

ENVIRONMENTAL DOSSIER

21 Windermere Avenue (Swansea Mews), Toronto

Prepared for Ministerial Review: Ministry of the Environment, Conservation and Parks
SwanseaMatters.com / Swansea Neighbourhood Group | Ward 4, Parkdale-High Park | April 2026

This dossier is addressed to the Ministry of the Environment, Conservation and Parks because five unresolved environmental obligations on this site fall directly within MECP's statutory jurisdiction. All evidence in this document is drawn from reports commissioned by Toronto Community Housing Corporation and prepared by Sirati and Partners Consultants Ltd., Project SP25-01471-00. These are not community findings. They are the applicant's own submitted evidence. The City of Toronto adopted the zoning application on March 25, 2026. None of the deficiencies documented below was resolved before adoption. None was disclosed to the Planning and Housing Committee at the February 26, 2026 hearing.

Summary of Unresolved Environmental Obligations at Adoption

Obligation	Status at Adoption, March 25, 2026	MECP Jurisdiction
Record of Site Condition, O. Reg. 153/04	Not filed. No RSC process initiated. Building permit cannot legally issue.	Direct
Methane Hazard Clearance, MECP Guideline D-4-1	Above 10% LEL threshold. Only 2 monitoring events. No Risk Management Plan.	Direct
Groundwater Treatment Plan, Hydrogeological Report	Cannot discharge to sewers without treatment. No plan designed or costed.	TRCA/MECP
Natural Heritage Impact Study, Official Plan 3.4.14	Formally deferred to Site Plan stage. PSW and ESA unassessed.	PPS 2024/MECP
SwanseaPark Alternative: Risk Management Assessment	Never assessed. No government review of contamination-addressing design.	MECP

1. Lead and Heavy Metal Contamination: The Applicant's Own Evidence

The AGAT Laboratories analysis, Work Order 25T353541, conducted for SIRATI Project SP25-01471-00, confirmed the following soil contamination at multiple borehole locations across the site. All concentrations are compared against MECP Ontario Regulation 153/04 Table 2, Residential, Parkland and Institutional Standards.

Contaminant / Location	Measured	Table 2 Standard	Multiple	Classification
Lead, BH/MW-20, SS5 (primary)	1,650 ug/g	120 ug/g	13.75x	CRITICAL

Contaminant / Location	Measured	Table 2 Standard	Multiple	Classification
Lead, BH/MW-20, DUP-1 (duplicate, same location)	3,650 ug/g	120 ug/g	30.4x	CRITICAL
Lead, BH/MW-08, SS3	1,090 ug/g	120 ug/g	9.1x	CRITICAL
Lead, BH/MW-01, SS8	420 ug/g	120 ug/g	3.5x	HIGH
Lead, BH-16, SS2	248 ug/g	120 ug/g	2.1x	HIGH
Mercury, BH/MW-20, SS5	1.64 ug/g	0.27 ug/g	6.1x	CRITICAL
Cadmium, BH-10, SS6	27.1 ug/g	1.2 ug/g	22.6x	CRITICAL
Arsenic, BH-10, SS6	55 ug/g	18 ug/g	3.1x	HIGH
Copper, BH-10, SS6	468 ug/g	92 ug/g	5.1x	HIGH
Benzo(a)pyrene, BH-16, SS2 (soil)	1.04 ug/g	0.30 ug/g	3.5x	HIGH
Fluoranthene, BH-10, SS6 (soil)	14.3 ug/g	0.69 ug/g	20.7x	HIGH
Benzo(a)pyrene, BH/MW-15 (groundwater)	0.11 ug/L	0.01 ug/L	11x	CRITICAL
Total Suspended Solids, BH/MW-18 (groundwater)	11,400 mg/L	15 mg/L (storm limit)	760x	CRITICAL

Lead poisoning in children is permanent and irreversible. There is no safe threshold. SIRATI's own conclusion in the Phase Two ESA, dated November 26, 2025, states: "Further investigation will be required to delineate the extent of the soil impacts." That further investigation has not been conducted. The applicant's consultants confirmed contamination at the majority of borehole locations tested. The full spatial extent of the contamination has not been established.

2. Record of Site Condition: The Statutory Gate That Has Not Been Cleared

Ontario Regulation 153/04 under the Environmental Protection Act requires that a Record of Site Condition be filed and acknowledged by MECP before land use changes to a more sensitive category on a site with identified contamination. Residential use is among the most sensitive categories under the regulation. The RSC requires completion of all Phase assessments and, where contamination is confirmed, either a Phase Three risk assessment or full remediation to Table 2 standards.

At 21 Windermere Avenue, the following is confirmed in the applicant's own documents:

- Lead was confirmed at up to 30 times the residential standard at multiple borehole locations.
- SIRATI explicitly states that further investigation is required to delineate the extent of contamination.

- No remediation plan has been prepared.
- No Phase Three risk assessment has been initiated.
- No Record of Site Condition has been filed.
- No RSC has been acknowledged by MECP.

The City of Toronto adopted the zoning application on March 25, 2026. The City Planner's position that prior residential occupancy exempts the site from the RSC requirement is not supported by the regulation where contamination has been confirmed through site investigation. A building permit for residential construction cannot legally issue until the RSC process is complete. The RSC gate sits with MECP. It has not been cleared.

3. Methane Hazard: Above the Screening Threshold, Two Events Only

The SIRATI Methane Gas Study, dated January 5, 2026, is the second methane study prepared for this application. The first study failed the City of Toronto's own Terms of Reference for a Methane Gas Study and was rejected by Solid Waste Management Services. The second study was conducted following two monitoring events on October 30, 2025 and December 17, 2025.

Monitoring Well	Oct 30, 2025 (ppm)	Oct 30 % LEL	Dec 17, 2025 (ppm)	Dec 17 % LEL	Status
BH/MW-20	5,500	11%	610	1.2%	ABOVE THRESHOLD
BH/MW-13	280	0.56%	0 (dry)	0%	Detected
BH/MW-09	220	0.44%	110	0.22%	Detected
BH/MW-18	20	0.04%	175	0.35%	Detected
BH/MW-08	0	0%	155	0.31%	Detected
BH/MW-07	15	0.03%	75	0.15%	Detected
BH/MW-04	0	0%	55	0.11%	Detected
BH/MW-01	5	0.01%	0	0%	Trace

MECP Guideline D-4-1 establishes 10 percent of the Lower Explosive Limit as the non-hazardous screening threshold. Monitoring well BH/MW-20 recorded 5,500 ppm on October 30, 2025, equivalent to 11 percent LEL. That reading exceeds the threshold. The study's own conclusion states: "a methane hazard cannot be screened out." Only two monitoring events have been conducted. SIRATI's own report explicitly calls for additional monitoring rounds. That monitoring has not been done. No formal Methane Risk Management Plan has been accepted by MECP. MECP acceptance of such a plan is required before Site Plan Approval can proceed on a site where the hazard cannot be screened out.

4. Groundwater Contamination and TRCA Jurisdiction

The SIRATI Hydrogeological Investigation Report, dated January 5, 2026, states explicitly: "The excess water generated from the Site cannot be discharged into the local sewer systems directly without appropriate treatment." No water treatment plan has been designed, engineered, or costed for the approved proposal. The dewatering of a 35-storey and 20-storey tower foundation on a site with confirmed lead contamination will generate large volumes of contaminated water requiring treatment before discharge. That treatment system has not been addressed in any document submitted to Council.

The Toronto and Region Conservation Authority holds regulatory jurisdiction over the Humber River sub-watershed, which includes Grenadier Pond and Catfish Pond immediately adjacent to this site. At the time of adoption on March 25, 2026, the TRCA had not commented on the groundwater strategy. This was confirmed in sworn deputation by architect David Peterson at the February 26, 2026 Planning and Housing Committee hearing. The regulatory agency with jurisdiction over the watershed adjacent to this site had not signed off on the proposed groundwater management at the time Council acted.

A sinkhole appeared on Windermere Avenue in January 2026, before construction began and before any dewatering activity. The geotechnical investigation confirmed peat deposits to a depth of 10.7 metres, Seismic Site Class D, and the ruling out of shallow foundations. No Finite Element Analysis was conducted. No Excess Soil Management Program has been prepared under O. Reg. 406/19.

5. Natural Heritage Impact Study: Deferred After the Planning Instruments Are in Law

City of Toronto Official Plan policies 3.4.14 and 3.4.15, and the Provincial Policy Statement 2024, require that a Natural Heritage Impact Study be completed for development proposed adjacent to the natural heritage system, including a Provincially Significant Wetland and an Environmentally Significant Area, before planning approvals are granted. The High Park Environmentally Significant Area and the Grenadier Pond Provincially Significant Wetland are immediately adjacent to this site.

The NHIS was formally requested by City Environmental Planning as part of its review of the application. The applicant formally deferred the study to the Site Plan Application stage. Council adopted the zoning by-law amendment and Official Plan Amendment on March 25, 2026. The planning instruments that fix the tower heights, massing, and building footprints are now in law. The study that would determine whether those heights and footprints are ecologically acceptable has not been commissioned. It cannot now influence the built form. Deferral to Site Plan stage is not a resolution. It is a sequencing failure that forecloses the study's ability to perform its intended function.

Parks Planning identified net new shadows cast on the east bank of Grenadier Pond at 3:18 p.m. on December 21, contrary to Official Plan policy 3.2.3.3. The applicant's response, recorded in the Bousfields Inc. Comment/Response Matrix, was that skating on Grenadier Pond is not permitted. No ecological assessment was produced. A shadow impact on a Provincially Significant Wetland was dismissed with a statement about skating permissions. That is not an ecological response and is not an acceptable resolution of an Official Plan policy requirement.

6. The SwanseaPark Alternative: An Unassessed Environmental Approach

A credible alternative proposal exists for this site. SwanseaPark, developed by David Peterson, a licensed Toronto architect and urban designer who deputed at the February 26, 2026 Planning and Housing Committee hearing, and available at swanseapark.ca, proposes 409 units in mid-rise mass timber construction with a landscaped ground treatment design. It delivers all 154 mandatory RGI replacement units. It was never shown to the displaced community. It has never been assessed by any level of government.

The community is not in a position to speak to the technical merits of how SwanseaPark addresses the site's contamination profile. That is properly a matter for the proponent and for MECP to evaluate. What the community can state is that the proposal's built form, with shallower foundations and a landscaped ground treatment conceived with knowledge of this site, appears to work within the contamination profile rather than through it. Whether that approach constitutes a viable risk management strategy under O. Reg. 153/04, and whether it offers an environmentally sounder path than the one currently approved, are questions that a formal MECP assessment would answer.

The approved proposal will excavate deeply into lead-contaminated ground, generating large volumes of regulated hazardous waste for off-site disposal, requiring contaminated water treatment systems, and requiring methane mitigation infrastructure to be designed into a 35-storey concrete tower. The costs and regulatory obligations associated with those activities have never been independently calculated. The SwanseaPark alternative may reduce or eliminate some of those obligations through its design approach. That possibility has never been assessed. It should be, before Site Plan Approval is granted for the alternative.

7. What Ministerial Direction Would Resolve

The following five actions are within MECP's existing statutory authority. No new legislation is required for any of them.

- Direct that a Record of Site Condition under O. Reg. 153/04 be filed and acknowledged by MECP before Site Plan Approval is granted at 21 Windermere Avenue. This is the statutory gate the regulation already provides. Applying it here is enforcement of existing law.

- Direct the Toronto and Region Conservation Authority to formally assert its regulatory jurisdiction over the groundwater management strategy for this site, and to require that the Natural Heritage Impact Study be completed by a qualified ecologist before any further approvals are granted.
- Confirm that the methane monitoring program meets MECP Guideline D-4-1 requirements, and that a formal Methane Risk Management Plan has been accepted by MECP before Site Plan Approval proceeds.
- Require that an Excess Soil Management Program under O. Reg. 406/19 be prepared and accepted before any demolition or excavation proceeds, given the confirmed lead, mercury, cadmium, and PAH contamination in the fill material.
- Direct that the SwanseaPark alternative proposal be formally assessed against the contamination profile of this site before Site Plan Approval is granted, specifically whether its built form and landscaped ground treatment constitute a viable risk management approach under O. Reg. 153/04 that has not previously been considered.

All source documents are available upon request. Primary sources: SIRATI and Partners Consultants Ltd., Project SP25-01471-00, Phase Two Environmental Site Assessment (November 26, 2025), Methane Gas Study (January 5, 2026), Hydrogeological Investigation Report (January 5, 2026), and Geotechnical Investigation Report (January 5, 2026). Laboratory analysis: AGAT Laboratories, Work Order 25T353541. Secondary sources: Bousfields Inc. Comment/Response Matrix, January 9, 2026; Decision Report PH28.2, February 10, 2026; sworn deputations, Planning and Housing Committee, February 26, 2026.