

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 8997-CJQQHY
Issue Date: October 13, 2022

OPTrust Amaranth 6 Inc.
40 King St W, No. 5702
Toronto, Ontario
M5H 3Y2

Site Location: Blackwood Amaranth
Lot 2, Concession 2
(north of County Road 109 and west of 2nd Line)
Township of Amaranth, County of Dufferin, Ontario L9W
0S3

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:

the establishment of off-site stormwater conveyance and disposal Works to service a private industrial site development (approximately 93 hectares) at the above site location, for the transmission and disposal of treated and controlled stormwater flows from the proposed on-site stormwater management facility (wet pond approved separately), for all storm events up to and including the 100-year storm event, consisting of the following:

- 51.1 metre long 1,500 millimetre diameter concrete storm sewer running westerly from the quality/quantity control structure located at the southwest corner of the wet pond to Maintenance Hole (MH) 5;
- 150 metre long 1,500 millimetre diameter concrete storm sewer running westerly from MH 5 to MH 6 within the easement of the former rail corridor owned by Dufferin County (OBRAG Rail);
- 150 metre long 1,650 millimetre diameter concrete storm sewer running westerly from MH 6 to MH 7 within the easement of the OBRAG Rail;
- 150 metre long 1,650 millimetre diameter concrete storm sewer running westerly from MH 7 to MH 8 within the easement of the OBRAG Rail;
- 150 metre long 1,650 millimetre diameter concrete storm sewer running westerly from MH 8 to MH 9 within the easement of the OBRAG Rail;

- 150 metre long 1,650 millimetre diameter concrete storm sewer running southerly from MH 9 to MH 10 within the easement of County Road 11 (3rd Line);
- 24.7 metre long 1,650 millimetre diameter concrete storm sewer running across County Road 11 (3rd Line) towards the outfall structure as described below;
- A headwall and a 4.0 metre wide rip-rap spillway with filter cloth, located on the west side of County Road 11 (3rd Line), discharging to the existing Edelbrock Municipal Drain;

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 application and supporting documents listed in **Schedule A** forming part of this Approval.

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

1. "Approval" means this entire document and any schedules attached to it, and the application;
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. "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;
6. "Owner" means OPTrust Amaranth 6 Inc. and its successors and assignees;
7. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
8. "Works" means the approved sewage works described in this Approval.

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 CONDITIONS

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.
2. In the event that completion and commissioning of any portion of the Works is anticipated to be delayed beyond the specified expiry period, the Owner shall submit an application of extension to the expiry period, at least **twelve (12) months** prior to the end of the period. The application for extension shall include the reason(s) for the delay, whether there is any design change(s) and a review of whether the standards applicable at the time of Approval of the Works are still applicable at the time of request for extension, to ensure the ongoing protection of the environment.

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

District Manager.

2. In the event of any change in ownership of the Works, other than a change to a successor municipality, the Owner shall notify in writing the succeeding owner 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. OPERATION AND MAINTENANCE

1. Any proposed storm sewers or other stormwater conveyance in this Approval can be constructed but not operated until the proposed stormwater management facilities in this Approval or any other Approval that are designed to service the storm sewers or other stormwater conveyance are in operation.

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

1. Condition 1 is imposed to ensure that the Works are constructed and operated in the manner in which they were described 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 the approved Works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is included to prevent the operation of stormwater pipes and other conveyance until such time that their required associated stormwater management Works are also constructed.

Schedule A

1. Application for Environmental Compliance Approval, dated March 23, 2022 and received on April 7, 2022, submitted by A.M. Candaras Associates Inc. on behalf of OPTrust Amaranth 6 Inc., including the Functional Servicing and Stormwater Management Report, final plan and specifications.

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 13th day of October, 2022

A handwritten signature in black ink that reads "A. Ahmed". The signature is written in a cursive style and is underlined with a single horizontal line.

Aziz Ahmed, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

SW/
c: District Manager, MECP Guelph District Office
Massimo Soscia, P.Eng., A.M. Candaras Associates Inc.