

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3553-DGMNYQ
Issue Date: August 11, 2025

Green Infrastructure Partners Inc.
100 Commerce Valley Drive W
Markham, Ontario
L3T 0A1

Site Location: GIP Paving Facility
669 Nebo Rd
City of Hamilton
L0R 1P0

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

establishment of stormwater management Works for the approximately 21 hectare industrial site with an asphalt plant, concrete crushing, stockpiling of granular materials and recycled asphalt product, for the collection, treatment and disposal of stormwater run-off from catchment areas within the site to provide Enhanced Level water quality control and erosion protection and attenuating post-development peak flows to allowable release rates for all storm events up to and including the 100-year storm event, discharging to the tributary of Upper Hannon Creek adjacent to the east boundary of the subject site, consisting of the following:

- **storm sewers** on the 2.3 ha proposed office building site with sufficient free flow capacity to convey the 5 year-peak flows to the infiltration galley, and a connecting swale to convey the flows from the infiltration galley to a wet pond;
- **storm sewers** and swales throughout the site to collect and convey stormwater to the proposed stormwater management pond;
- **oil and grit separator (catchment area 1.79 hectare):** one (1) oil and grit separator (Hydroworks hydrodome HS 6 Unit or Equivalent Equipment), located at downstream of CBMH2 and upstream of DICB1, servicing the 2.3 ha development area, having a sediment storage capacity of approximately 3,200 litres, an oil storage capacity of approximately 1041 litres, a total storage volume of approximately 4,800 litres, discharging via a 525 millimetre diameter outflow pipe into a infiltration galley as described below;

- **infiltration galley (catchment area 2.3 hectare):** an infiltration gallery to provide water balance and quality control for the proposed 2.3 ha development, configured with two storage layers, a surface layer and a clear stone trench layer sized to hold approximately 263 m³ and 151 m³ respectively, with a total volume of 414 m³, with a design infiltration rate of 3 mm/hr and a 14.4 m by 37 m clear stone trench for a total area of 532 m², to retain the 5 mm storm event, and spill along an outlet swale to the stormwater management pond in larger events;
- One (1) lined wet pond located along the eastern boundary of the subject site and will consist of two sediment forebays (one for each inlet to the pond) and a larger main cell, collecting all site (21 ha) runoff prior to discharging to the main cell, with a permanent pool of approximately 5,108 m³, an extended detention volume of approximately 3,025 m³, and a total storage volume of 5,842 m³ at a maximum depth of 0.89 m (with a minimum freeboard of 0.42m), discharging via an outlet structure located on the eastern side of the main cell consisting of a 300mm diameter bottom draw (reversed sloped) pipe controlled by a 170 mm orifice plate and two (2) DICB structures with grated openings connected to the outlet structure via 900mm diameter concrete pipes, and a outlet discharging flows to the Hannon Creek tributary floodway through a 1500 mm diameter outlet culvert, releasing a peak flow rate of 2.42 m³/s during the 100-year storm event;

including erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned Works;

all in accordance with the submitted supporting documents listed in Schedule "A" forming part of this Approval.

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

"Approval" means this entire document including the application and any supporting documents listed in any schedules in this Approval;

"Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

"District Manager" means the District Manager of the Hamilton District Office of the Ministry;

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

"Existing Works" means those portions of the sewage Works previously approved under an Approval;

"Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;

"Owner" means Green Infrastructure Partners Inc. and its successors and assignees;

"OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;

"Proposed Works" means the sewage works described in the Owner's application, this Approval, to the extent approved by this Approval;

"Wet Event" means a rainfall event with a minimum of 10 millimeters of rain in a 24-hour period.

"Works" means the sewage works described in the Owner's application, this Approval and in the supporting documentation referred to herein, to the extent approved by this Approval and includes Proposed Works and Existing Works.

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

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

(1) The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

(2) Except as otherwise provided by these terms and conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with this Approval.

(3) Where there is a conflict between a provision of this environmental compliance approval and any document submitted by the Owner, the conditions in this environmental compliance approval shall take precedence. Where there is a conflict between one or more of the documents submitted by the Owner, the Application shall take precedence unless it is clear that the purpose of the document was to amend the application.

(4) Where there is a conflict between the documents listed in the Schedule A, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.

(5) The terms and conditions of this Approval are severable. If any term and condition of this environmental compliance approval, or the application of any requirement of this environmental compliance approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

(6) The issuance of, and compliance with the Conditions of this Approval does not:

(a) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain

approval from the local conservation authority necessary to construct or operate the Works; or

(b) limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. EXPIRY OF APPROVAL

The proposed sewage works shall be constructed according to the construction schedule listed in Schedule A, and this Approval will cease to apply to those parts of the Works which have not been constructed within five (5) years of the date of this Approval.

3. CHANGE OF OWNER

(1) The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within **thirty (30) days** of the change occurring:

(a) change of Owner;

(b) change of address of the Owner;

(c) change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B17 shall be included in the notification to the District Manager;

(d) change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C39 shall be included in the notification to the District Manager.

(2) In the event of any change in ownership of the Works, other than a change in ownership to the municipal, i.e. assumption of the Works, the Owner shall notify the succeeding owner in writing of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

4. EFFLUENT OBJECTIVES

(1) The Owner shall use best efforts to design, construct and operate the Works with the objective that the concentrations of the materials named below as effluent parameters are not exceeded in the effluent from the Works.

Table 1 - Effluent Objectives		
Effluent Parameter	Units	Concentration Objectives
Aluminium	ug/L	75
Cadmium	ug/L	0.5
Cobalt	ug/L	0.9
Chromium III	ug/L	8.9
Chromium VI	ug/L	5
Copper	ug/L	5
Iron	ug/L	300
Lead	ug/L	5
Nickel	ug/L	25
Vanadium	ug/L	6
Zinc	ug/L	20
Sulphate	ug/L	429
Benzo(a)anthracene	ug/L	0.01
Benzo(a)pyrene	ug/L	0.015
Benzo(k)fluoranthene	ug/L	0.01
Chrysene	ug/L	0.01
Phenanthrene	ug/L	0.03
Phenols	ug/L	1
Total Phosphorus	ug/L	30
E. coli	CFU/100 ml	100

(2) The Owner shall use best efforts to:

(a) maintain the pH of the effluent from the Works within the range of 6.5 - 8.5, inclusive, at all times;

(b) ensure that the effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film or sheen or foam or discolouration on the receiving waters.

5. **EFFLUENT LIMITS**

(1) The Owner shall design, construct, operate and maintain the Works that the concentrations of the materials named below as effluent parameters shall not be exceeded in the effluent from the Works.

Table 2 - Effluent Limits	
Effluent Parameter	Concentration Limit* (milligrams per litre unless otherwise indicated)
Total Suspended Solids	15.0 mg/L

Oil and Grease	10.0 mg/L
pH of the effluent maintained within the range of 6.5 to 8.5	

*Note: two duplicates shall be taken for each sampling event and the average of the two concentration results shall be compared to the Concentration Limit for determining compliance.

(2) For the purposes of determining compliance with and enforcing Condition 5:

- (a) non-compliance with respect to the Concentration Limit is deemed to have occurred when the average concentration of the two duplicates analyzed for a parameter named above from the quarterly samples exceed the corresponding maximum concentration set out in Table 2; and
- (b) non-compliance with respect to pH is deemed to have occurred when any single measurement is outside of the indicated range.

6. **OPERATION AND MAINTENANCE**

(1) The Owner shall ensure that at all times, the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained according to the manufacturer's recommendations.

(2) The Owner shall prepare an operations manual for the Works before commencement of operation of any part of the works, that includes, but not necessarily limited to, the following information:

- a. operating procedures for routine operation of the Works;
- b. inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;
- c. repair and maintenance programs, including the frequency of repair and maintenance for the Works;
- d. procedures for the inspection and calibration of monitoring equipment;
- e. contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations including chloride limit exceedances, including notification of the District Manager; and
- f. procedures for receiving, responding and recording public complaints, including recording any followup actions taken.

(3) The Owner shall maintain the operations manual current. Upon request, the Owner shall make the manual available to Ministry staff.

(4) Notwithstanding any other Condition in this Approval, the Owner shall conduct visual inspection to ensure that the pond does not contain oil or any other substance in amounts sufficient to create a visible film, sheen or foam.

(5) The Owner shall conduct quarterly inspection of the Works and, if necessary, clean and maintain the Works to prevent the excessive build-up of sediments and/or vegetation.

(6) Sewage works servicing the process areas including stormwater pond, channels, ditches and overflow spillway shall be constructed to manufacturer's specifications.

7. **MONITORING**

(1) The Owner shall, upon commencement of operation of the Works, carry out a stormwater effluent monitoring program as per Table 3, following a rainfall event with a minimum of 10 mm of rain in a 24-hour period.

(2) Samples shall be collected and analyzed at the following sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed:

Table 3 - On-site Stormwater Monitoring	
Sampling Locations	Outlet of the stormwater pond
Frequency and Sample Type	Four (4) sampling events during Wet Events per calendar year, with three (3) of the events occurring between April and September. Successive sampling to be at least two months apart. Sample Type: Grab samples
Parameters	PAHs (polycyclic aromatic hydrocarbons), metals (total and dissolved), Phenols, Total Phosphorus, pH, Dissolved Oxygen, Dissolved Organic Carbon (DOC), Temperature, Hardness, Alkalinity, TSS, Oil & Grease, and E. coli

(3) The methods and protocols for sampling, analysis, and recording shall conform, in order of precedence, to the methods and protocols specified in the following:

(a) the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (August 1994), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions;

(b) the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition) as amended from time to time by more recently published editions; and,

(c) in respect of any parameters not mentioned in (a) or (b), the written approval of the District Manager, which approval shall be obtained prior to sampling.

(4) The measurement frequency specified in this Condition, and monitoring parameters specified in Subsections (2), above, may, after five (5) years of monitoring in accordance with this Condition, be modified by the Director in writing from time to time.

8. **CONTINGENCY PLAN**

- (1) If monitoring results show that effluent limits for any parameter listed in Table 2 are exceeded for three consecutive quarters, a suitable treatment system must be designed and implemented within 18 months from the time the exceedances are observed. This must be done in consultation with the District Manager, and in accordance with the Ministry's applicable procedures and guidelines to address the contaminated stormwater.
- (2) For additional parameters listed in Table 1, or any new parameters monitored under Table 3, if concentrations exceed the aquatic life protection guideline values (as per the most recent version of PWQO, CCME, or FEQG) and show a statistically significant increasing trend at the 95% confidence level, a treatment system must be developed to reduce effluent concentrations to levels acceptable to the Regional Technical Support Section (RTSS) of the Ministry.
- (3) The proposed treatment system design details must be submitted to the Ministry for approval within six (6) months of the last recorded exceedance, along with an amendment application for the Environmental Compliance Approval.
- (4) The treatment system must be implemented within twelve (12) months following the issuance of approval from the Ministry.
- (5) Trend analysis must be conducted using the non-parametric Mann-Kendall trend test ($\alpha = 0.05$), based on a minimum of eight (8) data points for each parameter that exceeds its respective guideline value.

9. TEMPORARY EROSION AND SEDIMENT CONTROL

- (1) The Owner shall install and maintain temporary sediment and erosion control measures during construction and conduct inspections once every **two (2) weeks** and after each significant storm event (a significant storm event is defined as a minimum of 25 mm of rain in any 24 hours period). The inspections and maintenance of the temporary sediment and erosion control measures shall continue until they are no longer required and at which time they shall be removed and all disturbed areas reinstated properly.
- (2) The Owner shall maintain records of inspections and maintenance which shall be made available for inspection by the Ministry, upon request. The record shall include the name of the inspector, date of inspection, and the remedial measures, if any, undertaken to maintain the temporary sediment and erosion control measures.
- (3) The Owner shall have the documentation stored onsite and make the documentation available to the Ministry and the City of Hamilton upon request.

10. REPORTING

- (1) One week prior to the start up of the operation of any part of the Proposed Works, the Owner shall notify the District Manager (in writing) of the pending start up date.

(2) The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

(3) In addition to the obligations under Part X of the *Environmental Protection Act*, the Owner shall, within ten (10) working days of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.

(4) The Owner shall prepare and submit a performance report to the District Manager on an annual basis within 60 days following the end of the period being reported upon. The first such report shall cover the first annual period following the issuance of this Approval and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:

(a) a summary and interpretation of all monitoring data, including an overview of the success and adequacy of the Works;

(b) a description of any operating problems encountered and corrective actions taken;

(c) a summary of all inspection, maintenance and clean-out carried out on the stormwater management works;

(d) a summary of all spill or abnormal discharge events; and,

(e) a summary of any Notifications and Contingency Plan undertaken during the reporting period as required by Condition 6, and a discussion regarding their adequacy.

11. RECORD KEEPING

The Owner shall retain, for a minimum of three (3) years from the date of their creation, all records and information related to or resulting from the operation, maintenance, inspection and monitoring activities required by this Approval, and make these records available for review by staff of the Ministry upon request, including but not limited to:

(1) All records on the inspection, maintenance and repair of the Works including:

(a) the component of Works on which maintenance and repair occurred;

(b) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed.

(2) All records and information related to or resulting from the monitoring activities required by

Condition 6 of this Approval.

(3) All records of any spills as outlined in Condition 10 (3) of this Approval.

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

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This Condition is also included to emphasize the precedence of Conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment..
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to approved Works and to ensure that any subsequent Owner of the Works is made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is imposed to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to strive towards on an ongoing basis. These objectives are to be used as a mechanism to trigger corrective action pro-actively and voluntarily before environmental impairment occurs.
5. Condition 5 is imposed to ensure that the effluent discharged from the Works meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.
6. Condition 6 is included to require that the Works be properly operated and maintained such that the environment is protected.
7. Condition 7 is included to enable the Owner to evaluate and demonstrate the performance of the Works, on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the design objectives specified in the Approval and that the Works do not cause any impairment to the receiving watercourse.
8. Conditions 8 is included to ensure that the Owner will prepare and implement the Contingency Plans for the treatment of contaminated stormwater, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.
9. Condition 9 is included as installation, regular inspection and maintenance of the temporary sediment and erosion control measures is required to mitigate the impact on the downstream receiving watercourse during construction until they are no longer required.
10. Condition 10 is included to provide a performance record for future references, to ensure that the

Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.

11. Condition 11 is included to require that all records are retained for a sufficient time period to adequately evaluate the long-term operation and maintenance of the Works.

Schedule A

1. Application for Approval of Industrial Sewage Works, submitted by Dillon Consulting Limited, dated May 1, 2024 and received on May 6, 2024
2. GIP Site Plan Stormwater Management Report along with drawings, dated May 2024, prepared by Dillon Consulting Limited;

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

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

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

and

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

and

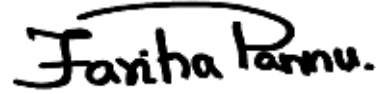
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

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

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

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

DATED AT TORONTO this 11th day of August, 2025

A handwritten signature in black ink that reads "Fariha Pannu." The signature is written in a cursive style with a large, sweeping loop over the first part of the name.

Fariha Pannu, P.Eng.

Director

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

YZ/

c: District Manager, MECP Hamilton District Office
Ryan Moore, Dillon Consulting Limited