

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9863-DTDNWA
Issue Date: April 28, 2026

SCAL Properties Ltd.
135 Commerce Valley Drive East
Markham, Ontario
L3T 7T4

Site Location: Lot 20 & Concession 4
Town of Whitchurch-Stouffville, Regional Municipality of
York, Ontario

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

establishment of stormwater management Works to serve Limen Yard Facility, located in the Town of Stouffville, for the collection, transmission, treatment, and disposal of stormwater runoff from a total catchment area of 8.31 hectares, to provide Enhanced Level water quality protection and erosion control, and to attenuate post-development peak flows to allowable peak flows for all storm events up to and including the 100-year storm event, discharging to existing stormwater systems, located west and north of the site, consisting of the following:

Proposed Works:

- **storm sewers** on the west side of the rolling equipment parking area, from approximately 138 metres south of the industrial building to approximately 59 metres south of the industrial building, on the east side of the rolling equipment parking area, from approximately 138 metres south of the industrial building to approximately 59 metres south of the industrial building, on the east side of the trucks and trailers parking area, from approximately 138 metres south of the industrial building to approximately 12 metres south of the industrial building, on the fire route along south side of the industrial building from approximately 45 metres east of western wall of the industrial building to approximately 14 metres west of eastern wall of the industrial building, on the rolling equipment parking area and trucks and trailers parking area approximately 59 metres south of the industrial building from approximately 193 metres west of the Fortecon Drive Cul-de-Sac to approximately 68 metres west of the Fortecon Drive Cul-de-Sac, on the passage between trucks and trailers parking area and SWMF A2 from approximately 9 metres west of HW1 of the SWMF A2 to HW1 of

the SWMF A2, discharging to the SWMF A2;

- **storm sewers** on the north side of the industrial building from approximately 73 metres west of the eastern wall of the industrial building to SWMF A1, discharging to the SWMF A1;
- **storm sewers** on the north side of the industrial building from approximately 110 metres east of the western wall of the industrial building to SWMF B, discharging to the SWMF B;
- **storm sewers** on the west side of the general equipment for formwork, masonry and restoration divisions area from the southern limit of development to the northern limit of development;
- **stormwater management facility A1 (catchment area 0.96 hectares):** one (1) Wet Pond, located in the northeast corner of the development, having a maximum available storage volume of 541 cubic metres and a maximum depth of 0.60 metres, an inlet structure consisting of a 450-millimetre diameter storm inlet pipe and a concrete headwall, an outlet structure, comprised of two (2) Ditch Inlet Catch Basins, equipped with a 101-millimetre diameter vortex valve and a 132-millimetre diameter orifice plate, a 450-millimetre diameter storm outlet pipe, allowing a maximum discharge of 42 litres per second under the 100-year storm event to the proposed oil grit separator (identified below), located immediately north of Fortecon Drive Cul-de-Sac;
- **oil and grit separator (catchment area 0.96 hectares):** one (1) Oil and Grit Separator, EFO10 or Equivalent Equipment, located at the northeast corner of the development, providing Basic Level of protection, having a sediment storage capacity of 17.790 cubic metres, an oil storage capacity of 1.67 cubic metres, a total storage volume of approximately 19.460 cubic metres, and a maximum treatment rate of 20.05 litres per second, receiving flow from SWMF A1, discharging via a 450-millimetre diameter outlet pipe to an existing swale on Fortecon Drive Cul-de-Sac;
- **oil and grit separator (catchment area 4.20 hectares):** one (1) Oil and Grit Separator, EFO12 or Equivalent Equipment, located at the eastern side of the development, providing Basic Level of protection, having a sediment storage capacity of 31.220 cubic metres, an oil storage capacity of 2.475 cubic metres, a total storage volume of approximately 33.695 cubic metres, and a maximum treatment rate of 56.73 litres per second, discharging via a 750-millimetre diameter outlet pipe to SWMF A2 (identified below), located immediately downstream;
- **stormwater management facility A2 (catchment area 4.20 hectares):** one (1) Wet Pond, located along the eastern boundary of the development, having a maximum available storage volume of 2547 cubic metres and a maximum depth of 1.70 metres, an inlet structure consisting of a 750-millimetre diameter storm inlet pipe and a concrete headwall, one (1) emergency overflow weir and riprap-lined spillway, an outlet structure comprised a 200-millimetre diameter Hickenbottom pipe, one (1) Ditch Inlet Catch Basin equipped with a 195-millimetre diameter orifice plate, a 450-millimetre diameter storm outlet pipe, allowing a maximum discharge of 169 litres per second under the 100-year storm event to the proposed

swale on Fortecon Drive Cul-de-Sac;

- **oil and grit separator (catchment area 3.15 hectares):** one (1) Oil and Grit Separator, EFO12 or Equivalent Equipment, located at the northwest corner of the development, providing Basic Level of protection, having a sediment storage capacity of 31.220 cubic metres, an oil storage capacity 2.475 cubic metres, a total storage volume of approximately 33.695 cubic metres, discharging via a 600-millimetre diameter outlet pipe to SWMF B (identified below), located immediately downstream;
- **stormwater management facility B (catchment area 3.15 hectares):** one (1) Wet Pond, located in the northwest corner of the development, having a maximum available storage volume of 1783 cubic metres and a maximum depth of 1.00 metres, an inlet structure consisting of a 600-millimetre diameter storm inlet pipe and a concrete headwall, one (1) emergency overflow weir and riprap-lined spillway, an outlet structure comprised of a 200-millimetre diameter Hickenbottom pipe, one (1) Ditch Inlet Catch Basin, equipped with a 100-millimetre diameter orifice plate, and a 250-millimetre diameter orifice plate, a 450-millimetre diameter storm outlet pipe and a concrete headwall, allowing a maximum discharge of 72 litres per second under the 100-year storm event to the existing northern channel;
- **bioswales (catchment area 3.50 hectares):** located in the general equipment area, rolling equipment parking area and trucks and trailers parking area, having a total length of 890 metres, a bottom width of 2.0 metres, side slopes of 3:1, a maximum depth of 0.40 metres, allowing a maximum discharge of 1930 litres per second under the 100-year storm event to the proposed stormwater management facilities located in the northwest corner and eastern part of the development;
- **corrugated steel pipe culverts**, 300-millimetre in diameter, two (2) culverts located throughout the development across driveways to convey stormwater flows between proposed bioswales;
- **corrugated steel pipe culverts**, 300-millimetre in diameter, two (2) culverts located east of the development on the Fortecon Drive Cul-de-sac across driveways to convey stormwater flows between proposed swales;
- **external corrugated steel pipe culverts**, 500-millimetre diameter twinned culverts, located on the adjacent property just north of the industrial building, running in parallel to the existing culverts connecting existing swales;

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**.

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

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
3. "District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Equivalent Equipment" means alternate piece(s) of equipment that meets the design requirements and performance specifications of the piece(s) of equipment to be substituted;
6. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the *Professional Engineers Act*, R.S.O. 1990, c. P.28;
7. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
8. "Owner" means SCAL Properties Ltd. and its successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
10. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
11. "Works" means the approved sewage works, and includes Proposed Works.

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

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

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

conditions of this Approval.

3. Where there is a conflict between a provision of any document referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence.
4. The issuance of, and compliance with the conditions of this Approval does not:
 - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the Works; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. EXPIRY OF APPROVAL

1. This Approval will cease to apply to those parts of the Works which have not been constructed within five (5) years of the date of this Approval.

3. CHANGE OF OWNER

1. The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within thirty (30) days of the change occurring:
 - a. change of address of Owner;
 - b. change of Owner, including address of new owner;
 - c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act, R.S.O. 1990, c. B.17* shall be included in the notification;
 - d. change of name of the corporation and a copy of the most current information filed under the *Corporations Information Act, R.S.O. 1990, c. C.39* shall be included in the notification.
2. In the event of any change in ownership of the Works, other than a change in ownership to the municipality, i.e. assumption of the Works, the Owner shall notify the succeeding owner in writing of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the number of this Approval.

4. CONSTRUCTION OF PROPOSED WORKS

1. Upon construction of the Works, the Owner shall prepare a statement, certified by a Licensed Engineering Practitioner, that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff.
2. Within six (6) months of the construction of the Works, a set of as-built drawings showing the Works "as constructed" shall be prepared. These drawings shall be kept up to date through revision undertaken from time to time and a copy shall be retained for the operational life of the Works.

5. OPERATIONS AND MAINTENANCE

1. The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the Works do not constitute a safety, health or flooding hazard to the general public.
2. The Owner shall undertake an inspection of the condition of the Works, at least once a year, and undertake any necessary cleaning and maintenance to ensure that sediment, debris and excessive decaying vegetation are removed from the Works to prevent the excessive build-up of sediment, oil/grit, debris and/or decaying vegetation, to avoid reduction of the capacity and/or permeability of the Works, as applicable. The Owner shall also regularly inspect and clean out the inlet to and outlet from the Works to ensure that these are not obstructed.
3. The Owner shall construct, operate and maintain the Works with the objective that the effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen, foam or discoloration on the receiving waters.
4. The Owner shall carry out and maintain an inspection and maintenance program on the operation of the oil and grit separator in accordance with the manufacturer's recommendation.
5. The Owner shall ensure that the manhole for the oil and grit separator remains accessible year-round to facilitate maintenance access and spill response measures.
6. The Owner shall ensure the immediate inspection of the Works after a fuel or oil spill capture and, if necessary, clean and maintain the Works to prevent the excessive buildup of oil or fuel.
7. The Owner shall ensure that equipment and material for the containment, clean-up and disposal of fuel and oil and materials contaminated with such, is on hand and in good repair for immediate use in the event of:
 - a. loss of fuel or oil to the Works; or
 - b. a spill within the meaning of Part X of the EPA.
8. The Owner shall prepare an operations manual prior to the commencement of operation of the Works, that includes, but is not necessarily limited to, the following information:

- a. operating procedures for routine/periodic operation and self-monitoring of the Stormwater Management Works;
 - b. inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;
 - c. repair and maintenance programs, including the frequency of repair and maintenance for the Works;
 - d. a spill prevention, control and countermeasures plan including procedures for notifying the District Manager; and
 - e. procedures for responding to environmental concerns from the public.
9. The Owner shall maintain an up to date operations manual and make the manual readily accessible for reference at the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
10. The Owner shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook at the site for inspection by the Ministry. The logbook shall include the following:
- a. the name of the Works;
 - b. the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed; and
 - c. the date of each spill within the catchment area, including follow-up actions / remedial measures undertaken.
11. The Owner shall retain for a minimum of **five (5) years** from the date of their creation, or longer if requested in writing by the Director, all records and information required by this Approval.

6. 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 millimetres 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.

7. SPILL CONTINGENCY PLAN

1. Within six (6) months from the issuance of this Approval, the Owner shall implement a spill contingency plan - that is a set of procedures describing how to mitigate the impacts of a spill within the area serviced by the Works. The Owner shall, upon request, make this plan available to Ministry staff. This plan shall include as a minimum:
 - a. the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the facility;
 - b. the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency plan;
 - c. a site plan drawn to scale showing the facility, nearby buildings, streets, catch-basins and manholes, drainage patterns (including direction(s) of flow in storm sewers), any receiving body(ies) of water that could potentially be significantly impacted by a spill and any features which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);
 - d. steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
 - e. a listing of telephone numbers for: local clean-up company(ies) who may be called upon to assist in responding to spills; local emergency responders including health institution(s); and Ministry Spills Action Centre 1-800-268-6060;
 - f. Safety Data Sheets (SDS) for each hazardous material which may be transported or stored within the area serviced by the Works;
 - g. the means (internal corporate procedures) by which the spill contingency plan is activated;
 - h. a description of the spill response training provided to employees assigned to work in the area serviced by the Works, the date(s) on which the training was provided and by whom;
 - i. an inventory of response and clean-up equipment available to implement the spill contingency plan, location and, date of maintenance/replacement if warranted; and
 - j. the date on which the contingency plan was prepared and subsequently, amended.
2. The spill contingency plan shall be kept in a conspicuous, readily accessible location on-site.
3. The spill contingency plan shall be amended from time to time as required by changes in the operation of the facility.

8. REPORTING

1. **One (1) week** prior to the start-up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start-up date.
2. The Owner shall prepare performance reports on a calendar year basis and submit to the District Manager by March 31 of the calendar year following the period being reported upon. The reports shall contain, but shall not be limited to, the following information pertaining to the reporting period:
 - a. a description of any operating problems encountered and corrective actions taken;
 - b. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works;
 - c. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
 - d. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
 - e. a summary of all spill or abnormal discharge events; and
 - f. any other information the District Manager requires from time to time.
3. In addition to the obligations under Part X of the EPA and O. Reg. 675/98 (Classification and Exemption of Spills and Reporting of Discharges) made under the EPA, the Owner shall, within fifteen (15) days of the occurrence of any reportable spill as provided in Part X of the EPA and O. Reg. 675/98, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and a schedule of implementation.
4. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

Schedule A

1. Application for Environmental Compliance Approval, August 29, 2025 and received on August 29, 2025, submitted by Schaeffer and Associates Ltd., on behalf of SCAL Properties Ltd., along with all other supporting information, including engineering drawings submitted by Schaeffer and Associates Ltd..
2. Functional Servicing and Stormwater Management Report, dated August 2025, for Scal Properties Ltd., for the Project: 2021-5125, Phase 1: Limen Yard Facility, in the Town of Whitchurch - Stouffville, Ontario, prepared by Schaeffer and Associates Ltd.

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

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to approved Works and to ensure that any subsequent Owner of the Works is made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 included to ensure that the Works are constructed, and may be operated and maintained such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.
5. Condition 5 is included to ensure that an operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept current by the Owner and made available to the Ministry. Such a manual is an integral part of the operation of the Works. Its compilation and use should assist the Owner in staff training and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a bench-mark for Ministry staff when reviewing the Owner's operation of the Works. Furthermore, this Condition is included to ensure that the Works are operated and maintained to function as designed.
6. Condition 6 is included 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.
7. Condition 7 is included to ensure that the Owner will implement the Spill Contingency Plan, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.
8. Condition 8 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.

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

appeal on the Environmental Registry. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

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

The Notice should also include:

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

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

This Notice must be served upon:

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

and

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

and

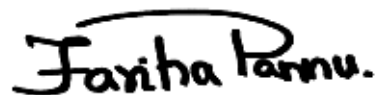
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

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

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

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

DATED AT TORONTO this 28th day of April, 2026



Fariha Pannu, P.Eng.

Director

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

MS/

c: District Manager, MECP York-Durham
Hagop Sarkissian, Schaeffer and Associates Ltd.