

8885-8911 LUNDY'S LANE

NIAGARA FALLS, ONTARIO

LAND-USE COMPATIBILITY (AIR QUALITY)

RWDI # 2206394

June 19, 2023

SUBMITTED TO

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VERSION HISTORY

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1 INTRODUCTION

RWDI undertook a land-use compatibility study at the request of M5V Capital in support of the proposed mixed-use development at 8885-8911 Lundy's Lane in Niagara Falls, Ontario (the "subject lands" or "proposed development"). The subject lands consist of a 1-storey mixed use podium with a 10-storey residential tower. The location of the proposed development is shown on **Figure 1** and the zoning in **Figure 2**. Please see **Appendix A** for the proposed site layout.

The scope of this study was to identify any existing and potential land use compatibility issues from an air quality perspective and evaluate options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses and nearby employment areas and/or major facilities.

2 BACKGROUND

2.1 Air Quality Management in Ontario

In Ontario, the primary air quality management approach is to have emitters control their emissions to a degree that results in acceptable air pollutant levels in the surrounding area. This approach is implemented through the Ontario Environment Protection Act, the Environmental Assessment Act, associated regulations (principally Regulation 419/05), and supporting guidelines. The legislation and guidelines establish an air permitting process with air contaminant concentration levels (standards) that cannot be exceeded and includes requirements for best management practices for certain types of emissions (odours and dust).

The province has several types of environmental permissions that deal with air emissions. Environmental Assessments are used primarily for government infrastructure projects, including those with potentially significant air emissions, such as roadways, highways, railroads, and airports. Environmental Assessments may also be used for certain types of large industrial projects, such as mining projects, electricity generation projects, and forestry projects. Environmental Compliance Approvals (ECA's) are primarily for medium to large industries with significant emission potential. Environmental Activity and Sector Registry (EASR) is primarily for smaller industries with lesser potential for emissions. The province also has special approvals for renewable energy projects.

Regulation 419/05 prohibits adverse air quality effects and sets standards for concentrations of air pollutants that all emitters must achieve at all points of impingement on or beyond their property boundary. The standards apply regardless of the type of land use that exists in the surrounding area. The principal exemption from these standards is motor vehicles and transportation corridors. These emission sources are addressed in a different manner, through federal tailpipe regulations.

Land use planning is a secondary tool that can be used to help address types of emissions that may cause an adverse effect but may not be regulated through the permitting process or are regulated in a manner that depends on surrounding land use characteristics and, therefore, is affected by land use planning.

The following are the key types of emissions that may fall into this category:

- **Contaminants with odour-based standards.** The odour-based standards apply only at sensitive land uses. Therefore, land use planning can play a role in ensuring and maintaining compliance.
- **Types of odour for which no standard has been set.** Mixtures of gaseous contaminants may cause an undesirable odour even when the individual contaminants comply with their concentration standards.
- **Dust emissions from truck and equipment travel, and stockpiles.** The Province does not necessarily require these types of emissions to be included in a compliance assessment but does require mitigation in the form of best practices for dust control. In some cases, best practices may be insufficient to avoid adverse effects at adjacent sensitive land uses.
- **Facilities with tall stacks and nearby elevated receptors (e.g., multi-storey residential).** Industrial emission sources must be designed to meet air quality standards at ground-level and at any existing elevated points of reception, but the design cannot foresee future land use changes that will permit new elevated receptors at higher heights or closer to the facility than the existing elevated receptors. This can be an issue for facilities that rely on stack height as a means of complying with the standards.
- **Emissions from major transportation corridors.** Transportation sources are not subject to provincial air quality standards in the same manner as industrial emitters. An environmental assessment for a transportation corridor will typically demonstrate that the emissions produce acceptable levels of air pollutants at nearby sensitive land uses, based on air quality criteria and the locations of sensitive uses at the time of the assessment. However, subsequent changes in air quality criteria and/or encroachment by new sensitive uses can result in unacceptable air quality conditions in the new sensitive use areas.

When conducting an air quality study for land use planning purposes, the starting point is to identify industries with significant potential for emissions that fall into one or more of the above categories. This assessment methodology is discussed further in **Section 3**.

2.2 Land Use Planning Compatibility Guidelines

Land-use planning plays a secondary role in managing air quality, noise, and vibration effects in Ontario. For example, this can be achieved by creating a land-use buffer between industry and a sensitive land use, such as residences, schools, seniors' facilities, daycares, hospitals, churches, and campgrounds. The MECP guideline D-6: Compatibility between Industrial Facilities (MOE, 1995) is typically referenced to assist planners in establishing adequate buffers.

The D-series guidelines, and specifically Guideline D-6, are intended to minimize encroachment of sensitive land uses on industrial facilities and vice versa. They address potential incompatibilities due to emissions such as noise, vibration, odour, and dust. Guideline D-6 states that studies for noise, vibration, dust, and odour should be provided by the proponent to the approving authority. It also provides a classification scheme for industries, based their potential for emissions that could cause adverse effects.



For each class of industry, the guideline provides an estimate of potential influence area and states that this influence area shall be used in the absence of the recommended technical studies. Guideline D-6 also includes recommendations for minimum separation distances between each class of industry and sensitive land uses (see **Table 1**). Section 4.10 of D-6 identifies exceptional circumstances with respect to redevelopment, infill, and mixed-use areas. In these cases, the guideline suggests that separation distances at, or less than, the recommended minimum separation distance may be acceptable if a justifying impact assessment is provided.

Table 1: Summary of Guideline D-6

Industry Class	Definition	Potential Influence Area	Recommended Minimum Separation Distance (property line to property line)
I	Small scale, self-contained, daytime only, infrequent heavy vehicle movements, no outside storage.	70 m	20 m
II	Medium scale, outdoor storage of wastes or materials, shift operations and frequent heavy equipment movement during the daytime.	300 m	70 m
III	Large scale, outdoor storage of raw and finished products, large production volume, continuous movement of products and employees during daily shift operations.	1000 m	300 m

Guideline D-6 provides criteria for classifying industrial land uses, based on their outputs, scale of operations, processes, schedule, and intensity of operations. **Table 2** provides the classification criteria and examples.

Table 2: Guideline D-6 Industrial Categorization Criteria

Criteria	Class I	Class II	Class III
Outputs	<ul style="list-style-type: none"> • Sound not audible off property • Infrequent dust and/ or odour emissions and not intense • No ground-borne vibration 	<ul style="list-style-type: none"> • Sound occasionally audible off property • Frequent dust and/ or odour emissions and occasionally intense • Possible ground-borne vibration 	<ul style="list-style-type: none"> • Sound frequently audible off property • Persistent and intense dust and/ or odour emissions • Frequent ground-borne vibration
Scale	<ul style="list-style-type: none"> • No outside storage • Small scale plant or scale is irrelevant in relation to all other criteria 	<ul style="list-style-type: none"> • Outside storage permitted • Medium level of production 	<ul style="list-style-type: none"> • Outside storage of raw and finished products • Large production levels
Process	<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"> • Open process • Periodic outputs of minor annoyance • Low probability of fugitive emissions 	<ul style="list-style-type: none"> • Open process • Frequent outputs of major annoyances • High probability of fugitive emissions
Operation / Intensity	<ul style="list-style-type: none"> • Daytime operations only • Infrequent movement of products and/or heavy trucks 	<ul style="list-style-type: none"> • Shift operations permitted • Frequent movements of products and/or heavy trucks with majority of movements during daytime hours 	<ul style="list-style-type: none"> • Continuous movement of products and employees • Daily shift operations permitted

3 METHODOLOGY

The compatibility assessment for the proposed development includes an initial screening of industrial uses and other potentially significant emission sources in the surrounding area. This involves the use of experience and professional judgement, with the classification system and potential influence areas of Guideline D-6 serving as a guidance. Based on Guideline D-6, the screening of industries within 1000 m of the proposed development are included.

The following tasks were included in the screening assessment:

- Review of potential constraints for new major facilities to reasonably be established in the employment area, based on the types of uses permitted in the zoning by-law;
- Review of potential constraints with respect to existing facilities in the employment area (increased risk of complaints, operational constraints, etc.), based on interpretation of the following information:
 - A past visit to the general area near the site;
 - Published satellite imagery;
 - Published street-based photography;
 - MECP ECA and EASR permits for existing industries within 1000 m of the subject lands;
 - Environment and Climate Change Canada's (ECCC) National Pollutant Release Inventory (NPRI) data for industries within 1000 m of the subject lands; and
 - Guideline D-6 from the Ministry of the Environment, Conservation and Parks (MECP); and
 - meteorological data for the study area.
- Contact the applicable MECP District Office to determine if there have been any complaints in recent years or are any air quality or noise concerns within the area; and
- Review potential for future expansion and changes to industries in the study area.

The results of these tasks are summarized in the following sections.

3.1 Constraints for Existing Industrial Facilities

3.1.1 Site Visit, Satellite Imagery, Environmental Permits, etc.

RWDI have had several past projects in the vicinity of the subject lands and are therefore knowledgeable with the area. Furthermore, RWDI staff have conducted visits to the general area on several occasions, the most recent being on November 2nd, 2021. The observations and conclusions based on our knowledge of the area, the most recent site visit, and desktop review of the area were applied for this study.

In addition to the site visit and past experience, satellite imagery, ECA documents, EASR registrations, and National Pollutant Release Inventory entries were reviewed to identify facilities of interest. See **Appendix B** for a listing of all facilities with current MECP approvals and registrations within a 1000 m radius of the proposed development.



The land uses within 1000 m of the subject lands are predominantly residential, commercial, and open space uses. The lands immediately west of the subject lands are designated as either General Industrial or Development Holding and are occupied by an industrial facility and a campground/trailer park. The lands immediately south of the subject lands and to the east of them are designated General Commercial and Tourist Commercial and are occupied by motels and entertainment establishments. The lands north of the subject lands are designated Development Holding and are occupied by another campground/trailer park.

Four (4) facilities within 1000 m of the proposed development were identified through the MECP ECA and EASR document search and reviewed and confirmed through satellite imagery. One (1) of these sites is currently occupied by an industrial facility for which no environmental permits or registrations were found in the Access Environment database. **Table B-1** in **Appendix B** lists all these industries. **Appendix C** contains any MECP ECA and EASR documents associated with these sites.

In addition, RWDI previously contacted the local MECP district office regarding concerns and complaints related to air quality or noise and were advised that the MECP is unable to provide this information directly; such inquiries have to be directed via the Ministry's Freedom of Information (FOI) office. RWDI also searched the Environmental Registry of Ontario (ERO) for pending environmental approvals and registrations, but none were found within the area or interest.

The proposed future land use plan was also reviewed. As part of the future planning, the areas immediately surrounding the facility will be zoned predominantly non-industrial (Residential, Environmental Protection Area, Agriculture and Tourist Commercial) except for a parcel of land along Garner Road just west of the subject lands that will continue to be zoned Industrial. Rezoning the subject lands is not expected to place any additional constraint on this industrial land use since it is already constrained by existing sensitive land uses: a campground/trailer park to the west and south and a residential subdivision to the north.

3.1.2 Meteorological Data

RWDI reviewed wind data from Niagara District Airport. A summary of the directional distribution of winds over a period from 2000-2020 is shown in **Figure 3**. The wind directions in the figure refer to the direction from which the wind blows, while the annual frequency of a given wind direction is shown as a distance radially from the centre. The most frequent winds originate from the south-west, with winds from the north being least frequent (less than 4% of the time).

4 RESULTS

4.1 Guideline D-6

The MECP Guideline D-6 was used as a tool to classify the identified industries and assess their potential influence on the proposed development. The results of the classification and potential influence on the proposed development is discussed below.



4.1.1 Class I

Three (3) facilities within the 1000 m area surrounding the subject lands have been classified as Class I. Two (2) of these facilities are located far enough away that their influence is not expected to extend to the subject lands. The third site is located adjacent to the subject lands and was assessed for its potential to influence the subject lands. This facility is included in **Table 3** and its location identified on **Figure 4**. A summary of all facilities is provided in **Table B-1** in **Appendix B**.

Table 3: Class I Industries within 70 m of the Development

Name	Address	Type of Operation	ECA or EASR Registration #	Approximate Distance to Subject Lands (m)
Lundy's Lane Sewage Pumping Station	8971 Lundy's Lane Niagara Falls, Ontario	Site is small scale, well contained with low lying ground level stacks.	3820-4YKHJZ	35 Proposed Building Perimeter to Facility Property

4.1.1.1 Air Quality Impact

Site is small scale, well contained with low lying ground level stacks and does not appear to have significant outputs. On this basis the site was assessed to be a Guideline D-6 Class I facility. This site is a sanitary sewage pumping station with no outdoor storage and a fenced in yard. Although, frequent odour emissions, occasionally intense may potentially occur, the facility is located approximately 15m to existing sensitive land use (trailer park) which would indicate that its influence area is much less than the typical D-6 Class I influence area of 70 m. The subject lands are located approximately 50 m away from the pumping station when buffer areas on both the facility and subject property are considered. This separation distance and the fact that the facility is co-existing in closer proximity to existing sensitive uses indicates that this site is unlikely to adversely impact air quality at the subject lands.

4.1.2 Class II

One (1) facility within the 1000 m area surrounding the subject lands has been classified as Class II. This facility is included in **Table 4** and its respective location identified in **Figure 4**. A summary of all facilities is provided in **Table B-1** in **Appendix B**.

Table 4: Class II Industries within 1000 m of the Development

Name	Address	Type of Operation	ECA or EASR Registration #	Approximate Distance to Subject Lands (m)
BV Glazing Systems	5855 Garner Road, Niagara Falls, Ontario	Site is medium scale, well contained with relatively low-lying rooftop stacks. A residential railing and commercial glazing products manufacturing facility.	N/A	38 Proposed Building Perimeter to Facility Property



4.1.2.1 *Air Quality Impact*

This site was the former premises of Redpath Industries which is no longer in operation at this location. The current site is medium scale, well contained with relatively low-lying rooftop stacks. The site does not appear to have an MECP approval (a search for documents on the Access Environment website did not yield any results). The facility is a residential railing and commercial glazing products manufacturing facility with some outdoor storage. No odours are expected from the operations. Potential for fugitive dust is minimal due to paved lot and driveway and the lack of outdoor storage piles.

The eastern and southern sections of the site are located adjacent to an existing campground/trailer park (Campark Resorts). The subject lands are located at a greater separation distance relative to this campground/trailer park. The close proximity of the campground to this facility indicates that its actual influence area is less than that of a typical D-6 Class II facility and that this facility is compatible with sensitive land uses. Emissions from the facility appear to be emitted from low lying stacks that are likely to have greatest air quality impacts in the vicinity of the facility property line. The subject lands are located more than 55 m away when buffer areas on both the facility and subject property are considered. At this separation distance emissions from the facility are not expected to have significant air quality impacts at the subject lands.

4.1.3 Class III

There were no class III facilities identified within 1000m of the subject lands.

4.2 Transportation Corridors

The subject lands are located more than 2000 m west of the Queen Elizabeth Way (QEW), at this distance, no significant air quality impact is expected from the highway. The CN Stamford Subdivision railway line is located approximately 129 m to the northwest of the site. RWDI considers this separation distance adequate based on our experience with air quality impacts from rail corridors. In addition, the subject lands are located at the north-east corner of Garner Road and Lundy's Lane. RWDI has prepared a Noise and Vibration Impact Study in support of this proposed development (under separate cover): 8885-8911 Lundy's Lane Noise and Vibration Impact Study. The traffic data used in this study indicates that Garner Road is not a significant traffic corridor while Lundy's Lane is likely to have traffic levels that could potentially have a significant air quality impact on the subject lands.

The City of Toronto prepared a report regarding transportation related air quality impacts titled: "Avoiding the TRAP: Traffic-Related Air Pollution in Toronto and Options for Reducing Exposure" (City of Toronto, 2017). This report states that the most widely reported mitigation strategy for traffic-related air pollutants (TRAP) is separation distances or buffer zones, with some environmental agencies (California and British Columbia) recommending a setback of 500 ft (approx. 150m) from major highways such as the QEW, and 100m from roads with annual average traffic volumes of 15,000 vehicles or more per day.



However, the City of Toronto also acknowledges in this report that it is not feasible to restrict development within the recommended buffer zones and meet the city's growth projections. As an alternative, the report outlines the following TRAP mitigation strategies:

- Locating residential units and outdoor use areas (particularly ones for prolonged use) as far as possible from the roadways and buffered by transitional uses;
- Vegetation that is designed as a barrier (as a complement to other mitigation measures);
- Physical barriers such as sound barriers;
- Mechanical rather than passive building ventilation with air particle filtration;
- Location of ventilation air intakes away from known pollution sources and roads;
- Only opening windows on the side of the buildings that face away from TRAP sources;
- Optimizing timing and quantity of ventilation make-up air;
- Management of outdoor activities.

Out of the above, RWDI recommends the following mitigation measures be considered in order to reduce the impact of transportation pollution from Lundy's Lane on the proposed development:

- Where possible, the provision of mechanical building ventilation with air particle filtration rather than passive building ventilation; and,
- Location of ventilation air intakes on the roof and pointing away from Lundy's Lane.

RWDI also recommends that when available, the final design of the proposed development be reviewed to ensure that appropriate mitigation is implemented with respect to air quality impacts from traffic on Lundy's Lane.

5 CONCLUSIONS

RWDI has been retained to undertake a land-use compatibility (air quality) study in support of a proposed development at 8885-8911 Lundy's Lane in Niagara Falls, Ontario.

A review of the City of Niagara Falls zoning information and MECP ECAs and EASR registrations were conducted as part of this assessment. The land uses within 1000 m of the subject lands are predominantly residential, commercial, and open space uses.

The Class I and II facilities identified in this study are expected to be compatible with the subject lands with respect to air quality. No additional study of these facilities is required from an air quality perspective.

Some air quality impacts can be expected from traffic on Lundy's Lane. These impacts could be mitigated using the following measures:

- Where possible, the provision of mechanical building ventilation with air particle filtration rather than passive building ventilation; and,
- Location of ventilation air intakes on the roof and/or pointing away from Lundy's Lane.

RWDI also recommends that when available, the final design of the proposed development be reviewed to ensure that appropriate mitigation is implemented with respect to air quality impacts from traffic on Lundy's Lane.

The proposed development is compatible with the surrounding land uses and transportation corridors from an air quality perspective pending the provision of mitigation measures to reduce air quality impacts from transportation pollution along Lundy's Lane.



6 REFERENCES

1. Ontario Ministry of the Environment (MOE) Publication Guideline D-6, "Compatibility Between Industrial Facilities and Sensitive Land Uses", July 1995 (MOE, 1995).
2. City of Toronto Publication: Avoiding the TRAP: Traffic-Related Air Pollution in Toronto and Options for Reducing Exposure, October 2017.
3. RWDI, (2023). 8885-8911 Lundy's Lane: Noise and Vibration Impact Study RWDI #2206394.

7 STATEMENT OF LIMITATIONS

This report entitled 8885-8911 Lundy's Lane: Land-Use Compatibility Air Quality Study was prepared by RWDI AIR Inc. ("RWDI") for M5VInc. ("Client"). The findings and conclusions presented in this report have been prepared for the Client and are specific to the project described herein ("Project"). The conclusions and recommendations contained in this report are based on the information available to RWDI when this report was prepared. Because the contents of this report may not reflect the final design of the Project or subsequent changes made after the date of this report, RWDI recommends that it be retained by Client during the final stages of the project to verify that the results and recommendations provided in this report have been correctly interpreted in the final design of the Project.

The conclusions and recommendations contained in this report have also been made for the specific purpose(s) set out herein. Should the Client or any other third party utilize the report and/or implement the conclusions and recommendations contained therein for any other purpose or project without the involvement of RWDI, the Client or such third party assumes any and all risk of any and all consequences arising from such use and RWDI accepts no responsibility for any liability, loss, or damage of any kind suffered by Client or any other third party arising therefrom.

Finally, it is imperative that the Client and/or any party relying on the conclusions and recommendations in this report carefully review the stated assumptions contained herein and to understand the different factors which may impact the conclusions and recommendations provided.

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FIGURES



Map Document: D:\GIS\desktop\2206394_8911\Lundy's Lane\2206394_8911\Lundy's Lane.aprx

Site Location

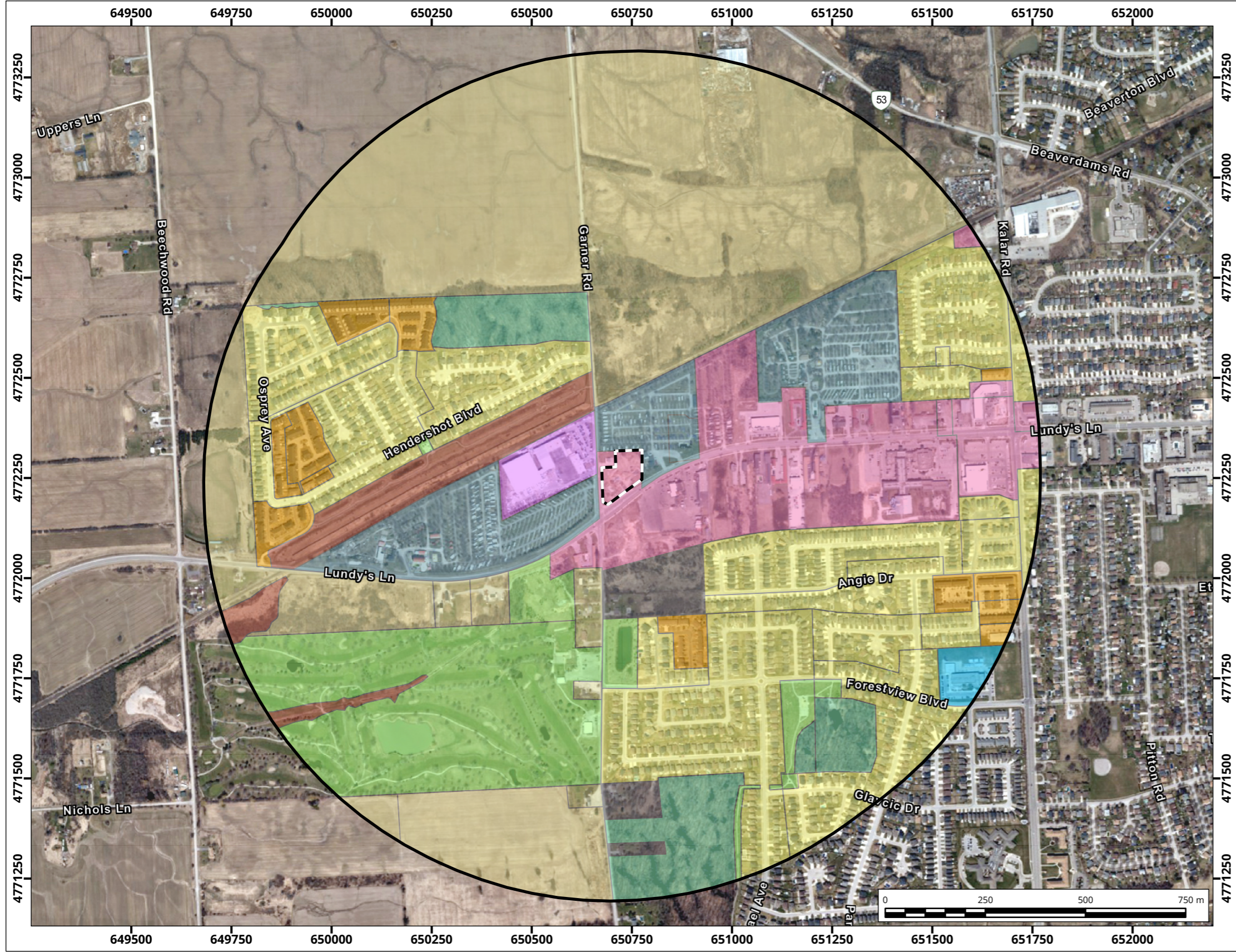
Map Projection: NAD 1983 UTM Zone 17N
 8885-8911 Lundy's Lane - Niagara Falls, ON









Project #: 2206394

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Date Revised: Jun 13, 2023	





Legend

-  Property Line
-  1,000 m
- Zoning Classification**
-  A - Agricultural
-  CE - Camping Establishment
-  DH - Development Holding
-  EPA - Environmental Protection Area
-  GC - General Commercial; TC - Tourist Commercial
-  GI - General Industrial
-  HL - Hazard Land
-  I - Institutional
-  OS - Open Space
-  R1D - Residential 1D Density; R1E - Residential 1E Density; R1F - Residential 1F Density
-  R3 - Residential Mixed; R4 - Residential Low Density
-  Grouped Multiple Dwelling; R5B - Residential Apartment 5B Density; R5C - Residential Apartment 5C Density

Service Layer Credits: Zoning data - Niagara Falls Zoning Bylaw; MapCast Mapping Services - Niagara Region, 2018; Hybrid Reference Layer (road and water labels only): Esri Community Maps Contributors, Province of Ontario, Niagara Region, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCAN, Parks Canada

Zoning Map

Map Projection: NAD 1983 UTM Zone 17N
8885-8911 Lundy's Lane - Niagara Falls, ON



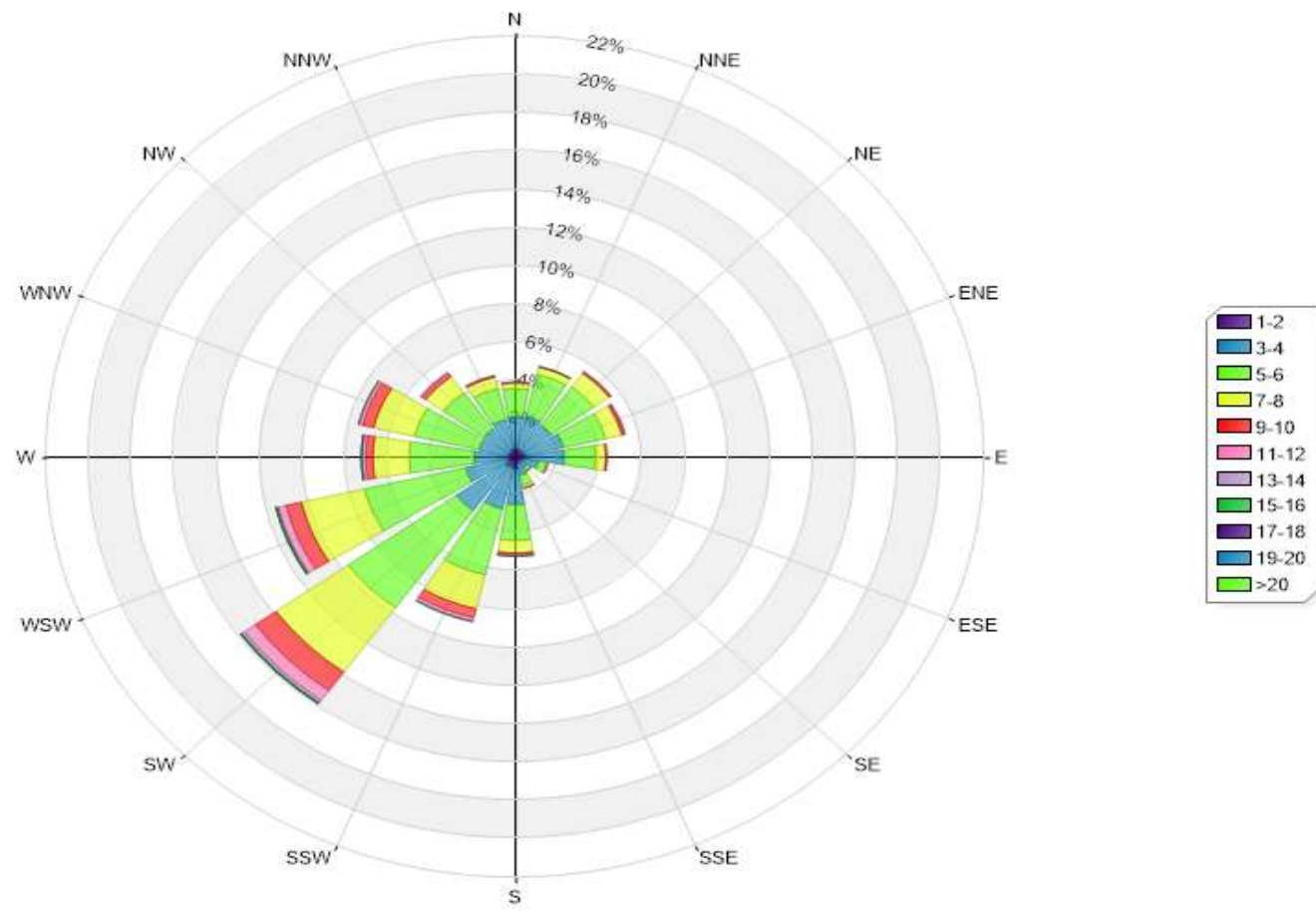
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Date Revised: Oct 3, 2022	

Project #: 2206394



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Directional Distribution (%) of Winds in m/s (Blowing From)
St. Catharines Niagara District Airport, (2000-2020)



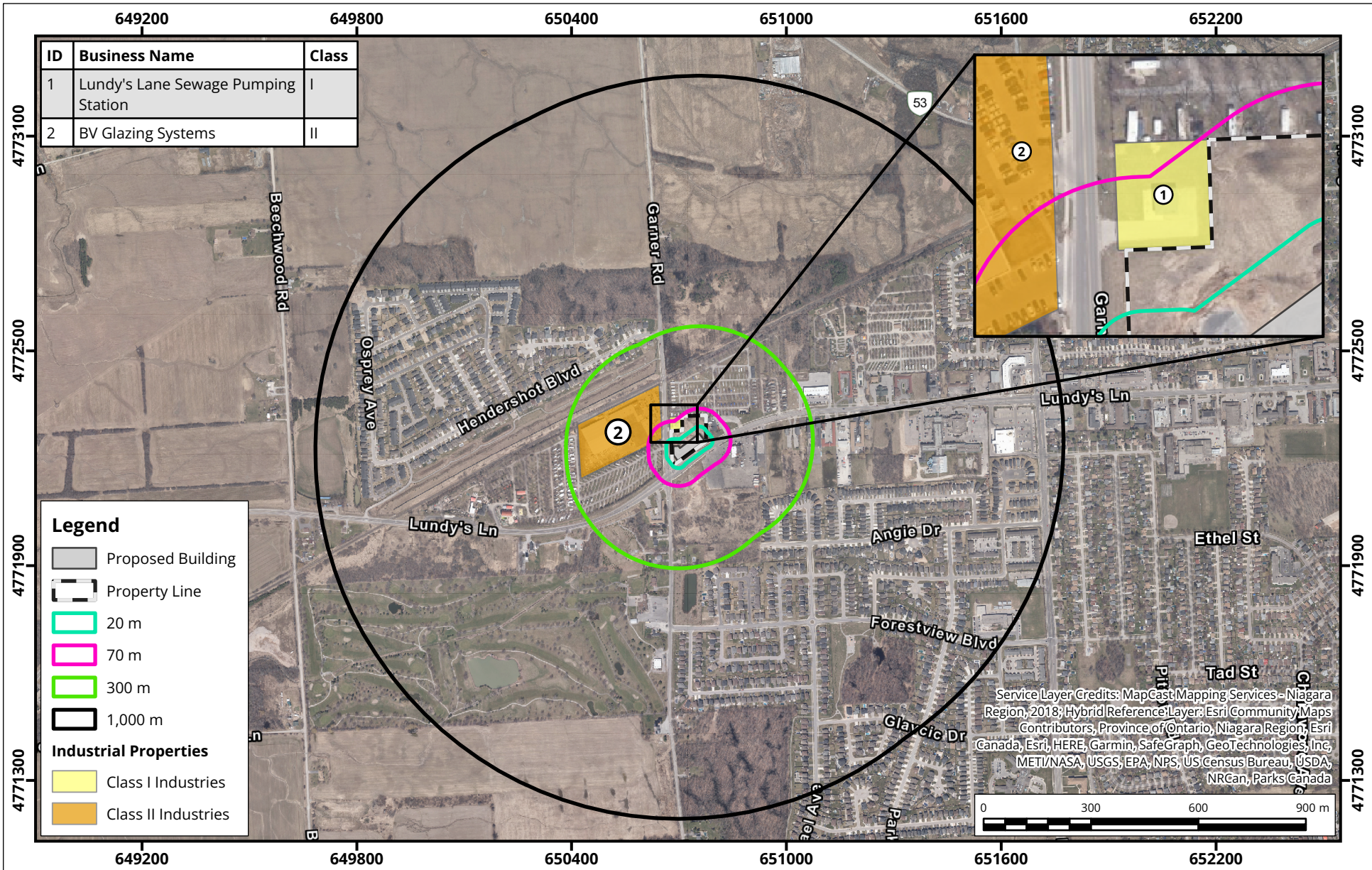
Directional Distribution (%) of Winds in m/s (Blowing From) St. Catherines Niagara District Airport (2000-2020)

Drawn by: ADS Figure: 3

Approx. Scale: not to scale

Date Revised: September 30, 2022





Facilities of Interest in the Study Area

Map Projection: NAD 1983 UTM Zone 17N
8885-8911 Lundy's Lane - Niagara Falls, ON



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Approx. Scale: 1:15,000	
Date Revised: Jun 13, 2023	



Project #: 2206394

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APPENDIX A



KEY PLAN - NTS

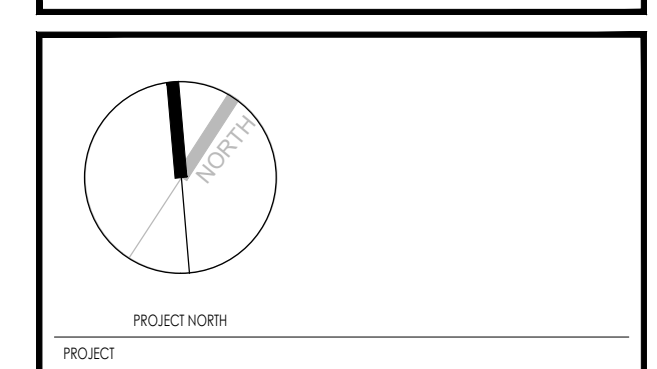
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1	DB	1ST SUBMISSION	

GENERAL NOTES:
 1. DO NOT SCALE DRAWINGS. USE ONLY DIMENSIONS MARKED 'TYPED FOR CONSTRUCTION'. VERIFY CONFIGURATIONS & DIMENSIONS ON SITE BEFORE BEGINNING WORK. NOTIFY ARCHITECT IMMEDIATELY OF ANY ERRORS, OMISSIONS OR DISCREPANCIES.

DEVELOPMENT CONSULTANT:
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 71 LAW CORNWALL RD.
 OAKVILLE, ONTARIO L4J 7W5

ARCHITECTS:
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 PROJECT CONTACT: LINDA FORD
 416-527-2677 | 416-527-3677



PROJECT:
NIAGARA FALLS LUNDY'S LANE RESIDENTIAL TOWER

8885-8911 Lundy's Lane
 Niagara Falls, Ontario, Canada
 Closest Major Intersection: Lundy's Lane & Garner Rd

DRAWING TITLE: **CONCEPT LANDSCAPE PLAN**

BY	DB	CHECKED	LS	ISSUED FOR	SEE ABOVE TABLE
PROJECT NO.	S23-012	SHEET NO.			
SCALE	1:300				

APPLICATION No. **L-100**

PROJECT NORTH
 PROJECT
 NIAGARA FALLS LUNDY'S LANE RESIDENTIAL TOWER
 8885-8911 Lundy's Lane
 Niagara Falls, Ontario, Canada
 Closest Major Intersection: Lundy's Lane & Garner Rd
 DRAWING TITLE
 CONCEPT LANDSCAPE PLAN
 APPLICATION No.
 L-100
 SCALE
 1:300
 SHEET NO.
 PROJECT NO.
 S23-012
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 SEE ABOVE TABLE
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 DATE
 23-06-XX
 ISSUE
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APPENDIX B

8885-8911 Lundy's Lane, Niagara Falls, ON. Air Quality Assessment

8885-8911 Lundy's Lane, Niagara Falls, ON.

RWDI# 2206394

Table B-1: List of Industrial and Non-Industrial Facilities Around the Proposed Development with Potential for Air Emissions

Map Icon Number	BUSINESS NAME	ADDRESS	TYPE OF APPROVAL/FACILITY/EQUIPMENT	APPROVAL / REGISTRATION NUMBER	Comment on Operations	Tall Stacks Present	Approximate Distance to Site (m) [1]	D-6 Classification
1	Lundy's Lane Sewage Pumping Station	8971 Lundy's Lane	ECA-AIR	3820-4YKHJZ	Site is small scale, well contained with low lying ground level stacks. This is a sanitary sewage pumping station with no outdoor storage and a fenced in yard. Although, frequent odour emissions, occasionally intense may potentially occur, the facility is located approximately 15m to existing sensitive land use (trailer park) therefore indicating that its influence area is much less than the typical D-6 Class I influence area of 70 m . The subject lands are located approximately 31m away from the pumping station when buffer areas on both the facility and subject property are considered. This separation distance and the fact that the facility is co-existing in closer proximity to existing sensitive uses indicates that this site is unlikely to adversely impact air quality at the subject lands.	No	35	I
2	BVGlazing Systems	5855 Garner Road	None Available	None Available	This site was the former premises of Redpath Industries which is no longer in operation at this location. Current site is medium scale, well contained with relatively low lying rooftop stacks. The site does not appear to have an MECP approval; a search for documents on the Access Environment website did not yield any results. The facility is a residential railing and commercial glazing products manufacturing facility with some outdoor storage. No odours are expected from the operations. Potential for fugitive dust is minimal due to paved lot and driveway. No outdoor storage piles. The eastern and southern sections of the site are located adjacent to an existing campground/trailer park (Campark Resorts). The subject lands are located at a greater separation distance relative to this campground/trailer park. The close proximity of the campground to this facility indicates that its actual influence area is less than that of a typical D-6 Class II facility and that this facility is compatible with sensitive land uses. Emissions from the facility appear to be emitted from low lying stacks that are likely to have greatest air quality impacts in the vicinity of the facility property line. The subject lands are located more than 50m away when buffer areas on both the facility and subject property are considered. At this separation distance emissions from the facility are not expected to have significant air quality impacts at the subject lands.	No	38	II
Not Shown	ROYAL AUTO PARTS RECYCLING INC.	5499 KALAR RD	EASR-End-of-Life Vehicle Waste Disposal Sites	R-007-2110260187	Site is small scale end of life vehicle disposal site that appears to have little industrial output. The site is located within 70m of existing residential on Racey Avenue which provides indication that the site's actual influence area is likely similar to that of a D-6 Class I facility. Based on this and its small scale the site was assigned a D-6 Classification of Class I. The operations at the site are not expected to generate significant air quality emissions. The subject lands being located more than 900m away from this site are not expected to have significant air quality impacts as a result of emissions from this site.	No	981	I
Not Shown	694860 Ontario Limited	8522 BEAVERDAMS RD	ECA-WASTE MANAGEMENT SYSTEMS	3637-5JPRGJ	A review of satellite imagery indicates that the site appears to be a small scale low intensity operation. There appears to be minimal amount of outdoor storage but nothing that would generate fugitive dust or odour emissions. The site is located adjacent to existing residential which indicates that its actual influence area is quite small. Based on the type of operations and apparent low intensity this site was assigned a D-6 classification of Class I. It's ECA indicates that the site a truck storage yard for a waste management system used for transporting domestic, commercial and non hazardous solid industrial waste. The site's ECA requires that waste is not to be stored or transferred at this site. Based on this requirement the site is not expected to generate odour emissions or chemical emissions. Parts of the yard are unpaved and there is evidence of vehicle traffic on these areas therefore there is a potential for fugitive dust emissions related to onsite vehicle travel. These emissions are not expected to adversely impact the subject lands given the 685m separation distance and the fact that the facility's actual influence area is likely to be much smaller than that of a typical D-6 Class I facility (70m). Upon consideration of the above information this site is not expected to cause significant air quality impacts at the subject lands.	No	778	I

Notes:

[1] Separation distances are from closest proposed building perimeter to industrial facility property parcel unless otherwise indicated.

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APPENDIX C



Ministry
of the
Environment

Ministère
de
l'Environnement

CERTIFICATE OF APPROVAL
MUNICIPAL AND PRIVATE SEWAGE WORKS
NUMBER 3820-4YKHJZ

The Corporation of the Regional Municipality of Niagara
2201 St. David's Road, P.O. Box 1042
Thorold, Ontario
L2V 4T7

Site Location: Lundy's Lane Sewage Pumping Station
8971 Lundy's Lane
Part 1, Plan 59R-11085
Niagara Falls City, Regional Municipality of Niagara, Ontario

You have applied in accordance with Section 53 of the Ontario Water Resources Act for approval of:

sanitary sewer and a sanitary sewage pumping station, including sanitary forcemain to be constructed in the City of Niagara Falls, Regional Municipality of Niagara, as follows:

SANITARY SEWER

to be constructed on Garner Road;

SANITARY SEWAGE PUMPING STATION

the Lundy's Lane Sewage Pumping Station located within the boulevard area of the north east corner of Lundy's Lane and Garner Road, having submersible pump/wet well design, equipped with three (3) submersible pumps (one (1) as standby) at a firm pumping capacity of at least 49.2 litres per second at a total dynamic head of 17.32 metres with two (2) pumps operating, including the provision to add a fourth submersible pump to meet future requirements and to provide a firm pumping capacity with three (3) pumps operating of at least 62.1 litres per second at a total dynamic head of 21.61 metres (one (1) pump as standby), including an above grade electrical control and standby power building equipped with natural gas generator ;

SANITARY FORCEMAIN

a 250 millimetre diameter sanitary forcemain to be constructed along Garner Road and Regional Road 20 (Lundy's Lane), from the pumping station to approximately 126 metres east of Kalar Road;

all in accordance with the application dated April 9, 2001, including final plans and specifications prepared by Totten Sims Hubicki Associates (1997) Ltd.

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

1. "Certificate" means this entire Certificate of Approval document, issued in accordance with Section 53 of the *Ontario Water Resources Act*;
2. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the *Ontario Water Resources Act*;
3. "Environmental Appeal Board" means the Environmental Review Tribunal established pursuant to the Environmental Review Tribunal Act;

4. "Ministry" means the Ontario Ministry of the Environment;
5. "Owner" means The Corporation of the Regional Municipality of Niagara; and
6. "works" means the sewage works described in the Owner's application, this Certificate and in the supporting documentation referred to herein, to the extent approved by this Certificate.

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

TERMS AND CONDITIONS

GENERAL CONDITIONS

1. Except as otherwise provided by these Conditions, the Owner shall design, build, install, operate and maintain the works in accordance with the description given in this Certificate, the application for approval of the works and the submitted supporting documents and plans and specifications as listed in this Certificate.
2. Where there is a conflict between a provision of any submitted document referred to in this Certificate and the Conditions of this Certificate, the Conditions in this Certificate shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.

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

Conditions No. 1 and No. 2 are 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. These conditions are also included to emphasize the precedence of Conditions in the Certificate and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, as amended, you may by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of this Notice, require a hearing by the Board. Section 101 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, provides that the Notice requiring the hearing shall state:

1. The portions of the approval or each term or condition in the 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.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

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

This Notice must be served upon:

The Secretary*
Environmental Appeal Board
2300 Yonge St., 12th Floor
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Director
Section 53, Ontario Water Resources Act
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Appeal Board's requirements for an appeal can be obtained directly from the Board at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted sewage works are approved under Section 53 of the Ontario Water Resources Act.

DATED AT TORONTO this 3rd day of August, 2001

Yvonne Hall, P.Eng.
Director
Section 53, *Ontario Water Resources Act*

KC/

c: District Manager, MOE Niagara District Office
Clifton F. Warren, P.Eng., Totten Sims Hubicki Associates (1997) Ltd.
R. Hollick, Clerk, Regional Municipality of Niagara
L.C. Hunt, Clerk, Corporation of the City of Port Colborne



Ministry of the Environment and Climate Change
Operations Division

Confirmation of Registration

Registration Number: R-007-2110260187

Version Number: 001

Date Registration Filed: Oct 14, 2017 11:59:13 AM

Dear Sir/Madam,

ROYAL AUTO PARTS RECYCLING INC.

5499 KALAR RD
NIAGARA FALLS ON L2E 6S4

You have registered, in accordance with Section 20.21(1)(a) of the *Environmental Protection Act*, the use, operation, establishment, alteration, enlargement or extension of an end-of-life vehicle waste disposal site, as prescribed in O. Reg. 85/16.

Please note if you answered 'Yes' to question 3.4a, or if you answered 'No' to the questions 3.4b (i), or 3.4c (i) your site may be required to obtain an Environmental Compliance Approval for your air activities in addition to your registration on the Environmental Activity and Sector Registry for your waste operations.

5499 KALAR Road West NIAGARA FALLS ON L2H 3K9

Please note that the end-of-life vehicle waste disposal site is subject to the applicable provisions of O.Reg 245/11 and O. Reg. 85/16.

The activity related information provided during the registration process is included as part of the confirmation of registration as schedule 'A'.

Dated on Oct 14, 2017

Director
Environmental Approvals Access and Service Integration Branch
Ministry of the Environment and Climate Change
135 St. Clair Avenue West, 1st Floor
Toronto ON M4V 1P5

Any questions related to this registration and the Environmental Activity and the Sector Registry should be directed to:

Ministry of the Environment and Climate Change
Customer Service Representative
Environmental Approvals Access and Service Integration Branch
Phone:(416) 314-8001
Toll free: 1-800-461-6290

Schedule 'A'

Part 3 — Activity Information

3.1 Registration Information

- (a) Does your site receive end-of-life vehicles? Yes No
- (b) Does your site have 10 or more end-of-life vehicles on site at any one time, receive more than 2 end-of-life vehicles in any one calendar year, and engage in anything other than the removal of parts from end-of-life vehicles for reuse and the collection, handling, transportation, storage and transfer of end-of-life vehicles? Yes No
- (c) Does your site engage in anything other than the collection, handling, transportation, storage and/or transfer of end-of-life vehicles, or store or handle any end-of-life vehicle for more than 180 days? Yes No

3.2 End-of-Life Vehicle Site Related Information

- (a) Has your site been identified as a significant drinking water threat in a source protection plan prepared under the Clean Water Act, 2006? Yes No
- (b) Other than waste generated on the property upon which the end-of-life vehicle waste disposal site is situated, does your site accept or manage any PCB waste, radioactive waste, or treated and/or untreated biomedical waste? Yes No
- (c) Does your site accept or manage any asbestos waste, other than components removed from a motor vehicle that contain asbestos (e.g. brake pads)? Yes No
- (d) Does your site accept or manage fluids removed from an end-of-life vehicle that were removed off the site? Yes No

3.3 End-of-Life Vehicle Activity Related Information

- (a) Are the only wastes managed on site the following: Yes No
-End-of-life vehicles;
-A component removed from an end-of-life vehicle, including fluid-containing components (e.g. internal combustion engine, transmission, radiator) or other wastes removed from an end-of-life vehicle (e.g. tires);
-Metal, or other waste that is primarily metal by weight, that is destined for a site at which the principal purpose of use is not waste management or combustion.
- (b) Does your site engage in thermal treatment of waste (e.g. incineration)? Yes No
- (b)(i) If yes, is one of the following conditions met? Yes No
-An environmental compliance approval has been issued in respect of the thermal treatment site; OR
-The site is a waste-derived fuel site that includes a combustion unit that is used principally for heating the interior of a building or other enclosed space for the comfort of occupants or for the provision of a suitable temperature for materials (including plant or animal life) in the building or enclosed space and is located in the Territorial District of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay or Timiskaming.
- (c) Does your site engage in the disposal of waste by depositing it into the land? Yes No
- (c)(i) If yes, is the following condition met? Yes No
- An environmental compliance approval has been issued that permits the disposal of the waste.

3.4 End-of-Life Vehicle Equipment Related Information

- (a) Does your site use any shredding or rotary shearing/shredding equipment? Yes No
- If the answer to this question is yes, you may be required to obtain an Environmental Compliance Approval for your air activities in addition to your registration on the Environmental Activity and Sector Registry for your waste operations.
- (b) Does your site engage in any torching or lancing of materials? Yes No
- (b)(i) If yes, are the following conditions met?

-The metal cut has a maximum thickness of 250 mm; AND
-A plan is in place to prevent visible emissions from being carried beyond the property upon which the end-of-life vehicle site is situated.

Yes No

If the answer to this question is no, you may be required to obtain an Environmental Compliance Approval for your air activities in addition to your registration on the Environmental Activity and Sector Registry for your waste operations.

(c) Does your site operate crushing equipment?

Yes No

(c)(i) If yes, is one or more of the following conditions met?

-Crushing equipment is located a minimum distance of 250m from the property boundary of the closest noise receptor; OR
-The crushing equipment has a barrier with a minimum density of 20 kg/m² installed that blocks the line of sight between the crushing equipment and the closest noise receptor; OR
-The crushing equipment is not operated for more than 50 days per calendar year.

Yes No

If the answer to this question is no, you may be required to obtain an Environmental Compliance Approval for your air activities in addition to your registration on the Environmental Activity and Sector Registry for your waste operations.



Ministry
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Ministère
de
l'Environnement

PROVISIONAL CERTIFICATE OF APPROVAL
WASTE MANAGEMENT SYSTEM
NUMBER 3637-5JPRGJ

694860 Ontario Limited
8676 Beaverdams Road
Niagara Falls, Ontario
L2E 6S4

You have applied in accordance with Section 27 of the Environmental Protection Act for approval of:

a waste management system serving:

the Province of Ontario

For the purpose of this Provisional Certificate of Approval and the terms and conditions specified below, the following definitions apply:

For the purpose of this Provisional Certificate of Approval:

- a. "Certificate" means the entire Certificate of Approval including its schedules, if any, issued in accordance with Section 27 of the Environmental Protection Act;
- b. "Company" means only 694860 Ontario Limited;
- c. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the Environmental Protection Act; and
- d. "District Manager" means the District Manager of the Ministry of the Environment for the geographic area in which the waste described in condition 2 is located.

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

TERMS AND CONDITIONS

1. Except as otherwise provided by these conditions, the waste management system shall be operated in accordance with the application for this Provisional Certificate of Approval dated October 31, 2002 and with the supporting information submitted therewith.
2. Only domestic, commercial and non-hazardous solid industrial waste shall be transported pursuant to this Provisional Certificate of Approval and in any case, no subject waste may be transported pursuant to this Provisional Certificate of Approval.
3. The Company shall promptly take whatever steps are necessary to contain and clean up any spills of waste which have resulted from the operation of this waste management system.
4. Waste shall only be delivered to a waste disposal site or facility which has a Certificate of Approval or a Provisional Certificate of Approval, and only where the waste being delivered complies with the Certificate of Approval or Provisional Certificate of Approval of the receiving waste disposal site or facility, and at no time shall waste be stored or transferred to your truck storage yard located at 8676 Beaverdams Road, Niagara Falls, Ontario.

CONTENT COPY OF ORIGINAL

5. All waste shall only be transported in a covered vehicle.
6. Any addition, deletion or other change to the fleet of vehicles, trailers and equipment (i.e., year, make, model, serial number, licence number and ownership of each vehicle, trailer or piece of equipment) in particular those which are leased or rented, shall be reported to the Director within fourteen (14) days of any such change.
7. Every vehicle used for the collection and transportation of waste pursuant to this Provisional Certificate of Approval shall be clearly marked with the company name and the number which appears on the face of the Certificate of Approval or Provisional Certificate of Approval that authorizes the collection and transportation of waste.
8. (1) The Company shall notify the Director in writing of any of the following changes within thirty (30) days of the changes occurring:
 - (a) change of Company name, owner or operating authority;
 - (b) change of Company address or address of new owner or operating authority;(2) In the event of any change in ownership of the waste management system the company shall notify the succeeding (new owner) company of the existence of this Certificate, and a copy of such notice shall be forwarded to the Director.
(3) The Company shall ensure that all communications made pursuant to this condition will refer to this Certificate number.

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

1. The reason for condition 1 is to set out clearly that this waste management system is operated in accordance with the application for this Provisional Certificate of Approval and the supporting information submitted therewith and not on a basis or in any way which the Director has not been asked to consider.
2. The reason for condition 2 is to ensure that this waste management system is only used to collect, handle and transport waste which it is able to in a suitable manner as the transportation of waste which this waste management system is not able to collect, handle and transport may create a nuisance or result in a hazard to the health and safety of any person or the natural environment.
3. The reason for condition 3 is to ensure that any waste spilled onto the vehicle is promptly contained and cleaned up to minimize the risk of further spillage or the discharge of waste from the vehicle to the environment and to ensure that the proper officials of the Ministry of the Environment are notified and able to give direction to the Company to ensure the complete decontamination of the vehicle and clean up of the spilled material.
4. The reason for condition 4 is to ensure that this waste management system is used to transport waste only to waste disposal sites or facilities that have been approved by the Ministry of the Environment to receive the waste which this waste management system is delivering under this Provisional Certificate of Approval, and that by accepting the waste being delivered by the waste management system, the waste disposal site and facilities will not be out of compliance with its Certificate of Approval or Provisional Certificate of Approval.
5. The reason for condition 5 is to ensure that waste particulates are not emitted to the environment as any such emission may result in a hazard to the health and safety of any person or the natural environment.
6. The reason for condition 6 is to ensure that all vehicles, trailers and equipment including those leased or rented for operation under this Provisional Certificate of Approval have been approved as part of a suitable waste transportation system to collect and transport waste as an unsuitable waste transportation system could result in a hazard to the health and safety of any person or the natural environment.
7. The reason for condition 7 is to ensure that the collection, handling and transportation of waste is conducted in a safe and environmentally acceptable manner, as outlined in Regulation 347.
8. The reason for condition 8 is to ensure that the waste management system is operated under the corporate, limited or the applicant's own name which appears on the application and supporting information submitted for this Provisional Certificate of Approval and not under any name which the Director has not been asked to consider.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, 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 approval or each term or condition in the 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.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
2300 Yonge St., 12th Floor
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Director
Section 9, *Environmental Protection Act*
Ministry of Environment and Energy
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) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted waste management system is approved under Section 39 of the Environmental Protection Act, and is subject to the Regulations made thereunder.

DATED AT TORONTO this 14th day of February, 2003

Aziz Ahmed, P.Eng.
Director
Section 39, *Environmental Protection Act*

NB/
c: District Manager, MOE Niagara