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**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A-500-7372515647

Version: 1.0

Issue Date: May 18, 2026

Pursuant to section 20.3 of the *Environmental Protection Act*, Revised Statutes of Ontario (R.S.O.) 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:

45 VICTORIA STREET LIMITED

26 LESMILL ROAD 3  
TORONTO ONTARIO  
M3B 2T5

For the following site:

45 Victoria Street North  
Kitchener, Ontario  
N2H 5C1

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) 2361-6LNSBA, issued on May 1, 2006.

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:

- one (1) groundwater remediation system exhaust, passively discharging to the air through a whirlybird vent identified as GRS, extending 4.00 metres above grade.

all in accordance with the Application for Approval (Air ) submitted by 45 Victoria Street Limited, dated August 11, 2025 and signed by Mitchell Fasken; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by BluMetric Environmental Inc, dated August 11, 2025 and signed by Jessica Petrocco; and, all other documentation associated with the Application.

## **DEFINITIONS**

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

"Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;

"Company" means 45 Victoria Street Limited that is responsible for the construction or operation of the Facility and includes any successors and assigns in accordance with section 19 of the EPA;

"District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;

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

"Equipment" means the whirlybird vent described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;

"Facility" means the entire operation located on the property where the Equipment is located;

"Manual" means a document or a set of documents that provide written instructions to staff of the Company;

"Ministry" means the ministry of the government of Ontario responsible for the EPA and includes all officials, employees or other persons acting on its behalf;

## **TERMS AND CONDITIONS**

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You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

### **1. OPERATION AND MAINTENANCE**

1. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:
  1. prepare not later than three (3) months after the date of this Approval, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:
    1. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
    2. emergency procedures, including spill clean-up procedures;
    3. procedures for any record keeping activities relating to operation and maintenance of the Equipment;
    4. all appropriate measures to minimize odorous emissions from all potential sources; and

5. the frequency of inspection;
2. implement the recommendations of the Manual.

## **2. RECORD RETENTION**

1. The Company shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this Approval, and make these records available for review by staff of the Ministry upon request. The Company shall retain:
  1. all records on the maintenance, repair and inspection of the Equipment; and
  2. all records of any environmental complaints, including:
    1. a description, time and date of each incident to which the complaint relates;
    2. wind direction at the time of the incident to which the complaint relates; and
    3. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

## **3. NOTIFICATION OF COMPLAINTS**

1. The Company shall notify the District Manager, in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:
  1. a description of the nature of the complaint; and
  2. the time and date of the incident to which the complaint relates.

## **4. CHANGE OF OWNERSHIP**

1. The Company shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any of the following changes to the Facility operations:
  - a. the ownership of the Facility;
  - b. the operator of the Facility;
  - c. the address of the Company;
  - d. the partners, where the Company 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.

B.17, shall be included in the notification; or

e. the name of the corporation where the Company is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the *Corporations Information Act*, R.S.O. 1990, c. C.39, shall be included in the notification.

2. In the event of any change in ownership of the Facility, the Company shall notify the successor of the existence of this Approval and provide the successor with a copy of this Approval, and the Company shall provide a copy of the notification to the District Manager and the Director.

## REASONS

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

Condition No. 1 is included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.

Condition No. 2 is included to require the Company to keep records and to provide information to staff of the Ministry so that compliance with the EPA, the Regulations and this Approval can be verified.

Condition No. 3 is included to require the Company to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.

Condition No. 4 is included to require the Company to notify/report to the Ministry so that compliance with the EPA, the regulations and this Approval can be verified.

## APPEAL PROVISIONS

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In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal, within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights*, 1993 who 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:

1. 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;
2. 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](mailto:OLT.Registrar@ontario.ca)

and

The Minister of  
the Environment,  
Conservation and  
Parks  
777 Bay Street,  
5th Floor

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  
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Toronto, Ontario  
M7A 2J3

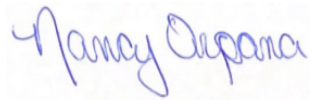
Floor  
Toronto, Ontario  
M4V 1P5

**\* 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 [Ontario Land Tribunal's](#)**

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 [Environmental Registry of Ontario](#), 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 18th day of May, 2026



Nancy Orpana

Director

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

c: Mitchell Fasken, 45 VICTORIA STREET LIMITED

Jessica Petrocco, BluMetric Environmental Inc

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