Ontario

Ministry of the Environment, Conservation and Parks

Ministère de l'Environnement, de la Protection de la nature et des Parcs

Certificate of Property Use

Issued under the authority of the Environmental Protection Act, R.S.O. 1990, c. E.19, sections 168.6 (CPU) and 197 (Order)

Certificate of Property use number 0741-DE7L3N
Risk Assessment number 5322-C73PR4

Owner: City of Toronto
55 John Street
Toronto, Ontario
M5V 3C6

Site: **Part of Cherry Street Roadway and Parts of 51, 63 and 75 Commissioners Street, Toronto ON (River Park South)**

with a legal description as set out in Schedule '1' of the CPU

The conditions of this Certificate of Property Use (CPU) address the Risk Management Measures in the Risk Assessment noted above and described in detail in Part 1 below (Risk Assessment). In the event of a conflict between the CPU and the Risk Assessment, the conditions of the CPU take precedence.

Summary:

Refer to Part 1 of the CPU, Interpretation, for the meaning of all the defined capitalized terms that apply to the CPU.

i) CPU requirements addressed in Part 4 of the CPU, Director Requirements, are summarized as follows:

a.	Installing/maintaining any equipment	Yes
b.	Monitoring any contaminant	Yes
c.	Refraining from constructing any building specified	Yes
d.	Refraining from using the Property for any use specified	Yes
e.	Other: Maintaining a barrier to site soils and preparing and implementing a soil management plan and health and safety plan for the Property.	Yes

ii) Duration of Risk Management Measures identified in Part 4 of the CPU is summarized as follows:

a. The barrier to site soils over the entirety of the Property shall be maintained indefinitely until the Director alters or revokes the CPU.

b. The soil and groundwater management plan and the health and safety plan shall be required for the Property during any activities potentially in contact with or exposing site soils for as long as the Contaminants of Concern are present on the Property.

c. All other Risk Management Measures shall continue indefinitely until the Director alters or revokes the CPU.

Part 1: Interpretation

In the CPU the following terms shall have the meanings described below:

"Adverse Effect" has the same meaning as in the Act; namely,

a. impairment of the quality of the natural environment for any use that can be made of it;
b. injury or damage to property or to plant or animal life;
c. harm or material discomfort to any person;
d. an adverse effect on the health of any person;
e. impairment of the safety of any person;
f. rendering any property or plant or animal life unfit for human use;
g. loss of enjoyment of normal use of property; and,
h. interference with the normal conduct of business.

"Act" means the *Environmental Protection Act*, R.S.O. 1990, c. E. 19.

"Building" means an enclosed structure occupying an area greater than ten square metres consisting of a wall or walls, roof and floor.

"Building Area" means the horizontal area of a Building at Grade within the outside surface of the exterior wall or walls.

"Building Code" means Ontario Regulation 332/12 (Building Code) made under the *Building Code Act, 1992*, S.O. 1992, c.23.

"CBRA" means a community based risk assessment as described in report entitled "Community Based Risk Assessment, Port Lands, Ontario" prepared by CH2M Hill Canada Hill Limited dated December 2020.

"CBRA Project Area" means that portion of the Port Lands bounded by Saulter Street to the east, Shipping Channel to the south, Lake Ontario to the west and Keating Channel to the north with additional lands in part at 324 Cherry Street and 429, 480 and 520 Lakeshore Boulevard East, and shown in Figure 1-2 of the CPU.

“Contaminant” has the same meaning as in the Act; namely any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them, resulting directly or indirectly from human activities that causes or may cause an Adverse Effect.

“Contaminants of Concern” has the meaning as set out in section 3.2 of the CPU.

“Controlled Fill Target Concentrations” or “CFTC” means concentrations of soil established for soils imported from within CBRA Project Area as set out in Risk Assessment and in Schedule ‘A’ of the CPU.

“CPU” means this Certificate of Property Use as may be altered from time to time and bearing the document number 0741-DE7L3N.

"Director" means the undersigned Director, or any other person appointed as a Director for the purpose of issuing a certificate of property use.

“EBR” means the *Environmental Bill of Rights, 1993*, S.O. 1993, c. 28.

“Grade” has the same meaning as in the Building Code.

“Licenced Professional Engineer” means a person who holds a licence, limited licence or temporary licence under the Professional Engineers Act, R.S.O. 1990, c. P.28.

“Ministry” means the ministry of the government of Ontario responsible for the administration of the Act, currently named the Ministry of the Environment, Conservation and Parks.

“NAP”’ means non-aqueous phase liquids that may be found on Property.

“O. Reg. 153/04” means Ontario Regulation 153/04, “Record of Site Condition – Part XV.1 of the Act” made under the Act.

“O. Reg. 347/90 means Ontario R.R.O. 1990, Regulation 347 General - Waste Management” made under the Act.

“Owner” means the owner(s) of the Property, beginning with the person(s) to whom the CPU is issued, described in the “Owner” section on Page 1 above, and any subsequent owner(s) of the Property.

"OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c.O.40.

“Property” means the property that is the subject of the CPU and described in the “Site” section on page 1 above.

“Property Specific Standards” or “PSS” means the property specific standards established for the Contaminants of Concern set out in the Risk Assessment and in section 3.2 of the CPU and are the same standards specified in the Risk Assessment.

"Provincial Officer" means a person who is designated as a provincial officer for the purposes of the Act.

“Qualified Person” or “QP” means a person who meets the qualifications prescribed in subsection 5 (2) of O. Reg. 153/04, namely a person who:

a. Holds a license, limited licence or temporary licence under the *Professional Engineer Act*, or
b. Holds a certificate of registration under the *Professional Geoscientists Act*, 2000, and is a practicing member, temporary member, or limited member of the Association of Professional Geoscientists of Ontario.

"Risk Assessment" means the Risk Assessment number 5322-C73PR4 accepted by the Director on February 14, 2025 and set out in the following documents:

- Report entitled “Part of Cherry Street Roadway, and Parts of 51, 63, and 75 Commissioners Street, Toronto, Ontario, Risk Assessment for River Park South, Port Lands Flood Protection and Enabling Infrastructure Project, Revision no: 1”, prepared by Jacobs Consultancy Canada Inc., dated December 23, 2022;
- Report entitled “Part of Cherry Street Roadway, and Parts of 51, 63, and 75 Commissioners Street, Toronto, Ontario, Risk Assessment for River Park South, Port Lands Flood Protection and Enabling Infrastructure Project, Revision no: 3”, prepared by Jacobs Consultancy Canada Inc., dated June 7, 2023; and
- Report entitled “Part of Cherry Street Roadway, and Parts of 51, 63, and 75 Commissioners Street, Toronto, Ontario, Risk Assessment for River Park South, Port Lands Flood Protection and Enabling Infrastructure Project, Revision no: 4”, prepared by Jacobs Consultancy Canada Inc., dated November 25, 2024.

"Risk Management Measures" means the risk management measures specific to the Property described in the Risk Assessment and/or Part 4 of the CPU.

“Sub Slab Vapour Venting Layer” means an engineered venting layer and associated Venting Components above the sub-slab materials for building construction and below a Vapour Barrier, as designed by a Licenced Professional Engineer which operates in a passive manner but can be converted into an active system if necessary, providing pressure relief, collection and venting of vapours away from a building.

“Tribunal” has the same meaning as in the Act, namely the Ontario Land Tribunal.

“Unimpacted Fill” means soil that meets the residential/parkland/institutional/industrial/commercial/community property use standards within **Table 9** of the ***Soil, Ground water and Sediment Standards for Use under Part XV.1 of the Act*** for coarse textured soils published by the Ministry, dated April 15, 2011 and the PSS for those parameters that have no property

use standards within Table 9, loose granular material/fill or crushed stone from an Ontario Ministry of Natural Resources and Forestry-licensed quarry or gravel pit and/or crushed concrete that has been deemed suitable by a Qualified Person.

“Vapour Barrier” means a geo-synthetic barrier (including but not limited to geomembrane or spray applied equivalent) meeting the appropriate gas permeability and chemical resistance specifications to be considered impermeable and resistant to the Contaminants of Concern as per Risk Assessment and is considered appropriate by the Licenced Professional Engineer and Qualified Person for its application.

“Venting Components” means a network of perforated piping/plenums or venting composites embedded in granular materials of sufficient permeability or other venting products with continuous formed void space that convey vapours and direct these vapours into vent risers that terminate above the roof elevation with option of wind-driven turbines to support passive venting, or active venting if required.

Part 2: Legal Authority

2.1 Section 19 of the Act states that a certificate of property use is binding on the executor, administrator, administrator with the will annexed, guardian of property or attorney for property of the person to whom it was directed, and on any other successor or assignee of the person to whom it was directed.

2.2 Subsection 132(1.1) of the Act states that the Director may include in a certificate of property use a requirement that the person to whom the certificate is issued provide financial assurance to the Crown in right of Ontario for any one or more of,

a. the performance of any action specified in the certificate of property use;
b. the provision of alternate water supplies to replace those that the Director has reasonable and probable grounds to believe are or are likely to be contaminated or otherwise interfered with by a contaminant on, in or under the property to which the certificate of property use relates; and
c. measures appropriate to prevent adverse effects in respect of the property to which the certificate of property use relates.

2.3 Section 168.6 (1) of the Act states that if a risk assessment related to the property has been accepted under clause 168.5 (1) (a), the Director may issue a certificate of property use to the owner of the property, requiring the owner to do any of the following things:

1. Take any action that is specified in the certificate and that, in the Director’s opinion, is necessary to prevent, eliminate or ameliorate any adverse effect that has been identified in the risk assessment, including installing any equipment, monitoring any contaminant or recording or reporting information for that purpose.
2. Refrain from using the property for any use specified in the certificate or from constructing any building specified in the certificate on the property.

2.4 Subsection 168.6(2) of the Act states that a certificate of property use shall not require

an owner of property to take any action that would have the effect of reducing the concentration of a contaminant on, in or under the property to a level below the level that is required to meet the standards specified for the contaminant in the risk assessment.

2.5 Subsection 168.6(3) of the Act states that the Director may, on his or her own initiative or on application by the owner of the property in respect of which a certificate has been issued under subsection 168.6(1),

a. alter any terms and conditions in the certificate or impose new terms and conditions; or
b. revoke the certificate.

2.6 Subsection 168.6(4) of the Act states that if a certificate of property use contains a provision requiring the owner of property to refrain from using the property for a specified use or from constructing a specified building on the property,

a. the owner of the property shall ensure that a copy of the provision is given to every occupant of the property;
b. the provision applies, with necessary modifications, to every occupant of the property who receives a copy of the provision; and
c. the owner of the property shall ensure that every occupant of the property complies with the provision.

2.7 Subsection 197(1) of the Act states that a person who has authority under the Act to make an order or decision affecting real property also has authority to make an order requiring any person with an interest in the property, before dealing with the property in any way, to give a copy of the order or decision affecting the property to every person who will acquire an interest in the property as a result of the dealing.

2.8 Subsection 197(2) of the Act states that a certificate setting out a requirement imposed under subsection 197(1) may be registered in the proper land registry office on the title of the real property to which the requirement relates, if the certificate is in a form approved by the Minister, is signed or authorized by a person who has authority to make orders imposing requirements under subsection 197(1) and is accompanied by a registrable description of the property.

2.9 Subsection 197(3) of the Act states that a requirement, imposed under subsection 197(1) that is set out in a certificate registered under subsection 197(2) is, from the time of registration, deemed to be directed to each person who subsequently acquires an interest in the real property.

2.10 Subsection 197(4) of the Act states that a dealing with real property by a person who is subject to a requirement imposed under subsection 197(1) or 197(3) is voidable at the instance of a person who was not given the copy of the order or decision in accordance with the requirement.

Part 3: Background

3.1 The Risk Assessment was undertaken for the Property on behalf of the Owner to assess the human health risks and ecological risks associated with the presence or discharge of Contaminants on, in or under the Property and to identify appropriate Risk Management Measures to be implemented to ensure that the Property is suitable for the intended use: "parkland use", as defined in O. Reg. 153/04***.***

3.2 The Contaminants on, in or under the Property that are present above the residential/parkland/institutional/industrial/commercial/community property use standards within **Table 9 (**and **Table 7** for volatiles in groundwater**)** of the ***Soil, Ground water and Sediment Standards for Use under Part XV.1 of the Act*** for coarse textured soils published by the Ministry and dated April 15, 2011 and for which there are no such standards are defined as the Contaminants of Concern. The Property Specific Standards and CFTC for the Contaminants of Concern are set out in Schedule 'A'; the soil vapour and indoor air target levels are set out in Schedule 'B' and Schedule 'C'; the sub slab monitoring and indoor air sampling requirements are set out in Schedules 'D' and 'E' as attached to and forming part of the CPU with the following figures:

- Plan of Survey with the Property outlined in black; and
- Figures I-1 to I-9, I-12, I-13 and 1-2 and 7-2.

3.3 I am of the opinion, for the reasons set out in the Risk Assessment that the Risk Management Measures described therein and outlined in Part 4 of the CPU are necessary to prevent, eliminate or ameliorate an Adverse Effect on the Property.

Part 4: Director's Requirements

Pursuant to the authority vested in me under section 168.6(1) of the Act, I hereby require the owner to do or cause to be done the following:

4.1 Implement, and thereafter maintain or cause to be maintained, the Risk Management Measures.

4.2 Without restricting the generality of the foregoing in Item 4.1, carry out or cause to be carried out the following key elements of the Risk Management Measures:

a. Refrain from planting any plants or produce that are edible or intended for human consumption unless grown in self-contained above Grade planter boxes or beds having no contact with soils on Property.

b. The Property shall be covered by a barrier to site soils designed, installed and maintained in accordance with the Risk Assessment so as to prevent exposure to the Contaminants of Concern. The barrier to site soils shall consist of a hard cap, fill/soil cap and/or fence as specified below:

i. Hard caps on the Property shall have a minimum thickness of 1500 mm consisting of asphalt, concrete, armour stone, bedding granular, compacted

granular, cobbles, light weight cellular concrete, unshrinkable fill, grates, pavers, paving stones, rubberized surfaces underlain by Unimpacted Fill (as illustrated by figure I-1 of the CPU).

ii. Hard caps on the Property that cannot be fully excavated to 1500 mm due to geotechnical or structural restrictions as per Risk Assessment shall have a minimum thickness of 225 mm consisting of asphalt, concrete, armour stone, bedding granular, compacted granular, cobbles, light weight cellular granular, grates, pavers, paving stones, rubberized surfaces, and U-fill underlain by Unimpacted Fill and these locations shall be identified within site plan per Item 4.2 l. of the CPU and managed within the health and safety plan as per Item 4.2 e. of the CPU.

iii. Fill caps on the Property shall consist of a minimum thickness of 1500 mm consisting of Unimpacted Fill (as illustrated by figure I-2 of the CPU).

iv. Fill caps on the Property that cannot be fully excavated to 1500 mm due to geotechnical or structural restrictions as per Risk Assessment shall have a minimum thickness of 500 mm and these locations shall be identified and managed within the health and safety plan as per Item 4.2 e. of the CPU.

v. Utility trenches or corridors on the Property containing utility pipes within a fill cap must include at least a 500 mm fill cap below the utility consisting of Unimpacted Fill (as illustrated by figure I-4).

vi. Utility trenches or corridors on the Property containing utility pipes below a fill cap and with a utility pipe diameter less than 900 mm on the Property shall consist of Unimpacted Fill to the top of the utility pipe, a minimum thickness of 600 mm on either side of the utility pipe and a minimum thickness of 500 mm below the utility pipe (as illustrated by figure I-4 of the CPU).

vii. Utility trenches or corridors on the Property containing utility pipes below a fill cap and with a utility pipe diameter more than 900 mm on the Property shall consist of Unimpacted Fill to the top of the utility pipe, a minimum thickness of 1300 mm on either side of the utility pipe and a minimum thickness of 500 mm below the utility pipe (as illustrated in figure I-4 of the CPU).

viii. Utility corridors on the Property located at a depth that cannot be fully executed to the dimensions per Item 4.2 b. v. and 4.2 b. vi. shall be identified and managed within the health and safety plan as per Item 4.2 e. of the CPU.

ix. Utility corridors and trenches on the Property shall contain one or more of the following to mitigate contaminated transport along the utility trench: trench plugs, anti-seep collars, trench liner, watertight shoring, slurry or controlled low strength material (flowable fill) trench backfill and concrete structure or box culvert and materials should be selected for compatibility with COCs in the area as per Risk Assessment.

x. For portion(s) of the Property, not under development or not in use, these areas shall have an interim cap barrier that range in thickness from 50 mm underlain by 100 mm granular fill (hard cap) or 100 mm granular fill to 300 mm of Unimpacted Fill (fill cap) on a temporary basis as per Risk Assessment (as illustrated in figure I-3) and/or fence barrier to prevent the general public from accessing the site and a dust control plan to prevent surface soil from impacting the adjacent properties.

c. An inspection and maintenance program shall be prepared and implemented to ensure the continuing integrity of the barriers to site soils risk management measures (including any building foundations, interim barriers and fence barrier) as long as the Contaminants of Concern are present on the Property. The inspection

program shall include, at a minimum, every month for an interim granular barrier (100 mm depth) and semi-annual (every six months) inspections for all other barriers to site soils. Any barrier to site soils deficiencies shall be repaired forthwith. Inspection, deficiencies and repairs shall be recorded in a logbook maintained by the Owner and made available upon request by a Provincial Officer.

d. A soil and groundwater management plan shall be prepared for the Property and implemented during any activities potentially coming in contact with or exposing site soils or groundwater. A copy of the plan shall be kept by the Owner and made available for review by a Provincial Officer upon request. Implementation of the plan shall be overseen by a Qualified Person and shall include, but not be limited to, provisions for soils excavation, stockpiling, characterization, disposal and record keeping specified below:
    i. Dust control measures and prevention of soil tracking by vehicles and personnel from the Property, which may include wetting of soil with potable water, reduced speeds for on-site vehicles, tire washing stations and restricting working in high wind conditions, as required;
    ii. Management of excavated materials which may include cleaning equipment, placement of materials for stockpiling on designated areas lined and covered with polyethylene sheeting, bermed and fenced to prevent access, runoff control to minimize contact and provisions for discharge to sanitary sewers or other approved treatment, as required;
    iii. Characterization of excavated soils to determine if soils exceed the Property Specific Standards shall follow the soil sampling strategy in the Risk Assessment. Excavated soils and materials requiring off-site disposal as a waste shall be disposed of in accordance with the provisions of O. Reg. 347/90, as amended, made under the Act. Excavated soils meeting the Property Specific Standards may be placed below the barrier to site soils if deemed suitable by a Qualified Person and in accordance with the Risk Assessment. Excavated soils meeting Unimpacted Fill may be placed within the barrier to site soils if deemed suitable by a Qualified Person and in accordance with the Risk Assessment.
    iv. Soils brought to the Property from outside of CBRA Project Area (as identified on figure 1-2) shall follow the soil sampling strategy in the Risk Assessment and soils meeting the residential/parkland/institutional/industrial/commercial/ community property use standards within **Table 9** of the ***Soil, Ground water and Sediment Standards for Use under Part XV.1 of the Act*** for coarse textured soils published by the Ministry and dated April 15, 2011 or the PSS for those parameters that have no property use standards within Table 9 may be placed within the barrier to site soils if deemed suitable by a Qualified Person and in accordance with the Risk Assessment.
    v. Soils originating from within the CBRA Project Area (as identified on figure 1-2) brought to the Property shall follow the soil sampling strategy as outlined in Table 7-8a in the Risk Assessment and only soils meeting the CFTC in Schedule 'A' for placement below risk management measures if deemed suitable by a Qualified Person and in accordance with the Risk Assessment.
    vi. Soils placed within 30 m of surface water body shall include leach testing of soils to confirm it meets the leachate screening levels in Table 7-8b of the Risk Assessment and shall follow the modified synthetic precipitation leaching procedure as per Risk Assessment and also screened for NAPL and odours.
    vii. Groundwater containing visible sheen (residual NAPL) encountered during

excavation shall be removed and disposed in accordance with O.Reg.347.

viii. Record keeping including dates and duration of work, weather and site conditions, location and depth of excavation activities, dust and odour control measures, stockpile management and drainage, soil characterization results, names of the Qualified Person, contractors, haulers and receiving sites for any soil or contaminated ground water removed from the Property and any complaints received relating to site activities potentially coming in contact with or exposing site soils and ground water.

e. A site-specific health and safety plan shall be developed for the Property and implemented during all intrusive, below-grade construction activities potentially coming in contact with or exposing site soils or groundwater and a copy shall be maintained on the Property for the duration of these intrusive activities. The Owner shall ensure that the health and safety plan take into account the presence of the Contaminants of Concern, methane and NAPL and is implemented prior to any intrusive work being done on the Property in order to protect workers from exposure to the Contaminants of Concern, methane and NAPL. The health and safety plan shall be prepared in accordance with applicable Ministry of Labour health and safety regulations, shall addresses any potential risks identified in the Risk Assessment, and shall include, but not be limited to,

   i. Methane monitoring and management safe work procedures for subsurface workers in trenches which may include appropriate monitoring of the COCs and mechanical ventilation and keep reasonable free of groundwater;
   ii. occupational hygiene requirements
   iii. requirements for personal protective equipment for direct contact, soil vapours and methane, and
   iv. contingency plan requirements including site contact information.

   Prior to initiation of any project (as defined in the Occupational Health and Safety Act, as amended) on the Property, the local Ministry of Labour office shall be notified of the proposed activities and that the Property contains contaminated soil, groundwater and potentially methane. Implementation of the health and safety plan shall be overseen by persons appropriately qualified to review the provisions of the plan with respect to the proposed site work and conduct daily inspections. The Owner shall retain a copy of the plan, which shall be made available for review by a Provincial Officer upon request.

f. Refrain from constructing any Building on, in or under the Property unless the Building contains a vapour mitigation system and is slab on Grade as follows:

   i. All Building(s) on the Property include the sealing of foundation penetrations and sumps, a Vapour Barrier, Sub Slab Vapour Venting Layer and Venting Components and methane alarms as described in the Risk Assessment (and as illustrated in figures I-5, I-6, I-7, I-9 and I-12 of the CPU)
   ii. The Owner shall retain a copy of all Vapour Barrier, Sub Slab Vapour Venting Layer and Venting Component as-built drawings signed by a Licensed Professional Engineer along with the proposed testing and performance requirements for the Vapour Barrier, Sub Slab Vapour Venting Layer and Venting Component for inspection by a Provincial Officer.
   iii. An inspection and maintenance program shall be prepared and implemented to ensure the continuing integrity of the vapour mitigation system. A final

inspection for cracks, holes or penetrations in the below grade walls and floors shall be conducted before any finishes are applied to the walls and floors and prior to occupancy and shall be recorded in a logbook. Any holes, cracks or penetrations shall be repaired and sealed immediately and recorded in a logbook.

iv. With regard to the venting layer and Venting Components, inspections of the venting layer and Venting Components, where visually accessible, will be made for potential breaches. The inspection program shall include semi-annual (every six months) inspections as per the Risk Assessment and any deficiencies shall be repaired forthwith. The inspection results shall be recorded in a log book maintained by the Owner and available upon request by a Provincial Officer.

g. Refrain from constructing any Building on, in or under the Property other than a Building that meets the requirements of Item 4.2 f. of the CPU unless the Building contains a basement and may be in contact with groundwater and contains a vapour mitigation system as follows:
   i. All Building(s) on the Property include the sealing of foundation penetrations and sumps, a Vapour Barrier, with moisture and waterproofing, Sub Slab Vapour Venting Layer and Venting Components and methane alarms as described in the Risk Assessment (and as illustrated in figures I-5, I-6, I-8, 1-9 and 1-12 of the CPU).
   ii. The Owner shall retain a copy of all Vapour Barrier, Sub Slab Vapour Venting Layer and Venting Components as-built drawings signed by a Licensed Professional Engineer along with the proposed testing and performance requirements for the Vapour Barrier, Sub Slab Vapour Venting Layer and Venting Components for inspection by a Provincial Officer.
   iii. An inspection and maintenance program shall be prepared and implemented to ensure the continuing integrity of the Vapour Barrier. A final inspection for cracks, holes or penetrations in the below grade walls and floors shall be conducted before any finishes are applied to the walls and floors and prior to occupancy and shall be recorded in a logbook. Any holes, cracks or penetrations shall be repaired and sealed immediately and recorded in a logbook.
   iv. The inspection program shall include semi-annual (every six months) inspections as per the Risk Assessment and any deficiencies shall be repaired forthwith. The inspection results shall be recorded in a logbook maintained by the Owner and available upon request by a Provincial Officer.

h. Refrain from constructing any Building on, in or under the Property other than a Building that meets the requirements of Item 4.2 f. or 4.2 g. of the CPU unless the Building is intended for use as seasonal kiosk, pre-fabricated washroom, storage shed and is a slab on Grade as follows:
   i. All Building(s) on the Property include the sealing of foundation penetrations and sumps and a Vapour Barrier as described in the Risk Assessment.
   ii. The Owner shall retain a copy of all Vapour Barrier as-built drawings signed by a Licensed Professional Engineer along with the proposed testing and performance requirements for the Vapour Barrier for inspection by a Provincial Officer.
   iii. An inspection and maintenance program shall be prepared and implemented to ensure the continuing integrity of the Vapour Barrier. A final inspection for

cracks, holes or penetrations in the below grade walls and floors shall be conducted before any finishes are applied to the walls and floors and prior to occupancy and shall be recorded in a logbook. Any holes, cracks or penetrations shall be repaired and sealed immediately and recorded in a logbook.

iv. The inspection program shall include semi-annual (every six months) inspections as per the Risk Assessment and any deficiencies shall be repaired forthwith. The inspection results shall be recorded in a logbook maintained by the Owner and available upon request by a Provincial Officer.

i. Refrain from constructing any temporary Building on, in under the Property other than a temporary Building on the ground surface that contains a vapour mitigation system and is in use and standing less than 12 consecutive months as follows:
   i. All temporary Building(s) on the Property shall include a Vapour Barrier or hard cap surfaces that are sealed, and a passive venting system through an open space below the raised temporary flooring or through a well-ventilated tent space as described in the Risk Assessment (and as Illustrated in figure I-13 of the CPU).
   ii. The Owner shall retain a copy of all Vapour Barrier and open space as-built drawings signed by a Licensed Professional Engineer along with the proposed testing and performance requirements for the Vapour Barrier for inspection by a Provincial Officer.
   iii. An inspection and maintenance program shall be prepared and implemented to ensure the continuing integrity of the Vapour Barrier and open space or tent. A final inspection for cracks, holes or penetrations in the below grade walls and floors shall be conducted before any finishes are applied to the walls and floors and prior to occupancy and shall be recorded in a logbook. Any holes, cracks or penetrations shall be repaired and sealed immediately and recorded in a logbook.
   iv. The inspection program shall include semi-annual (every six months) inspections as per the Risk Assessment and any deficiencies shall be repaired forthwith. The inspection results shall be recorded in a logbook maintained by the Owner and available upon request by a Provincial Officer.

j. The air monitoring requirements on the Property is to commence prior to occupancy of any Building that meets the requirements of Items 4.2 f., 4.2 g., 4.2 h. and 4.2 i. of the CPU. All air monitoring programs shall be done in accordance with USEPA Method TO-15 for the Contaminants of Concerns listed in Schedule 'B' of the CPU and all indoor air monitoring shall also be done using a 24-hour regulator (sample duration) except for PAHs which shall be sampled in accordance with US EPA Method TO-13A and except for mercury which shall be sampled in accordance with NIOSH 7470A and methane alarms installed within basement of all Buildings. The air monitoring program shall be carried out as follows:
   i. For any Building(s) that meets the requirements of items 4.2 h. or 4.2 i of the CPU; the indoor air or sub slab soil vapour monitoring shall be carried out as a one-time event prior to occupancy.
   ii. For all Building(s) that meets the requirements of Items 4.2 f. and 4.2 g. of the CPU; the indoor air or sub slab soil vapour monitoring shall be carried out on a quarterly basis (every three months) for the first year with the first monitoring event prior to building occupancy, and semi-annually (every six months) for the second year and thereafter until such time as Director, upon

application by the Owner, has reviewed the data available and either alters or revokes the CPU.

iii. All air monitoring and sampling shall be done in accordance with the Ministry's document entitled "(Draft) Technical Guidance for Soil Vapour Intrusion Assessment" dated January 4, 2021 and any outdoor air sampling shall be done in accordance with The Ministry's "Operations Manual for Air Quality Monitoring in Ontario", dated January 2018 for the Contaminants of Concerns listed in Schedule 'B'.

iv. Sampling locations for the soil vapour probes or for indoor air shall be identified by an appropriately qualified person to be protective of human health for any persons using or occupying the buildings on the Property. The minimum number of indoor air or sub slab vapour samples per Building Area shall follow Schedule 'D' for sub slab soil vapour monitoring or Schedule 'E' for indoor air monitoring.

iii. If the air concentration for any Contaminants of Concern exceeds Schedule 'B' for indoor air target levels or Schedule 'C' for soil vapour target levels for indicated Building type, the Owner shall immediately notify the Director in writing of the exceedance along with a copy of the soil vapour probe construction logs, laboratory's certificate of analysis and chain of custody, field notes indicating the initial and final canister pressures, atmospheric pressure, weather and temperature.

iv. The Owner shall keep a copy of all sampling data and records available for inspection by a Provincial Officer upon request.

v. If the air concentration for the Contaminants of Concern exceeds Schedule 'B' for indoor air target levels or Schedule 'C' for soil vapour target levels, then indoor air or sub slab soil vapour monitoring shall recommence for all Contaminants of Concern within fifteen (15) days of receipt of the analytical results and be carried out as follows:

1. If none of the concentrations of the Contaminants of Concern exceed Schedule 'B' (indoor air target levels) or Schedule 'C' (soil vapour target levels) on the recommenced indoor air or sub slab soil vapour monitoring event, then the indoor air or sub slab soil vapour monitoring event shall be carried out on a quarterly basis (every three months) for a twelve (12) month period (4 additional monitoring events).
2. If any of the concentrations of the Contaminants of Concern exceeds Schedule 'B' (indoor air target levels) or Schedule 'C' (soil vapour target levels), on the recommenced indoor air or sub slab vapour monitoring event, then a Licensed Professional Engineer shall, within 30 days of the receipt of the analytical results, either
    i. develop and submit a detailed contingency plan (as outlined in Risk Assessment) to address the soil vapours in the Building to the Director; or
    ii develop and submit a report to the Director that details these indoor air exceedances are due to background sources.

    The air monitoring shall continue on a quarterly basis (every 3 months) until such time as the Director, upon application by the Owner, has reviewed the data available and either alters or revokes the CPU.

k. The groundwater monitoring program shall be carried out within ninety (90) days of the Property opening to the public on a quarterly basis (once every three months) for first year, semi-annually (every six months) for the second year and thereafter

until such time as the Director, upon application by the Owner, has reviewed the data available and either amends or revokes the CPU. The groundwater monitoring shall be carried out as follows:

i. The groundwater monitoring program shall consist of the sampling of five (5) groundwater monitoring wells labeled as RPS-MW01-24 to RPS-MW05-24 as shown on figure 7-2 of the CPU.
ii. The Contaminants of Concern to be monitored are listed on Schedule 'F' of the CPU;
iii. Water from all monitoring wells shall be sampled according to Ministry's Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act (MOE, 2004b) as amended from time to time.
iv. The Owner shall keep a copy of all sampling data available for inspection by a Provincial Officer upon request.
v. Should there be a reason to change the selected groundwater monitoring well location and/or should a measured groundwater concentration exceed the PSS or groundwater trigger concentration of Schedule 'F' or if a measurable NAPL is detected, the Owner shall immediately notify the Director in writing of the exceedance(s) and/or measured NAPL, along with a copy of the laboratory's certificate of analysis, chain of custody and borehole logs.
vi. If the groundwater concentration for the Contaminants of Concern exceeds Schedule 'F' for any PSS or groundwater trigger concentration or if a measurable NAPL is detected, then groundwater monitoring shall recommence for all Contaminants of Concern within thirty (30) days of receipt of the analytical results and be carried out as follows:
    a. If any of the concentrations of the Contaminants of Concern exceeds Schedule 'F' (Property Specific Standards) or groundwater trigger concentration or a measurable NAPL is detected on the recommenced groundwater monitoring event; then within 30 days of the receipt of the analytical results, either;
        i. develop and submit a contingency plan to the Director (as outlined in the Risk Assessment); or
        ii. assess site conditions and evaluate whether concentrations are increasing in relation to historical monitoring data trends.

    The groundwater monitoring shall continue on a quarterly basis (every 3 month) until such time as the Director, upon application by the Owner, has reviewed the data available and either alters or revokes the CPU.

l. The Owner shall retain a copy of the site plan prepared and signed by a Qualified Person prior to occupancy which will describe the Property, placement and quality of all the barriers to site soils. The site plan will include a plan and cross section drawings specifying the vertical and lateral extent of the barriers. This site plan shall be retained by the Owner for inspection upon request by a Provincial Officer. The site plan shall be revised following the completion of any alteration to the extent of the barriers to site soils.

m. The Owner shall prepare by March 31 each year, an annual report documenting activities relating to the Risk Management Measures undertaken during the previous calendar year. A copy of this report shall be maintained on file by the

Owner and shall be made available upon request by a Provincial Officer. The report shall include, but not be limited to, the following minimum information requirements:

i. a copy of all records related to the inspection and maintenance program for the barrier to site soils, and vapour mitigation systems and Vapour Barriers ;
ii. a copy of all records related to the soil and groundwater management plan and the health and safety plan on the Property;
iii. a copy of all records for air monitoring including soil vapour probe construction logs, laboratory's certificate of analyses and chain of custody, and field notes indicating the initial and final canister pressures, atmospheric pressure, weather and temperature;
iv. a copy of all records for groundwater monitoring program including any borehole logs indicating the well construction details, laboratory's certificate of analyses and chain of custody;
v. a copy of all as-builts for vapour mitigation systems including Vapour Barriers, Sub Slab Vapour Venting Layers and Venting Components ;
vi. a copy of all signed site plans including any alterations; and
vii. a copy of the updated financial assurance every five years from the date of issuance of the CPU if applicable.

4.3 Refrain from using the Property for any of the following use(s): all property uses except for following uses as defined in O.Reg. 153/04: "parkland use" and "commercial use".

4.4 Refrain from constructing the following building(s): No building construction unless construction is in accordance with Items 4.2 f., 4.2 g., 4.2 h. or 4.2 i. of the CPU.

4.5 The Owner shall ensure that every occupant of the Property, with the exception of recipients of recreational park permits, is given notice that the Ministry has issued this CPU and that it contains the provisions noted above in Items 4.3 and 4.4, unless noted N/A. For the purposes of this requirement, an occupant means any person with whom the Owner has a contractual relationship regarding the occupancy of all or part of the Property.

Site Changes

4.6 In the event of a change in the physical site conditions or receptor characteristics at the Property that may affect the Risk Management Measures and/or any underlying basis for the Risk Management Measures, forthwith notify the Director of such changes and the steps taken, to implement, maintain and operate any further Risk Management Measures as are necessary to prevent, eliminate or ameliorate any Adverse Effect that will result from the presence on, in or under the Property or the discharge of any Contaminant of Concern into the natural environment from the Property. An amendment to the CPU will be issued to address the changes set out in the notice received and any further changes that the Director considers necessary in the circumstances.

Reports

4.7 Retain a copy of any reports required under the CPU, the Risk Assessment and any reports referred to in the Risk Assessment (until otherwise notified by the Director) and within ten (10) days of the Director or a Provincial Officer making a request for a report,

provide a copy to the Director or Provincial Officer.

Property Requirement

4.8 For the reasons set out in the CPU and pursuant to the authority vested in me under subsection 197(1) of the Act, I hereby order you and any other person with an interest in the Property, before dealing with the Property in any way, to give a copy of the CPU, including any amendments thereto, to every person who will acquire an interest in the Property as a result of the dealing.

Certificate of Requirement

4.9 Within fifteen (15) days from the date of receipt of a certificate of requirement issued under subsection 197(2) of the Act and as set out in Schedule 'G', register the certificate of requirement on title to the Property, in the appropriate land registry office.

4.10 Immediately after registration of the certificate of requirement, provide to the Director written verification that the certificate of requirement has been registered on title to the Property.

Owner Change

4.11 While the CPU is in effect, the Owner shall forthwith report in writing, to the Director any changes of ownership of the Property, except that while the Property is registered under the Condominium Act, 1998, S.O.1998 c.19, no notice shall be given of changes in the ownership of individual condominium units or any appurtenant common elements on the Property.

Financial Assurance

4.12 Financial Assurance is not required as long as the Owner of the Property is the City of Toronto.

4.13 If the Owner of the Property is not City of Toronto, then financial assurance shall be provided to the Crown in right of Ontario within fifteen (15) days from the date of transfer of the Property in the amount of two hundred and forty-five thousand dollars ($245,000) in a form satisfactory to the Director and in accordance with Part XII of the Act.

4.14 A written report reviewing the financial assurance required by the CPU shall be included in the annual report referred to as Item 4.2 m. with an updated cost estimate with respect to the matters dealt with in Item 4.13 above.

Part 5: General

5.1 The requirements of the CPU are severable. If any requirement of the CPU or the application of any requirement to any circumstance is held invalid, such finding does not invalidate or render unenforceable the requirement in other circumstances nor does it invalidate or render unenforceable the other requirements of the CPU.

5.2 An application under sub section 168.6(3) of the Act to,

a. alter any terms and conditions in the CPU or impose new terms and conditions; or
b. revoke the CPU;

shall be made in writing to the Director, with reasons for the request.

5.3 The Director may alter the CPU under subsections 132(2) or (3) of the Act to change a requirement as to financial assurance, including that the financial assurance may be increased or reduced or released in stages. The total financial assurance required may be reduced from time to time or released by an order issued by the Director under section 134 of the Act upon request and submission of such supporting documentation as required by the Director.

5.4 Subsection 186(3) of the Act provides that failure to comply with the requirements of the CPU constitutes an offence.

5.5 The requirements of the CPU are minimum requirements only and do not relieve the Owner from,

a. complying with any other applicable order, statute, regulation, municipal, provincial or federal law; or
b. obtaining any approvals or consents not specified in the CPU.

5.6 Notwithstanding the issuance of the CPU, further requirements may be imposed in accordance with legislation as circumstances require. The Director shall also alter the CPU where the approval or acceptance of the Director is required in respect of a matter under the CPU and the Director either does not grant the approval or acceptance or does not grant it in a manner agreed to by the Owner.

5.7 In the event that, any person is, in the opinion of the Director, rendered unable to comply with any requirements in the CPU because of,

a. natural phenomena of an inevitable or irresistible nature, or insurrections,
b. strikes, lockouts or other labour disturbances,
c. inability to obtain materials or equipment for reasons beyond your control, or
d. any other cause whether similar to or different from the foregoing beyond your control, the requirements shall be adjusted in a manner defined by the Director. To obtain such an adjustment, the Director must be notified immediately of any of the above occurrences, providing details that demonstrate that no practical alternatives are feasible in order to meet the requirements in question.

5.8 Failure to comply with a requirement of the CPU by the date specified does not absolve the Owner from compliance with the requirement. The obligation to complete the requirement shall continue each day thereafter.

5.9 In the event that the Owner complies with the provisions of Items 4.9 and 4.10 of the CPU regarding the registration of the certificate of requirement on title to the Property, and then creates a condominium corporation by the registration of a declaration and description with respect to the Property pursuant to the Condominium Act, 1998, S.O. 1998, c.19, as amended, and then transfers ownership of the Property to various condominium unit owners, the ongoing obligations of the Owner under this CPU can be carried out by the condominium corporation on behalf of the new Owners of the Property

Part 6: Information regarding a Hearing before the Ontario Land Tribunal

6.1 Pursuant to section 139 of the Act, you may require a hearing before the Ontario Land Tribunal (the "Tribunal"), if within fifteen (15) days after service on you of a copy of the CPU, you serve written notice upon the Director and the Tribunal.

6.2 Pursuant to section 142 of the Act, the notice requiring the hearing must include a statement of the portions of the CPU and the grounds on which you intend to rely at the hearing. Except by leave of the Tribunal, you are not entitled to appeal a portion of the CPU, or to rely on a ground, that is not stated in the notice requiring the hearing.

6.3 Service of a notice requiring a hearing must be carried out in a manner set out in section 182 of the Act and Ontario Regulation 227/07: *Service of Documents,* made under the Act. The address, email address and fax numbers of the Director and the Tribunal are:

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

and

Jimena Caicedo
Ministry of the Environment, Conservation and Parks
5775 Yonge Street, 8th Floor
Toronto, Ontario
M2M 4J1
Fax: 416-326-5536
Email: jimena.caicedo@ontario.ca

6.4 Unless stayed by the Tribunal under section 143 of the Act, the CPU is effective from the date of issue.

6.5 If you commence an appeal before the Tribunal, under section 47 of the Environmental Bill of Rights, 1993 (the "EBR"), you must give notice to the public in the EBR

registry. The notice must include a brief description of the CPU (sufficient to identify it) and a brief description of the grounds of appeal.

The notice must be delivered to the Environmental Commissioner of Ontario who will place it on the EBR registry. The notice must be delivered to the Environmental Commissioner at 605-1075 Bay Street, Toronto, Ontario M5S 2B1 by the earlier of:

6.5.1 two (2) days after the day on which the appeal before the Tribunal was commenced; and

6.5.2 fifteen (15) days after service on you of a copy of the CPU.

6.6 Pursuant to subsection 47(7) of the EBR, the Tribunal may permit any person to participate in the appeal, as a party or otherwise, in order to provide fair and adequate representation of the private and public interests, including governmental interests, involved in the appeal.

6.7 For your information, under section 38 of the EBR, any person resident in Ontario with an interest in the CPU may seek leave to appeal the CPU. Under section 40 of the EBR, the application for leave to appeal must be made to the Tribunal by the earlier of:

6.7.1 fifteen (15) days after the day on which notice of the issuance of the CPU is given in the EBR registry; and

6.7.2 if you appeal, fifteen (15) days after the day on which your notice of appeal is given in the EBR registry.

6.8 The procedures and other information provided in this Part 6 are intended as a guide. The legislation should be consulted for additional details and accurate reference. Further information can be obtained from e-Laws at www.ontario.ca/laws.

Issued at Toronto this XX^{h} day of XXXXX 2025.

DRAFT

Jimena Caicedo
Director, section 168.6 of the Act

Schedule ‘1’

Legal Description

1) Part of 63 and 75 Commissioners Street

Part of Blocks 3 & 4, Plan 540E designated as Part 5, 61, Plan 66R31558, City of Toronto
Being all of PIN 21385-0025 (LT)

2) Part of 51 Commissioners Street

Part of Block 4, Plan 540E designated as Parts 6 and 8, Plan 66R31557, City of Toronto
Being All of PIN 21385-0232 (LT)

3) Part of Cherry Street

Part of closed Cherry Street, Plan 649E designated as Parts 4 and 5 on Plan 66R34389, City of Toronto
Being Part of PIN 21385-0054 (LT)

Schedule ‘A’

Property Specific Standards (Soil and Groundwater) and Controlled Fill Cap Target Concentrations for each Contaminants of Concern

Contaminants of Concern (COC)	Property Specific Standards (PSS) for Soil (µg/g)	Controlled Fill Target Concentrations (CFTC) for Soil (µg/g) from CBRA Project Area	Property Specific Standards (PSS) for Groundwater (ug/L)
Acenaphthene	480	8.62	35
Acenaphthylene	79	1.4	1.4
Acetone	20	0.5	NA
Anthracene	220	4.15	8.6
Antimony	19	1.3	NA
Barium	310	220	NA
Benz(a)anthracene	110	2.4	11
Benzene	44	0.83	4,500
Benzo(a)pyrene	78	1.7	8.6
Benzo(b&j)fluoranthene	57	1.38	12
Benzo(g,h,i)perylene	28	0.83	5.5
Benzo(k)fluoranthene	19	0.56	4.1
Biphenyl, 1,1-	2.9	0.05	NA
Bis(2-ethylhexyl)phthalate	30	5	NA
Boron	45	36	NA
Boron (HWS)	6.2	1.5	NA
Bromodichloromethane	18	0.05	NA

Contaminants of Concern (COC)	Property Specific Standards (PSS) for Soil (µg/g)	Controlled Fill Target Concentrations (CFTC) for Soil (µg/g) from CBRA Project Area	Property Specific Standards (PSS) for Groundwater (ug/L)
Bromoform	NA	NA	250
Bromomethane	NA	NA	5
Cadmium	7.9	1.2	NA
Chlorobenzene	2	0.05	NA
Chloroform	2	0.05	NA
Chromium	300	70	NA
Chromium Hexavalent	1.9	0.66	NA
Chrysene	96	2.8	9.2
Copper	610	92	NA
Cyanide	0.15	0.051	NA
Dibenzo[a,h]anthracene	6.3	0.16	12
Dichlorobenzene, 1,4-	NA	NA	5
Dichloroethane, 1,1-	NA	NA	25
Dichloroethane, 1,2-	NA	NA	2
Dichloroethene,, 1,2-cis	0.25	0.05	58
Dichloromethane	2	0.05	250
Dichloropropane,1,2-	NA	NA	10
Dichloropropene,1,3-	NA	NA	5
Ethylbenzene	670	12.25	370

Contaminants of Concern (COC)	Property Specific Standards (PSS) for Soil (µg/g)	Controlled Fill Target Concentrations (CFTC) for Soil (µg/g) from CBRA Project Area	Property Specific Standards (PSS) for Groundwater (ug/L)
Fluoranthene	210	4.39	NA
Fluorene	280	5.16	NA
Hexane-n	260	8.57	120
Indeno[1 2 3-cd]pyrene	22	0.67	7
Lead	1,100	120	NA
Mercury	5.6	0.41	NA
Methyl Ethyl Ketone	20	0.5	NA
Methyl tert-butyl ether (MTBE)	NA	NA	100
Methyl Mercury	0.0022	0.0022	NA
Methylnaphthalenes, 1+2-	1,800	32.4	NA
Molybdenum	19	2	NA
Naphthalene	1,900	33.49	210
Nickel	150	82	NA
Perfluorooctyl sulfonate (PFOS)	0.002	0.002	0.42
Perfluorooctanoic acid (PFOA)	0.001	0.001	0.21
Perfluoropentanoic Acid (PFPeA)	NA	NA	0.084
6:2 Fluorotelomer Sulfonate (6:2 FTS)	NA	NA	0.0064

Contaminants of Concern (COC)	Property Specific Standards (PSS) for Soil (µg/g)	Controlled Fill Target Concentrations (CFTC) for Soil (µg/g) from CBRA Project Area	Property Specific Standards (PSS) for Groundwater (ug/L)
Perfluorohexanoic Acid (PFHxA)	NA	NA	0.09
Perfluorohexanesulfonic Acid (PFHxS)	NA	NA	0.094
Perfluorobutanoic Acid (PFBA)	NA	NA	0.15
Perfluorobutanesulfonic Acid (PFBS)	NA	NA	0.06
Perfluorodecanoic Acid (PFDA)	NA	NA	0.004
Perfluoroheptanoic Acid (PFHpA)	NA	NA	0.094
Perfluoroheptane Sulfonate (PFHpS)	NA	NA	0.004
Perfluorononanoic Acid (PFNA)	NA	NA	0.0099
Perfluoro-1-pentanesulfonate (PFPeS)	NA	NA	0.044
PHC F1	14,000	450.6	7,700
PHC F2	14,000	662.6	7,600
PHC F3	20,000	1,222	6,600
PHC F4	11,000	479.1	1,100
Phenanthrene	690	12.69	NA
Pyrene	300	6.03	18

Contaminants of Concern (COC)	Property Specific Standards (PSS) for Soil (µg/g)	Controlled Fill Target Concentrations (CFTC) for Soil (µg/g) from CBRA Project Area	Property Specific Standards (PSS) for Groundwater (ug/L)
Silver	1.6	0.5	NA
Tetrachloroethene	2	0.05	NA
Tetrachloroethane, 1,1,1,2-	NA	NA	2.5
Tetrachloroethane, 1,1,2,2-	NA	NA	2.5
Toluene	280	4.28	NA
Trichloroethane, 1,1,1-	NA	NA	25
Trichloroethane, 1,1,2-	NA	NA	2.5
Trichloroethylene	0.78	0.05	NA
Trichlorofluoromethane	2	0.25	NA
Vinyl Chloride	0.8	0.02	1000
Xylenes, total	780	19.86	820
Zinc	2100	290	NA

Schedule ‘B’

Indoor Air Target Levels

Contaminants of Concern (COC)	Indoor Air Target Levels (µg/m^3) Parkland Use	Indoor Air Target Levels (µg/m^3) Commercial Use
Acenaphthene	1.9	6
Acenaphthylene	0.19	0.6
Anthracene	0.19	0.6
Benzene	0.51	1.6
Biphenyl, 1,1-	0.083	0.29
Bromodichloromethane	15	50
Bromomethane	1	3.6
Dichloroethane, 1,1-	34	120
Dichloroethane, 1,2-	0.043	0.14
Dichloroethene, 1,2-cis-	13	43
Dichlorobenzene, 1,4-	0.28	0.89
Dichloromethane	48	160
Dichloropropane, 1,2-	0.83	2.9
Dichloropropene, 1,3-	0.28	0.89
Ethylbenzene	400	1,400
Hexane (n)	630	2,100
Mercury	0.063	0.21
Methyl Ethyl Ketone	1000	1000

Contaminants of Concern (COC)	Indoor Air Target Levels (µg/m^3) Parkland Use	Indoor Air Target Levels (µg/m^3) Commercial Use
Methylnaphthalenes, 1+2-	10	36
Methyl tert-butyl ether (MTBE)	4.3	14
Naphthalene	0.77	2.6
PHC F1	240	810
Aliphatic C6-C8	310	1100
Aliphatic C>8-C10	100	360
Aromatic C>8-C10	26	89
PHC F2	96	330
Aliphatic C>10-C12	100	360
Aliphatic C>12-C16	100	360
Aromatic C>10-C12	26	89
Aromatic C>12-C16	26	89
Tetrachloroethane	4.3	14
Tetrachloroethane, 1,1,1,2-	0.15	0.48
Tetrachloroethane, 1,1,2,2-	0.019	0.062
Toluene	1,000	3,600
Trichloroethane, 1,1,2 -	0.07	0.22
Trichloroethylene	0.27	0.87
Trichlorofluoromethane	83	290
Vinyl Chloride	0.13	0.43

Contaminants of Concern (COC)	Indoor Air Target Levels (µg/m^3) Parkland Use	Indoor Air Target Levels (µg/m^3) Commercial Use
Xylenes total	150	500

Schedule 'C'

Soil Vapour Target Levels

Contaminants of Concern (COC)	Soil Vapour Target Levels ($\mu g/m^3$) Parkland Use Buildings		Soil Vapour Target Levels ($\mu g/m^3$) Commercial Use Buildings	
	Parkland Use	Ancillary Parkland Use*	Building with Basement	Slab on Grade
Acenaphthene	93	460	300	1500
Acenaphthylene	9.3	46	30	150
Anthracene	9.3	46	30	150
Benzene	25	130	81	410
Biphenyl, 1,1-	4.2	21	14	72
Bromodichloromethane	730	3,700	2,500	13,000
Bromomethane	52	260	180	890
Dichlorobenzene, 1,4-	14	70	45	220
Dichloroethane, 1,1-	1700	8,600	5,900	29,000
Dichloroethane, 1,2-	2.1	11	6.9	34
Dichloroethene, 1,2-cis-	630	3,100	2,100	11,000
Dichloromethane	2,400	12,000	7,800	39,000
Dichloropropane, 1,2-	42	210	140	720
Dichloropropene, 1,2-	14	70	45	220
Ethylbenzene	20,000	99,000	68,000	340,000
Hexane (n)	31,000	160,000	110,000	540,000

Contaminants of Concern (COC)	Soil Vapour Target Levels (µg/m^3) Parkland Use Buildings		Soil Vapour Target Levels (µg/m^3) Commercial Use Buildings	
	Parkland Use	Ancillary Parkland Use*	Building with Basement	Slab on Grade
Mercury	3.1	16	11	54
Methyl Ethyl Ketone	50,000	250,000	50,000	250,000
Methyl tert-butyl ether (MTBE)	210	1100	690	3400
Methylnaphthalenes-1+2	520	2,600	1,800	8,900
Naphthalene	39	190	130	660
PHC F1	12,000	59,000	40,000	200,000
Aliphatic C6-C8	16,000	78,000	54,000	270,000
Aliphatic C>8-C10	5200	26,000	18,000	89,000
Aromatic C>8-C10	1300	6,500	4,500	22,000
PHC F2	4,800	24,000	17,000	83,000
Aliphatic C>10-C12	5,200	26,000	18,000	89,000
Aliphatic C>12-C16	5,200	26,000	18,000	89,000
Aromatic C>10-C12	1,300	6,500	4,500	22,000
Aromatic C>12-C16	1,300	6,500	4,500	22,000
Tetrachloroethene	210	1,100	690	3400
Tetrachloroethane, 1,1,1,2-	7.5	38	24	120
Tetrachloroethane, 1,1,2,2-	0.96	4.8	3.1	15
Toulene	52,000	260,000	180,000	890,000

Contaminants of Concern (COC)	Soil Vapour Target Levels ($\mu g/m^3$) Parkland Use Buildings		Soil Vapour Target Levels ($\mu g/m^3$) Commercial Use Buildings	
	Parkland Use	Ancillary Parkland Use*	Building with Basement	Slab on Grade
Trichloroethane, 1,1,2-	3.5	17	11	56
Trichloroethylene	14	68	44	220
Trichlorofluoromethane	4200	21,000	14,000	72,000
Vinyl Chloride	6.6	33	21	110
Xylenes total	7,300	37,000	25,000	130,000

***** washrooms, storage or utility sheds

Schedule 'D'

Sub Slab Soil Vapour Minimum Samples

Building Area (m^2)	Density over Building Area	Minimum Number of Samples
Up to 500	One per 100 m^2	3
>500 to 2000	One additional sample per every 500 m^2 over 500 m^2	5
>2000 to 5000	One additional sample per every 1000 m^2 over 2000 m^2	8
>5000	One additional sample per every 2000 m^2 over 5000 m^2	11

Schedule ‘E’

Indoor Air Minimum Samples

Building Area (m^2)	Minimum Number of Samples
Up to 500	2
>500 to 1000	3
>1000	One additional sample per every 1000 m^2 over 1000 m^2

Schedule ‘F’

Groundwater Trigger Concentrations

Contaminants of Concern (COC)	Property Specific Standards (PSS) for Groundwater (ug/L)	Offsite Aquatic Receptors in Polson Slip (GW3) (ug/L)	Offsite Aquatic Receptors in Shipping Channel (GW3) (ug/L)
Acenaphthene	35	NA	NA
Acenaphthylene	1.4	NA	NA
Anthracene	8.6	2.8	7.4
Benz(a)anthracene	11	NA	NA
Benzene	4,500	NA	NA
Benzo(a)pyrene	8.6	NA	NA
Benzo(b&j)fluoranthene	12	NA	NA
Benzo(g,h,i)perylene	5.5	NA	NA
Benzo(k)fluoranthene	4.1	NA	NA
Bromoform	250	NA	NA
Bromomethane	5	NA	NA
Chrysene	9.2	NA	NA
Dibenzo[a,h]anthracene	1.72	NA	NA
Dichlorobenzene, 1,4-	5	NA	NA
Dichloroethane, 1,1-	25	NA	NA
Dichloroethane, 1,2-	2	NA	NA
Dichloroethene,, 1,2-cis	58	NA	NA
Dichloromethane	250	NA	NA

Contaminants of Concern (COC)	Property Specific Standards (PSS) for Groundwater (ug/L)	Offsite Aquatic Receptors in Polson Slip (GW3) (ug/L)	Offsite Aquatic Receptors in Shipping Channel (GW3) (ug/L)
Dichloropropane,1,2-	10	NA	NA
Dichloropropene,1,3-	5	NA	NA
Ethylbenzene	370	NA	NA
Hexane-n	120	NA	NA
Indeno[1 2 3-cd]pyrene	7	NA	NA
Methyl tert-butyl ether (MTBE)	100	NA	NA
Naphthalene	210	NA	NA
Perfluorooctyl sulfonate (PFOS)	0.42	NA	NA
Perfluorooctanoic acid (PFOA)	0.21	NA	NA
Perfluoropentanoic Acid (PFPeA)	0.084	NA	NA
6:2 Fluorotelomer Sulfonate (6:2 FTS)	0.0064	NA	NA
Perfluorohexanoic Acid (PFHxA)	0.09	NA	NA
Perfluorohexanesulfonic Acid (PFHxS)	0.094	NA	NA
Perfluorobutanoic Acid (PFBA)	0.15	NA	NA
Perfluorobutanesulfonic Acid (PFBS)	0.06	NA	NA

Contaminants of Concern (COC)	Property Specific Standards (PSS) for Groundwater (ug/L)	Offsite Aquatic Receptors in Polson Slip (GW3) (ug/L)	Offsite Aquatic Receptors in Shipping Channel (GW3) (ug/L)
Perfluorodecanoic Acid (PFDA)	0.004	NA	NA
Perfluoroheptanoic Acid (PFHpA)	0.094	NA	NA
Perfluoroheptane Sulfonate (PFHpS)	0.004	NA	NA
Perfluorononanoic Acid (PFNA)	0.0099	NA	NA
Perfluoro-1-pentanesulfonate (PFPeS)	0.044	NA	NA
PHC F1	7,700	970	2,800
PHC F2	,7600	1,300	3,800
PHC F3	6,600	NA	NA
PHC F4	1,100	NA	NA
Pyrene	18	NA	NA
Tetrachloroethane, 1,1,1,2-	2.5	NA	NA
Tetrachloroethane, 1,1,2,2-	2.5	NA	NA
Trichloroethane, 1,1,1-	25	NA	NA
Trichloroethane, 1,1,2-	2.5	NA	NA
Vinyl Chloride	1,000	NA	NA
Xylenes, total	820	NA	NA

NA – not applicable

Schedule 'G'

CERTIFICATE OF REQUIREMENT

s.197(2)
Environmental Protection Act

This is to certify that pursuant to Item 4.9 of Certificate of Property Use number 0741-DE7L3N issued by Jimena Caicedo, Director of the Ministry of the Environment, Conservation and Parks, under sections 168.6 and 197 of the Environmental Protection Act, on XXXXX, 2025, being a Certificate of Property Use and order under subsection 197(1) of the Environmental Protection Act relating to the Property municipally known as Part of Cherry Street and Parts of 51, 63 and 75 Commissioners Street, Toronto being all of Property Identifier Numbers (PINs) 21385-0225 (LT), 21385-0232 (LT), and Part of PIN 21385-0054(LT) (the "Property") with respect to a Risk Assessment and certain Risk Management Measures and other preventive measure requirements on the Property

CITY OF TORONTO

and any other persons having an interest in the Property, are required before dealing with the Property in any way, to give a copy of the Certificate of Property Use, including any amendments thereto, to every person who will acquire an interest in the Property.

Under subsection 197(3) of the Environmental Protection Act, the requirement applies to each person who, subsequent to the registration of this certificate, acquires an interest in the Property.

Plan of Survey

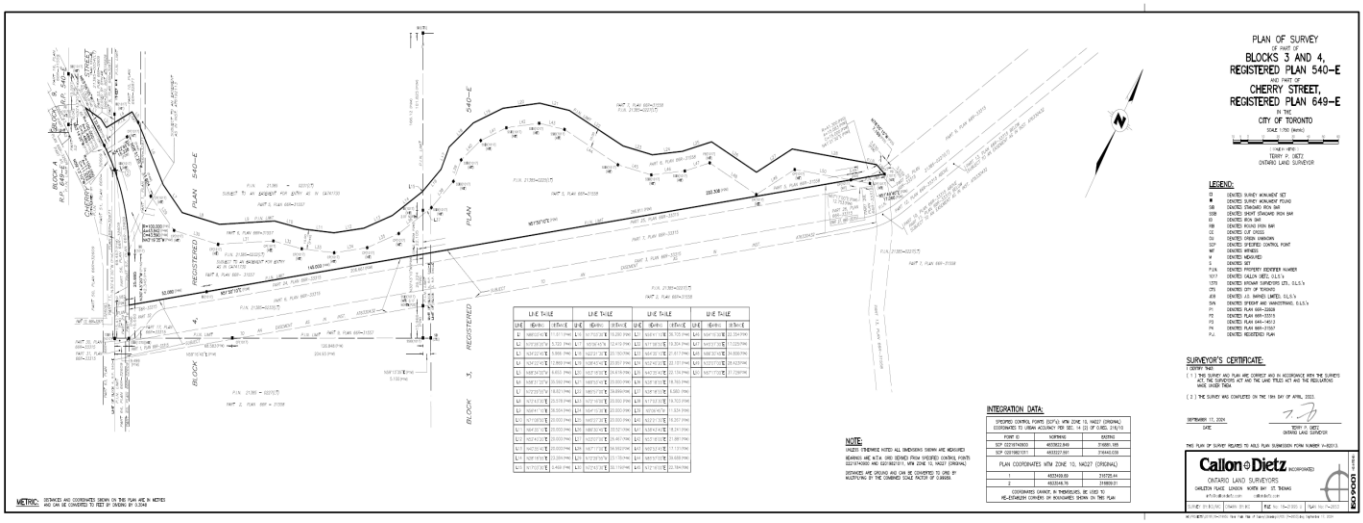


Figure I-1

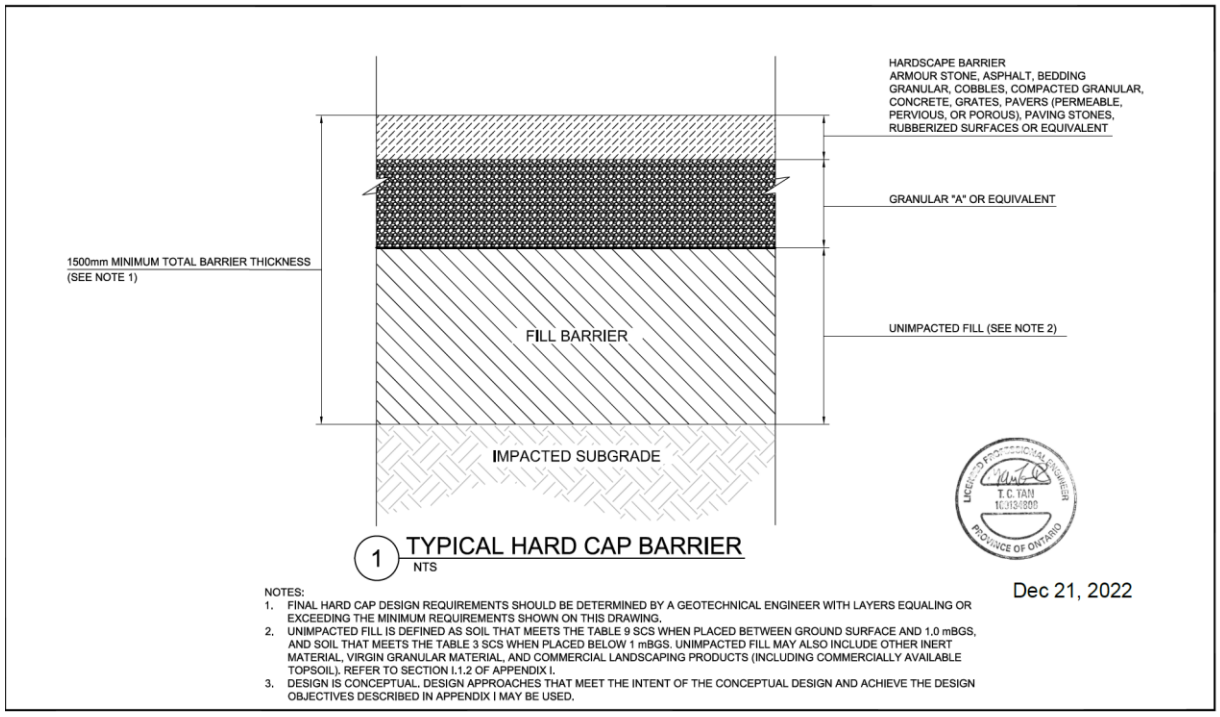


FIGURE I-1
Conceptual Design of Typical Hard Cap Barrier
(City Parks)

River Park South,
Toronto, Ontario

NOT TO SCALE

697838_RPS_F001b.dwg

JACOBS

Figure I-2

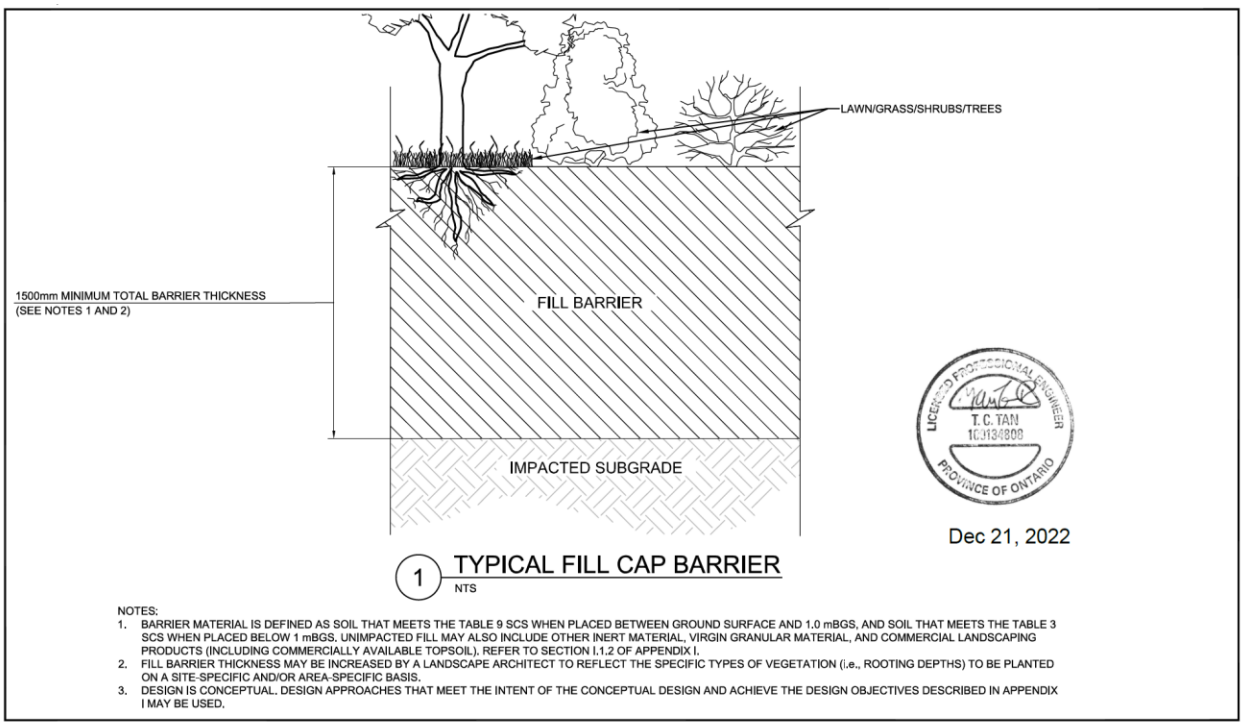


FIGURE I-2
Conceptual Design of Typical Fill Cap Barrier
Vegetation Protective Cover
(City Parks)
River Park South,
Toronto, Ontario

NOT TO SCALE

697838_RPS_F002b.dwg

JACOBS

Figure I-3

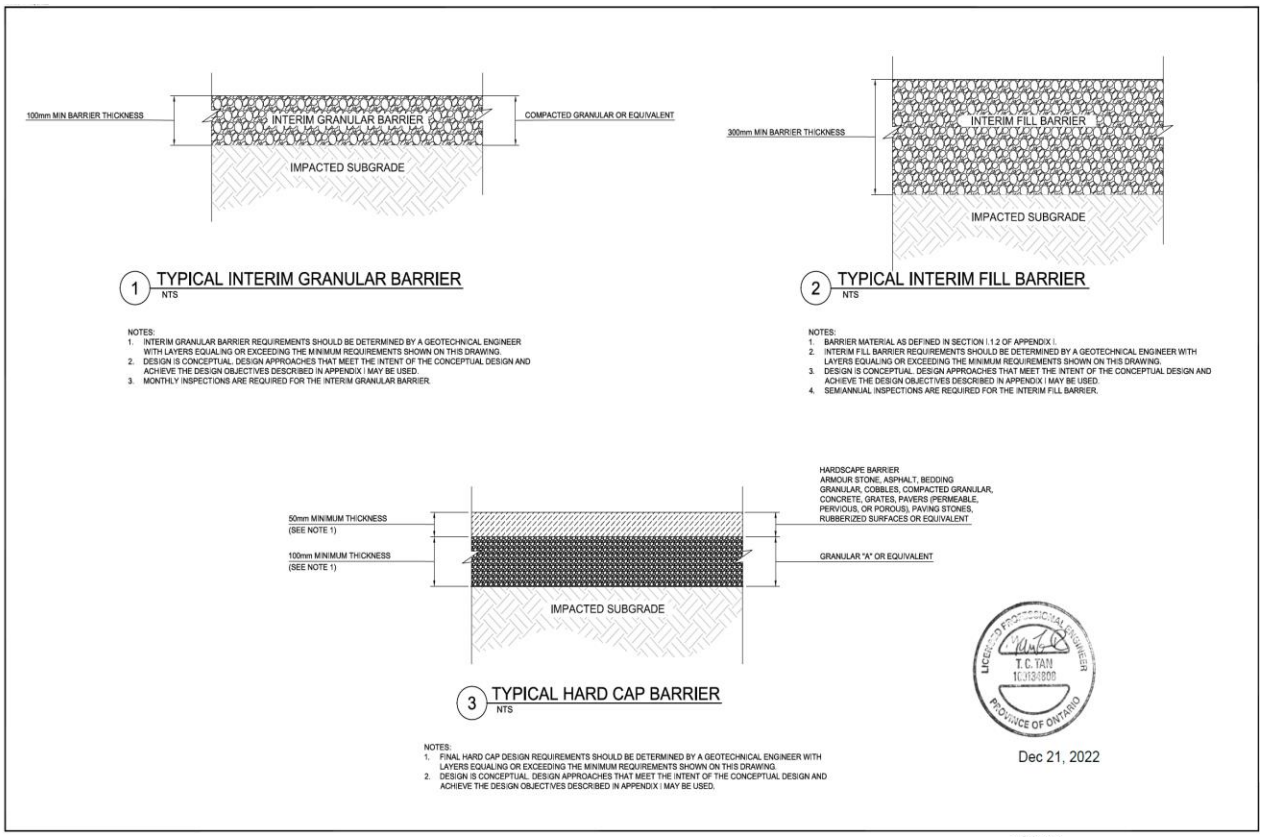

100mm MIN BARRIER THICKNESS
INTERIM GRANULAR BARRIER
COMPACTED GRANULAR OR EQUIVALENT
IMPACTED SUBGRADE
1 TYPICAL INTERIM GRANULAR BARRIER
NTS
NOTES:
1. INTERIM GRANULAR BARRIER REQUIREMENTS SHOULD BE DETERMINED BY A GEOTECHNICAL ENGINEER WITH LAYERS EQUALING OR EXCEEDING THE MINIMUM REQUIREMENTS SHOWN ON THIS DRAWING.
2. DESIGN IS CONCEPTUAL. DESIGN APPROACHES THAT MEET THE INTENT OF THE CONCEPTUAL DESIGN AND ACHIEVE THE DESIGN OBJECTIVES DESCRIBED IN APPENDIX I MAY BE USED.
3. MONTHLY INSPECTIONS ARE REQUIRED FOR THE INTERIM GRANULAR BARRIER.
300mm MIN BARRIER THICKNESS
INTERIM FILL BARRIER
IMPACTED SUBGRADE
2 TYPICAL INTERIM FILL BARRIER
NTS
NOTES:
1. BARRIER MATERIAL AS DEFINED IN SECTION I.1.2 OF APPENDIX I.
2. INTERIM FILL BARRIER REQUIREMENTS SHOULD BE DETERMINED BY A GEOTECHNICAL ENGINEER WITH LAYERS EQUALING OR EXCEEDING THE MINIMUM REQUIREMENTS SHOWN ON THIS DRAWING.
3. DESIGN IS CONCEPTUAL. DESIGN APPROACHES THAT MEET THE INTENT OF THE CONCEPTUAL DESIGN AND ACHIEVE THE DESIGN OBJECTIVES DESCRIBED IN APPENDIX I MAY BE USED.
4. SEMIANNUAL INSPECTIONS ARE REQUIRED FOR THE INTERIM FILL BARRIER.
HARDSCAPE BARRIER
ARMOUR STONE, ASPHALT, BEDDING
GRANULAR, COBBLES, COMPACTED GRANULAR, CONCRETE, GRATES, PAVERS (PERMEABLE, PERVIOUS, OR POROUS), PAVING STONES, RUBBERIZED SURFACES OR EQUIVALENT
50mm MINIMUM THICKNESS
(SEE NOTE 1)
100mm MINIMUM THICKNESS
(SEE NOTE 1)
GRANULAR "A" OR EQUIVALENT
IMPACTED SUBGRADE
3 TYPICAL HARD CAP BARRIER
NTS
NOTES:
1. FINAL HARD CAP DESIGN REQUIREMENTS SHOULD BE DETERMINED BY A GEOTECHNICAL ENGINEER WITH LAYERS EQUALING OR EXCEEDING THE MINIMUM REQUIREMENTS SHOWN ON THIS DRAWING.
2. DESIGN IS CONCEPTUAL. DESIGN APPROACHES THAT MEET THE INTENT OF THE CONCEPTUAL DESIGN AND ACHIEVE THE DESIGN OBJECTIVES DESCRIBED IN APPENDIX I MAY BE USED.
T. C. TAN
PROVINCE OF ONTARIO
Dec 21, 2022
FIGURE I-3
Conceptual Design of Interim Cap Barrier
River Park South,
Toronto, Ontario
NOT TO SCALE
697836_RPS_F003.dwg
JACOBS

Figure I-4

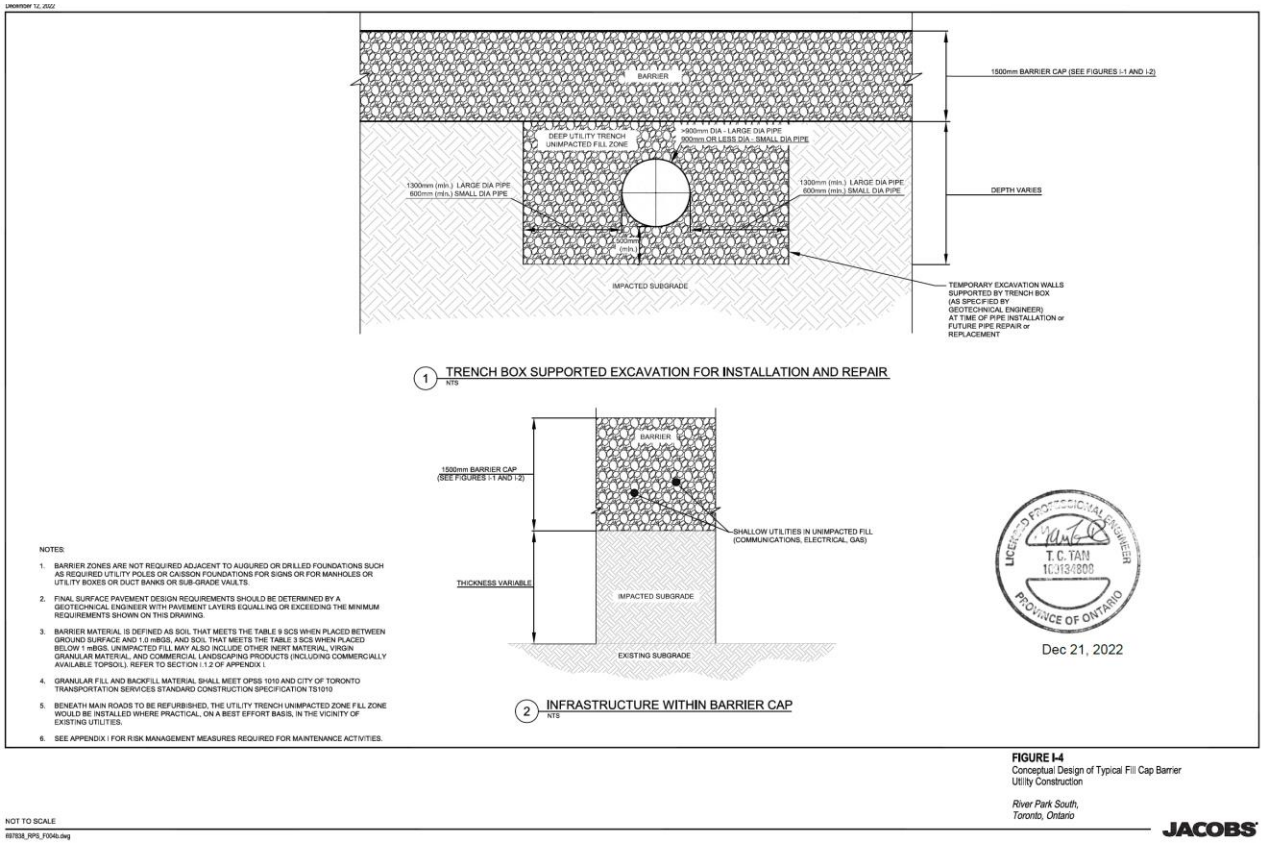
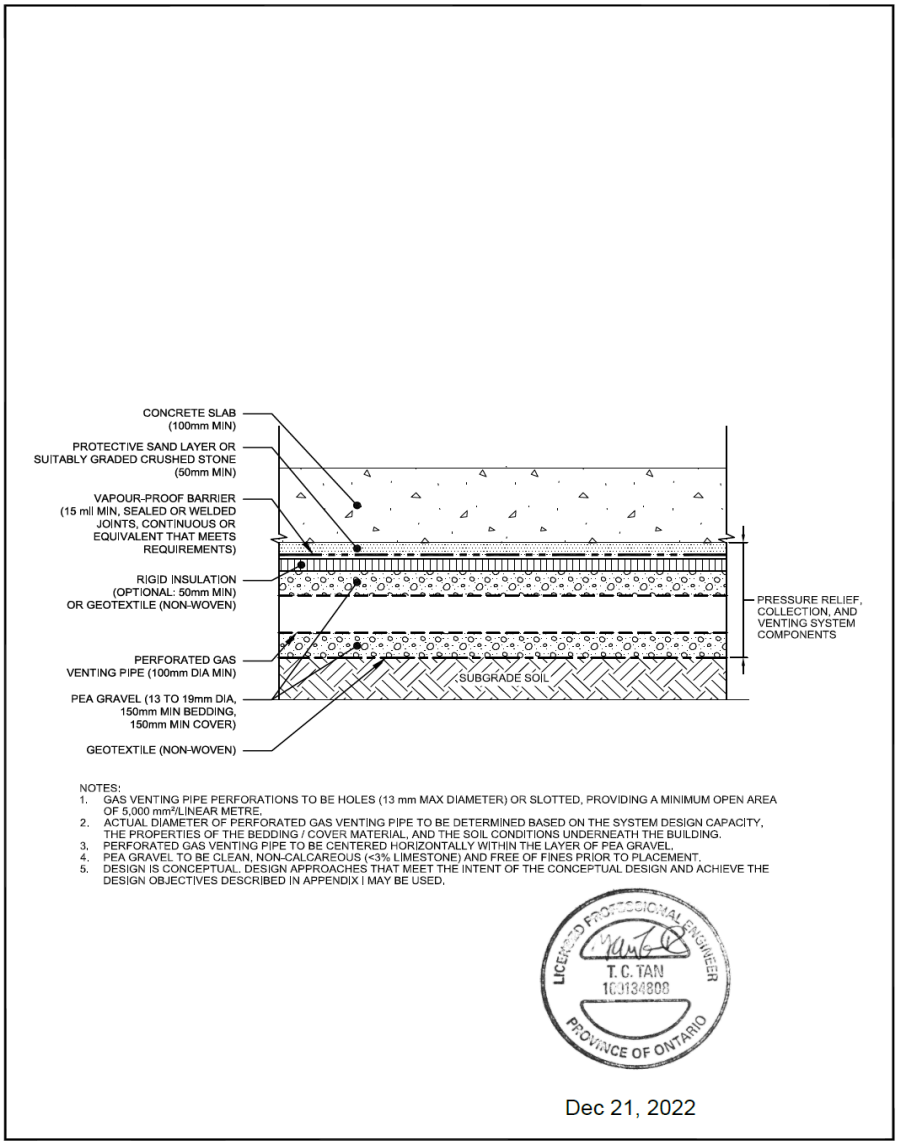


FIGURE I-4
Conceptual Design of Typical Fill Cap Barrier Utility Construction

River Park South, Toronto, Ontario

Figure I-5



NOTES:
1. GAS VENTING PIPE PERFORATIONS TO BE HOLES (13 mm MAX DIAMETER) OR SLOTTED, PROVIDING A MINIMUM OPEN AREA OF 5,000 mm²/LINEAR METRE.
2. ACTUAL DIAMETER OF PERFORATED GAS VENTING PIPE TO BE DETERMINED BASED ON THE SYSTEM DESIGN CAPACITY, THE PROPERTIES OF THE BEDDING / COVER MATERIAL, AND THE SOIL CONDITIONS UNDERNEATH THE BUILDING.
3. PERFORATED GAS VENTING PIPE TO BE CENTERED HORIZONTALLY WITHIN THE LAYER OF PEA GRAVEL.
4. PEA GRAVEL TO BE CLEAN, NON-CALCAREOUS (<3% LIMESTONE) AND FREE OF FINES PRIOR TO PLACEMENT.
5. DESIGN IS CONCEPTUAL. DESIGN APPROACHES THAT MEET THE INTENT OF THE CONCEPTUAL DESIGN AND ACHIEVE THE DESIGN OBJECTIVES DESCRIBED IN APPENDIX I MAY BE USED.

Dec 21, 2022

FIGURE I-5
Conceptual Design in Cross-Section View
Passive Relief, Collection, and Venting System

River Park South,
Toronto, Ontario

NOT TO SCALE

697838_RPS_F006.dwg

JACOBS

Figure I-6

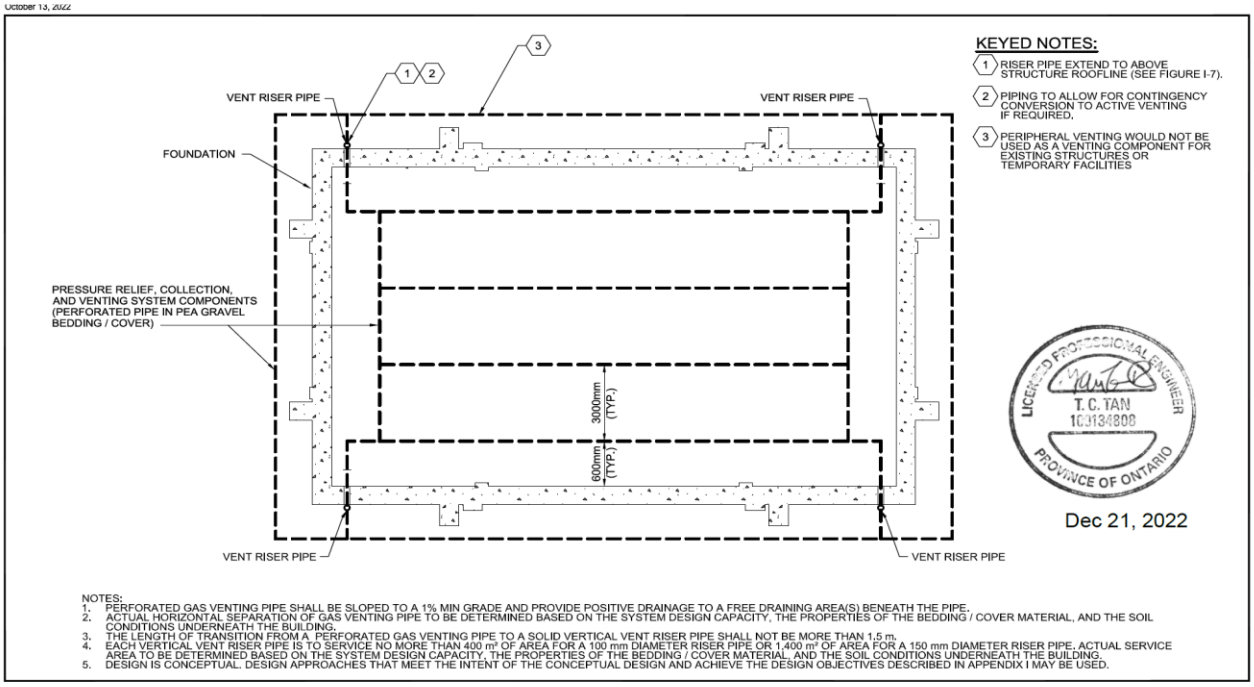
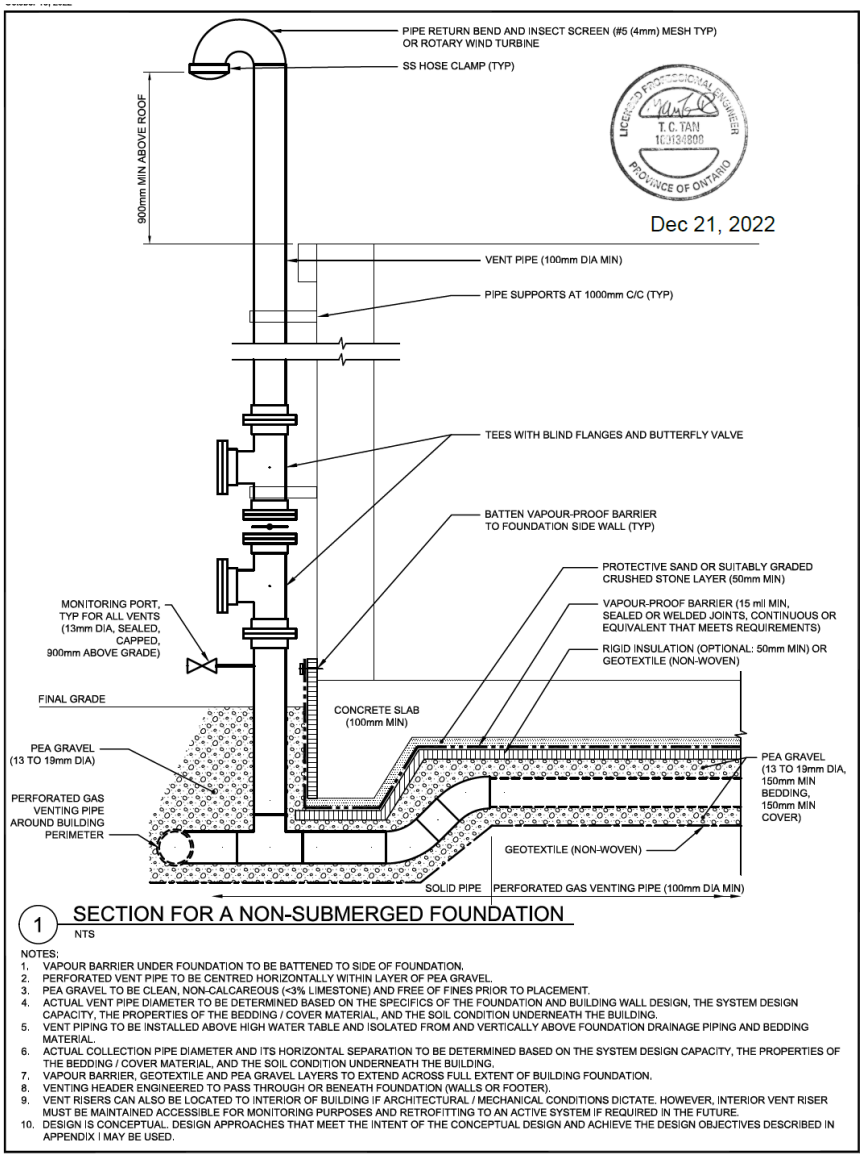


FIGURE I-6
Conceptual Design in Plan View
Pressure Relief, Collection, and Venting System

River Park South,
Toronto, Ontario

Figure I-7



NOTES:
1. VAPOUR BARRIER UNDER FOUNDATION TO BE BATTENED TO SIDE OF FOUNDATION.
2. PERFORATED VENT PIPE TO BE CENTRED HORIZONTALLY WITHIN LAYER OF PEA GRAVEL.
3. PEA GRAVEL TO BE CLEAN, NON-CALCAREOUS (<3% LIMESTONE) AND FREE OF FINES PRIOR TO PLACEMENT.
4. ACTUAL VENT PIPE DIAMETER TO BE DETERMINED BASED ON THE SPECIFICS OF THE FOUNDATION AND BUILDING WALL DESIGN, THE SYSTEM DESIGN CAPACITY, THE PROPERTIES OF THE BEDDING / COVER MATERIAL, AND THE SOIL CONDITION UNDERNEATH THE BUILDING.
5. VENT PIPING TO BE INSTALLED ABOVE HIGH WATER TABLE AND ISOLATED FROM AND VERTICALLY ABOVE FOUNDATION DRAINAGE PIPING AND BEDDING MATERIAL.
6. ACTUAL COLLECTION PIPE DIAMETER AND ITS HORIZONTAL SEPARATION TO BE DETERMINED BASED ON THE SYSTEM DESIGN CAPACITY, THE PROPERTIES OF THE BEDDING / COVER MATERIAL, AND THE SOIL CONDITION UNDERNEATH THE BUILDING.
7. VAPOUR BARRIER, GEOTEXTILE AND PEA GRAVEL LAYERS TO EXTEND ACROSS FULL EXTENT OF BUILDING FOUNDATION.
8. VENTING HEADER ENGINEERED TO PASS THROUGH OR BENEATH FOUNDATION (WALLS OR FOOTER).
9. VENT RISERS CAN ALSO BE LOCATED TO INTERIOR OF BUILDING IF ARCHITECTURAL / MECHANICAL CONDITIONS DICTATE. HOWEVER, INTERIOR VENT RISER MUST BE MAINTAINED ACCESSIBLE FOR MONITORING PURPOSES AND RETROFITTING TO AN ACTIVE SYSTEM IF REQUIRED IN THE FUTURE.
10. DESIGN IS CONCEPTUAL. DESIGN APPROACHES THAT MEET THE INTENT OF THE CONCEPTUAL DESIGN AND ACHIEVE THE DESIGN OBJECTIVES DESCRIBED IN APPENDIX I MAY BE USED.

FIGURE I-7
Conceptual Design for Unsaturated Conditions
Passive Relief, Collection, and Venting System

River Park South,
Toronto, Ontario

NOT TO SCALE

697838_RPS_F007.dwg

JACOBS

Figure I-8

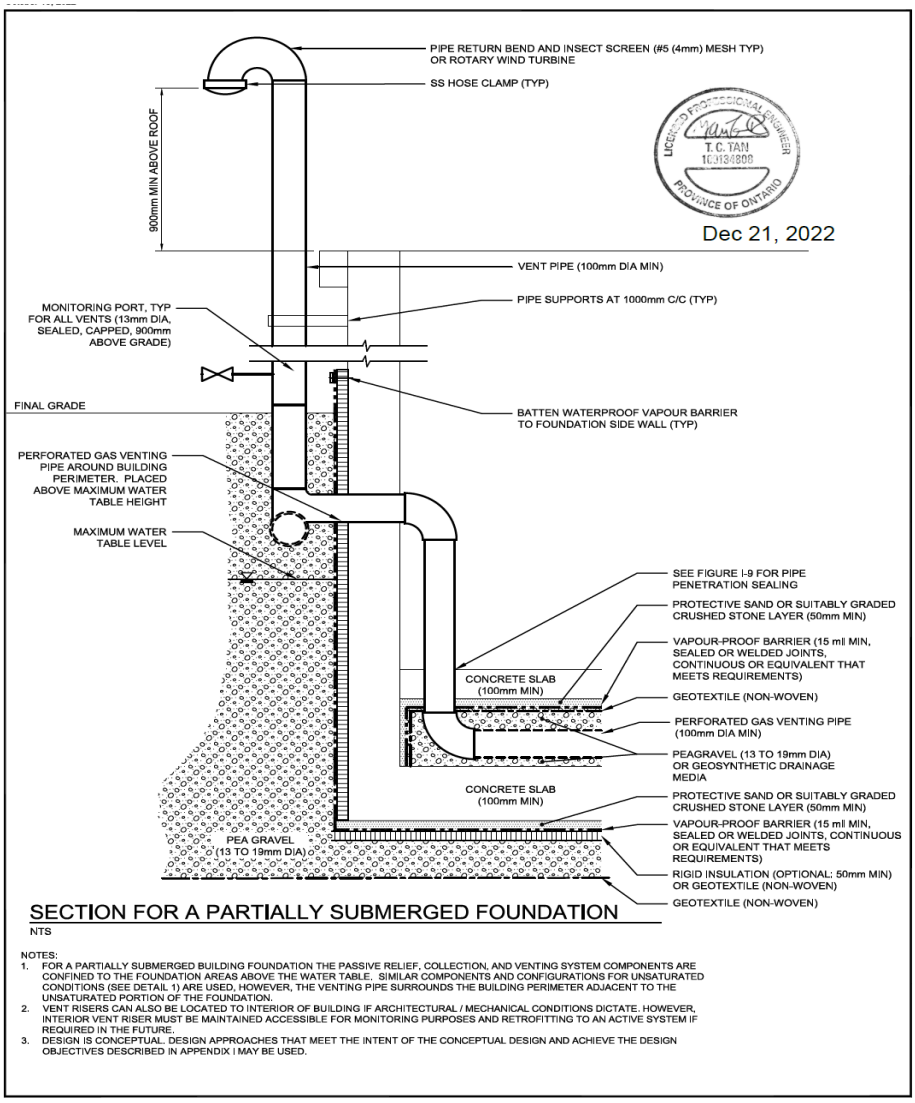


FIGURE I-8
Conceptual Design for Saturated Conditions
Passive Relief, Collection, and Venting System

River Park South
Toronto, Ontario

NOT TO SCALE

697838_RPS_F008.dwg

JACOBS

Figure I-9

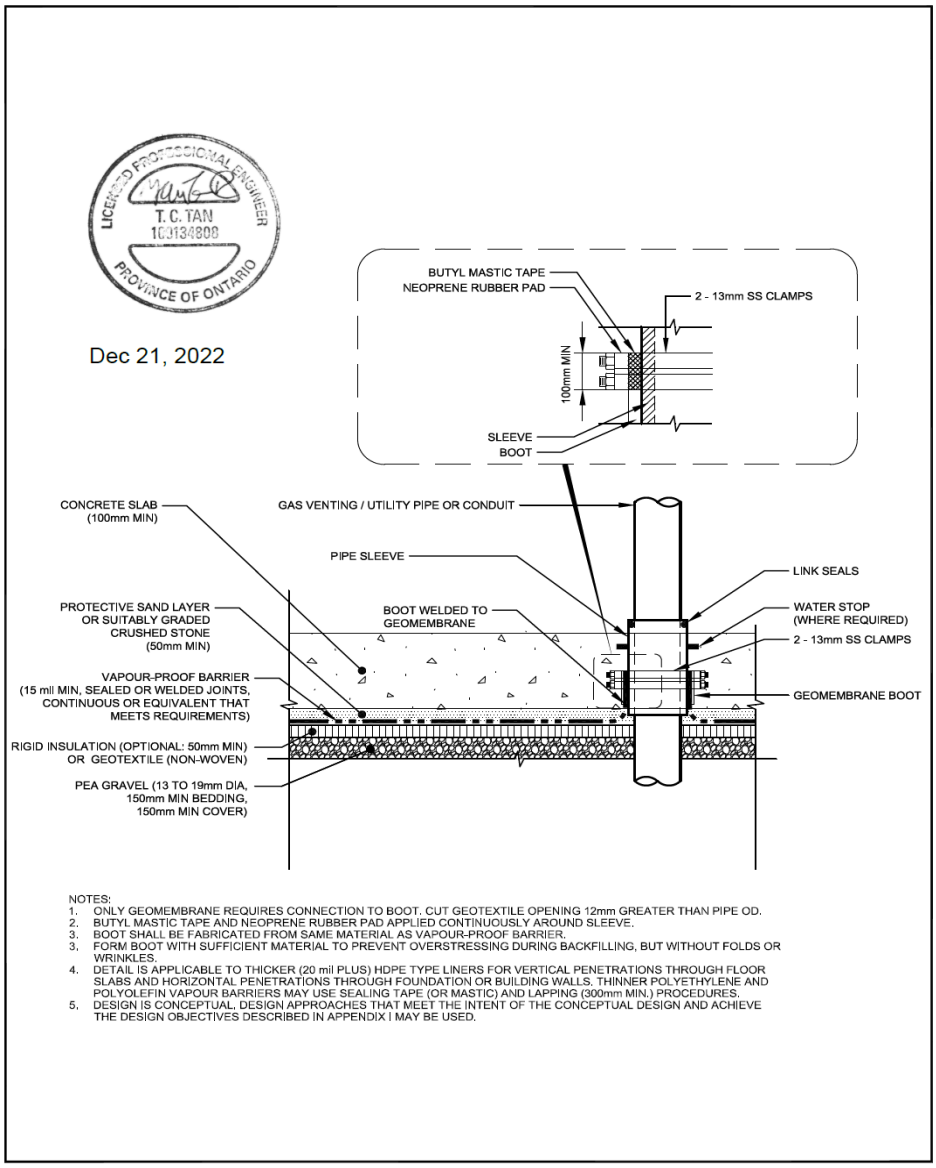


FIGURE I-9
Conceptual Design for Conduit and Pipe Penetrations
Passive Relief, Collection, and Venting System

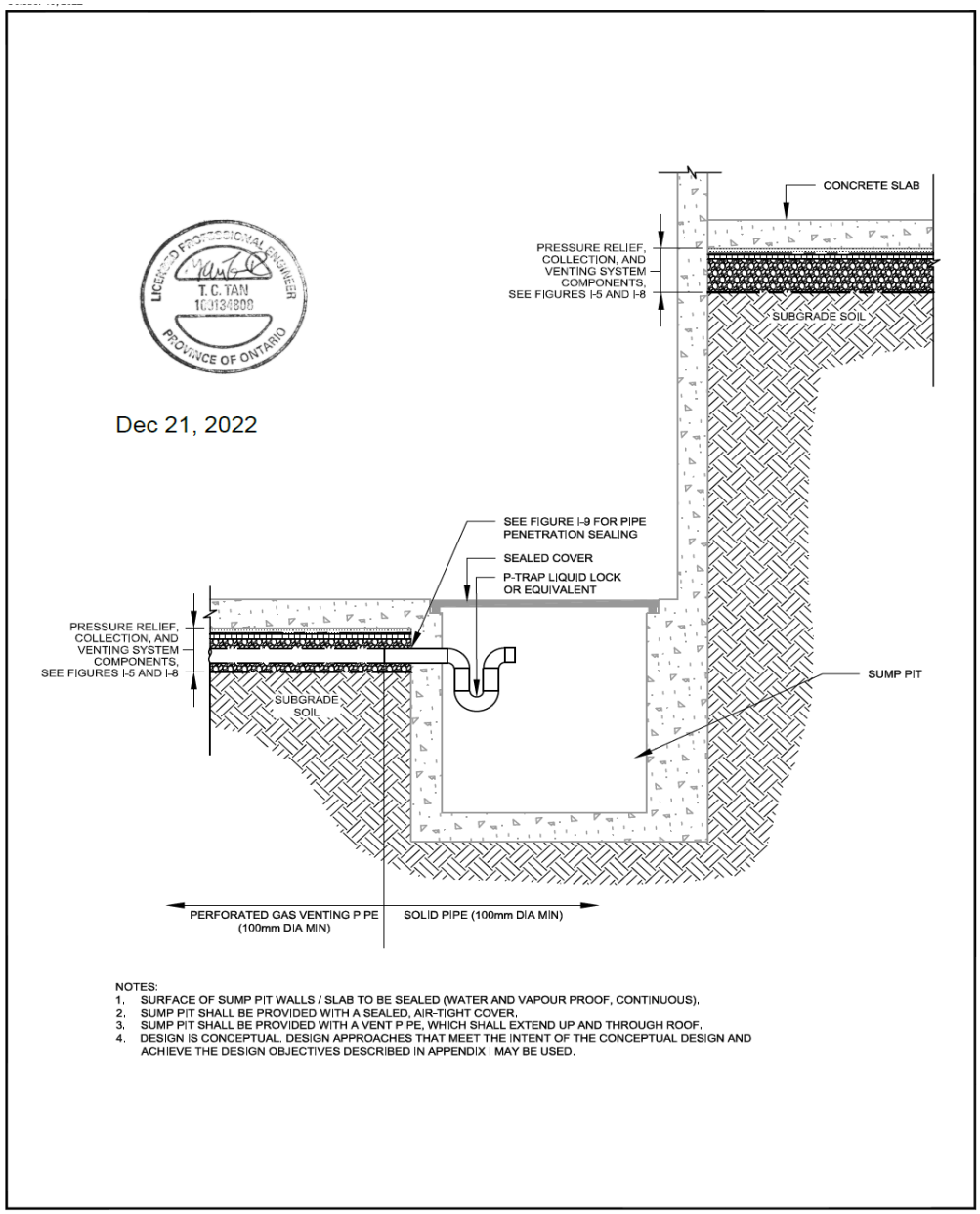
River Park South,
Toronto, Ontario

NOT TO SCALE

697838_RPS_F009.dwg

JACOBS

Figure I-12



NOTES:
1. SURFACE OF SUMP PIT WALLS / SLAB TO BE SEALED (WATER AND VAPOUR PROOF, CONTINUOUS).
2. SUMP PIT SHALL BE PROVIDED WITH A SEALED, AIR-TIGHT COVER.
3. SUMP PIT SHALL BE PROVIDED WITH A VENT PIPE, WHICH SHALL EXTEND UP AND THROUGH ROOF.
4. DESIGN IS CONCEPTUAL. DESIGN APPROACHES THAT MEET THE INTENT OF THE CONCEPTUAL DESIGN AND ACHIEVE THE DESIGN OBJECTIVES DESCRIBED IN APPENDIX I MAY BE USED.

FIGURE I-12
Conceptual Design for Pipe Entry Into Sump
Passive Relief, Collection, and Venting System

River Park South,
Toronto, Ontario

NOT TO SCALE

697838_RPS_F012.dwg

JACOBS

Figure I-13

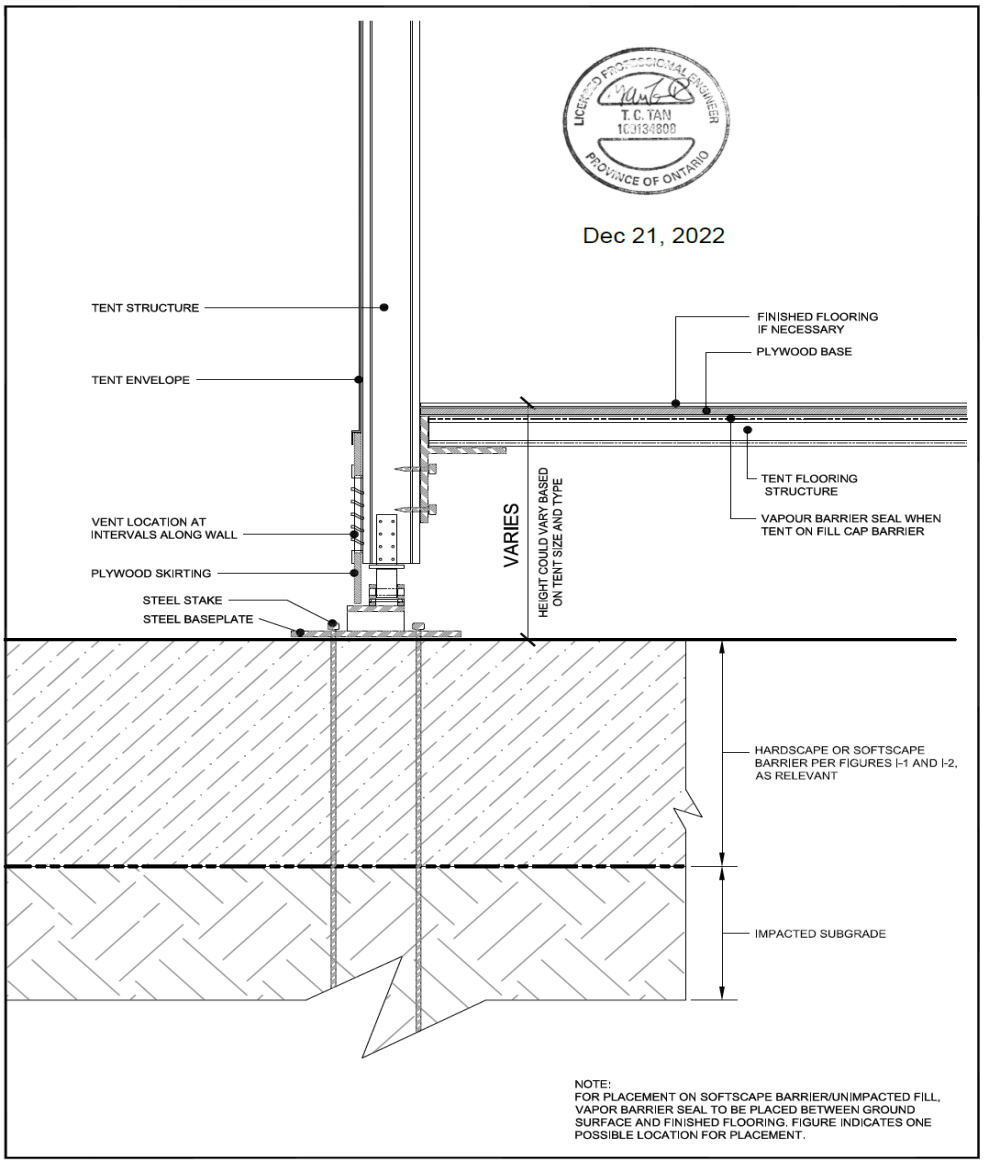


FIGURE I-13
Conceptual Design of Vapour Mitigation System for Temporary Tent Structures

River Park South, Toronto, Ontario

NOT TO SCALE

697838_RPS_F013.dwg

JACOBS

Figure 1-2

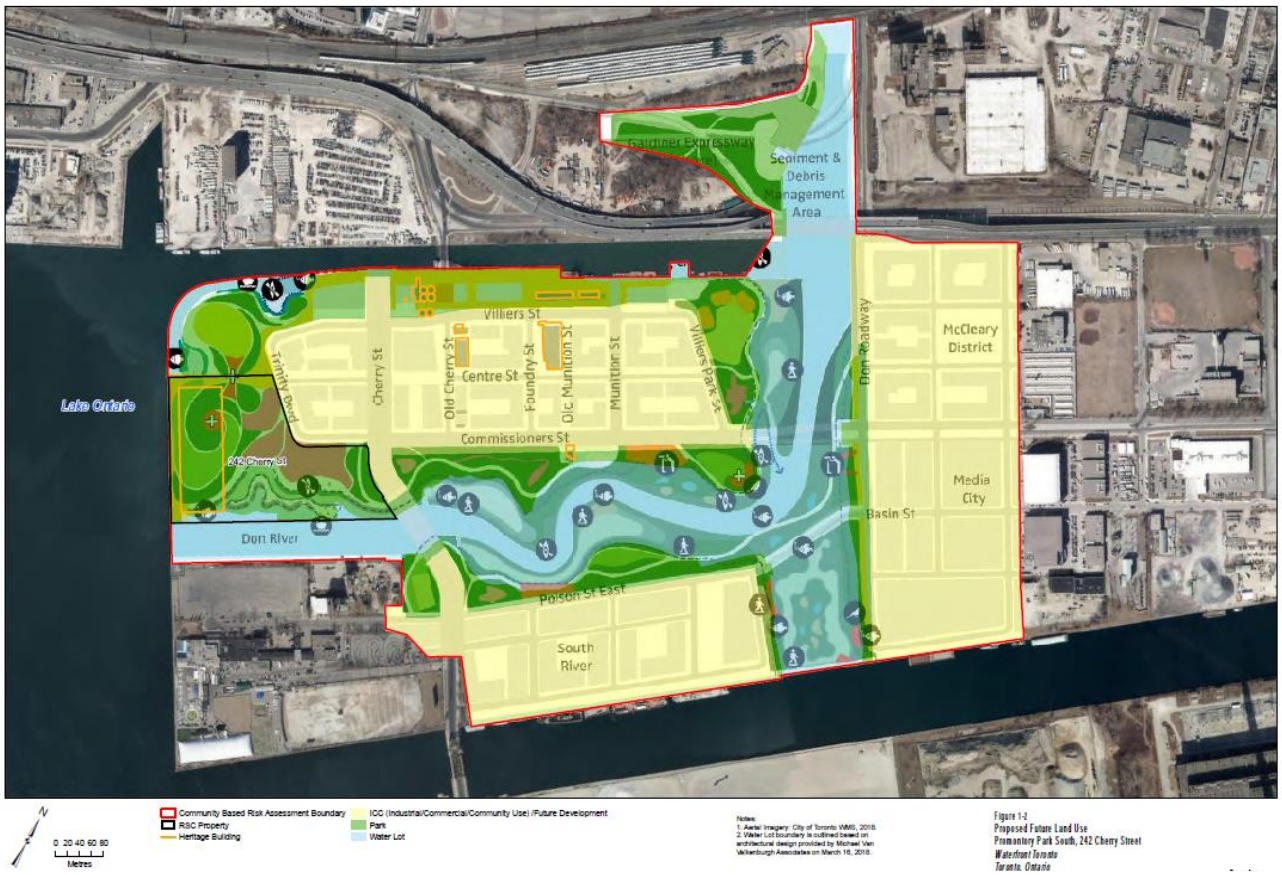
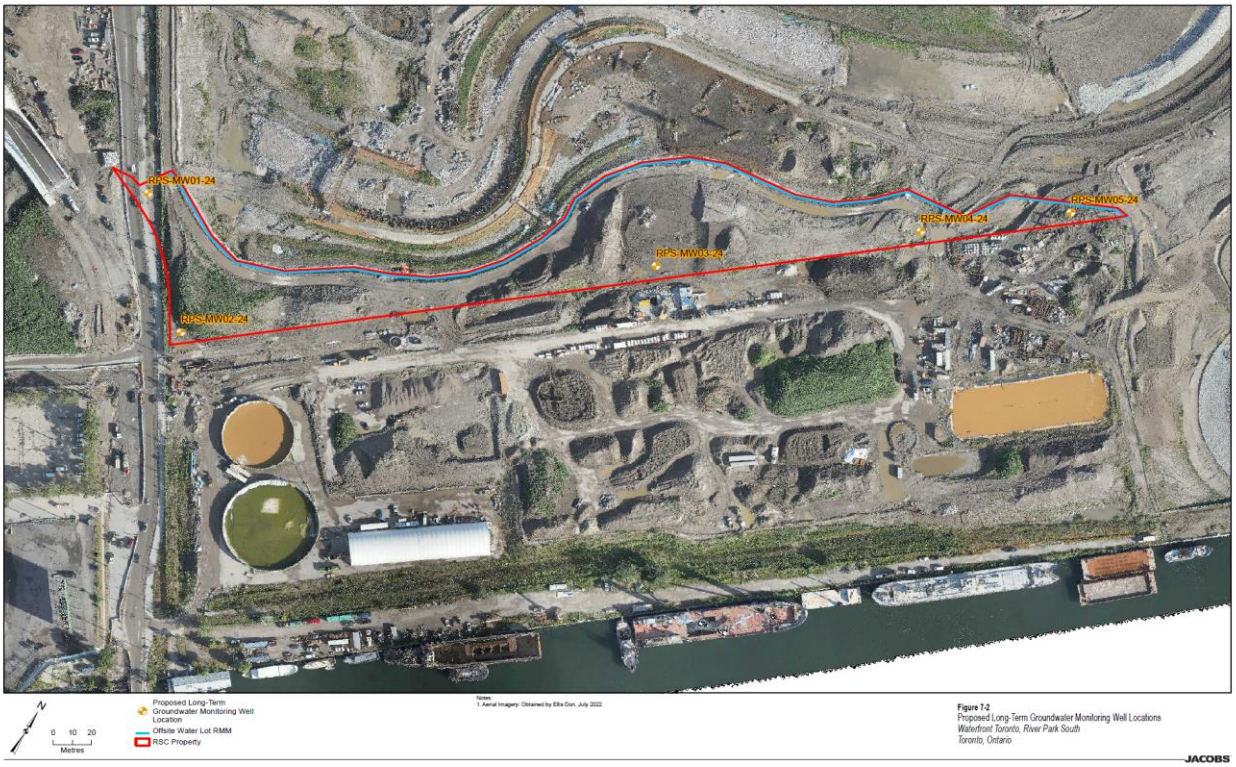

Gardiner Expressway
Sediment & Debris Management Area
Villiers St
Trinity Park
Cherry St
Old Cherry St
Centre St
Foundry St
Old Munition St
Munition St
Villiers Park St
Don Roadway
McCleary District
Lake Ontario
242 Cherry St
Commissioners St
Media City
Basin St
Don River
Polson St East
South River
Community Based Risk Assessment Boundary
RSC Property
Heritage Building
ICC (Industrial/Commercial/Community Use) /Future Development
Park
Water Lot
0 20 40 60 80
Metres
Notes:
1. Aerial Imagery: City of Toronto WMS, 2018.
2. Water Lot boundary is outlined based on architectural design provided by Michael Van Valkenburgh Associates on March 16, 2018.
Figure 1-2
Proposed Future Land Use
Promontory Park South, 242 Cherry Street
Waterfront Toronto
Toronto, Ontario

Figure 7-2


RPS-MW01-24
RPS-MW02-24
RPS-MW03-24
RPS-MW04-24
RPS-MW05-24
N
0 10 20
Metres
Proposed Long-Term Groundwater Monitoring Well Location
Offsite Water Lot RMM
RSC Property
Notes:
1. Aerial Imagery: Obtained by Ellis Don, July 2022.
Figure 7-2
Proposed Long-Term Groundwater Monitoring Well Locations
Waterfront Toronto, River Park South
Toronto, Ontario
JACOBS