Director's Order

Director's Order Number
1-1714399323

Director's Order Issued To
10673145 CANADA INC.
51 WESTERRA WAY , NORTH GRENVILLE, ON, K0G 1J0

ENGREEN INC.
16 AMOS MAYNARD CIRCLE , VAUGHAN, ON, L4L 3B8

Site
PT LOT 7 CON 1 Geographic Township of Elizabethtown, City of Brockville

Refer to the Definitions section in Part B of this Director's Order, for the meaning of all the capitalized terms that are used in this Director's Order.

PART A - WORK ORDERED

Pursuant to my authority under, I order you, jointly and severally, unless otherwise indicated, to do the following:

Item No. 1 **Compliance Due Date:** Not applicable

Upon service of the Order, the Current Owner shall cease permitting, causing, or arranging for the deposit of Waste at the Site.

Item No. 2 **Compliance Due Date:** Not applicable

By [April 30, 2027], remove and transport the buried decommissioned fuel tank and associated impacted soil from the Site using an Approved Waste Management System to manage such Waste, and deposit the Waste at an Approved Waste Disposal Site(s).

Item No. 3 **Compliance Due Date:** Not applicable

By [May 7, 2027], submit to the Director by email to cathy.chisholm@ontario.ca and to environment.kingston@ontario.ca a written report confirming that Work Ordered Item No. 2 has been completed, that includes:

a) the name and the ECA number and/or EASR registration number of the Waste Management System(s) used to remove and transport the Waste from the Site;

b) the Waste Disposal Site(s) that accepted the removed Waste; and

c) copies of all receipts from the Waste Disposal Site(s) that state the

quantity, weight and type of Waste which was accepted and originated from the Site.

Item No. 4 **Compliance Due Date:** Not applicable

By [February 12, 2027], retain the services of a Qualified Person(s) satisfactory to the Director to carry out the work as described in Work Ordered Items No. 5, No. 6, No. 8 and No. 9 of this Order.

Item No. 5 **Compliance Due Date:** Not applicable

By [February 12, 2027], submit to the Director written confirmation from the Qualified Person(s) by email to cathy.chisholm@ontario.ca and to environment.kingston@ontario.ca that they have, (a) received a copy of this Order; (b) been retained to carry out the work as described in Work Ordered Items No. 5, No. 6, No. 8 and No. 9 of the Order; and (c) the experience and qualifications to carry out such work.

Item No. 6 **Compliance Due Date:** Not applicable

By [March 12, 2027], have the retained Qualified Person(s) prepare a written work plan to assess and delineate the Contaminants of Concern at the Site (hereafter referred to as the Groundwater Delineation Work Plan), that includes, at a minimum, the following:

a) the steps that will be taken to delineate the vertical and horizontal extent of the Contaminants of Concern in groundwater at the Site and that may have migrated and may continue to migrate or may migrate off-site;

b) a copy of a site plan that identifies the locations of sample sites, and monitoring wells that will form part of the groundwater monitoring assessment; and

c) a proposed schedule for implementing the work described in the Groundwater Delineation Work Plan.

Item No. 7 **Compliance Due Date:** Not applicable

By [March 12, 2027], submit the Groundwater Delineation Work Plan required by Work Ordered Item No. 6 to the Director by email to cathy. chisholm@ontario.ca and to environment.kingston@ontario.ca for review and acceptance.

Item No. 8 **Compliance Due Date:** Not applicable

Upon receiving written notice from the Director accepting the Groundwater Delineation Work Plan, have the Qualified Person(s) commence implementing the accepted Groundwater Delineation Work Plan in accordance with the schedule set out in the accepted Groundwater

Delineation Work Plan.

Item No. 9 **Compliance Due Date:** Not applicable

By [September 30, 2027] submit to the Director by email to cathy.chisholm@ontario.ca and environment.kingston@ontario.ca , a written report prepared by the retained Qualified Person(s) that includes, at a minimum, the following:

a) A description of the actions taken to implement the accepted Groundwater Delineation Work Plan;

b) Summarises the information gathered from the implementation of the accepted Groundwater Delineation Work Plan; and

c) Outlines recommendations for addressing actual and potential off Site groundwater impacts and any Adverse Effect(s) caused by one or more Contaminants of Concern.

Item No. 10 **Compliance Due Date:** Not applicable

Upon service of this Order, the Current Owner and any other person with an interest in the Site shall, before dealing with the Site in any way, provide a copy of this Order, including any amendments thereto, to every person who will acquire an interest in the Site as a result of the dealing.

Item No. 11 **Compliance Due Date:** Not applicable

By [enter date], the Current Owner shall submit to the Director by email to cathy.chisholm @ontario.ca and to environment.kingston@ontario.ca a draft acknowledgement and direction package completed in accordance with the instructions set out in the Attachments section of the Order and identified as Document 1.

Item No. 12 **Compliance Due Date:** Not applicable

Within fourteen (14) days of receipt of an acknowledgement and direction form signed by the Director, enclosing a certificate of requirement, the Current Owner shall register the certificate of requirement issued under subsection 197 (2) of the EPA on title to the Site, in the appropriate land registry office.

Item No. 13 **Compliance Due Date:** Not applicable

Within seven (7) days of registering the certificate of requirement on title, the Current Owner shall provide to the Director by email to cathy.chisholm@ontario.ca and to environment.kingston@ontario.ca written confirmation that the certificate of requirement has been registered on title as

required by Work Ordered Item No. 12 of this Order by providing a copy of the registered document and the updated parcel register for the property identifier number for the Site.

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PART B – DIRECTOR'S REPORT

This Director's Order is being issued for the reasons set out below.

Definitions

For the purposes of this Director's Order, the following capitalized terms shall have the meanings set out below:

"Director's Order" means this Director's Order Number 1-1714399323, as it may be amended.

"250 OA" means the property municipally located at 250 Oxford Avenue in the City of Brockville, United Counties of Leeds and Grenville.

"2011 Ontario Standards" means the document entitled 'Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act', dated April 15, 2011 - PIBS #7382e01.

"2017 August Report" means the report entitled 'Phase One Environmental Site Assessment, Concession 1, Part of Lot 7, RP28R, Parts 1 & 2, Brockville, Ontario' prepared by Golder Associates Ltd. and dated August 2017.

"2017 October Report" means the report entitled 'Draft Report on Phase Two Environmental Site Assessment, Concession 1, Part Lot 7 RP28R, Parts 1 & 2, Brockville, Ontario' prepared by Golder Associates Ltd. and dated October 2017.

"2024 January Report" means the report with the subject line 'Soil Quality Assessment, Vacant Parcel – Oxford Avenue, Brockville, Ontario', prepared by Paterson Group Consulting Engineers and dated January 4, 2024.

"MECP 2024 Groundwater Memo" means the memorandum dated February 20, 2024 with the subject line 'Soil Quality Assessment, Vacant Parcel – Oxford Avenue, Brockville, Ontario' prepared by Nick Battye, Hydrogeologist with the Ministry's Technical Support Section. .

"MECP 2024 Surface Water Memo" means the memorandum dated February 24, 2024 with the subject line 'Mapleview Homes/Oxford Ave, Con 1, Part lot 7, Brockville, ON, Review of contaminated fill deposited on vacant property' prepared by Dana Cruikshank, Surface Water Specialist, with the Ministry's Technical Support Section.

"2024 May Report" means the report with the subject line 'Soil Quality Assessment, Vacant Parcel – Oxford Avenue, Brockville, Ontario' prepared by Paterson Group Consulting Engineers and dated May 30, 2024.

"2024 November Memo" means the memorandum dated November 4, 2024 with the subject line 'Soil Quality Assessment, Vacant Parcel – Oxford Avenue, Brockville, Ontario' prepared by

Nick Battye, Hydrogeologist, with the Ministry's Technical Support Stion.

"Approved Waste Management System" means a Waste Management System that possesses a valid Environmental Compliance Approval, or is registered in Ontario's EASR.

"Approved Waste Disposal Site" means Waste Disposal Site that possesses a valid Environmental Compliance Approval to accept the Waste.

"BTEX" means benzene, toluene, ethylbenzene and xylenes.

"Contaminants of Concern" means BTEX, metals, PAH and PHC (F1, F2, F3 and F4).

"Current Owner" means Engreen Inc.

"EASR" means Environmental Activity and Sector Registry.

"ECA" means environmental compliance approval.

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

"ESA" means an environmental site assessment.

"Ministry" means the Ontario Ministry of the Environment, Conservation and Parks.

"O. Reg. 153" means Ontario Regulation 153/04 (Records of Site Condition – Part XV.1 of the Act), made under the EPA.

"O. Reg. 406" means Ontario Regulation 406/19 (On-Site and Excess Soil Management), made under the EPA.

"PAH" means polycyclic aromatic hydrocarbons.

"Phase 1 ESA" means phase one environmental site assessment.

"Phase 2 ESA" means phase two environmental site assessment.

"PHC" means petroleum hydrocarbons.

"Previous Owner" means 10673145 Canada Inc.

"Provincial Officer" means the undersigned provincial officer or, in the event that the undersigned officer is unable to act, any other provincial officer authorised to act pursuant to the EPA.

"Qualified Person" means a person meets the qualifications set out in subsection 5(2) of O. Reg. 153.

"SCS" means Site Condition Standards.

"Site" means the property legally described as PT LT 7 CON 1 ELIZABETHTOWN PARTS 1, 2, 3, 4 & 5, 28R7845; S/T LR125084, S/T LR31100, LR32119; BROCKVILLE, property identifier number 44173-0092 (LT).

"Waste" has the same meaning as used in section 25 of the EPA.

"Waste Disposal Site" has the same meaning as used in section 25 of the EPA.

"Waste Management System" has the same meaning as used in section 25 of the EPA.

Description of Person(s) Subject to the Director's Order

Engreen Inc. is the current owner of the Site and has been the owner since October 15, 2025. It is an active business corporation (Ontario Corporation Number 3034770), incorporated on May 13, 2008.

Mr. Anthony Guido is the sole director of the Company.

Prior to October 15, 2025, the Site was owned by 10673145 Canada Inc., which became the owner of the Site on March 16, 2018. 10673145 Canada Inc. is an active Ontario corporation (Ontario Corporation Number 3173957), incorporated on March 9, 2018.

There are four directors for 10673145 Canada Inc., namely Mr. Tyler Verkerk, Mr. Ronald Noseworthy, Mr. William Dorion and Mr. Justin Noseworthy.

Description of the Site and/or System/Facility

The Site has a total area of 90,127.82 square metre and is located adjacent to the Oxford Avenue right of way (east), Butler's Creek and residential properties (north), an unnamed tributary of Butler's Creek and the Canadian National Railway (south) and the Gord Watts Municipal Centre (west).

250 OA is located between the Site and the Oxford Avenue right of way, and shares three property boundaries with the Site.

The Site is undeveloped with heavily treed areas. The Site is not serviced. Residential and commercial properties located north, west and south of the Site are serviced by municipal water and sewage. 250 OA and residential properties east of the Oxford Avenue right of way are not municipally serviced and rely on groundwater for their domestic water supplies.

Butlers Creek is located along the northern property boundary of the Site and an unnamed tributary of Butlers Creek is located along the southern property boundary of the Site.

A diagram of the Site and adjacent properties is enclosed in the Attachments section of the

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Order and identified as Document 2.

The Site is presently listed for sale.

Reasons for the Director's Order

Prior to March 16, 2018, the Site was owned by Brockmoor Developments Corporation Limited. Before that, Pimm Investments Limited owned the Site from June 25, 1981 until its amalgamation with Brockmoor Developments Corporation in or around August 31, 1998. Brockmoor Developments Corporation Limited was dissolved on September 5, 2025.

Between March 16, 2018 and October 15, 2025, 10673145 Canada Inc. owned the Site. Together with another company, 7853742 Canada Inc. operating under the business name Mapleview Homes, the companies sought to develop the site for residential homes. Mapleview Homes dissolved on May 21, 2023.

In January 2024, Provincial Officer Nathalie Matthews was provided with three reports: the 2017 August Report, 2017 October Report and 2024 January Report in respect of environmental assessments conducted at the Site. On June 17, 2024, Provincial Officer Matthews also received a copy of the 2024 May Report.

According to the 2017 August Report, Golder Associates Ltd. was retained by Mapleview Homes to conduct a Phase 1 ESA of the Site. The 2017 August Report identified that imported fill material of unknown quality had been deposited across a large portion of the Site and recommended that a Phase 2 ESA be conducted to support the submission of a site plan application to the City of Brockville.

The 2017 October Report states that Golder Associates Ltd. had been retained by Mapleview Homes to complete a Phase 2 ESA of the Site. Both the 2017 August Report and 2017 October Report indicates that the Site was to be subdivided and developed with residential dwellings.

The 2024 January Report and the 2024 May Report were prepared for Valley Utilities, a developer considering the purchase of the Site to construct a residential development.

The Ministry's Technical Support Section reviewed the above reports and summarized its findings and recommendations to address environmental concerns at the site in the MECP 2024 Groundwater Memo and the MECP 2024 Surface Water Memo. Some of these findings include the following:

• A total of forty-three test pits were advanced at the Site (six in 2017, fourteen in 2023 and twenty-three in 2024).

• Groundwater was not encountered in any of the test pits, with the exception of TP3-24. Test pit TP3-24 was terminated while still within the fill material due to water infiltration and

sidewall sloughing.

• Asphalt, brick, concrete, metal, insulation and wood were observed within the fill material.

• A decommissioned aboveground fuel storage tank (approximately 2,000 liters in size) was located approximately 1.8 meters below ground surface. PHC staining and odours were noted in the surrounding soil to approximately 1.0 meters below the tank.

• Stockpiles of asphalt, concrete and brick were present on the Site.

• Eleven of the fifteen soil samples analysed in 2017 and 2023 and twenty-five of the thirty samples analysed in 2024 exceeded applicable SCS of the 2011 Ontario Standards for one or more Contaminants of Concern.

• Surface water adjacent to the Site and groundwater quality beneath the Site were not assessed.

• The total estimated volume of fill on the Site is 102,000 m3 and 93,000 m3 of that fill material is estimated to exceed applicable SCS of the 2011 Ontario Standards for one or more Contaminants of Concern.

On October 15, 2025, the Current Owner purchased the Site.

On December 11, 2025, Provincial Officer Nathalie Matthews contacted the Current Owner and advised that contamination was present on the Site, and that rehabilitation to current standards, along with an assessment of groundwater quality, would be required.

On January 7, 2026, Provincial Officer Nathalie Matthews emailed Mr. Anthony Guido, a director of the Current Owner, to advise that a Qualified Person needs to be retained to ensure that the relocation and disposal of contaminated soil and fill material at the Site was completed in accordance with the EPA and O. Reg. 406/19 made under that act. Provincial Officer Nathalie Matthews requested that he contact her to discuss next steps once a Qualified Person had been retained.

On March 18, 2026, Provincial Officer Nathalie Matthews drove by the Site and observed that a sign was posted near the entrance of the Site indicating the property was for sale.

To date, there is no indication that the Current Owner has retained a Qualified Person to assess groundwater quality beneath the Site.

Based on the above, I reasonably believe that the Site is currently contaminated, and has been contaminated since at least 2018, with Contaminants of Concern at levels that exceed the applicable site condition standards. Accordingly, I believe there is a risk that the Contaminants of Concern may migrate from the Site and cause one or more Adverse Effect (s).

Authority to Issue the Director's Order

I am issuing this Director's Order under my authority as a Director under the following legislation, which also includes the authority to take intermediate action and/or procedural steps:

This Order is being issued pursuant to my authority as a Director under EPA s. 18, s. 43 and s. 197.

I reasonably believe that, sometime before 2024, Waste, namely a decommissioned above ground fuel storage tank, was disposed and buried at the Site for which an ECA has not been issued under the EPA

I reasonably believe that the requirements specified in this Order are necessary or advisable so as to prevent, or reduce the risk of any discharge of contaminants, namely the Contaminants of Concern, into the natural environment from the Site, or to prevent, decrease or eliminate an adverse effect, that may result from (i) the discharge of a contaminant from the undertaking, or (ii) the presence or discharge of a contaminant in, on or under the property.

Further, I have authority to make an order or decision affecting real property and 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 and to have a certificate registered on title in the proper land registry office setting out that requirement and reasonably believe that the requirements specified in this Order are necessary and advisable.

Contraventions

EPA | 40	40. No person shall deposit, or cause, permit or arrange for the deposit of, waste upon, in, into or through any land or land covered by water or in any building that is not a waste disposal site for which an environmental compliance approval or renewable energy approval has been issued or a registration under Part II.2 is in effect and except in accordance with the terms and conditions of the approval or the regulations made for the purposes of Part II.2.

Attachments

The attachments listed below, if any, form part of this Director's Order:

Document 1: Registration Instructions

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APPEAL TO THE ONTARIO LAND TRIBUNAL INFORMATION

REQUEST FOR HEARING

You may require a hearing before the Ontario Land Tribunal if, within 15 days of service of this Director's Order, you serve written notice of your appeal on the Ontario Land Tribunal and the Director at the addresses indicated under the Contact Information heading below. Your notice of appeal must state the portions of this Director's Order for which a hearing is required and the grounds on which you intend to rely at the hearing. If notice of the proposal to issue this Director's Order was given to the public on the Environmental Registry, the Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry.

CONTACT INFORMATION

Registrar
Ontario Land Tribunal
655 BAY STREET, SUITE 1500
TORONTO, ON M5G 1E5
Email: OLT.Registrar@ontario.ca

and

Director
Ministry of the Environment, Conservation and Parks
Kingston District Office
1259 GARDINERS RD, UNIT 3
KINGSTON, ON K7P 3J6
Office Email: Environment.Kingston@ontario.ca
Fax: (613) 548-6908

Further information regarding the requirements and procedures of the Ontario Land Tribunal can be obtained directly from the Tribunal at:

Tel: (416) 212-6349, Toll Free: 1(866) 448-2248 or www.olt.gov.on.ca

SERVICE INFORMATION

Service of the documentation referred to above can be made personally, by mail, by fax (in the case of the Director only), by commercial courier or by email in accordance with the legislation under which this Director's Order is made and any corresponding service regulation.

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ADDITIONAL INFORMATION

Unless stayed by the Ontario Land Tribunal, this Director's Order is effective from the date of service.

Failure to comply with a requirement of this Director's Order constitutes an offence. Unless otherwise indicated, the obligation to comply with a requirement of this Director's Order continues on each day after the specified compliance date until the obligation has been satisfied.

The requirements of this Director's Order are minimum requirements only and do not mean that you are not required to comply with any other applicable legal requirements, including any:

- statute, regulation, or by-law;
- federal, provincial, or municipal law; or
- applicable requirements that are not addressed in this Director's Order.

The requirements of this Director's Order are severable. If any requirement of this Director's Order, or the application of any requirement to any circumstance, is to be held invalid or unenforceable, such finding does not invalidate or render unenforceable the requirement in other circumstances. It also does not invalidate or render unenforceable the other requirements of this Director's Order.

Further orders may be issued in accordance with the legislation as may be appropriate.

This Director's Order is binding upon any successors or assignees of the persons to whom this Director's Order is issued.

The procedures to request a hearing and an appeal of this Director's Order and other information provided above 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.