posting it on the Internet or by making it available during regular business

hours at the *Facility*.

4. The *Company* shall, within three (3) months after the expiry of Condition 2.1 of this *Approval*, update the *ESDM Report* and the *Acoustic Assessment Report* such that the information in the reports is accurate as of the date that Condition 2.1 of this *Approval* expired.
5. Conditions 5.1 and 5.2 do not apply if Condition 2.1 has expired.

6. REPORTING REQUIREMENTS

1. Subject to Condition 6.2, the *Company* shall provide the *Director* no later than August 31 of each year, a *Written Summary Form* to be submitted through the *Ministry's* website that shall include the following:
 - a. a declaration of whether the *Facility* was in compliance with section 9 of the *EPA, O. Reg. 419/05* and the conditions of this *Approval*;
 - b. a summary of each *Modification* satisfying Condition 2.1.a and 2.1.b that took place in the previous calendar year that resulted in a change in the previously calculated concentration at a *Point of Impingement* for any *Compound of Concern* or resulted in a change in the sound levels reported in the *Acoustic Assessment Summary Table* at any *Point of Reception*.
2. Condition 6.1 does not apply if Condition 2.1 has expired.

7. OPERATION AND MAINTENANCE

1. The *Company* shall prepare and implement, not later than three (3) months from the date of this *Approval*, operating procedures and maintenance programs for all *Processes with Significant Environmental Aspects*, which shall specify as a minimum:
 - a. frequency of inspections and scheduled preventative maintenance;
 - b. procedures to prevent upset conditions;
 - c. procedures to minimize all fugitive emissions;
 - d. procedures to prevent and/or minimize odorous emissions;
 - e. procedures to prevent and/or minimize noise emissions; and
 - f. procedures for record keeping activities relating to the operation and maintenance programs.
2. The *Company* shall ensure that all *Processes with Significant Environmental Aspects* are operated and maintained in accordance with this *Approval*, the operating procedures and maintenance programs.

8. COMPLAINTS RECORDING AND REPORTING

1. If at any time, the *Company* receives an environmental complaint from the public regarding the operation of the *Equipment* approved by this *Approval*, the *Company* shall take the following steps:
 - a. Record and number each complaint, either electronically or in a log book. The record shall include the following information: the time and date of the complaint and incident to which the complaint relates, the nature of the complaint, wind direction at the time and date of the incident to which the complaint relates and, if known, the address of the complainant.
 - b. Notify the *District Manager* of the complaint within two (2) business days after the complaint is received, or in a manner acceptable to the *District Manager*.
 - c. Initiate appropriate steps to determine all possible causes of the complaint, and take the necessary actions to appropriately deal with the cause of the subject matter of the complaint.
 - d. Complete and retain on-site a report written within one (1) week of the complaint date. The report shall list the actions taken to appropriately deal with the cause of the complaint and set out steps to be taken to avoid the recurrence of similar incidents.

9. RECORD KEEPING REQUIREMENTS

1. Any information requested by any employee in or agent of the *Ministry* concerning the

Facility and its operation under this *Approval*, including, but not limited to, any records required to be kept by this *Approval*, shall be provided to the employee in or agent of the *Ministry*, upon request, in a timely manner.

2. Unless otherwise specified in this *Approval*, the *Company* shall retain, for a minimum of five (5) years from the date of their creation all reports, records and information described in this *Approval*, including,
 - a. a copy of the *Original ESDM Report* and each updated version;
 - b. a copy of each version of the *Acoustic Assessment Report*;
 - c. supporting information used in the emission rate calculations performed in the *ESDM Reports* and *Acoustic Assessment Reports*;
 - d. the records in the *Log*;
 - e. copies of each *Written Summary Form* provided to the *Ministry* under Condition 6.1 of this *Approval*;
 - f. records of maintenance, repair and inspection of *Equipment* related to all *Processes with Significant Environmental Aspects*; and
 - g. all records related to environmental complaints made by the public as required by Condition 8 of this *Approval*.

10. **REVOCATION OF PREVIOUS APPROVALS**

1. This *Approval* replaces and revokes all Certificates of Approval (Air) issued under section 9 *EPA* and Environmental Compliance Approvals issued under Part II.1 *EPA* to the *Facility* in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

SCHEDULE A

Supporting Documentation

- a. Environmental Compliance Approval Application, dated July 26, 2016, signed by Pierre Coulombe and submitted by the *Company*;
- b. Emission Summary and Dispersion Modelling Report, prepared by Bonnie Choi / Golder Associates Ltd. and dated July 2016;
- c. *Acoustic Assessment Report*, prepared by Tim Gully of Golder Associates Ltd. and dated July 2016;
- d. Additional information provided by Bonnie Choi / Golder Associates Ltd. and dated January 6, 2017, January 18, 2017, and June 20, 2017.

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

1. **GENERAL**

Condition No. 1 is included to require the *Approval* holder to build, operate and maintain the *Facility* in accordance with the Supporting Documentation in Schedule A considered by the *Director* in issuing this *Approval*.

2. **LIMITED OPERATIONAL FLEXIBILITY, REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION AND PERFORMANCE LIMITS**

Conditions No. 2, 3 and 4 are included to limit and define the *Modifications* permitted by this *Approval*, and to set out the circumstances in which the *Company* shall request approval of an *Acceptable Point of Impingement Concentration* prior to making *Modifications*. The holder of the *Approval* is approved for operational flexibility for the *Facility* that is consistent with the description of the operations included with the application up to the *Facility Production Limit*. In

return for the operational flexibility, the *Approval* places performance based limits that cannot be exceeded under the terms of this *Approval*. *Approval* holders will still have to obtain other relevant approvals required to operate the *Facility*, including requirements under other environmental legislation such as the *Environmental Assessment Act*.

3. DOCUMENTATION REQUIREMENTS

Condition No. 5 is included to require the *Company* to maintain ongoing documentation that demonstrates compliance with the performance limits as specified in Condition 4 of this *Approval* and allows the *Ministry* to monitor on-going compliance with these performance limits. The *Company* is required to have an up to date *ESDM Report* and *Acoustic Assessment Report* that describe the *Facility* at all times and make the *Emission Summary Table* and *Acoustic Assessment Summary Table* from these reports available to the public on an ongoing basis in order to maintain public communication with regard to the emissions from the *Facility*.

4. REPORTING REQUIREMENTS

Condition No. 6 is included to require the *Company* to provide a yearly *Written Summary Form* to the *Ministry*, to assist the *Ministry* with the review of the site's compliance with the *EPA*, the regulations and this *Approval*.

5. OPERATION AND MAINTENANCE

Condition No. 7 is included to require the *Company* to properly operate and maintain the *Processes with Significant Environmental Aspects* to minimize the impact to the environment from these processes.

6. COMPLAINTS RECORDING AND REPORTING PROCEDURE

Condition No. 8 is included to require the *Company* to respond to any environmental complaints regarding the operation of the *Equipment*, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

7. RECORD KEEPING REQUIREMENTS

Condition No. 9 is included to require the *Company* to retain all documentation related to this *Approval* and provide access to employees in or agents of the *Ministry*, upon request, so that the *Ministry* can determine if a more detailed review of compliance with the performance limits as specified in Condition 4 of this *Approval* is necessary.

8. REVOCATION OF PREVIOUS APPROVALS

Condition No. 10 is included to identify that this *Approval* replaces all Section 9 Certificate(s) of Approval and Part II.1 Approvals in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 5336-6FTJRQ issued on June 12, 2006.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, S.O. 1993, c. 28 (Environmental Bill of Rights), the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental

Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. 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;
2. 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:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. 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 Environmental Commissioner 1075 Bay Street, Suite 605 Toronto, Ontario M5S 2B1	AND	The Director appointed for the purposes of Part II.1 of the Environmental Protection Act Ministry of the Environment and Climate Change 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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*** 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**

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 www.ebr.gov.on.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 23rd day of June, 2017

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

HD/
c: District Manager, MOECC Toronto - District

Timothy Gully, Golder Associates Ltd.

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Ministry of the Environment and Climate Change
Ministère de l'Environnement et de l'Action en matière de changement
climatique

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 5918-AGNKY8

Issue Date: December 15, 2016

Cosmetica Laboratories Inc.
1960 Eglinton Avenue East
Toronto, Ontario
M1L 2M5

Site Location: 1960 Eglinton Avenue East
Toronto City
M1L 2M5

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:

Description Section

A packaged cosmetics manufacturing facility, consisting of the following processes and support units:

- hot pour compounding process;

- lip gloss / concealer process;
- pencil process;
- skin care compounding process;
- lipstick process;
- powder process; and
- one (1) stand-by diesel generator set used for emergency purposes only;

including the *Equipment* and any other ancillary and support processes and activities, operating at a *Facility Production Limit* of up to **100,000,000 packaged cosmetic units per year** discharging to the air as described in the *Original ESDM Report*.

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

1. " *Acceptable Point of Impingement Concentration*" means a concentration accepted by the *Ministry* as not likely to cause an adverse effect for a *Compound of Concern* that,

(a) has no *Ministry Point of Impingement Limit* and no *Jurisdictional Screening Level*, or

(b) has a concentration at a *Point of Impingement* that exceeds the *Jurisdictional Screening Level*.

With respect to the *Original ESDM Report*, the *Acceptable Point of Impingement Concentration* for a *Compound of Concern* mentioned above is the concentration set out in the *Original ESDM Report*.

2. " *Approval*" means this entire Environmental Compliance Approval and any *Schedules* to it.

3. " *Basic Comprehensive User Guide*" means the *Ministry* document titled "Basic Comprehensive

Certificates of Approval (Air) User Guide" dated March 2011, as amended.

4. "*Company*" means **Cosmetica Laboratories Inc.** that is responsible for the construction or operation of the *Facility* and includes any successors and assigns in accordance with section 19 of the *EPA*.

5. "*Compound of Concern*" means a contaminant described in paragraph 4 subsection 26 (1) of *O. Reg. 419/05*, namely, a contaminant that is discharged from the *Facility* in an amount that is not negligible.

6. "*Description Section*" means the section on page one of this *Approval* describing the *Company's* operations and the *Equipment* located at the *Facility* and specifying the *Facility Production Limit* for the *Facility*.

7. "*Director*" means a person appointed for the purpose of section 20.3 of the *EPA* by the *Minister* pursuant to section 5 of the *EPA*.

8. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located.

9. "*Emission Summary Table*" means a table described in paragraph 14 of subsection 26 (1) of *O. Reg. 419/05*; namely a table in the *ESDM Report* that compares the *Point of Impingement* concentration for each *Compound of Concern* to the corresponding *Ministry Point of Impingement Limit*, *Acceptable Point of Impingement Concentration*, or *Jurisdictional Screening Level*.

10. "*Environmental Assessment Act*" means the Environmental Assessment Act, R.S.O. 1990, c.E.18, as amended.

11. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended.

12. "*Equipment*" means equipment or processes described in the *ESDM Report*, this *Approval* and in the *Schedules* referred to herein and any other equipment or processes.

13. "*Equipment with Specific Operational Limits*" means any *Equipment* related to the thermal oxidation of waste or waste derived fuels, fume incinerators or any other *Equipment* that is specifically referenced in any published *Ministry* document that outlines specific operational guidance that must be considered by the *Director* in issuing an *Approval*.

14. "*ESDM Report*" means the most current Emission Summary and Dispersion Modelling Report that describes the *Facility*. The *ESDM Report* is based on the *Original ESDM Report* and is updated after the issuance of this *Approval* in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document*.

15. "*Facility*" means the entire operation located on the property where the *Equipment* is located.

16. "*Facility Production Limit*" means the production limit placed by the *Director* on the main product(s) or raw materials used by the *Facility*.

17. "*Jurisdictional Screening Level*" means a screening level for a *Compound of Concern* that is listed in the *Ministry* publication titled "Jurisdictional Screening Level (JSL) List, A Screening Tool for Ontario Regulation 419: Air Pollution - Local Air Quality", dated February 2008, as amended.

18. "*Log*" means a document that contains a record of each change that is required to be made to the *ESDM Report*, including the date on which the change occurred. For example, a record would have to be made of a more accurate emission rate for a source of contaminant, more accurate meteorological data, a more accurate value of a parameter that is related to a source of contaminant, a change to a *Point of Impingement* and all changes to information associated with a *Modification* to the *Facility* that satisfies Condition 2.

19. "*Minister*" means the Minister of the Environment and Climate Change or such other member of the Executive Council as may be assigned the administration of the *EPA* under the Executive Council Act.

20. "*Ministry*" means the ministry of the *Minister*.

21. "*Ministry Point of Impingement Limit*" means the applicable Standard set out in Schedule 2 or 3 of *O. Reg. 419/05* or a limit set out in the *Ministry* publication titled "Summary of Standards and Guidelines to support Ontario Regulation 419/05: Air Pollution - Local Air Quality (including Schedule 6 of *O. Reg. 419/05* on Upper Risk Thresholds", dated April 2012, as amended.

22. "*Modification*" means any construction, alteration, extension or replacement of any plant, structure, equipment, apparatus, mechanism or thing, or alteration of a process or rate of production at the *Facility* that may discharge or alter the rate or manner of discharge of a *Compound of Concern* to the air or discharge or alter noise or vibration emissions from the *Facility*.

23. "*Noise Screening Documents*" means the completed *Primary Noise Screening Form* with supporting information and documentation, or the *Secondary Noise Screening Report*.

24. "*O. Reg. 419/05*" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended.

25. "*Original ESDM Report*" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by Vishma Singh, B.Eng. / Pinchin Environmental Ltd. and dated January 25, 2013 submitted in support of the application, and includes any changes to the report made up to the date of issuance of this *Approval*.

26. "*Point of Impingement*" has the same meaning as in section 2 of *O. Reg. 419/05*.

27. "*Primary Noise Screening Form*" means the *Ministry* Noise Screening Process Form as found in "Noise Screening Process For S.9 Applications – Supplement to Application for Approval" February, 2005, as amended.

28. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2009, as amended.

29. "*Processes with Significant Environmental Aspects*" means the *Equipment* which, during regular operation, would discharge one or more contaminants into the air in an amount which is not considered as negligible in accordance with section 26 (1) 4 of *O. Reg. 419/05* and the *Procedure Document*.

30. "*Publication NPC-205*" means the *Ministry* Publication NPC-205, "Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)", October, 1995, as amended.

31. "*Publication NPC-207*" means the *Ministry* draft technical publication "Impulse Vibration in Residential Buildings", November 1983, supplementing the Model Municipal Noise Control By-Law, Final Report, published by the *Ministry*, August 1978, as amended.

32. "*Publication NPC-232*" means the *Ministry* Publication NPC-232, "Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)", October, 1995, as amended.

33. "*Schedules*" means the following schedules attached to this *Approval* and forming part of this *Approval* namely:

Schedule A - Supporting Documentation.

34. "*Secondary Noise Screening Process*" means the *Ministry* draft publication "Secondary Noise Screening Process for S.9 Applications – Supplement to Application for Approval", October 13, 2010,

as amended.

35. "*Secondary Noise Screening Report*" means the report, prepared in accordance with the *Secondary Noise Screening Process* submitted in support of the application, that documents all sources of noise emissions present at the *Facility*, as updated in accordance with Condition 5 of this *Approval*.

36. "*Toxicologist*" means a qualified professional currently active in the field of risk assessment and toxicology that has a combination of formal university education, training and experience necessary to assess contaminants.

37. "*Written Summary Form*" means the electronic questionnaire form, available on the *Ministry* website, and supporting documentation, that documents the activities undertaken at the *Facility* in the previous calendar year.

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

1.1 Except as otherwise provided by this *Approval*, the *Facility* shall be designed, developed, built, operated and maintained in accordance with the terms and conditions of this *Approval* and in accordance with the following *Schedules* attached hereto:

Schedule A - Supporting Documentation.

2. LIMITED OPERATIONAL FLEXIBILITY

2.1 Pursuant to section 20.6 (1) of the *EPA* and subject to Conditions 2.2 and 2.3 of this *Approval*, future construction, alterations, extensions or replacements are approved in this *Approval* if the future construction, alterations, extensions or replacements are *Modifications* to the *Facility* that::

(a) are within the scope of the operations of the *Facility* as described in the *Description Section* of this *Approval*;

(b) do not result in an increase of the *Facility Production Limit* above the level specified in the *Description Section* of this *Approval*; and

(c) result in compliance with the performance limits as specified in Condition 4.

2.2 Condition 2.1 does not apply to,

(a) the addition of any new *Equipment with Specific Operational Limits* or to the *Modification* of any existing *Equipment with Specific Operational Limits* at the *Facility*; or

(b) *Modifications* to the *Facility* that would be subject to the *Environmental Assessment Act*.

2.3 Condition 2.1 of this *Approval* shall expire ten (10) years from the date of this *Approval*, unless this *Approval* is revoked prior to the expiry date. The *Company* may apply for renewal of Condition 2.1 of this *Approval* by including an *ESDM Report* that describes the *Facility* as of the date of the renewal application.

3. REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION

3.1 Prior to making a *Modification* to the *Facility* that satisfies Condition 2.1 (a) and (b), the *Company*

shall prepare a proposed update to the *ESDM Report* to reflect the proposed *Modification*.

3.2 The *Company* shall request approval of an *Acceptable Point of Impingement Concentration* for a *Compound of Concern* if the *Compound of Concern* does not have a *Ministry Point of Impingement Limit* and a proposed update to an *ESDM Report* indicates that one of the following changes with respect to the concentration of the *Compound of Concern* may occur:

(a) The *Compound of Concern* was not a *Compound of Concern* in the previous version of the *ESDM Report* and

(i) the concentration of the *Compound of Concern* is higher than the *Jurisdictional Screening Level* for the contaminant; or

(ii) there is no *Jurisdictional Screening Level* for the contaminant .

(b) The concentration of the *Compound of Concern* in the updated *ESDM Report* is higher than:

(i) the most recent *Acceptable Point of Impingement Concentration*, and

(ii) the *Jurisdictional Screening Level* if a *Jurisdictional Screening Level* exists.

3.3 The request required by Condition 3.2 shall propose a concentration for the *Compound of Concern* and shall contain an assessment, performed by a *Toxicologist*, of the likelihood of the proposed concentration causing an adverse effect at *Points of Impingement*.

3.4 If the request required by Condition 3.2 is a result of a proposed *Modification* described in Condition 3.1, the *Company* shall submit the request, in writing, to the *Director* at least 30 days prior to commencing to make the *Modification*. The *Director* shall provide written confirmation of receipt of this request to the *Company*.

3.5 If a request is required to be made under Condition 3.2 in respect of a proposed *Modification* described in Condition 3.1, the *Company* shall not make the *Modification* mentioned in Condition 3.1 unless the request is approved in writing by the *Director*.

3.6 If the *Director* notifies the *Company* in writing that the *Director* does not approve the request, the *Company* shall,

(a) revise and resubmit the request; or

(b) notify the *Director* that it will not be making the *Modification*.

3.7 The re-submission mentioned in Condition 3.6 shall be deemed a new submission under Condition 3.2.

3.8 If the *Director* approves the request, the *Company* shall update the *ESDM Report* to reflect the *Modification*.

3.9 Condition 3 does not apply if Condition 2.1 has expired.

4. PERFORMANCE LIMITS

4.1. Subject to Condition 4.2, the *Company* shall not discharge or cause or permit the discharge of a *Compound of Concern* into the air if,

(a) the *Compound of Concern* has a *Ministry Point of Impingement Limit* and the discharge results in the concentration at a *Point of Impingement* exceeding the *Ministry Point of Impingement Limit*; or

(b) the *Compound of Concern* does not have a *Ministry Point of Impingement Limit* and the discharge

results in the concentration at a *Point of Impingement* exceeding the higher of,

- (i) if an *Acceptable Point of Impingement Concentration* exists the most recent *Acceptable Point of Impingement Concentration*, and
- (ii) the *Jurisdictional Screening Level* if a *Jurisdictional Screening Level* exists.

4.2 Condition 4.1 does not apply if the *Ministry Point of Impingement Limit* has a 10-minute averaging period and no ambient monitor indicates an exceedance at a *Point of Impingement* where human activities regularly occur at a time when those activities regularly occur.

4.3 The *Company* shall ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-205* or *Publication NPC-232*, as applicable.

4.4 The *Company* shall ensure that the vibration emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-207*.

4.5 The *Company* shall operate any *Equipment with Specific Operational Limits* approved by this *Approval* in accordance with the *Original ESDM Report*.

5. DOCUMENTATION REQUIREMENTS

5.1. The *Company* shall maintain an up-to-date *Log*.

5.2. No later than March 31 in each year, the *Company* shall update the *ESDM Report* in accordance with section 26 of *O. Reg. 419/05* and shall update the *Noise Screening Documents* so that the information in the reports is accurate as of December 31 in the previous year.

5.3. The *Company* shall make the *Emission Summary Table* (see section 27 of *O. Reg. 419/05*) and the *Noise Screening Documents* available for examination by any person, without charge, by posting it on the Internet or by making it available during regular business hours at the *Facility*.

5.4 The *Company* shall, within three (3) months after the expiry of Condition 2.1 of this *Approval*, update the *ESDM Report* and the *Noise Screening Documents* such that the information in the reports is accurate as of the date that Condition 2.1 of this *Approval* expired.

5.5. Conditions 5.1 and 5.2 do not apply if Condition 2.1 has expired.

6. REPORTING REQUIREMENTS

6.1 Subject to Condition 6.2, the *Company* shall provide the *Director* no later than June 30 of each year, a *Written Summary Form* to be submitted through the *Ministry's* website that shall include the following:

(a) a declaration of whether the *Facility* was in compliance with section 9 of the *EPA, O. Reg. 419/05* and the conditions of this *Approval*;

(b) a summary of each *Modification* satisfying Condition 2.1 (a) and (b) that took place in the previous calendar year that resulted in a change in the previously calculated concentration at a *Point of Impingement* for any *Compound of Concern*.

6.2 Condition 6.1 does not apply if Condition 2.1 has expired.

7. OPERATION AND MAINTENANCE

7.1 The *Company* shall prepare and implement, not later than three (3) months from the date of this *Approval*, operating procedures and maintenance programs for all *Processes with Significant*

Environmental Aspects, which shall specify as a minimum:

- (a) frequency of inspections and scheduled preventative maintenance;
- (b) procedures to prevent upset conditions;
- (c) procedures to minimize all fugitive emissions;
- (d) procedures to prevent and/or minimize odorous emissions;
- (e) procedures to prevent and/or minimize noise emissions; and
- (f) procedures for record keeping activities relating to the operation and maintenance programs.

7.2 The *Company* shall ensure that all *Processes with Significant Environmental Aspects* are operated and maintained in accordance with this *Approval*, the operating procedures and maintenance programs.

7.3 The *Company* shall ensure that the periodic testing of the stand-by diesel generator set occur as follows:

- (a) testing shall only occur outside the hours of 7:00 a.m. to 5:00 p.m., Monday to Friday, and anytime on weekends; and
- (b) testing shall be at a maximum of 30% load of the stand-by diesel generator.

8. COMPLAINTS RECORDING AND REPORTING

8.1 If at any time, the *Company* receives an environmental complaint from the public regarding the operation of the *Equipment* approved by this *Approval*, the *Company* shall take the following steps:

- (a) Record and number each complaint, either electronically or in a log book. The record shall include the following information: the time and date of the complaint and incident to which the complaint relates, the nature of the complaint, wind direction at the time and date of the incident to which the complaint relates and, if known, the address of the complainant.
- (b) Notify the *District Manager* of the complaint within two (2) business days after the complaint is received, or in a manner acceptable to the *District Manager*.
- (c) Initiate appropriate steps to determine all possible causes of the complaint, and take the necessary actions to appropriately deal with the cause of the subject matter of the complaint.
- (d) Complete and retain on-site a report written within one (1) week of the complaint date. The report shall list the actions taken to appropriately deal with the cause of the complaint and set out steps to be taken to avoid the recurrence of similar incidents.

9. RECORD KEEPING REQUIREMENTS

9.1 Any information requested by any employee in or agent of the *Ministry* concerning the *Facility* and its operation under this *Approval*, including, but not limited to, any records required to be kept by this *Approval*, shall be provided to the employee in or agent of the *Ministry*, upon request, in a timely manner.

9.2 Unless otherwise specified in this *Approval*, the *Company* shall retain, for a minimum of five (5) years from the date of their creation all reports, records and information described in this *Approval*, including,

- (a) a copy of the *Original ESDM Report* and each updated version;
- (b) supporting information used in the emission rate calculations performed in the *ESDM Reports*;

(c) the records in the *Log*;

(d) copies of each *Written Summary Form* provided to the *Ministry* under Condition 6.1 of this *Approval*;

(e) records of maintenance, repair and inspection of *Equipment* related to all *Processes with Significant Environmental Aspects*; and

(f) all records related to environmental complaints made by the public as required by Condition 8 of this *Approval*.

10. REVOCATION OF PREVIOUS APPROVALS

This *Approval* replaces and revokes all Certificates of Approval (Air) issued under section 9 *EPA* and Environmental Compliance Approvals issued under Part II.1 *EPA* to the *Facility* in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

SCHEDULE A

Supporting Documentation

(a) Application for Environmental Compliance Approval (Air & Noise), dated April 8, 2013, signed by Marlene Oilgisserand submitted by the *Company*;

(b) Emission Summary and Dispersion Modelling Report, prepared by Vishma Singh, B.Eng. / Pinchin Environmental Ltd. and dated January 25, 2013;

(c) Additional/revised information prepared by Vishma Singh, P.Eng. / Pinchin Environmental Ltd., dated October 26, 2016 and October 28, 2016.

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

GENERAL

1. Condition No. 1 is included to require the *Approval* holder to build, operate and maintain the *Facility* in accordance with the Supporting Documentation in Schedule A considered by the *Director* in issuing this *Approval*.

LIMITED OPERATIONAL FLEXIBILITY, REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION AND PERFORMANCE LIMITS

2. Conditions No. 2, 3 and 4 are included to limit and define the *Modifications* permitted by this *Approval*, and to set out the circumstances in which the *Company* shall request approval of an *Acceptable Point of Impingement Concentration* prior to making *Modifications*. The holder of the *Approval* is approved for operational flexibility for the *Facility* that is consistent with the description of the operations included with the application up to the *Facility Production Limit*. In return for the operational flexibility, the *Approval* places performance based limits that cannot be exceeded under the terms of this *Approval*. *Approval* holders will still have to obtain other relevant approvals required to operate the *Facility*, including requirements under other environmental legislation such as the *Environmental Assessment Act*.

DOCUMENTATION REQUIREMENTS

3. Condition No. 5 is included to require the *Company* to maintain ongoing documentation that demonstrates compliance with the performance limits as specified in Condition 4 of this *Approval* and allows the *Ministry* to monitor on-going compliance with these performance limits. The *Company* is

required to have up to date *Noise Screening Documents* and an up to date *ESDM Report* that describes the *Facility* at all times and make the *Emission Summary Table* from that report and the *Noise Screening Documents* available to the public on an ongoing basis in order to maintain public communication with regard to the emissions from the *Facility*.

REPORTING REQUIREMENTS

4. Condition No. 6 is included to require the *Company* to provide a yearly *Written Summary Form* to the *Ministry*, to assist the *Ministry* with the review of the site's compliance with the *EPA*, the regulations and this *Approval*.

OPERATION AND MAINTENANCE

5. Condition No. 7 is included to require the *Company* to properly operate and maintain the *Processes with Significant Environmental Aspects* to minimize the impact to the environment from these processes.

COMPLAINTS RECORDING AND REPORTING PROCEDURE

6. Condition No. 8 is included to require the *Company* to respond to any environmental complaints regarding the operation of the *Equipment*, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

RECORD KEEPING REQUIREMENTS

7. Condition No. 9 is included to require the *Company* to retain all documentation related to this *Approval* and provide access to employees in or agents of the *Ministry*, upon request, so that the *Ministry* can determine if a more detailed review of compliance with the performance limits as specified in Condition 4 of this *Approval* is necessary.

REVOCAION OF PREVIOUS APPROVALS

8. Condition No. 10 is included to identify that this *Approval* replaces all Section 9 Certificate(s) of Approval and Part II.1 Approvals in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 4419-ACQLHZ issued on November 2, 2016.

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:

1. 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;
2. 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:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. 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 and
Climate Change
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**

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

DATED AT TORONTO this 15th day of December,
2016

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

ES/
c: District Manager, MOECC Toronto - District
Vishma Singh, Pinchin Environmental Ltd.

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Ministry of the Environment and Climate Change
Ministère de l'Environnement et de l'Action en matière de changement
climatique

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3825-9UGJH4

Issue Date: April 14, 2015

Emirfi Shield Plating Inc.
123 Manville Rd, No. 1
Toronto, Ontario
M1L 4J8

Site Location: EMIRFI Shield Plating Inc.
123 Manville Rd
Toronto City
M1L 4J8

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:

Description Section

An electroplating facility, consisting of the following processes and support units:

- electroplating lines;
- laboratory complete with fume hoods;
- nitric strippers;

including the *Equipment* and any other ancillary and support processes and activities, operating at a *Facility Production Limit* of up to 200,000 pieces plated per day discharging to the air as described in the *Original ESDM Report*.

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

1. "*Acceptable Maximum Ground Level Concentration*" means a concentration accepted by the *Ministry*, as described in the Guide to Applying for Approval (Air & Noise), for a *Compound of Concern* listed in the *Original ESDM Report* that:

(a) has no *Ministry Point of Impingement Limit* and no *Jurisdictional Screening Level*, or

(b) has a concentration at a *Point of Impingement* that exceeds the *Jurisdictional Screening Level*.

2. "*Air Standards Manager*" means the Manager, Human Toxicology and Air Standards Section, Standards Development Branch, or any other person who represents and carries out the duties of the Manager, Human Toxicology and Air Standards Section, Standards Development Branch, as those duties relate to the conditions of this *Approval*.

3. "*Approval*" means this entire Environmental Compliance Approval and any *Schedules* to it.

4. "*Basic Comprehensive User Guide*" means the *Ministry* document titled "Basic Comprehensive Certificates of Approval (Air) User Guide" dated March 2011, as amended.

5. "*Company*" means Emirfi Shield Plating Inc. operating as Emirfi Shield Plating Inc. that is responsible for the construction or operation of the *Facility* and includes any successors and assigns in accordance with section 19 of the *EPA*.
6. "*Compound of Concern*" means a contaminant that, based on generally available information, may be discharged to the air in a quantity from the *Facility* that:
 - (a) is non-negligible in accordance with section 26(1)4 of *O. Reg. 419/05* in comparison to the relevant *Ministry Point of Impingement Limit*; or
 - (b) if a *Ministry Point of Impingement Limit* is not available for the compound, may cause an adverse effect at a *Point of Impingement* based on generally available toxicological information.
7. "*Description Section*" means the section on page one of this *Approval* describing the *Company's* operations and the *Equipment* located at the *Facility* and specifying the *Facility Production Limit* for the *Facility*.
8. "*Director*" means a person appointed by the Minister pursuant to section 5 of the *EPA*.
9. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located.
10. "*Emission Summary Table*" means the most updated table contained in the *ESDM Report*, which is prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* listing the appropriate *Point of Impingement* concentration for each *Compound of Concern* from the *Facility* and providing comparison to the corresponding *Ministry Point of Impingement Limit* or *Maximum Concentration Level Assessment*, or *Jurisdictional Screening Level*.
11. "*Environmental Assessment Act*" means the Environmental Assessment Act, R.S.O. 1990, c.E.18, as amended.
12. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended.
13. "*Equipment*" means equipment or processes described in the *ESDM Report*, this *Approval* and in the *Schedules* referred to herein and any other equipment or processes.
14. "*Equipment with Specific Operational Limits*" means any *Equipment* related to the thermal oxidation of waste or waste derived fuels, fume incinerators or any other *Equipment* that is specifically referenced in any published *Ministry* document that outlines specific operational guidance that must be considered by the *Director* in issuing an *Approval*.
15. "*ESDM Report*" means the most current Emission Summary and Dispersion Modelling Report that describes the *Facility*. The *ESDM Report* is based on the *Original ESDM Report*, is prepared after the issuance of this *Approval* in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by the *Company* or its consultant.
16. "*Facility*" means the entire operation located on the property where the *Equipment* is located.
17. "*Facility Production Limit*" means the production limit placed by the *Director* on the main product(s) or raw materials used by the *Facility*.
18. "*Jurisdictional Screening Level*" means a screening level for a *Compound of Concern* that is listed in the *Ministry* publication titled "Jurisdictional Screening Level (JSL) List, A Screening Tool for Ontario Regulation 419: Air Pollution - Local Air Quality", dated February 2008, as amended.
19. "*Log*" means the up-to-date log that is used to track all *Modifications* to the *Facility* since the date of this *Approval* as required by the Documentation Requirements conditions of this *Approval*.

20. "*Maximum Concentration Level Assessment*" means the Maximum Concentration Level Assessment for the purposes of an *Approval*, described in the *Basic Comprehensive User Guide*, prepared by a *Toxicologist* using currently available toxicological information, that demonstrates that the concentration at any *Point of Impingement* for a *Compound of Concern* that does not have a *Ministry Point of Impingement Limit* is not likely to cause an adverse effect as defined by the *EPA*.
21. "*Ministry*" means the ministry of the government of Ontario responsible for the *EPA* and its regulations and includes all officials, employees or other persons acting on its behalf.
22. "*Ministry Point of Impingement Limit*" means the applicable Standard set out in Schedule 2 or 3 of *O.Reg. 419/05* or a limit set out in the *Ministry* publication titled "Summary of Standards and Guidelines to support Ontario Regulation 419: Air Pollution - Local Air Quality (including Schedule 6 of *O. Reg. 419* on Upper Risk Thresholds)", dated April 2012, as amended.
23. "*Modification*" means any construction, alteration, extension or replacement of any plant, structure, equipment, apparatus, mechanism or thing, or alteration of a process or rate of production at the *Facility* that may discharge or alter the rate or manner of discharge of a *Compound of Concern* to the air or discharge or alter noise or vibration emissions from the *Facility*.
24. "*O. Reg. 419/05*" means the Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended.
25. "*Original ESDM Report*" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by XCG Consultants LTD. and dated February 10, 2012 submitted in support of the application, and includes any changes to the report made up to the date of issuance of this *Approval*.
26. "*Performance Limits*" means the performance limits specified in Condition 3.2 of this *Approval* titled Performance Limits.
27. "*Point of Impingement*" has the same meaning as in section 2 of *O. Reg. 419/05*.
28. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2009, as amended.
29. "*Processes with Significant Environmental Aspects*" means the *Equipment* which, during regular operation, would discharge a contaminant or contaminants into the air at an amount which is not considered as negligible in accordance with section 26(1)4 of *O. Reg. 419/05* and the *Procedure Document*.
30. "*Publication NPC-205*" means the *Ministry* Publication NPC-205, "Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)", October, 1995, as amended.
31. "*Publication NPC-207*" means the *Ministry* draft technical publication "Impulse Vibration in Residential Buildings", November 1983, supplementing the Model Municipal Noise Control By-Law, Final Report, published by the *Ministry*, August 1978, as amended.
32. "*Publication NPC-232*" means the *Ministry* Publication NPC-232, "Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)", October, 1995, as amended.
33. "*Schedules*" means the following schedules attached to this *Approval* and forming part of this *Approval* namely:
- Schedule A - Supporting Documentation.
34. "*Toxicologist*" means a qualified professional currently active in the field of risk assessment and

toxicology that has a combination of formal university education, training and experience necessary to assess contaminants.

35. "*Written Summary Form*" means the electronic questionnaire form, available on the *Ministry* website, and supporting documentation, that documents the activities undertaken at the *Facility* in the previous calendar year that must be submitted annually to the *Ministry* as required by the section of this *Approval* titled Reporting Requirements.

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

1.1 Except as otherwise provided by this *Approval*, the *Facility* shall be designed, developed, built, operated and maintained in accordance with the terms and conditions of this *Approval* and in accordance with the following *Schedules* attached hereto:

Schedule A - Supporting Documentation

2. LIMITED OPERATIONAL FLEXIBILITY

2.1 Pursuant to section 20.6(1) of the *EPA* and subject to Conditions 2.2 and 2.3 of this *Approval*, future construction, alterations, extensions or replacements are approved in this *Approval* if the future construction, alterations, extensions or replacements are *Modifications* to the *Facility* that:

(a) are within the scope of the operations of the *Facility* as described in the *Description Section* of this *Approval*;

(b) do not result in an increase of the *Facility Production Limit* above the level specified in the *Description Section* of this *Approval*; and

(c) result in compliance with the *Performance Limits*.

2.2 Condition 2.1 does not apply to:

(a) the addition of any new *Equipment with Specific Operational Limits* or to the *Modification* of any existing *Equipment with Specific Operational Limits* at the *Facility*; or

(b) *Modifications* to the *Facility* that would be subject to the *Environmental Assessment Act*.

2.3 Condition 2.1 of this *Approval* shall expire ten (10) years from the date of this *Approval*, unless this *Approval* is revoked prior to the expiry date. The *Company* may apply for renewal of Condition 2.1 of this *Approval* by including an *ESDM Report* that describes the *Facility* as of the date of the renewal application.

3. REQUEST FOR MAXIMUM CONCENTRATION LEVEL ASSESSMENT AND PERFORMANCE LIMITS

3.1 REQUEST FOR MAXIMUM CONCENTRATION LEVEL ASSESSMENT

3.1.1 If the *Company* proposes to make a *Modification* to the *Facility*, the *Company* shall determine if the proposed *Modification* will result in:

(a) a discharge of a *Compound of Concern* that was not previously discharged; or

(b) an increase in the concentration at a *Point of Impingement* of a *Compound of Concern*.

3.1.2 If a proposed *Modification* mentioned in Condition 3.1.1 will result in the discharge of a *Compound of Concern* that was not previously discharged, the *Company* shall submit a *Maximum Concentration Level Assessment* to the *Director* for review by the *Air Standards Manager* in the following circumstances:

(a) The *Compound of Concern* does not have a *Ministry Point of Impingement Limit* or a *Jurisdictional Screening Level*.

(b) The *Compound of Concern* does not have a *Ministry Point of Impingement Limit* and the concentration at a *Point of Impingement* will exceed the *Jurisdictional Screening Level*.

(c) Prior to the proposed *Modification*, a contaminant was discharged in a negligible amount and the proposed *Modification* will result in the discharge of the contaminant being considered a *Compound of Concern* and the *Compound of Concern* does not have a *Ministry Point of Impingement Limit* or a *Jurisdictional Screening Level*.

(d) Prior to the proposed *Modification*, a contaminant was discharged in a negligible amount and the proposed *Modification* will result in the discharge of the contaminant being considered a *Compound of Concern*. Additionally, the *Compound of Concern* does not have a *Ministry Point of Impingement Limit* and the concentration at a *Point of Impingement* will exceed the *Jurisdictional Screening Level*.

3.1.3 If a proposed *Modification* mentioned in Condition 3.1.1 will result in an increase in the concentration at a *Point of Impingement* of a *Compound of Concern*, the *Company* shall submit a *Maximum Concentration Level Assessment* to the *Director* for review by the *Air Standards Manager* in the following circumstances:

(a) The *Compound of Concern* does not have a *Ministry Point of Impingement Limit* or a *Jurisdictional Screening Level* and the concentration at a *Point of Impingement* will exceed the *Acceptable Maximum Ground Level Concentration*.

(b) The *Compound of Concern* does not have a *Ministry Point of Impingement Limit* or a *Jurisdictional Screening Level* and the concentration at a *Point of Impingement* will exceed the most recently accepted *Maximum Concentration Level Assessment* submitted under Condition 3.1.2 or this Condition.

(c) The *Compound of Concern* does not have a *Ministry Point of Impingement Limit* and the concentration at a *Point of Impingement* will exceed the *Jurisdictional Screening Level* and the *Acceptable Maximum Ground Level Concentration*.

(d) The *Compound of Concern* does not have a *Ministry Point of Impingement Limit* and the concentration at a *Point of Impingement* will exceed the *Jurisdictional Screening Level* and the most recently accepted *Maximum Concentration Level Assessment* submitted under Condition 3.1.2 or this Condition.

(e) The *Compound of Concern* does not have a *Ministry Point of Impingement Limit*, *Acceptable Maximum Ground Level Concentration* or a *Maximum Concentration Level Assessment* and the concentration at a *Point of Impingement* will exceed the *Jurisdictional Screening Level*.

3.1.4 Subject to the Operational Flexibility set out in Condition 2 of this *Approval*, the *Company* may make the *Modification* if the submission of a *Maximum Concentration Level Assessment* under Condition 3.1.2 or 3.1.3 is not required.

3.1.5 A *Company* that is required to submit an assessment under Condition 3.1.2 or 3.1.3 shall submit the assessment at least thirty (30) days before the proposed *Modification* occurs.

3.1.6 The *Ministry* shall provide to the *Company* written confirmation of the receipt of the assessment

under Condition 3.1.2 or 3.1.3.

3.1.7 If an assessment is submitted under Condition 3.1.2 or 3.1.3, the *Company* shall not modify the *Facility* unless the *Ministry* accepts the assessment.

3.1.8 If the *Ministry* notifies the *Company* that it does not accept the assessment submitted under Condition 3.1.2 or 3.1.3, the *Company* shall:

- (a) revise and resubmit the assessment; or
- (b) notify the *Ministry* that the *Company* will not be modifying the *Facility*.

3.1.9 The re-submission under Condition 3.1.8 (a) is considered by the *Ministry* as a new submission.

3.2. **PERFORMANCE LIMITS**

3.2.1 Subject to Condition 3.2.2, the *Company* shall, at all times, ensure that all *Equipment* that is a source of a *Compound of Concern* is operated to comply with the following *Performance Limits*:

- (a) for a *Compound of Concern* that has a *Ministry Point of Impingement Limit*, the maximum concentration of that *Compound of Concern* at any *Point of Impingement* shall not exceed the corresponding *Ministry Point of Impingement Limit*;
- (b) for a *Compound of Concern* that has an *Acceptable Maximum Ground Level Concentration* and no *Maximum Concentration Level Assessment*, the maximum concentration of that *Compound of Concern* at any *Point of Impingement* shall not exceed the corresponding *Acceptable Maximum Ground Level Concentration*; and
- (c) for a *Compound of Concern* that has a *Maximum Concentration Level Assessment*, the maximum concentration of that *Compound of Concern* at any *Point of Impingement* shall not exceed the most recently accepted corresponding *Maximum Concentration Level Assessment*.

3.2.2 If the *Company* has modified the *Facility* and was not required to submit a *Maximum Concentration Level Assessment* with respect to a *Compound of Concern* under Condition 3.1.2 or 3.1.3, the *Company* shall, at all times, ensure that all *Equipment* that is a source of the *Compound of Concern* is operated such that the maximum concentration of the *Compound of Concern* shall not exceed the concentration listed for the *Compound of Concern* in the most recent version of the *ESDM Report*.

3.2.3 The *Company* shall, at all times, ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-205* or *Publication NPC-232*.

3.2.4 The *Company* shall, at all times, ensure that the vibration emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-207*.

3.2.5 The *Company* shall, at all times, operate any *Equipment with Specific Operational Limits* approved by this *Approval* in accordance with the *Original ESDM Report* and Conditions in this *Approval*.

4. **DOCUMENTATION REQUIREMENTS**

4.1 The *Company* shall, at all times, maintain documentation that describes the current operations of the *Facility*, including but not limited to:

- (a) an *ESDM Report* that demonstrates compliance with the *Performance Limits* for the *Facility*;
- (b) an up-to-date *Log* that describes each *Modification* to the *Facility*; and
- (c) a record of the changes to the *ESDM Report* that documents how each *Modification* is in compliance with the *Performance Limits*.

4.2 The *Company* shall, during regular business hours, make the current *Emission Summary Table* available for inspection at the *Facility* by any interested member of the public.

4.3 Subject to Condition 4.5, the *Company* shall prepare and complete no later than April 15 of each year documentation that describes the activities undertaken at the *Facility* in the previous calendar year, including but not limited to:

- (a) a list of all *Compounds of Concern* for which a *Maximum Concentration Level Assessment* was submitted to the *Director* for review by the *Air Standards Manager* pursuant to Condition 3.1.2 or 3.1.3 of this *Approval*;
- (b) if the *Company* has modified the *Facility* and was not required to submit a *Maximum Concentration Level Assessment* with respect to a *Compound of Concern* under Condition 3.1.2 or 3.1.3, a list and concentration level of all such *Compounds of Concern*;
- (c) a review of any changes to *Ministry Point of Impingement Limits* that affect any *Compounds of Concern* emitted from the *Facility*; and
- (d) a table of the changes in the emission rate of any *Compound of Concern* and the resultant increase or decrease in the *Point of Impingement* concentration reported in the *ESDM Report*.

4.4 Subject to Condition 4.5, the *Company* shall, at all times, maintain the documentation described in Condition 4.3.

4.5 Conditions 4.3 and 4.4 do not apply if Condition 2.1 has expired.

4.6 The *Company* shall, within three (3) months after the expiry of Condition 2.1 of this *Approval*, update the *ESDM Report* such that it describes the *Facility* as it was at the time that Condition 2.1 of this *Approval* expired.

5. REPORTING REQUIREMENTS

5.1 Subject to Condition 5.2, the *Company* shall provide the *Ministry* and the *Director* no later than April 15 of each year, a *Written Summary Form* that shall include the following:

- (a) a declaration of whether the *Facility* was in compliance with section 9 of the *EPA, O.Reg. 419/05* and the conditions of this *Approval*;
- (b) a summary of each *Modification* that took place in the previous calendar year that resulted in a change in the previously calculated concentration at the *Point of Impingement* for any *Compound of Concern*.

5.2 Condition 5.1 does not apply if Condition 2.1 has expired.

6. OPERATION AND MAINTENANCE

6.1 The *Company* shall prepare and implement, not later than three (3) months from the date of this *Approval*, operating procedures and maintenance programs for all *Processes with Significant Environmental Aspects*, which shall specify as a minimum:

- (a) frequency of inspections and scheduled preventative maintenance;
- (b) procedures to prevent upset conditions;
- (c) procedures to minimize all fugitive emissions;
- (d) procedures to prevent and/or minimize odorous emissions;

(e) procedures to prevent and/or minimize noise emissions; and

(f) procedures for record keeping activities relating to the operation and maintenance programs.

6.2 The *Company* shall ensure that all *Processes with Significant Environmental Aspects* are operated and maintained at all times in accordance with this *Approval*, the operating procedures and maintenance programs.

7. COMPLAINTS RECORDING PROCEDURE

7.1 If at any time, the *Company* receives any environmental complaints from the public regarding the operation of the *Equipment* approved by this *Approval*, the *Company* shall respond to these complaints according to the following procedure:

(a) the *Company* shall record and number each complaint, either electronically or in a log book, and shall include the following information: the time and date of the complaint and incident to which the complaint relates, the nature of the complaint, wind direction at the time and date of the incident to which the complaint relates and, if known, the address of the complainant;

(b) the *Company*, upon notification of a complaint, shall initiate appropriate steps to determine all possible causes of the complaint, and shall proceed to take the necessary actions to appropriately deal with the cause of the subject matter of the complaint; and

(c) the *Company* shall complete and retain on-site a report written within one (1) week of the complaint date, listing the actions taken to appropriately deal with the cause of the subject matter of the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

8. RECORD KEEPING REQUIREMENTS

8.1 Any information requested by any employee in or agent of the *Ministry* concerning the *Facility* and its operation under this *Approval*, including, but not limited to, any records required to be kept by this *Approval*, shall be provided to the employee in or agent of the *Ministry*, upon request, in a timely manner.

8.2 The *Company* shall retain, for a minimum of five (5) years from the date of their creation, except as noted below, all reports, records and information described in this *Approval* and shall include but not be limited to:

(a) If the *Company* has updated the *ESDM Report* in order to comply with Condition 4.1(a) of this *Approval*, a copy of each new version of the *ESDM Report*;

(b) supporting information used in the emission rate calculations performed in the *ESDM Reports* to document compliance with the *Performance Limits* (superseded information must be retained for a period of three (3) years after *Modification*);

(c) the *Log* that describes each *Modification* to the *Facility*;

(d) all documentation prepared in accordance with Condition 4.3 of this *Approval*;

(e) copies of any *Written Summary Forms* provided to the *Ministry* under Condition 5.1 of this *Approval*;

(f) the operating procedures and maintenance programs, including records on the maintenance, repair and inspection of the *Equipment* related to all *Processes with Significant Environmental Aspects*; and

(g) the complaints recording procedure, including records related to all environmental complaints made by the public as required by Condition 7.1 of this *Approval*.

9. REVOCATION OF PREVIOUS APPROVALS

9.1 This *Approval* replaces and revokes all Certificates of Approval (Air) issued under section 9 *EPA* and Environmental Compliance Approvals issued under Part II.1 *EPA* to the *Facility* in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

SCHEDULE A

Supporting Documentation

- (a) Application for Approval (Air & Noise), dated February 10, 2012, signed by Mark Henry and submitted by the *Company*;
- (b) Emission Summary and Dispersion Modelling Report, prepared by XCG Consultants LTD. and dated February 10, 2012;
- (c) Letter, prepared by XCG Consultants LTD. and dated April 2, 2012.

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

GENERAL

1. Condition No. 1 is included to require the *Approval* holder to build, operate and maintain the *Facility* in accordance with the Supporting Documentation in Schedule A considered by the *Director* in issuing this *Approval*.

LIMITED OPERATIONAL FLEXIBILITY, REQUEST FOR *MAXIMUM CONCENTRATION LEVEL ASSESSMENT AND PERFORMANCE LIMITS*

2. Conditions No. 2 and 3 are included to limit and define the *Modifications* permitted by this *Approval*, and to set out the circumstances in which the *Company* shall submit a *Maximum Concentration Level Assessment* prior to making *Modifications*. The holder of the *Approval* is approved for operational flexibility for the *Facility* that is consistent with the description of the operations included with the application up to the *Facility Production Limit*. In return for the operational flexibility, the *Approval* places performance based limits that cannot be exceeded under the terms of this *Approval*. *Approval* holders will still have to obtain other relevant approvals required to operate the *Facility*, including requirements under other environmental legislation such as the *Environmental Assessment Act*.

DOCUMENTATION REQUIREMENTS

3. Condition No. 4 is included to require the *Company* to maintain ongoing documentation that demonstrates compliance with the *Performance Limits* of this *Approval* and allows the *Ministry* to monitor on-going compliance with these *Performance Limits*. The *Company* is required to have an up to date *ESDM Report* that describes the *Facility* at all times and make the *Emission Summary Table* from that report available to the public on an ongoing basis in order to maintain public communication with regard to the emissions from the *Facility*.

REPORTING REQUIREMENTS

4. Condition No. 5 is included to require the *Company* to provide a yearly *Written Summary Form* to the *Ministry*, to assist the *Ministry* with the review of the site's compliance with the *EPA*, the regulations and this *Approval*.

OPERATION AND MAINTENANCE

5. Condition No. 6 is included to require the *Company* to properly operate and maintain the *Processes with Significant Environmental Aspects* to minimize the impact to the environment from these processes.

COMPLAINTS RECORDING PROCEDURE

6. Condition No. 7 is included to require the *Company* to respond to any environmental complaints regarding the operation of the *Equipment*, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

RECORD KEEPING REQUIREMENTS

7. Condition No. 8 is included to require the *Company* to retain all documentation related to this *Approval* and provide access to employees in or agents of the *Ministry*, upon request, so that the *Ministry* can determine if a more detailed review of compliance with the *Performance Limits* is necessary.

REVOCAION OF PREVIOUS APPROVALS

8. Condition No. 9 is included to identify that this *Approval* replaces all Section 9 Certificate(s) of Approval and Part II.1 Approvals in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 3842-58LPB3 issued on April 26, 2002.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, S.O. 1993, c. 28 (Environmental Bill of Rights), the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. 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;
2. 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:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. 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 Environmental
Commissioner
1075 Bay Street, Suite
605
Toronto, Ontario
M5S 2B1

AND

The Director appointed for the
purposes of Part II.1 of the
Environmental Protection Act
Ministry of the Environment and
Climate Change
2 St. Clair Avenue West, Floor
12A
Toronto, Ontario
M4V 1L5

*** 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) 314-4506 or www.ert.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 www.ebr.gov.on.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 14th day of April, 2015

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

FC/
c: District Manager, MOECC Toronto - District
Rebecca Bach, XCG Consultants Ltd



Appendix B

Stationary Modelling Inputs

Eglinton East and Warden
Compatibility & Mitigation Study
SLR Project No.: 241.30190.00000

Name	Result. PWL			Lw / Li Type	Operating Time			K0 (dB)	Direct.	Height (m)	Coordinates		
	Day	Evening	Night		Day	Special	Night				X	Y	Z
	(dBA)	(dBA)	(dBA)		(min)	(min)	(min)				(m)	(m)	(m)
Donway Ford - Impact Wrench	112	102	102	Lw	1	0	0	3 (none)	1.5 r	638189.1	4843090	161.48	
Donway Ford - General Air Tools	102	102	102	Lw	5	0	0	3 (none)	1.5 r	638189.1	4843090	161.48	
Donway Ford - HVAC	85.5	85.5	85.5	Lw	60	45	30	0 (none)	1.2 g	638226.6	4843098	174.16	
Donway Ford - HVAC	82.5	82.5	82.5	Lw	60	45	30	0 (none)	1.2 g	638195.3	4843093	174.16	
Donway Ford - HVAC	82.5	82.5	82.5	Lw	60	45	30	0 (none)	1.2 g	638213	4843094	174.16	
Donway Ford - HVAC	82.5	82.5	82.5	Lw	60	45	30	0 (none)	1.2 g	638230.6	4843117	174.16	
Donway Ford - HVAC	82.5	82.5	82.5	Lw	60	45	30	0 (none)	1.2 g	638233.7	4843114	174.16	
Donway Ford - HVAC	82.5	82.5	82.5	Lw	60	45	30	0 (none)	1.2 g	638264.2	4843097	174.16	
Hyundai - Impact Wrench	112	102	102	Lw	1	0	0	3 (none)	1.5 r	638123.3	4843014	162.2	
Hyundai - General Air Tools	102	102	102	Lw	5	0	0	3 (none)	1.5 r	638123.3	4843014	162.2	
Hyundai - HVAC	85.5	85.5	85.5	Lw	60	45	30	0 (none)	1.2 g	638151.7	4843012	168.37	
Hyundai - HVAC	85.5	85.5	85.5	Lw	60	45	30	0 (none)	1.2 g	638135.5	4843009	168.37	
Hyundai - HVAC	82.5	82.5	82.5	Lw	60	45	30	0 (none)	1.2 g	638161.8	4843012	168.37	
Kingscross - Impact Wrench	112	102	102	Lw	1	0	0	3 (none)	1.5 r	638115	4842970	162.53	
Kingscross - General Air Tools	102	102	102	Lw	5	0	0	3 (none)	1.5 r	638115	4842970	162.53	
Kingscross - Impact Wrench	112	102	102	Lw	1	0	0	3 (none)	1.5 r	638063.3	4842977	162.65	
Kingscross - General Air Tools	102	102	102	Lw	5	0	0	3 (none)	1.5 r	638063.3	4842977	162.65	
Kinscross - EF	85	85	85	Lw	5	0	0	0 (none)	2 g	638122.7	4842960	172.53	
Cosmetica	92.5	92.5	92.5	Lw	60	45	30	0 (none)	2 g	637889.5	4843301	171.51	
Cosmetica	85.5	85.5	85.5	Lw	60	45	30	0 (none)	2 g	637933.4	4843315	171.51	
Cosmetica	92.5	92.5	92.5	Lw	60	45	30	0 (none)	2 g	637964.8	4843326	171.51	
Cosmetica	92.5	92.5	92.5	Lw	60	45	30	0 (none)	2 g	637920.8	4843269	171.51	
Cosmetica	92.5	92.5	92.5	Lw	60	45	30	0 (none)	2 g	637899	4843253	171.51	
Cosmetica	92.5	92.5	92.5	Lw	60	45	30	0 (none)	2 g	637940.4	4843204	171.51	
Cosmetica	92.5	92.5	92.5	Lw	60	45	30	0 (none)	2 g	637927.3	4843171	171.51	
Cosmetica	85.5	85.5	85.5	Lw	60	45	30	0 (none)	2 g	637927.6	4843248	171.51	
Cosmetica	85.5	85.5	85.5	Lw	60	45	30	0 (none)	2 g	637908.3	4843232	171.51	
Cosmetica	85.5	85.5	85.5	Lw	60	45	30	0 (none)	2 g	637909.6	4843227	171.51	
Cosmetica	85.5	85.5	85.5	Lw	60	45	30	0 (none)	2 g	637936	4843222	171.51	
Cosmetica	85.5	85.5	85.5	Lw	60	45	30	0 (none)	2 g	637918.4	4843206	171.51	
Cosmetica	85.5	85.5	85.5	Lw	60	45	30	0 (none)	2 g	637948.5	4843179	171.51	
Cosmetica	94.3	94.3	94.3	Lw	45	45	45	0 (none)	2 g	637918.5	4843202	171.51	
Cosmetica	91.3	91.3	91.3	Lw	45	45	45	0 (none)	2 g	637969	4843165	171.51	
Cosmetica	91.3	91.3	91.3	Lw	45	45	45	0 (none)	2 g	637973.1	4843167	171.51	
Cosmetica	88.3	88.3	88.3	Lw	45	45	45	0 (none)	2 g	637907.8	4843306	171.51	

➔ **Appendix C**
Recommended Mitigation Measures and
Warning Clauses

Eglinton East and Warden
Compatibility & Mitigation Study
SLR Project No.: 241.30190.00000

SUMMARY OF POTENTIAL MITIGATION MEASURES AND WARNING CLAUSES

Warning Clauses

Transportation Sources (Road and Rail)

MECP Type A Warning Clause

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road and rail traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment.”

MECP Type B Warning Clause

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic, and rail traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment.”

MECP Type C Warning Clause

“This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment.”

MECP Type D Warning Clause

“This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment.”

Industrial Sources

MECP Type E Warning Clause

“Purchasers/tenants are advised that due to the proximity of adjacent industries, noise from these facilities may at times be audible.”



Appendix D

Traffic Data and Roadway Calculations

Eglinton East and Warden

Compatibility & Mitigation Study

SLR Project No.: 241.30190.00000

ORNAMENT - Sound Power Emissions & Source Heights

Ontario Road Noise Analysis Method for Environment and Transportation

Road Segment ID	Roadway Name	Link Description	Speed (kph)	Period (h)	Total Traffic Volumes	Auto %	Med %	Hvy %	Auto	Med	Heavy	Road Gradient (%)	Cadna/A Ground Absorption G	PWL (dBA)	PWL/2 (dBA)	Source Height, s (m)
Eglinton_amb	Eglinton Avenue	Daytime Ambient	50	1	955	96.0%	2.0%	2.0%	917	19	19	0	0.00	81.0	78.0	1.2
Eglinton_amb	Eglinton Avenue	Evening Ambient	50	1	682	96.0%	2.0%	2.0%	655	14	14	0	0.00	79.5	76.5	1.2
Eglinton_amb	Eglinton Avenue	Night-time Ambient	50	1	80	96.0%	2.0%	2.0%	77	2	2	0	0.00	70.2	67.2	1.2
Lebovic_amb	Lebovic Avenue	Daytime Ambient	50	1	375	96.0%	2.0%	2.0%	360	8	8	0	0.00	76.9	73.9	1.2
Lebovic_amb	Lebovic Avenue	Evening Ambient	50	1	268	96.0%	2.0%	2.0%	257	5	5	0	0.00	75.4	72.4	1.2
Lebovic_amb	Lebovic Avenue	Night-time Ambient	50	1	21	96.0%	2.0%	2.0%	20	0	0	0	0.00	64.4	61.4	1.2
Hakimi_amb	Hakimi Avenue	Daytime Ambient	50	1	397	96.0%	2.0%	2.0%	381	8	8	0	0.00	77.1	74.1	1.2
Hakimi_amb	Hakimi Avenue	Evening Ambient	50	1	283	96.0%	2.0%	2.0%	272	6	6	0	0.00	75.7	72.7	1.2
Hakimi_amb	Hakimi Avenue	Night-time Ambient	50	1	23	96.0%	2.0%	2.0%	22	0	0	0	0.00	64.8	61.8	1.2
Warden_amb	Warden Avenue	Daytime Ambient	50	1	839	96.0%	2.0%	2.0%	806	17	17	0	0.00	80.4	77.4	1.2
Warden_amb	Warden Avenue	Evening Ambient	50	1	600	96.0%	2.0%	2.0%	576	12	12	0	0.00	78.9	75.9	1.2
Warden_amb	Warden Avenue	Night-time Ambient	50	1	48	96.0%	2.0%	2.0%	46	1	1	0	0.00	68.0	65.0	1.2
Civic_amb	Civic Road	Daytime Ambient	50	1	710	96.0%	2.0%	2.0%	682	14	14	0	0.00	79.7	76.7	1.2
Civic_amb	Civic Road	Evening Ambient	50	1	507	96.0%	2.0%	2.0%	487	10	10	0	0.00	78.2	75.2	1.2
Civic_amb	Civic Road	Night-time Ambient	50	1	41	96.0%	2.0%	2.0%	39	1	1	0	0.00	67.2	64.2	1.2

July 28, 2022

Mr. Nick Sgro
1941 Eglinton East Holdings Inc.
1941 Eglinton Avenue East
Toronto, Ontario
M1L 2M4

c/o Mr. Mark Flowers
Davies Howe LLP
The Tenth Floor
425 Adelaide Street West
Toronto, Ontario
M5V 3C1

SLR Project No.: 241.30190.00000

**RE: Response to Peer Review of Land Use Compatibility/Mitigation Study
Eglinton Avenue East and Warden Avenue, Toronto, ON**

SLR Consulting (Canada) Ltd. (SLR), was retained by 1941 Eglinton East Holdings Inc. to conduct environmental air quality, noise, and vibration studies in support of an employment lands conversion of the properties located at the southeast corner of the intersection of Eglinton Avenue East and Warden Avenue in an area known as the Golden Mile in Toronto, Ontario (“the Project”).

INTRODUCTION

SLR received peer review comments on the above noted report. The peer review comments were prepared on behalf of the City of Toronto by Cambium Inc. (“Cambium”). A copy of the peer review comments is provided in **Attachment A**.

This letter is prepared in response to the Cambium peer review and is structured to follow the order in which Cambium provided their comments.

RESPONSE TO PEER REVIEW COMMENTS

Comment (C)1. a. Please update the Study to include any complaints received related to any of the specific operations that occur that have the potential to be of concern within the study area. Each facility that maintains an ECA/EASR is expected to track such issues and notify the Ministry of the actions taken to address them.

b. The City should also be considered as a source for historical complaints related to a facility information regarding complaint history (if any) should be included in the Compatibility Study.

Response (R)1. SLR has an outstanding FOI request for Cosmetica Laboratories that was filed with the MECP in 2020. A copy of the FOI request is provided in **Attachment B**. To date, SLR has not received a response.

Subsequent to completion of the report for the Project site, SLR, while working on another project in the vicinity of the Project site, contacted Ms. Catherine Eby, Senior Environmental Officer with the Toronto District Office of the MECP to request any available complaints information. During the call, on October 18, 2021, Ms. Eby advised that noise complaints have been received from residents located approximately 26 m west of Pharmacy Avenue. The noise complaints are related to the IPEX operations.

As discussed in the SLR Land Use Compatibility/Mitigation Study report, IPEX is located approximately 690 m southwest of the Project site. While inside the potential Area of Influence of 1000 m for a Class III Heavy Industry, it is more than twice the 300 m Recommended Minimum Separation Distance. The Separation Distance of 690 m is considered sufficient and emissions of noise from IPEX is not anticipated at the Project site.

Ms. Eby advised that complaints of odour from the neighbours have not been received from industries in the neighbourhood including IPEX and Flexible Packaging Corporation.

With regard to contacting the City of Toronto for complaint history, the City of Toronto on-line documentation related to stationary noise complaints directs complaints to the MECP¹. With regard to air emission complaints, SLR was only able to identify complaints associated with City owned and operated sources such as annual reporting of wastewater treatment facilities. SLR contacted City planning staff to request advice related to whom to contact at the City of Toronto regarding complaints. City planning staff recommended contacting the City Clerks department and seeking information through the FOI process. Recognizing that environmental regulation is a Provincial Jurisdiction, SLR has advanced FOI requests through the MECP.

C2. *As per the City's TOR, the Study should include a description of the extent to which the applicant has exchanged relevant information with Major Facilities. Cambium suggests it would be appropriate to attempt to obtain further information (e.g., complaints histories, summary tables, etc.) from any Major Facility whose influence area includes the Site.*

R2. This assessment/application is for an employment lands conversion as part of the MCR process. As discussed in Section 6.3 of our report, "further assessment of the surrounding facilities (Donway Ford, Hyundai Parts and Service, Cosmetica Laboratories, etc.) maybe required during future planning applications such as ZBA once building plans are further progressed". SLR will strive to secure the above information in support of future applications.

C3. *As per the City's TOR, the Study outlines significant development applications in the area. The Study, however, should be updated to provide discussion on their compatibility.*

R3. The majority of the significant development applications are located north of the Project Site and are seeking mixed uses including residential.

Based on SLR experience with similar developments, the proposed new buildings will include mechanical heating, ventilation, and air conditioning systems. These systems will be designed to ensure that the applicable MECP air quality regulations, standards and guidelines are met off-site and at the building itself. If required (depending on the type and size of systems used), an MECP ECA or EASR will need to be obtained.

Therefore, the air quality emissions from new mixed use facility sources at the Project site are not anticipated and are anticipated to be compatible with other mixed use developments.

¹ <https://www.toronto.ca/city-government/public-notices-bylaws/bylaw-enforcement/noise/>

C4. As per Ministry D-6 guidance, compatibility should be assessed based on types of industry allowed by the zoning. The Study mentioned the applicable zoning by-laws but does not comment on the permitted uses and the reasonable potential intensification of the uses.

a. Please provide direct comment regarding the impact that the conversion request would have on intensification and expansion of the surrounding existing industry, and the potential for new employment uses to be established in the zoned Employment areas.

R4. An excerpt from the City of Toronto Zoning Bylaw 569-2013 Map is illustrated below as **Figure 1**.

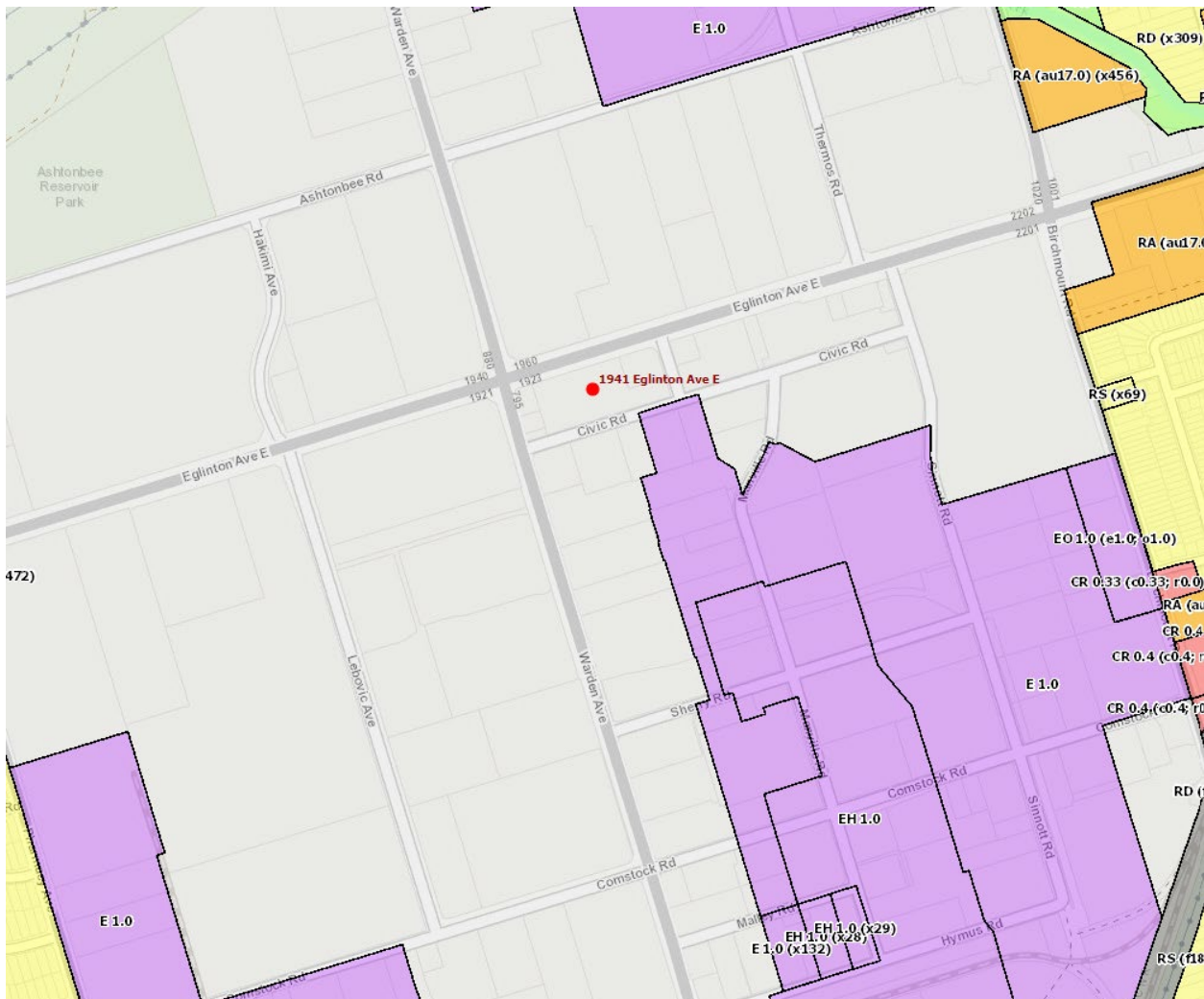


Figure 1-Excerpt from City of Toronto Zoning Bylaw Map

SLR completed a review of City of Toronto Zoning By-law No. 569-2013 applicable Chapter 60.20 Employment uses and have classified the uses in accordance with the MECP D-6 Guidelines.

**Table 1: D-6 Classification of City of Toronto Zoning By-law No. 569-2013
Chapter 60.20 - Permitted Uses**

Land Use	Type of Operation	Industry Class	Area of Influence Distance (m)	Recommended Minimum Separation Distance (m)
Ambulance Depot	N/A	N/A	N/A	N/A
Animal Shelter	If completed with outdoor animal runs maybe considered as an industry. Expected to be self-contained minimal air/noise emissions	I	70	20
Artist Studio	Self-contained minimal air/noise emissions	I	70	20
Bindery	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Building Supply Yards	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Carpenter's Shop	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Cold Storage	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Contractor's Establishment	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Custom Workshop	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Dry Cleaning or Laundry Plant	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Financial Institution	N/A	N/A	N/A	N/A
Fire Hall	N/A	N/A	N/A	N/A
Industrial Sales and Service Use	N/A	N/A	N/A	N/A
Kennel	Self-contained minimal air/noise emissions	I	70	20
Laboratory	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
All Manufacturing Uses with prohibitions to facilities primarily classified as a Class III use	Classification depends on intensity. Given prohibitions listed, expected to be a Class I or Class II industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Office	N/A	N/A	N/A	N/A
Park	Typically a Sensitive Receptor	N/A	N/A	N/A
Performing Arts Studio	N/A	N/A	N/A	N/A
Pet Services	N/A	N/A	N/A	N/A

Land Use	Type of Operation	Industry Class	Area of Influence Distance (m)	Recommended Minimum Separation Distance (m)
Police Station	N/A	N/A	N/A	N/A
Printing Establishment	Classification depends on intensity. Given surrounding land uses expected to be a Class I industry. MECP Permits required for emissions to atmosphere	I or II	70 or 300	20 or 70
Production Studio	Self-contained minimal air/noise emissions	I	70	20
Public Works Yard	MECP Permits required for emissions to atmosphere	II	300	70
Service Shop	Self-contained minimal air/noise emissions	I	70	20
Software Development and Processing	Self-contained minimal air/noise emissions	I	70	20
Warehouse	Self-contained minimal air/noise emissions	I	70	20
Wholesaling Use	Self-contained minimal air/noise emissions	I	70	20

Some additional uses are also permitted under Chapter 60.20.20.20 (1), however these uses are permitted with constraints that would likely result in the potential D6 Industry classification as Class I.

An excerpt from the Former City of Scarborough Zoning By-law No. 24982 Map is illustrated below as Figure 2.

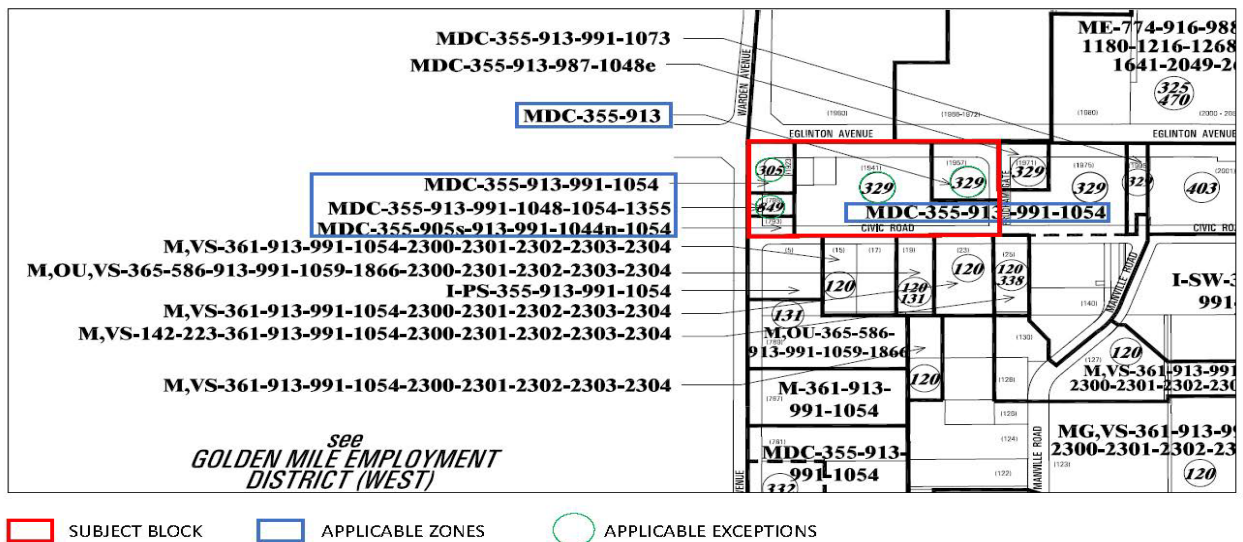


Figure 2-Former City of Scarborough Zoning By-law No. 24982

SLR also completed a review of the Former City of Scarborough Zoning By-law No. 24982 Industrial Zone M and Mixed Employment Zone ME land uses and have classified the uses in accordance with the MECP D-6 Guidelines.

Table 2: D-6 Classification of Former City of Scarborough Zoning By-law No. 24982 Industrial Zones M and ME - Permitted Uses

Land Use	Type of Operation	Industry Class	Area of Influence Distance (m)	Recommended Minimum Separation Distance (m)
Day Nurseries	Typically a Sensitive Receptor	N/A	N/A	N/A
Educational and Training Facility Uses	Self-contained minimal air/noise emissions	I	70	20
Industrial Uses (Required to be fully enclosed within a building)	Classification depends on intensity. Given requirement to be fully enclosed and surrounding land uses, expected to be a Class I or Class II industry. MECP Permits required for emissions to atmosphere.	I or II	70 or 300	20 or 70
Marihuana Production Facility (Required to be fully enclosed within a building)	Classification depends on intensity. Given requirement to be fully enclosed and surrounding land uses, expected to be a Class I or Class II industry. MECP Permits required for emissions to atmosphere.	I or II	70 or 300	20 or 70
Offices	N/A	N/A	N/A	N/A
Places of Worship	Typically a Sensitive Receptor	N/A	N/A	N/A
Recreational Uses	Typically a Sensitive Receptor	N/A	N/A	N/A
Financial Institutions	N/A	N/A	N/A	N/A
Offices	N/A	N/A	N/A	N/A
Personal Service Shops	N/A	N/A	N/A	N/A
Restaurants	N/A	N/A	N/A	N/A
Retail Stores	N/A	N/A	N/A	N/A

The Table 1 and 2 employment uses generally have the following characteristics:

- Outputs: Sound, not typically audible off-property; low potential for fugitive emissions of dust or odour;
- Scale: limited outside storage;
- Process: Self-contained within buildings; and
- Operations/ Intensity: Infrequent movements of equipment and personnel.

Based on the above employment characteristics, existing surrounding sensitive land uses, size, and nature of the possible employment land uses, the majority of the possible uses are considered a Class I Light Industries under MECP Guideline D-6, with a 70 m Area of Influence and a Recommended Minimum Separation Distance of 20 m. Depending on the intensity of the employment uses, Class II Medium Industries may also occur. Under MECP Guideline D-6, Class II industries have a 300 m Area of Influence and a Recommended Minimum Separation Distance of 70 m.

This assessment/application is for an employment lands conversion as part of the MCR process. As discussed in Section 6.3 of our report, “further assessment of the surrounding facilities (Donway Ford, Hyundai Parts and Service, Cosmetica Laboratories, etc.) maybe required during future planning applications, such as ZBA, once building plans are further progressed”. If changes to the land ownership or operations do occur within the surrounding lands, the assessment will be updated during future planning applications.

- C5. *Cambium notes what appears to be a vacant lot south of the Site at the southwest corner of Comstock and Warden. The City's Development Applications website shows a recent application for Site Plan Approval for an industrial building at this lot. As per the City's TOR, the Study should be updated to identify:*
- a. *Whether the proposed use will have an impact on the Site; and*
 - b. *If the application is not approved, whether the worst-case use for the zoning will have an impact on the Site.*

R5a. The land parcel at the southwest corner of Comstock and Warden avenue is approximately 645 m southwest of the Project site. A Site Plan Application was submitted to the City of Toronto subsequent to the issuance of the SLR Compatibility report. According to available information the application is for a 1-storey industrial building having a non-residential gross floor area of 13,287.57 square metres. According to the submission documents, this facility is designed to serve as a Warehouse. This industry is classified as a Class I Light Industry with a Potential Area of Influence of 70 m and a Recommended Minimum Separation Distance of 20 m. The Project site is outside the potential Area of Influence and outside the Recommended Minimum Separation Distance. Therefore, the mixed-use development on Project site is anticipated to be compatible with the proposed warehouse use.

R5b. Please see SLR response provided to comment 4 above.

Based on a review of the zoning assessment provided under comment 4 and the surrounding land uses, the anticipated worst-case land use for this parcel of land is a Class II Medium Industry. The potential Area of Influence for a Class II Medium Industry is 300 and the Recommended Minimum Separation Distance is 70 m. The Project site is approximately 645 m north of the vacant land parcel and more than 9 times the 70 m Recommended Minimum Separation Distance. The Separation Distance of 645 m is considered sufficient and emissions of dust, odour and noise from employment uses on the vacant land is not anticipated at the Project site.

- C6. *Study Section 4 identifies significant industries within the potential area of influence of the Site. Cambium has identified additional facilities that may be significant, for consideration:*
- a. *Bestway Metal Recycling – 123 Manville Road*
 - i. *This facility is located approximately 250 m southeast of the site. It is noted to have some outdoor storage of metals and may have some periodic outputs of annoyance, based on the nature of the operations.*
 - b. *FCP Flexible Packaging Corporation – 1891 Eglinton Avenue East*
 - i. *This facility (ECA #6152-8QWSNJ, issued in 2016) is located approximately 670 m west of the site. It is noted to have 24-hour operations and uses a number of coaters, laminators and printing presses with primers, adhesives, inks and/or solvents. In our experience with these types of facilities, significant emissions, often odours, can result in offsite impacts if not properly controlled.*
 - ii. *At the time the ECA was issued, the facility had a Noise Abatement Action Plan (NAAP) associated with the Acoustic Assessment.*
 - iii. *Due to the nature of the operations, being downwind from the Site, and that the dispersion/acoustics modelling that was previously done for the ECA application likely did not consider high rise receptors in this direction, this facility likely requires more detailed assessment.*

- c. *Toronto East Transfer & Recycle – 32 Upton Road*
 - i. *There is a high probability of fugitive dust, odour and noise emissions associated with waste disposal, movement of large trucks and processing waste. It is likely that this Facility could be classified as a Class III use.*
- d. *Bedrocan Canada – 16 Upton Road*
 - i. *This facility is a cannabis production facility, which may potentially have fugitive odours associated with production.*
- e. *Auto Select – 1971 Eglinton Avenue East; and Carstar Eglinton –1975 Eglinton Avenue East*
 - i. *The conversion request is well within the potential influence area of these auto body shops. These facilities should be included along with the other automotive facilities considered within the Study.*

R6. Based on the Project site visit, SLR confirms that Auto Select does not operate a painting operation. Carstar Eglinton is part of the Donway Ford operations and was included in the discussion in Sections 4 and 5 of the SLR Land Use Compatibility/Mitigation Study Report related to Donway Ford.

The following is provided in response to the other industries identified through the peer review process.

Table 3: Additional Identified Industries Within 1000 m of Proposed Development

Facility	Type of Operation	Environmental Compliance Approval No.	Industry Class	Area of Influence Dist (m)	Actual Distance to Site (m)	Additional Assessment Required?
Best Way Metal Recycling	Metal Recycling	N/A	II	300	250	Yes
FCP Flexible Packaging Corporation	Packaging Manufacturing	6152-8QWSNJ (2016)	II	300	670	No
Toronto East Transfer & Recycle (Promed Recycle Inc, Clonard Group Inc and City Disposal)	Transfer/Recycling Facility	8470-99NPTG (2020) R-004-9111899166 (2020) R-0042112121158 (2020) R-001-111348892 (2016)	II	300	910	No
Bedrocan Canada	Medicinal Cannabis	N/A	II	300	910	No
Auto Select	Auto Sales/Service (no paint operations)	N/A	N/A	N/A	N/A	N/A
Carstar Eglinton (Part of Donway Ford)	Autobody Shop	R-001-5112057697 (2020)	I	70	10	Yes
Quattro Coating	Custom parts coating operation	7839-AFSR54 (2016)	II	300	910	No
2230164 Ontario Inc	Vehicle End of Life	R-007-2110101538 (2017)	II	300	910	No
CNA Collision	Autobody Shop	R-001-1113468892 (2021)	I	70	910	No
Picture Vehicle Specialties Inc	Autobody Shop	R-010-8111091538 (2019)	I	70	910	No
Paisley Products Canada	Adhesives and Sealants Manufacturing	N/A	II	300	910	No

Best Way Metal Recycling

The Best Way Metal Recycling operation is located approximately 250 m southeast of the Project site. A search of the MECP Access Environment² did not yield an environmental permit or registration for this site.

On April 26, 2022, SLR personnel conducted a site visit to the area. No odours or visible dust were observed at the facility. Further, the facility was not identified as a source of interest from a noise perspective.

A review of aerial imagery of the facility identifies that there is limited outdoor storage. The storage area is buffered from the roadway and adjacent land uses through the use of stacked intermodal container vessels.

Outdoor shredding of materials was not observed. Lancing and or shredding equipment was also not observed.

A review of the wind frequency diagram illustrated below identifies that Best Way Metal Recycling is located primarily downwind of the Project site. The winds which might direct potential emissions towards the Project site are predicted to occur less than 15 percent of the time.

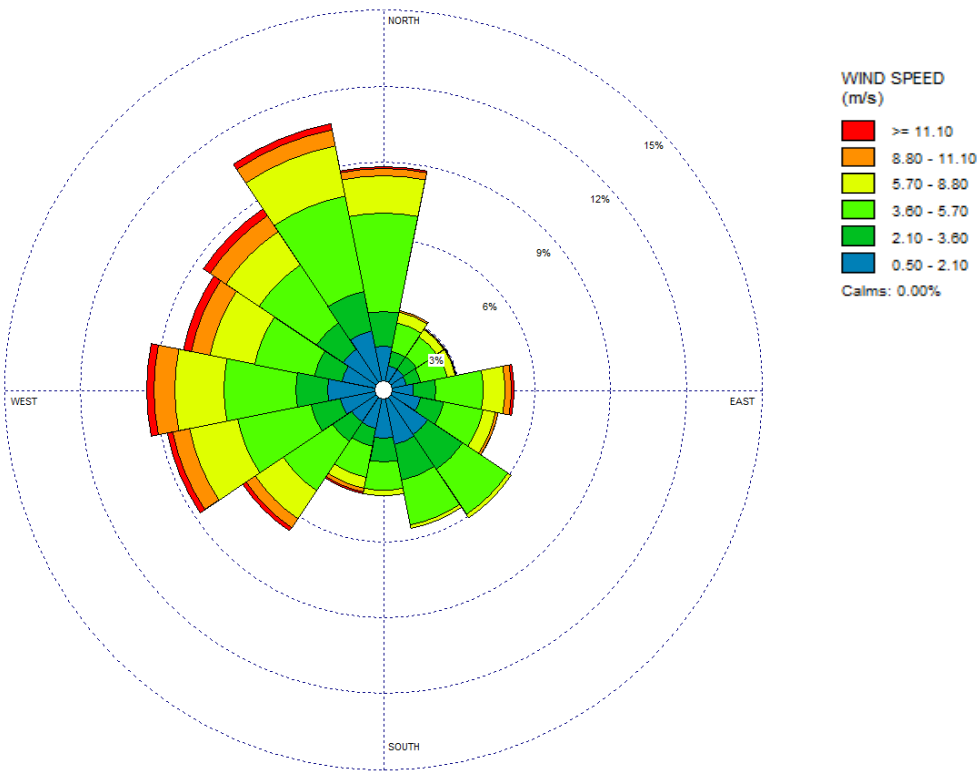


Figure 3-Wind Frequency Distribution Diagram Toronto Lester B. Pearson International Airport

Best Way Metal Recycling is classified as a Class II Medium Industry with a Potential Area of Influence of 300 m and a Recommended Minimum Separation Distance of 70 m. The proposed Project site is inside the Potential Area of Influence and well outside the Recommended Minimum Separation Distance.

²

https://www.lioapplications.lrc.gov.on.ca/Access_Environment/index.html?viewer=Access_Environment.AE&locale=en-US

Based on the above discussion, and the 250 m Separation Distance, the Project site is anticipated to be compatible with the Best Way Metal Recycling facility from an air quality perspective. Detectable emissions of air or noise at the Project site are not anticipated.

C7. *Study Section 5.1.4.2 presents an assessment of potential air quality impacts from IPEX Inc. Study Section 6.1.3 states that noise was not audible from IPEX Inc. and, therefore, wasn't further discussed with respect to noise.*

Section 5.1.4.2 states that the facility is currently operating under an ECA, and it is assumed to be in compliance with MECP air quality and noise standards/guidelines. It is likely that the modelling that was previously completed for the ECA application did not include any elevated receptors, as the existing residential is primarily low-rise. Additionally, Cambium identified a recent public noise complaint for the facility, indicating that noise can be observed offsite.

This facility likely requires a more detailed assessment, and efforts should be made to obtain any additional complaints by approaching the Ministry, the City, and the facility itself.

R7. SLR accepts this comment. This assessment/application is for an employment lands conversion as part of the MCR process. As discussed in Section 6.3 of our report, "further assessment of the surrounding facilities (Donway Ford, Hyundai Parts and Service, Cosmetica Laboratories, etc.) maybe required during future planning applications such as ZBA once building plans are further progressed".

As discussed in response to comment #1 and in the SLR Land Use Compatibility/Mitigation Study report, IPEX is located approximately 690 m southwest of the Project site. While inside the potential Area of Influence of 1000 m for a Class III Heavy Industry, it is more than twice the 300 m Recommended Minimum Separation Distance. The Separation Distance of 690 m is considered sufficient and emissions of noise from IPEX is not anticipated at the Project site.

C8. *Study Section 5.1.4.3 presents an assessment of potential air quality impacts from Cosmetica Laboratories. Cosmetica Laboratories has applied to the City for an Official Plan Amendment to permit mixed-use with high-rise residential. If the application is not approved or further pursued, air and noise emissions from the existing Cosmetica Laboratories should be assessed for the impacts this Site will have on facility's compliance.*

R8. SLR accepts this comment. This assessment/application is for an employment lands conversion as part of the MCR process. As discussed in Section 6.3 of our report, "further assessment of the surrounding facilities (Donway Ford, Hyundai Parts and Service, Cosmetica Laboratories, etc.) maybe required during future planning applications such as ZBA once building plans are further progressed".

Further to the above, the following additional analysis is provided.

As discussed in the SLR Compatibility/Mitigation Study report, the Cosmetica Laboratories facility is a packaged cosmetics manufacturing facility located approximately 30 m north of the Project site.

On April 26, 2022, SLR personnel conducted a site visit to the area. No odours or visible dust were observed at the facility at the time of the site visit.

Based on a review of the published MECP permit information, air quality and noise sources of interest include:

- Lip gloss, lipstick, pencil, powder, hand sanitizer, and concealer processing;
- Hot pour compounding processes;
- Rooftop HVAC equipment; and

- Stand-by diesel generator.

The facility has a production limit of up to 100,000.000 packages of cosmetic units per year and 75,000 kilograms of hand sanitizer per week.

A proposed mixed use, employment/residential development is planned for the Cosmetica Laboratories property. A "land-use compatibility study" was conducted by BCX Environmental Consulting for the proposed development. Based on a review of this study, the sources listed above are proposed to continue, and the facility operations consolidated within a new 6-storey building located at the northern portion of the property. The Cosmetica Laboratories operations are anticipated to meet the requirements at the proposed residential development at the south portion of the Cosmetica property, which includes five high-rise residential towers (30-45 storeys).

Based on the size and nature of the facility operations, including daytime, evening and night-time operations, Cosmetica Laboratories is considered a Class II Medium Industry under MECP Guideline D-6, with a Potential Area of Influence of 300 m and a Recommended Minimum Separation Distance of 70 m. The Project site lies within both the Potential Area of Influence and the Recommended Minimum Separation Distance.

A wind frequency distribution diagram (a wind rose) is provided in Figure 4. Prevailing winds are from the northwest, which will generally direct emissions from Cosmetica facility operations away from the Project site. Winds with the potential to direct air emissions from the Cosmetica facility towards the Project site are predicted to occur less than 15% of the time.

The facility operation permit requires the facility to prepare and implement an operation and maintenance programs for all air emission equipment and procedures to prevent and/or minimize fugitive emissions including noise and odour.

The facility is required to operate and maintain in compliance with the requirements of their MECP permit. The MECP determines compliance at the property boundary, and any elevated receptor locations.

The Project site will introduce new elevated receptors, however, based on a review of aerial imagery of Cosmetica, SLR is of the opinion that the operations have a low potential to generate fugitive emissions of dust and odour. The facility is fully enclosed, there are no outdoor storage areas and no outdoor handling of materials. Facility emissions are controlled, permitted and managed through the required MECP permit process. The emission sources are observed to be low level and primarily located on the facility roof. Because of the low height of the sources, potential emissions, will be influenced by the presence of the existing building and associated "downwashing" generated through building "wake" effects. This typically results in potential emissions occurring at or near to the facility property boundary.

Based on the above, the Project site development is anticipated to be compatible with the current Cosmetica facility from an air quality perspective. Emissions of dust, or odour at the Project site are not anticipated. Further, the Project site is not anticipated to limit the ability of Cosmetica to obtain or maintain required MECP permits or approvals.

Should redevelopment of the Cosmetica property occur, and multi-storey residential uses constructed as part of the re-development; these sensitive receptors will be located within the Recommended Minimum Separation Distance. It is anticipated that the new Cosmetica facility will be designed to meet applicable air quality requirements at these new high-rise buildings. The new receptors will be located in closer proximity than the Project site, therefore it is anticipated that the

proposed future Cosmetica facility will also be compatible with the Project site. Further, the Project site is not anticipated to limit the ability of the future Cosmetica facility to obtain or maintain required MECP permits or approvals.

C9. *Study Section 5.1.4.6 presents an assessment of potential air quality impacts from the Automotive Repair Facilities and concludes that mitigation measures are not warranted for these facilities. Given the proximity to the Site (half of the minimum separation distance) and the proposed use of the Site (i.e., high-rise, elevated receptors), Cambium suggests that an air quality study should be completed to confirm the Study's conclusions. Depending on the outcome, a warning clause may be warranted to advise purchasers/renters of potential nuisance odours.*

R9. SLR accepts this comment. This assessment/application is for an employment lands conversion as part of the MCR process. As discussed in Section 6.3 of our report, "further assessment of the surrounding facilities (Donway Ford, Hyundai Parts and Service, Cosmetica Laboratories, etc.) maybe required during future planning applications such as ZBA once building plans are further progressed".

Further to the above, the following additional analysis is provided.

Donway Ford is an automotive dealership located across Prudham Gate to the east of the Project site. As discussed above, Carstar Eglinton is operated in conjunction with Donway Ford.

As suggested in Guideline D-6, automotive repair shops maybe listed as a Class II facility partly due to the operation of a spray-paint booth. However, auto-repair shops are now generally considered Class I facilities, and the MECP has a specific Environmental Activity and Sector Registry for this industry with specific operating conditions required which reduces emissions. Auto-repair shops are regulated under Ontario Regulation 347/12: Regulations under part II.2 of the Ontario Environmental Protection Act – Automotive Refinishing.

Based on a review of aerial photography the Donway Ford - Carstar Collision Centre operates several stacks (potentially paint booth stacks) located at the northwest corner of the building. There is no MECP permit for the Donway Ford - Carstar Collision Centre, therefore SLR is unable to confirm if an automotive repair shop is operated at the property. However, to provide for a "worst-case" analysis, SLR is conservatively classifying the Donway Ford - Carstar Collision Centre as a Class I Light Industry, with a Recommended Minimum Separation Distance of 20 m and a Potential Area of Influence of 70 m.

The Project site will introduce new elevated receptors, however, based on a review of aerial imagery of the Donway Ford - Carstar Collision Centre facility, SLR is of the opinion that the operations have a low potential to generate fugitive emissions of dust and odour. Under standard operating procedures for paint booth operations, emissions are controlled through the use of filters, and most paints used at this time are water based versus oil based. The water based paints have a lower potential to generate fugitive odours. The emission sources are observed to be low level and primarily located on the facility building. Because of the low height of the sources, potential emissions, will be influenced by the presence of the existing building and associated "downwashing" generated through building "wake" effects. This typically results in potential emissions occurring at or near to the facility property boundary.

Based on SLR experience with similar facilities, it is anticipated that the paint application rate at the Donway Ford - Carstar Collision Centre will fall within the lowest application rate category listed in O.Reg 347/12 and have no required Recommended Minimum Separation Distance between the paint booth exhaust stack and the nearest property boundary. Given the anticipated, low usage rate of the paint booth and the fact that O. Reg 347/12 does not require a Minimum Separation Distance

between the paint booth stack and property line for this facility, detection of air emissions from the paint booth operations are not anticipated at the proposed Project Site development.

The Donway Ford - Carstar Collision Centre facility is across Prudham Gate approximately 20 m to the east of the Project. The distance from the observed stacks to the Project site is approximately 40 m. The Donway Ford - Carstar Collision Centre is at the Recommended Minimum Separation Distance of 20 m for a Class I Light Industry.

Based on the above information, the Project site is anticipated to be compatible with the Donway Ford - Carstar Collision Centre from an air quality perspective. Emissions of dust, and odour are not anticipated at the Project site. Further, the Project site is not anticipated to limit the ability of the Donway Ford - Carstar Collision Centre to obtain or maintain required MECP permits or approvals.

C10. *The Study does not include detailed discussion about the compliance impact of the development on the nearby approvals (ECA and EASR) The City's TOR require that each ECA or EASR that is in the vicinity should be addressed to confirm whether this development potentially creates non-compliance, and a commitment in future studies for the conversion request to address mitigation and possible ECA updates required.*

R10. The proposed new buildings will include new elevated receptors. The SLR Compatibility/Mitigation Study report and this response to peer review considers the implications of the elevated receptors and the associated compatibility for every industry within the Potential Area of Influence. This includes a review of each ECA or EASR.

Based on the review completed, the additional information provided in this response to peer review, and with the inclusion of at receptor mitigation and use of Warning Clauses, the Project site is anticipated to be compatible with the surrounding land uses from an air, noise and vibration perspective.

Further, the Project site will not affect the ability for industrial facilities to obtain or maintain compliance with applicable Provincial environmental policies, regulations, approvals, authorizations, and guidelines.

C11. *The City's TOR requires discussion on potential land use compatibility issues, considering propane storage and distribution facilities, if applicable.*

a. *Cambium has identified that the Canadian Tire, located less than 500 m west of the property line, is noted as a "propane supplier". Please confirm if this facility operates as per the operations outlined below and detail the expected impact of such a facility.*

b. *As per the Zoning By-law for the City #569-2013, dated September 2021, as amended:*

i. *In the EH zone, a propane transfer, handing, and storage facility pertains to facilities which transfer, handle, or store propane in quantities equal to or greater than 5,000 U.S. Water Gallons (USWG) on the lot, and:*

(A) *may be on a lot that is at least 500 metres from a lot in the Residential Zone category, Residential Apartment Zone category, Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone category, or Open Space Zone category; and*

(B) *is not a permitted manufacturing use that involves propane in the manufacturing process, or in the operation of equipment or vehicles that is not subject to regulation (A) above.*

- R11. On June 21, 2022, SLR contacted the Technical Standards and Safety Authority (TSSA). The representative confirmed that the propane vessel size for the propane tank at the Canadian Tire facility located at 1901 Eglinton Avenue East is 2,000 USWG which is below the 5,000 USWG threshold mentioned above.
- C12. *The Study discusses noise from nearby transportation sources but does not discuss traffic-related air pollution.*
- a. *The City of Toronto’s report titled Reducing Health Risks from Traffic-Related Air Pollution (TRAP) in Toronto (October 2017) notes that there is a potential for health risks from TRAP within 500 metres of highways with an average daily traffic volume of 100,000 vehicles or more, within 150 metres of highways with daily traffic volumes of 50,000 vehicles or more, and within 100 metres of arterial roads with an average daily traffic volume of 15,000 vehicles or more.*
 - b. *Based on the annual average daily traffic (AADT) provided in Table 9 of the Study, three of the listed streets in the vicinity of the Site are suitable for consideration of TRAP. The Study should be updated to include air pollution from these transportation sources.*

R12. The City report listed above also recommends that City Staff:

“develop guidance to assist appropriate City agencies, corporations, and divisions in establishing traffic-related air pollution mitigation measures at City owned sites located within 500 metres of roads with annual average traffic volumes of 100,000 vehicles or more per day, and within 100 metres of roads with annual average traffic volumes of 15,000 vehicles or more per day; and develop best practices guidelines for new and existing buildings, in consultation with industry professionals, and raise awareness of these practices among school board staff, childcare centre operators, long-term care facility operators, and residents, as well as builders, developers, designers, architects, engineers and other professionals”

At this time, there is no guidance related to addressing TRAP within potential exposure zones.

Further to the above, the following additional analysis is provided.

The surrounding arterial roadways within the potential 100 m TRAP exposure zone include Eglinton Avenue East, Warden Avenue and Civic Road. The existing AADT for these roads is detailed in Section 6.1.4 of the SLR Compatibility/Mitigation Study report. The existing AADT for Eglinton Avenue East is 22,190, for Warden Avenue is 23,980 and for Civic Road is 20,290.

SLR has experience with responding to City requests for detailed quantitative TRAP studies. To date, the City has only requested quantitative detailed TRAP studies to be completed for developments located within 100 m of major highways with average traffic volumes of 100,000 vehicles or more per day. Therefore, a detailed TRAP assessment is not warranted for the Project site.

The potential exists for TRAP emissions from the surrounding arterial roadways. Therefore, it is recommended that the following Warning Clause and receptor based physical mitigation measures be included in the architectural design of the Project site structures.

Air Quality, Odour, Dust Emissions-Warning Clause

“Purchasers/tenants are advised that due to the proximity of adjacent transportation corridors and industries, dust and odours from these facilities may at times be perceptible.”

Receptor-Based Physical Mitigation Measures

Ventilation System Design

Air Intake Locations (Entire Building)

General building fresh-air intakes should be on facades facing away from the Eglinton Avenue East, Warden Avenue and Civic Road (i.e., should be located on the western facades), or behind a significant intervening building or structure.

Mandatory Carbon/Dust Filters (Entire Building)

All air intakes for building mechanical systems, make-up air units, HVAC units, central air conditioning units and heat recovery units shall include carbon and/or dust filters. The filtration system is to be designed to supply the space with 100% odour filtered air drawn from outside the building envelope.

Positive Pressurization (All Occupied Areas of the Building)

The building mechanical systems, make-up air units, HVAC units, central air conditioning units and heat recovery units shall be designed to maintain positive pressurization under normal weather conditions of all occupied areas, in accordance with current ASHRAE recommendations.

- C13. *Cambium notes that the Eglinton Crosstown LRT runs along the north property line of the Site. The recommended noise and vibration impact studies should be highlighted in the conclusions in Section 7.3 and Section 8, to identify any detailed mitigation that may be required.*
- R13. SLR accepts this comment. As discussed in Section 6.3 of our report, “further assessment of the surrounding facilities (Donway Ford, Hyundai Parts and Service, Cosmetica Laboratories, etc.) maybe required during future planning applications such as ZBA once building plans are further progressed”. Based on the City Official Plan, the lands immediately north of the Crosstown LRT are already designated as Mixed Use Areas. Therefore, the proposed mixed use Project site development will not introduce a new test for compatibility related to the operation of the Crosstown LRT.
- C14. *The Study should make it clear that any planning approval at this stage should be conditional on the further studies proposed within the conclusions of the Compatibility Mitigation Study. Conversion of this property to sensitive use should not be allowed without explicit requirements that additional detailed studies being completed and that those studies identify feasible mitigation.*
- R14. SLR accepts this comment. This assessment/application is for an employment lands conversion as part of the MCR process. As discussed in Section 6.3 of our report, “further assessment of the surrounding facilities (Donway Ford, Hyundai Parts and Service, Cosmetica Laboratories, etc.) maybe required during future planning applications such as ZBA once building plans are further progressed”.

CONCLUSIONS

Based on the SLR response to the peer review comments, and the additional information provided, SLR acknowledges that additional compatibility studies may be required as part of future ZBA and SPA applications. The proposed Project site design and location of potential sensitive receptors will provide the additional detail requested by Cambium in the above noted comments. However, for the purposes of the land use conversion request under the MCR, the information provided to date should be considered adequate to allow for the land use conversion to be advanced.

Should you have any questions on the above, please do not hesitate to contact us.

Yours sincerely,
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Attach.

STATEMENT OF LIMITATIONS

This report has been prepared and the work referred to in this report has been undertaken by SLR Consulting (Canada) Ltd. (SLR) for 1941 Eglinton East Holdings Inc., hereafter referred to as the "Client". It is intended for the sole and exclusive use of the Client and by the City of Toronto in their role as a land use planning approval authority. The report has been prepared in accordance with the Scope of Work and agreement between SLR and the Client. Other than by the Client and as set out herein, copying or distribution of this report or use of or reliance on the information contained herein, in whole or in part, is not permitted unless payment for the work has been made in full and express written permission has been obtained from SLR.

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