

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 1676-DKFQBZ
Issue Date: November 19, 2025

RTM Farms Ltd.
617 Highway 77 Hwy
Leamington, Ontario
N8H 3V8

Site Location: RTM Farms
617 Highway 77
Municipality of Leamington, County of Essex
N8H 3V8

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:

stormwater management (SWM) Works serving a vegetable greenhouse development located at 617 Highway 77, Municipality of Leamington, County of Essex, N8H 3V8, to attenuate post-development peak flows to less than the 2 year pre-development level for all storm events up to and including the 100 year return storm, consisting of the following:

PROPOSED WORKS

SWM Works to service proposed greenhouse expansions consisting of a drainage area of approximately 4.77 hectares for the development of new greenhouse growing building, warehouse expansions, bunk housing, gravel areas, green space, gravel pathway, gravel parking lot, concrete loading dock and concrete sidewalk.

- **SWM (drainage area of 4.77 ha) wet pond** with sediment forebay, located east of the growing building, having a permanent storage volume of 609 cubic metres, an extended detention volume of 1,575 cubic metres, and a total storage volume of 5,332 cubic metres including the permanent pool, at a total depth of 4.9 metres, two inlets structure equipped with 150-200 mm Rip-Rap on Terrafix Filter Cloth with one inlet consisting of 900 millimetres diameter pipe located west of the pond near catch basin CB7 and one inlet consisting of 450 millimetres diameter pipe located north of the pond; and an outlet structure equipped with 150-200 mm Rip-Rap on Terrafix Filter Cloth comprised of 300 millimetres diameter pipe discharging to the pumping station approximately 4 m deep and equipped with

a submersible pump, located at the southeast of the proposed warehouse building, from where water will be pumped to Robert Anderson Drain, within the Hillman Creek watershed.

EXISTING WORKS

SWM Works serving a vegetable greenhouse development with a total catchment area of approximately 8.57 hectares including Phases 1, 2, 3, 4, 5A and 5B greenhouses of 5.6 hectares, as well as supporting structures, a parking lot and a driveway.

- **one (1) oil/grit separator**, ADS / Hancor 3612WQA or equivalent, receiving discharge from approximately 0.5 hectare parking lot, providing normal level of protection, having a sediment capacity of 1000 litres, oil capacity of 500 litres and a maximum treatment flow rate of 24 litres per second, discharging to the Enns Drain, an existing municipal drain located along the west side of Highway 77.
- **Stormwater conveyance system** includes swales, sub-surface drains and roof drainage pipes, discharging into a stormwater detention pond as described below;
- **one (1) stormwater detention pond** having a maximum storage volume of approximately 4,566 cubic meters to a maximum water level of 196.1 metres, a freeboard of 0.30 metres at 196.4 metres grade and an emergency outflow swale, discharging via 300 millimetres diameter pipe to restrict the flow to maximum 93 litres per second into the Enns Drain, an existing municipal drain located along the west side of Highway 77, and eventually into the Lebo Creek Drain South Branch.

including erosion/sedimentation control measures and all other appurtenances essential for the proper operation of the aforementioned Works.

all in accordance with supporting documents listed in **Schedule A**.

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 Sarnia/Windsor District Office;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;

6. "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;
7. "Owner" means RTM Farms Ltd. and includes its successors and assignees;
8. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
9. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
10. "Works" means the approved sewage works, and includes both Existing Works and Proposed Works.

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 PROVISIONS

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. The authorization provided by this Approval will cease to apply to those parts of the Existing Works which have not been constructed **before May 18, 2027**.
2. This Approval will cease to apply to those parts of the Proposed Works which have not been constructed within **five (5) years** of the date of this Approval.
3. In the event that completion and commissioning of any portion of the Proposed Works is anticipated to be more than five (5) years, the Owner shall submit an application for extension at least **twelve (12) months** prior to the end of the five (5) years from the day of issuance of this Approval. The application 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 Proposed 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 Owner;
 - b. change of 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; and
 - d. change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the *Corporations Information Act*, R.S.O. 1990, c. C39 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. CONSTRUCTION OF PROPOSED WORKS

1. Upon the construction of the Proposed Works, the Owner shall prepare a statement, certified by a Licensed Engineering Practitioner, that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by

Ministry personnel.

2. Within **one (1) year** of the construction of the Proposed Works, a set of as-built drawings showing the Works “as constructed” shall be prepared. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the Works for the operational life of the Works.

5. EFFLUENT LIMITS

1. The Owner shall operate and maintain the Works such that compliance limits for the effluent parameters listed in the Effluent Compliance Limits table included in **Schedule B** are met.
2. Notwithstanding any other conditions of this Approval, the Owner shall ensure that the effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film or sheen or foam or discolouration on the receiving waters.

6. OPERATION AND MAINTENANCE

1. The Owner shall inspect the Works at least two (2) times per year and, if necessary, clean and maintain the Works to prevent the excessive build-up of sediments, oil/grit, and/or vegetation.
2. The Owner shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook available for inspection by the Ministry.

7. MONITORING AND RECORDING

1. The Owner shall, upon commencement of operation of the Works, carry out a scheduled monitoring program of collecting samples at the required sampling points, at the frequency specified or higher, by means of the specified sample type and analyzed for each parameter listed in the tables under the monitoring program included in "Schedule C", and record all results, as follows:
 - a. All samples and measurements taken for the purposes of this Approval are to be taken at a time and in a location characteristic of the quality and quantity of the effluent stream over the time period being monitored.
 - b. if conditions on the day of sampling exist where there is no flow or standing water, the Owner shall record the condition as "Dry". The Owner shall not incorporate “dry” conditions in rolling average calculations in accordance with the note "Understanding Four-month Rolling Average" included in "Schedule B". In situations where "Dry" is recorded, the Owner shall use the four most recent events where a sample was collected in calculating the 4-month rolling average.

c. definitions for frequency:

- i. "monthly" means once every calendar month;
2. All samples collected for parameters listed in the table(s) under the monitoring program included in "Schedule C" shall be analyzed by a laboratory accredited by ISO/IEC:17025. The Owner shall follow direction from the retained accredited lab with respect to sample containers and collection procedure.
 3. The sampling frequencies and/or parameters specified in the table(s) under the monitoring program included in "Schedule C" may be reduced where authorized in writing by the Director if the Owner is able to demonstrate satisfactory performance for two (2) consecutive years.
 4. In the event of any non-compliance with the effluent limit for a parameter listed in the table included in **Schedule B**, during the prescribed monitoring events listed in the table(s) under the monitoring program included in **Schedule C**, the Owner shall submit a report to the District Manager within two (2) weeks of the receipt of laboratory sample results. The report shall include the following:
 - a. a summary of the non-compliance parameter(s) during that month;
 - b. a copy of the laboratory results; and
 - c. detailed actions that are being implemented to bring the non-compliance into compliance.
 5. A new report required by above Subsection 4 shall be submitted every month until all new sampling results are in compliance with the effluent limits listed in **Schedule B**. Should the Owner be able to demonstrate conclusively through a scientific report that the non-compliance is not a result of greenhouse activities, the Owner may apply to the Director to amend the effluent limit(s) to reflect the background conditions of the site.

8. REPORTING

1. In addition to the obligations under Part X of the EPA and O. Reg. 675/98 (Classification and Exemption of Spills and Reporting of Discharges) made under the EPA, the Owner shall, within fifteen (15) days of the occurrence of any reportable spill as provided in Part X of the EPA and O. Reg. 675/98, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and a schedule of implementation.
2. The Owner shall report to the District Manager orally as soon as possible any non-compliance with the compliance limits, and in writing within seven (7) days of non-compliance.
3. The Owner shall, upon request, make all manuals, plans, records, data, procedures and

supporting documentation available to the Ministry staff.

4. The Owner shall prepare, and submit to the District Manager upon request, a performance report, on an annual basis, by April 1 for the previous calendar year. The report shall contain, but shall not be limited to, the following information:
 - a. a summary and interpretation of all monitoring data and a comparison to the concentration limits of the parameters outlined in Condition 4;
 - b. a description of any operating problems encountered and corrective actions taken;
 - c. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works;
 - d. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
 - e. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
 - f. a summary of all by-pass, spill or abnormal discharge events;
 - g. any other information the District Manager requires from time to time.

9. PROHIBITION

1. The Owner shall ensure that the stormwater management Works are operated exclusively for the collection, transmission, treatment and disposal of stormwater runoff. Under **no** circumstance shall any process wastewater (including, but not limited to, the wastewater from irrigation of the plants, the wastewater from the washing of floors/vegetable (if any), floor drain wastewater, or boiler blow downs or condensate) from the site be discharged into the stormwater management Works.

10. SPECIAL CONDITION

1. The Owner shall ensure that the Proposed SWM Works is properly lined with a minimum 1.0 m clay liner using on-site or imported inorganic silty clay fill with a hydraulic conductivity of at least 1×10^{-7} cm/sec.

Schedule A

1. Environmental Compliance Approval Application for Sewage Works submitted by RC Spencer Associates Inc., dated January 7, 2025, and signed by Robert Magri, President, RTM Farms Ltd., and all supporting documentation and information.
2. Application for Approval of Sewage Works dated March 27, 2017, submitted by Robert Magri, President.
3. Greenhouse Storm Water Management Design Report & Drawings dated August 29, 2006, prepared by N.J. Peralta Engineering Ltd.
4. Stormwater Amendment Report dated March 15, 2012, prepared by Heide Mikkelsen, P. Eng., from N.J. Peralta Engineering Ltd.
5. All other correspondence and technical documentation in support of this application.

Schedule B

Effluent Compliance Limits

Effluent Parameter	Concentration Limit (Four-month Rolling Average* ² otherwise indicated) (maximum unless otherwise indicated)
Total Phosphorus	0.5 mg/L* ¹
Nitrate Nitrogen	20 mg/L
Potassium	25 mg/L
Copper	0.02 mg/L
Chloride	200 mg/L
Sulphate	200 mg/L
Zinc	0.10 mg/L
pH	between 6.5 - 10.0 inclusive (Single Sample Result)

Note*¹: mg/L means milligrams per litre.

Note*²: For an example of rolling average, see "Understanding Four-month Rolling Average" below.

Understanding Four-month Rolling Average

A four-month rolling average is an average value based on the four (4) most recent months of data. The average "rolls along" with the most recent data. Rolling average is a useful means of illuminating trends in data where there is wide variation in the data from sample event to sample event.

Sampling Period	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
P1	0.20	Dry	0.30	0.36	0.55							
P2	0.20	Dry	0.30	0.36	0.55	0.45						
P3	0.20	Dry	0.30	0.36	0.55	0.45	0.25					

For example, from the table above:

- The four-month rolling average for May reporting (for P1) is $(0.20+0.30+0.36+0.55)/4 = 0.35$
- The four-month rolling average for June reporting (for P2) is $(0.30+0.36+0.55+0.45)/4 = 0.42$
- The four-month rolling average for July reporting (for P3) is $(0.36+0.55+0.45+0.25)/4 = 0.40$

Schedule C

Monitoring Program

Sampling Location	Effluent from the stormwater detention pond When flow is present, samples are to be collected from the final outlet of the stormwater detention pond. If no flow is present and standing water is present, a sample shall be collected from the point in the vicinity of the outlet.
Sampling Type	Grab
Sample Frequency	Monthly (year-round)
Sampling Parameters	Total Suspended Solid, Total Ammonia Nitrogen, Nitrate Nitrogen, Total Phosphorus, Ortho Phosphorus (Phosphorus as Phosphate), Zinc, Copper, Manganese, Iron, Molybdenum, Boron, Chloride, Sulphate, Potassium, Hardness, pH

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. Condition 1.4 is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The Condition specifically highlights the need to obtain any necessary conservation authority approvals. The Condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
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 ensure that the Works are constructed in accordance with the approval and that record drawings of the Works "as constructed" are maintained for future references.
5. Condition 5 is imposed to ensure that the effluent discharged from the Works to the receiver meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.

6. Condition 6 is included to require that the Works be properly operated and maintained such that the environment is protected.
7. Condition 7 is included to enable the Owner to evaluate and demonstrate the performance of the Works, on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the design objectives specified in the Approval.
8. Condition 8 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.
9. Condition 9 is included to make the Owner aware that no process wastewater shall be discharged into the stormwater management Works.
10. Condition 10 is included to require that the Proposed Works be properly constructed to mitigate cross contamination with the groundwater.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
8930-AM2HS9 issued on May 18, 2017**

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.

Pursuant to subsection 139(3) of the *Environmental Protection Act*, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

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

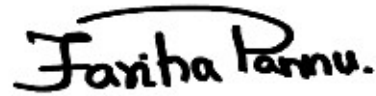
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

* **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 19th day of November, 2025



Fariha Pannu, P.Eng.

Director

appointed for the purposes of Part II.1 of the
Environmental Protection Act

YK/

c: Area Manager, MECP Windsor

c: District Manager, MECP Sarnia

Marvel Hormiz, RC Spencer Associates Inc.