Appendix B: Historical Topographic Maps
Appendix C: Site Photographs
SITE PHOTOGRAPHS

East view along Berm along Fanshawe Park Road E

Top of fill pile onsite

Fill pile onsite
(NE view)

South view along Cedar Hollow Blvd

North view along East property boundary along Cedar Hollow Blvd.

Cuts into Fill Pile onsite
West property boundary (South view)

South west view

North-west view along Fanshawe Park Road E

South view from top of Fill Pile onsite
Appendix D: Regulatory Documents
Regulatory Framework

PROVINCIAL STATUTES

Technical Standards and Safety Act, 2000

Fuel Oil Regulation 213/01

The applicable sections of the Fuel Oil Code include installation requirements for underground storage tanks (USTs), all pressure testing, and abandonment of tanks if connected to an ignition source (past or present). Also described is the requirement for contaminated soil removal, if this is identified while tank removal is being undertaken.

Liquid Fuels Regulation 217/01

Outlines the requirements for installation, protection, containment and abandonment of above-ground storage tanks (ASTs) and USTs. Also outlines the requirement for cleanup of any soil surrounding the tank which may be contaminated.

Occupational Health and Safety Act, 1990

Regulation respecting Asbestos, Ontario Regulation 837/90, (as amended by Ontario Regulation 509/92); and Regulation respecting Asbestos on Construction Projects and in Buildings and Repair Operations, Ontario Regulation 838/90, (as amended by Ontario Regulation 510/92)

Regulation 837/90 (formerly 570/82) is primarily concerned with the mining of asbestos and its use in industrial processes. However, if an asbestos management program was developed under this regulation prior to the filing of Regulation 838 (formerly 654) (December 16, 1985), this regulation still applies to building owners.

Regulation 838/90 was developed to address friable asbestos-containing material. A friable material is one that can be crumbled, pulverized, or powdered by hand pressure when dry. It has the potential for asbestos to become airborne. Materials of concern include insulation used on pipe, boilers, or sprayed on roofs. These applications have been banned by the regulations. Automotive and elevator system brake pads are examples of other asbestos materials that may become friable.

Regulation 838/90 requires that a management program be established in buildings where friable asbestos is known to be present. This program includes training of workers who may disturb the materials containing asbestos. The program must also include a program of inspection and maintenance of the materials. This regulation is designed to prevent worker exposure to airborne asbestos fibres.
Although asbestos is not considered a hazardous waste, Regulation 347, made under the Ontario Environmental Protection Act, does define specific requirements for the disposal of materials containing friable asbestos at landfills. These requirements include notification of the landfill site, labelling and containment of the material.

**Designated Substances**

Section 30.(1) of the Occupational Health and Safety Act states that before beginning a project, the owner shall determine whether any designated substances are present at the project site and shall prepare a list of all designated substances that are present at the site. The following regulations pertain to the various designated substances in the Act:

- Asbestos – R.R.O. 1990, Reg. 837 amended to O.Reg. 279/05
- Asbestos on Construction Projects and in Buildings and Repair Operations – O.Reg 278/05
- Ethylene Oxide – R.R.O. 1990, Reg. 841 amended to O.Reg. 107/04
- Silica – R.R.O. 1990, Reg. 845 amended to O.Reg. 606/05

Although PCB is not a designated substance, the building is required to be surveyed for its identification as required under O.R. 362.

**Ontario Environmental Protection Act, 1990**

**Key Regulations**

Ontario Regulation 101/94 - Recycling and composting of municipal waste
Ontario Regulation 102/94 - Waste Audits and Waste Reduction Work Plans
Ontario Regulation 103/94 - Industrial, Commercial and Institutional Source Separation Programs
Ontario Regulation 104/94 - Packaging Audits and Packaging Reduction Work Plans
Ontario Regulation 105/94 - Amendments to Ontario Reg. 347 to accommodate recyclable materials

Air Pollution - General, RSO 1990, Regulation 346

Controls the certification of air discharges to the Environment. Further outlines contaminants and quantities which may be discharged through air emissions. Requires all air emissions to have a Certificate of Approval (C of A) with few exceptions. The C of A must be gained prior to installation of the air discharge vent or aperture.

General Waste Management, RSO 1990, Regulation 347

Formerly known as Regulation 309, RSO 1980, this regulation outlines the registration and disposal requirements for generators of hazardous and liquid industrial waste. The regulation requires that all waste identified in any of the associated schedules be given a generator number which applies to the site, and may not be transferred.

PCB Waste Management - RSO 1990, Regulation 362

Formerly known as Ontario Regulation 11/82, details the management of PCB waste. Also defines what is considered PCB waste and the requirements for storage.

Ozone Depleting Substances - General, Regulation 356/90, (as amended by Ontario Regulation 851/93; and Ontario Regulation 189/94, Refrigerants).

Regulation 356/90 is concerned with the use of ozone depleting substances in the making of pressurized containers, flexible foams and rigid insulation foams. It restricts the amounts of ozone depleting substances used to make these products over a period of time.

Ontario Regulation 189/94 is concerned with the discharge of a refrigerant into the natural environment, the use and disposal of refrigeration equipment, the sale of refrigerant, the use and disposal of refrigerant containers and the certification in use of refrigerants and refrigeration equipment.

Spills, Regulation 360/90-Part X RSO 1990. This regulation defines a spill, outlines compensation procedures, and give exemption to the regulation. The spill may be broadly termed an event or release which may cause, or is likely to cause, adverse effects on human health or the natural environment.

Ontario Water Resources Act

The Act governs surface water bodies and ground water. The MOE Reasonable Use Policy 15-08 and Notice 3/87 incorporate this Act and are used to determine suitable levels for discharges to specific receiving bodies.
Ontario Regulation 903 well Abandonment to protect groundwater quality.

Municipal Statutes

Ontario Ministry of Environmental Model and Municipal Sewer Use By-Laws

Each Municipality has its own version of both sanitary and storm sewer use regulations. However, under the Municipal Industrial Strategy for Abatement (MISA), a Model Sewer Use By-Law has been developed. The vast majority of municipalities have adopted the values and parameters outlined by the MISA Model. In general, the MISA Model is an important comparison as a Municipality will generally be working towards this as a discharge goal.

The City of Toronto has approved a new By-law for discharge to storm and sanitary sewers that includes a significant test of parameters. Testing requirements are based on the current and historical knowledge at the site.

FEDERAL STATUTES

Canadian Environmental Protection Act:

In general, a more broadly based guideline which outlines objectives of environmental protection. CEPA is much more goal oriented than Provincial or Municipal regulations, which are more directed at quantitative discharge limits. Although Provincial and Municipal regulations are generally more comprehensive and stricter, CEPA must be complied within all cases.


Extract from Canada Gazette, Part II, Department of the Environment. This regulation outlines prohibition, quantities which may be released, and defined PCB as a waste.

Storage of PCB Material Regulation (SOR/92-507)

This regulation defines PCBs, outlines access to site, storage requirements, maintenance and inspection and record keeping requirements. This regulation is outlined in Ontario by Provincial PCB regulation (O.R. 362) with comparable enforceable requirements and effect.

Atomic Energy Control Act

Exposure to radioactive materials is regulated by the Atomic Energy Control Board. Exposure to radon is regulated by Health and Welfare Canada.
Other Guidelines

Canada Mortgage and Housing Corporation (CMHC) Mortgage Insurance

Policy for managing environmental risks, June 1993, from Canada Mortgage and Housing Corporation (CMHC).

CMHC identifies requirements for environmental site assessments to be conducted for all mortgage insurance applications or potential claims involving more than six housing units.

Canadian Standards Association (CSA)

CSA Standard Z-768 Phase I Environmental Site Assessment.

The Canadian Standards Association prepared a comprehensive document (Z-768) to provide standard reporting formats for documenting information necessary to assess environmental liability on a property.

Canadian Council for Ministries of the Environment (CCME)

Criteria used by CMHC to define soil and groundwater contamination, where provinces or territories do not have such criteria defined for residential/parkland use.