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 - DRAFT

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: 2746-C8GG3N-1
Risk assessment number: 2746-C8GG3N

Owner: Canada Lands Company CLC Limited ("Registered & Beneficial Owner")

100 Queen St, Suite 1050
Ottawa, Ontario, K1P 1J9

Property: 550 and 552 Booth Street, Ottawa, Ontario ("Property")

Legally described as:

Part of Block 135, Registered Plan 13; Part of Lot 2 North Lydia Street, Part of Lot 2 South Lydia Street, Lots 2, 3 and 4 West Booth Street, and Part of Lydia Street closed by By-law 58-62, Instrument CR440392, Registered Plan 26; City of Ottawa, Ontario.

Being PART of PIN: 04104-0151 (LT), and as further shown on the Plan of Survey in Figure 1A of Schedule A

The conditions of this Certificate of Property Use address the Risk Management Measures in the Risk Assessment noted above and as defined in Part 1 below.

Summary:

The following is a summary of Risk Management Measures (RMMs) identified in Part 4 of this certificate of property use (CPU), which are required to be implemented. This summary does not create any binding requirements and is being provided for convenience only. Refer to Part 1 of the CPU for the meaning of any capitalized terms. Key RMMs in Part 4 of the CPU include, but are not limited to:

- Installing, inspecting, commissioning and maintaining a Vapour Mitigation System beneath the entirety of the footprint of any Building located wholly or partially on the Property, including a continuous vapour barrier, passive sub-slab venting system and sub-slab soil vapour monitoring system, as detailed in Sections 4.3 to 4.9 of this CPU;

- Preparing, retaining and submitting a Site Plan Report identifying the final locations and extent of the Vapour Mitigation System and its components, including the vapour barrier, venting system, vent risers, vent outlets and monitoring locations, as detailed in Sections 4.10 to 4.12 of this CPU;

- Implementing a sub-slab soil vapour monitoring program to assess the continuing effectiveness of the Vapour Mitigation System and implementing indoor and outdoor air monitoring where the applicable Sub-Slab Vapour Target Levels are exceeded, as detailed in Sections 4.13 to 4.28 of this CPU;

- Implementing an inspection and maintenance program for the Vapour Mitigation System and repairing or restoring any damaged, obstructed or otherwise impaired components, as detailed in Sections 4.29 to 4.36 of this CPU;

- Protecting and restoring any component of the Vapour Mitigation System affected by construction, renovation, maintenance, utility work or other Intrusive Activities undertaken on the Property, as detailed in Sections 4.37 and 4.38 of this CPU;

- Ensuring that any soil imported and placed on the Property meets the applicable Table 7 Site Condition Standards or better, as detailed in Sections 4.39 and 4.40 of this CPU;

- Implementing contingency measures where monitoring or inspection indicates that the Vapour Mitigation System is not performing as intended, including conversion of the passive system to an active sub-slab depressurization system, where required, as detailed in Sections 4.41 to 4.44 of this CPU;

- Maintaining records relating to the monitoring, inspection, maintenance, repair and continuing effectiveness of the RMMs, retaining and providing reports and other documentation required under this CPU and the Risk Assessment, and preparing and submitting Annual Reports, as detailed in Sections 4.45 to 4.47 and Sections 6.2 to 6.4 of this CPU;

- Providing and maintaining Financial Assurance for the initial monitoring, inspection, reporting and contingency requirements, as detailed in Sections 6.5 to 6.7 of this CPU;

- Prohibiting the use of groundwater in or under the Property and the construction of unauthorized wells, prohibiting occupancy of any Building before the Vapour Mitigation System has been installed, inspected, commissioned and certified, and prohibiting the unauthorized alteration or disturbance of the Vapour Mitigation System, as detailed in Part 5 of this CPU; and

- Registering a certificate on title to the Property in accordance with section 197 of the ***Environmental Protection Act*** and, before dealing with the Property in any way, providing a copy of the CPU to every person who will acquire an interest in the Property, as detailed in Part 7 of this CPU.

Part 1: Interpretation

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

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

"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.

"Applicable Site Condition Standards" and "ASCS" mean the applicable soil and groundwater criteria identified in Table 7: Generic Site Condition Standards for Shallow Soils in a Non-Potable Ground Water Condition, applicable to coarse-textured soils and residential, parkland and institutional property uses, contained in the document entitled

Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act, published by the Ministry and dated April 15, 2011.

"Building" and "Buildings" mean an enclosed structure or structures occupying an area greater than ten square metres and consisting of one or more walls, a roof and a floor.

"Building Code" means the code adopted by section 1 of Ontario Regulation 163/24 (Building Code) made under the *Building Code Act, 1992*,
S.O. 1992, c. 23.

"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 may cause an Adverse Effect.

"Contaminant of Concern" and "COC" have the meanings set out in Section 3.2 of this CPU, and "Contaminants of Concern" and "COCs" have corresponding meanings.

"CPU" means this Certificate of Property Use No. **2746-C8GG3N-1** as may be amended from time to time, and includes all schedules attached hereto.

"Director" means the undersigned Director or any other person appointed as a Director for the purpose of issuing a certificate of property use under section 168.8 of the Act.

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

"Intrusive Activities" means any excavation, drilling, trenching, construction, renovation, maintenance, utility work or other intrusive activity undertaken on the Property that may alter, penetrate, damage, disturb or otherwise interfere with the Vapour Mitigation System or any of its components.

"Licensed Professional Engineer" means a person who holds a licence, limited licence or temporary licence under the *Professional Engineers Act,* R.R.O. 1990, c. P.28 and who is qualified to carry out the specific RMMs as required by the CPU.

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

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

"Owner" means the owner(s) of the Property, described in the "Owner" section on Page 1 above, and any subsequent registered or beneficial 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 this CPU, described in the "Property" section on page 1 above and illustrated in Figure 1A, Plan of Survey, and Figure 1B, Site Plan, of Schedule "A", which is attached to and forms part of this CPU.

"Property Specific Standards" and "PSS" mean the property-specific standards established for groundwater COCs in the RA and set out in **Table A, Property Specific Standards for Groundwater, of Schedule "A"**, which is attached to and forms part of this CPU.

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

"Qualified Person" means a person who meets the qualifications prescribed in O. Reg. 153/04 at section 5(2).

DRAFT

"Risk Assessment" and “RA” means the Risk Assessment **No. 2746-C8GG3N** accepted by the Director on **July 31, 2026,** and set out in the following final documents:

- **“Risk Assessment Pre-submission Report, 550 & 552 Booth Street, Ottawa, Ontario”, report prepared by Terraprobe Inc. on September 28, 2022**
- **“Site-Specific Tier III Risk Assessment Report, 550 & 552 Booth Street, Ottawa, Ontario”, prepared by Terraprobe Inc., dated November 27, 2023**
- **“Revised Site-Specific Tier III Risk Assessment Report for 550 & 552 Booth Street, Ottawa, Ontario”, report prepared by Englobe Corp., dated January 16, 2025**
- **“Revised Site-Specific Tier III Risk Assessment Report for 550 & 552 Booth Street, Ottawa, Ontario”, report prepared by Englobe Corp., dated April 21, 2026**
- **“Revised Site-Specific Tier III Risk Assessment Report for 550 & 552 Booth Street, Ottawa, Ontario”, report prepared by Englobe Corp., dated June 19, 2026**

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

“Risk Management Plan” and “RMP” means the risk management plan detailed in Section 7.0 and Appendix J of the RA.

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

“Vapour Mitigation System” and “VMS” means the passive sub-slab vapour mitigation system required under Part 4 of this CPU, including the vapour barrier, sub-slab venting layer, collector piping, monitoring piping, vent risers, vent outlets, sub-slab soil vapour probes and associated components, and includes any active sub-slab depressurization system installed pursuant to the contingency requirements of this CPU.

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 anyone or more of,

i. the performance of any action specified in the certificate of property use;
ii. the provision of temporary or permanent 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
iii. measures appropriate to prevent Adverse Effects in respect of the property to which the certificate of property use relates.

2.3 Subsection 168.6 (1) of the Act states that if the Director accepts a risk assessment relating to a property, he or she may, when giving notice under clause 168.5 (1)(a), issue a certificate of property use to the owner of the property, requiring the owner to do any of the following things:

i. Take any action specified in the certificate 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.

ii. 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 the 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),

i. alter any terms and conditions in the certificate or impose new terms and conditions; or
ii. 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 the property to refrain from using the property for a specified use or from constructing a specified Building on the property,

i. the owner of the property shall ensure that a copy of the provision is given to every occupant of the property;
ii. the provision applies, with necessary modifications, to every occupant of the property who receives a copy of the provision; and
iii. 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 to establish the risks that the Contaminants identified in the RA may pose to future users and to identify appropriate RMMs to be implemented to ensure that the Property is suitable for its intended use: **residential use**, as defined in O. Reg. 153/04.

3.2 The Contaminants in or under the Property that are present at concentrations above the Applicable Site Condition Standards are set out in the RA and are referred to in this CPU as the Contaminants of Concern. The Applicable Site Condition Standards are the Table 7 Generic Site Condition Standards for Shallow Soils in a Non-Potable Ground Water Condition applicable to coarse-textured soils and residential, parkland and institutional property uses, contained in the document entitled Soil, Ground Water and

Sediment Standards for Use under Part XV.1 of the Environmental Protection Act, published by the Ministry and dated April 15, 2011. The Property Specific Standards established for the groundwater Contaminants of Concern are set out in Table A of Schedule "A", which is attached to and forms part of this CPU.

3.3 I am of the opinion, for the reasons set out in the RA, that the RMMs described therein and outlined in Part 4 of this CPU and the requirements in Parts 5 to 7 of this CPU are necessary to prevent, eliminate or ameliorate an Adverse Effect on the Property that has been identified in the RA.

3.4 The RA indicates the presence of Contaminants of Concern in **groundwater** in or under the Property, which requires ongoing restriction of groundwater use and elimination or management of the soil-vapour intrusion pathway. As such, it is necessary to restrict the use of groundwater in or under the Property, impose Building restrictions and implement the RMMs set out in the RA and in Parts 4 to 7 of this CPU.

3.5 I believe for the reasons set out in the RA that it is also advisable to require the disclosure of the CPU and the registration of notice of the CPU on title to the Property, as set out in Part 7 of the CPU.

Part 4: Risk Management Measures and Director Requirements

Pursuant to my authority under s. 168.6 of the Act, I require the Owner, jointly and severally, unless otherwise indicated, to do 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 Section 4.1, carry out or cause to be carried out the RMMs set out in this Part of the CPU.

Vapour Mitigation System:

4.3 Prior to occupancy of any Building located wholly or partially on the Property, the Owner shall install or cause to be installed a passive Vapour Mitigation System beneath the entirety of the footprint of the Building that is located wholly or partially on the Property. The Vapour Mitigation System shall be installed in accordance with Sections 3.1 and 3.1.1 and Figures 2 through 7 of the RMP and shall include, at a minimum:

i. a non-woven geotextile layer installed above the subgrade;
ii. a clean gravel venting layer installed above the non-woven geotextile layer;
iii. perforated collector piping installed within the clean gravel venting layer;
iv. clean gravel installed above the perforated collector piping;
v. a non-woven geotextile layer installed above the clean gravel venting layer;
vi. a continuous, leak-free vapour barrier having a minimum thickness of thirty (30) mil and that meets the minimum performance-based requirements as indicated in Section 3.1 of the RMP;
vii. a non-woven geotextile layer installed above the vapour barrier;
viii. a concrete floor slab installed above the upper non-woven geotextile layer;
ix. vent piping routed directly to the exterior of the Building, with each vent outlet located at least three (3) metres from any air intake and protected from blockage;
x. sealed seams and continuous integration of the vapour barrier at all interfaces, including footings, foundation walls, columns, utility penetrations and other below-grade structural elements;
xi. sub-slab soil vapour probes installed through the concrete floor slab and vapour barrier in accordance with Section 3.1.1, Figure 5, Section 6.2 and Table 6-1 of the RMP; and
xii. vent risers and associated infrastructure designed and installed so that the passive Vapour Mitigation System can be converted to an active sub-slab depressurization system, if required.

4.4 The Vapour Mitigation System required by Section 4.3 of this CPU shall be designed by a Licensed Professional Engineer and installed by a qualified contractor in accordance with the final design specifications and drawings prepared and signed by a Licensed Professional Engineer.

DRAFT

4.5 The vapour barrier required by Section 4.3 of this CPU shall:

i. be substantially impermeable to soil vapours and demonstrate low diffusive permeance to the COCs identified in groundwater beneath the Property;
ii. be chemically compatible with and resistant to the COCs identified in groundwater beneath the Property;
iii. comply with the applicable performance criteria and recognized testing standards identified in Section 3.1 of the RMP;
iv. have sufficient mechanical strength to resist puncture, tearing and construction-related damage;
v. be installed with sealed seams and continuous integration at all interfaces and penetrations; and
vi. provide long-term durability consistent with the anticipated service life of the building.

4.6 All vapour barrier penetrations, including penetrations associated with sub-slab vapour probes, plumbing, electrical conduits, mechanical piping, utilities and service connections, shall be installed and sealed in accordance with Section 3.1.1 and Figure 5 of the RMP. All penetrations shall be maintained as gas-tight penetrations and shall accommodate settlement and building movement without compromising the continuity or effectiveness of the vapour barrier.

Inspection, Commissioning and Certification of the Vapour Mitigation System:

4.7 Prior to occupancy of any building located wholly or partially on the Property, the Owner shall complete or cause to be completed the pre-occupancy commissioning program described in Section 6.3.1 of the RMP. The commissioning program shall include, at a minimum:

i. confirmation that all components of the Vapour Mitigation System have been installed in accordance with the approved design drawings and specifications;
ii. inspection of the continuity of the vapour barrier and the sealing of seams, penetrations, boots, sleeves, utilities, footings, foundation walls and other interfaces;
iii. inspection of the sub-slab venting layer, perforated collector piping, sub-slab vapour probes and connections to the vent risers;
iv. confirmation that all vent risers are continuous and unobstructed;
v. confirmation that the vent outlets discharge to exterior locations located a minimum of three (3) metres from any air intake and are protected from blockage;
vi. verification that the sub-slab granular layer and piping network provide adequate lateral connectivity;
vii. collection of baseline sub-slab soil vapour samples; and
viii. confirmation that the Vapour Mitigation System is capable of functioning as designed.

4.8 Within ninety (90) days of completion of the installation of the Vapour Mitigation System, and in all cases prior to occupancy of the applicable building, the Owner shall submit to the Director written confirmation prepared and signed by a Licensed Professional Engineer that the Vapour Mitigation System has been installed, inspected and commissioned in accordance with Sections 4.3 to 4.7 of this CPU and the RMP.

The written confirmation shall include, but not be limited to:

i. the final design specifications and drawings;
ii. as-built drawings prepared and sealed by a Licensed Professional Engineer;
iii. manufacturer certifications and available independent product testing documentation;
iv. installation inspection and quality assurance records;
v. photographs documenting installation of the Vapour Mitigation System;
vi. records confirming the sealing of penetrations and interfaces;
vii. the results of vent pathway and sub-slab communication verification;
viii. the locations of the sub-slab soil vapour probes;
ix. the results of the baseline sub-slab soil vapour monitoring event; and
x. written confirmation that the Vapour Mitigation System is functioning as intended.

DRAFT

4.9 The Owner shall ensure that the Vapour Mitigation System is maintained in perpetuity unless and until additional investigations completed by a Qualified Person demonstrate that the COCs are no longer present in groundwater at concentrations that require continued implementation of the VMS and the Director provides written approval to alter or discontinue the RMM.

Site Plan Report:

4.10 Prior to occupancy of any Building located wholly or partially on the Property, the Owner shall prepare, retain and submit to the Director a Site Plan Report prepared and signed by a Qualified Person in accordance with Section 6.5 of the RMP.

4.11 The Site Plan Report shall include, but not be limited to:

i. a plan showing the Property and each building located wholly or partially on the Property;
ii. the final location and extent of each component of the Vapour Mitigation System;
iii. the location of the vapour barrier, passive venting system, collector piping, sub-slab soil vapour probes, vent risers and vent outlets;
iv. the location of each sub-slab soil vapour probe;
v. plan and cross-section drawings showing the vertical and lateral extent of the Vapour Mitigation System;
vi. relevant building, basement, slab, sub-slab and exterior ground surface elevations; and
vii. as-built drawings prepared and sealed by a Licensed Professional Engineer.

4.12 The Site Plan Report shall be revised following the completion of any alteration to the extent, location or design of the Vapour Mitigation System. The revised Site Plan Report shall be prepared and signed by a Qualified Person and shall be submitted to the Director within ninety (90) days of completion of the alteration.

Sub-Slab Soil Vapour Monitoring Program:

4.13 The Owner shall implement the sub-slab soil vapour monitoring program described in Section 6.2 of the RMP to confirm the effectiveness and continuing performance of the Vapour Mitigation System.

4.14 The sub-slab soil vapour monitoring program shall include a minimum of seven (7) sub-slab soil vapour probes for the Building associated with the heritage façade at 552 Booth Street and a minimum of six (6) sub-slab soil vapour probes for the Building associated with the heritage façade at 550 Booth Street. The minimum number of probes for any other Building shall be determined in accordance with Table 6-1 of the RMP. The final probe locations shall be determined by a Qualified Person, in consultation with the building engineer, based on the final Building design and shall address potential worst-case conditions, including locations:

i. distal from venting pathways;
ii. near utility corridors or other preferential pathways;
iii. near known or potential sources of the COCs; and
iv. where localized elevated vapour concentrations may reasonably occur.

4.15 Sub-slab soil vapour samples shall be collected from all required sub-slab soil vapour probes in accordance with the sampling methods, analytical methods and quality assurance and quality control requirements described in Section 6.2 of the RMP, or in accordance with an alternative method approved in writing by the Director.

4.16 The sub-slab soil vapour monitoring program shall include analysis for the following COCs:

i. cis-1,2-dichloroethylene;

DRAFT

ii. tetrachloroethylene;
iii. trichloroethylene; and
iv. vinyl chloride.

4.17 The first sub-slab soil vapour monitoring event shall be completed prior to occupancy of the applicable building. Thereafter, the Owner shall undertake:

i. baseline performance monitoring on a quarterly basis, being once every three (3) months, for the first twelve (12) months; and
ii. confirmation monitoring three (3) times per year, during the winter, spring and summer, for the following twelve (12) months and thereafter, unless an alteration or discontinuation of the monitoring program is approved in writing by the Director.

4.18 During each sub-slab soil vapour monitoring event, the Owner shall measure or cause to be measured the air pressure differential between the sub-slab environment and the indoor air within the building. The pressure differential results shall be assessed by a Qualified Person together with the sub-slab soil vapour results, building operating conditions and other relevant lines of evidence.

4.19 Following completion of the initial two (2) years of monitoring, the Owner may submit to the Director a written request prepared and signed by a Qualified Person to alter or discontinue the sub-slab soil vapour monitoring program. The Owner shall continue the monitoring program required under this CPU unless and until written approval to alter or discontinue the monitoring program is issued by the Director.

Sub-Slab Soil Vapour Exceedances:

4.20 The results of the sub-slab soil vapour monitoring program shall be compared to the Sub-Slab Vapour Target Levels specified in Table 6-2 of the RMP.

4.21 Where the concentration of any COC exceeds the applicable Sub-Slab Vapour Target Level specified in Table 6-2 of the RMP, the Owner shall:

i. notify the Director in writing within five (5) business days of receipt of the analytical results;
ii. repeat the sub-slab soil vapour sampling within fifteen (15) business days of receipt of the analytical results at all required monitoring locations; and
iii. provide the results of the repeat sampling to the Director within five (5) business days of receipt of the analytical results.

4.22 Where the results of the repeat sampling required by Section 4.21 of this CPU do not exceed the applicable Sub-Slab Vapour Target Levels, the Owner shall continue sub-slab soil vapour monitoring on a quarterly basis, being once every three (3) months, for an additional twelve (12) month period.

4.23 Where the results of the repeat sampling required by Section 4.21 of this CPU continue to exceed one or more of the applicable Sub-Slab Vapour Target Levels, the Owner shall, within fifteen (15) business days of receipt of the analytical results:

i. commence indoor air monitoring in the areas associated with the sub-slab soil vapour exceedances;
ii. commence outdoor air monitoring in conjunction with the indoor air monitoring;
iii. continue sub-slab soil vapour monitoring; and
iv. retain a Qualified Person to inspect the Vapour Mitigation System and assess the potential cause and significance of the exceedances.

4.24 Indoor and outdoor air monitoring shall be conducted in accordance with Section 6.2 of the RMP. Indoor air samples shall be collected from at least two (2) locations on the lowest occupied level of the building near the locations of the sub-slab soil vapour exceedances. Outdoor air monitoring locations shall be

DRAFT

selected by a Qualified Person and shall be representative of outdoor air conditions, including upwind and downwind conditions, where necessary.

4.25 Indoor air monitoring results shall be compared to the Residential Health-Based Indoor Air Criteria identified in Table 6-2 of the RMP. Outdoor air monitoring results shall be compared to the applicable Ambient Air Quality Criteria identified in the RMP.

4.26 Where the concentration of any COC in indoor air exceeds the applicable Residential Health-Based Indoor Air Criterion identified in Table 6-2 of the RMP, the Owner shall:

i. notify the Director in writing within five (5) business days of receipt of the analytical results;
ii. repeat the indoor and outdoor air sampling within fifteen (15) business days of receipt of the analytical results at all locations where exceedances were identified; and
iii. submit the results of the repeat sampling to the Director within five (5) business days of receipt of the analytical results.

4.27 Where the repeat indoor air monitoring results continue to exceed one or more of the applicable Residential Health-Based Indoor Air Criteria, the Owner shall, within thirty (30) days of receipt of the analytical results, submit to the Director a detailed contingency plan prepared and signed by a Qualified Person in accordance with Section 7.2.1 of the RMP.

4.28 Where indoor air monitoring has been initiated as a result of an exceedance, the Owner shall continue indoor air monitoring until there have been at least two (2) consecutive quarterly monitoring events during which the indoor air quality meets the applicable Residential Health-Based Indoor Air Criteria, unless otherwise approved in writing by the Director.

Inspection and Maintenance of the Vapour Mitigation System:

4.29 An inspection and maintenance program shall be implemented to ensure the continuing integrity and effectiveness of the Vapour Mitigation System for as long as the Vapour Mitigation System is required under Section 4.9 of this CPU.

4.30 The inspection program shall include semi-annual inspections, being once every six (6) months during winter and summer conditions, in accordance with Sections 6.3.3 and 7.2.2 of the RMP.

4.31 The semi-annual inspections shall include, but not be limited to:

i. inspection of exposed floor surfaces for cracks, distress or damage that may indicate compromise of the underlying Vapour Mitigation System;
ii. assessment of any building modifications that may have penetrated or disturbed the building slab or vapour barrier;
iii. inspection of sump pits, elevator shafts, floor drains, utility penetrations, sub-slab vapour probes and other accessible interfaces for evidence of damage, leakage or loss of sealing;
iv. inspection of sub-slab soil vapour probe completions and caps;
v. inspection of vent risers and vent outlets to confirm that they are not blocked or obstructed;
vi. inspection of insect screens and exposed piping; and
vii. identification of any repair, restoration or maintenance required to maintain the effectiveness of the Vapour Mitigation System.

4.32 Any deficiency identified during an inspection shall be assessed by a Qualified Person. Any deficiency that may affect vapour barrier continuity or the performance of the venting system shall be repaired as soon as reasonably possible by a qualified contractor under the direction of a Qualified Person.

4.33 Repairs may include, but shall not be limited to:

i. sealing cracks and joints;
ii. repairing or reinstating the vapour barrier, where accessible;
iii. restoring compromised penetrations or seals;
iv. repairing or replacing damaged venting components; and
v. restoring disturbed portions of the sub-slab venting or monitoring systems.

4.34 If a deficiency in the Vapour Mitigation System cannot be repaired or addressed in a timely manner, the Owner shall implement interim contingency measures, as determined by a Qualified Person, to prevent or mitigate exposure to the COCs until permanent repairs have been completed.

4.35 The restoration of any damaged or disturbed portion of the Vapour Mitigation System shall meet, at a minimum, the original design and performance requirements specified in Sections 4.3 to 4.6 of this CPU.

4.36 Within thirty (30) days of completion of any significant repair, replacement or restoration of the Vapour Mitigation System, the Owner shall submit to the Director written confirmation prepared and signed by a Licensed Professional Engineer that the Vapour Mitigation System has been repaired, replaced or restored in accordance with the applicable requirements of this CPU.

The written confirmation shall include:

i. a description of the deficiency;
ii. a description of the repairs, replacement or restoration completed;
iii. updated drawings, where the configuration of the Vapour Mitigation System has changed;
iv. written confirmation that the integrity and functionality of the Vapour Mitigation System have been restored; and
v. a description of any interim contingency measures implemented.

Alteration or Disturbance of the Vapour Mitigation System:

4.37 The Owner shall not alter, remove, penetrate, damage or otherwise interfere with any component of the Vapour Mitigation System unless the work is carried out under the direction of a Qualified Person and in accordance with a plan prepared by a Licensed Professional Engineer that ensures the continued effectiveness of the RMMs.

4.38 Prior to any planned alteration, renovation, construction, maintenance or utility work that may disturb the building slab, vapour barrier, venting system, monitoring system or any other component of the Vapour Mitigation System, the Owner shall:

i. retain a Qualified Person to assess the proposed work;
ii. identify the portions of the Vapour Mitigation System that may be affected;
iii. establish procedures to protect, temporarily manage and restore the affected components;
iv. implement appropriate worker protection and vapour control measures; and
v. ensure that all affected components are restored to the original design and performance requirements, at a minimum.

Soil Imported to the Property:

4.39 Any soil imported and placed on the Property shall meet the applicable Table 7 Site Condition Standards or better, as specified in Section 6.6 of the RMP, and shall otherwise comply with all applicable requirements governing the management and placement of excess soil.

4.40 The Owner shall retain records demonstrating the source, quality, quantity and location of any soil imported and placed on the Property and shall make the records available for review by a Provincial Officer upon request.

Contingency Measures:

4.41 The Owner shall implement the contingency measures specified in Sections 7.1, 7.2.1 and 7.2.2 of the RMP where monitoring, inspection or performance verification indicates that:

i. the Vapour Mitigation System is not achieving the required level of vapour intrusion risk reduction;
ii. the applicable Sub-Slab Vapour Target Levels are exceeded;
iii. the applicable Residential Health-Based Indoor Air Criteria are exceeded;
iv. any component of the Vapour Mitigation System is damaged, obstructed, deteriorated or otherwise impaired; or
v. any other condition exists that may compromise the effectiveness of the RMMs.

4.42 The contingency measures shall be developed and implemented under the direction of a Qualified Person and may include, but shall not be limited to:

i. confirmation and repeat sampling;
ii. additional sub-slab soil vapour, indoor air and outdoor air monitoring;
iii. inspection of the Vapour Mitigation System for blocked, damaged or improperly functioning components;
iv. sealing cracks, joints, penetrations and other discontinuities in building floors or walls;
v. repair or replacement of damaged components;
vi. modification or enhancement of the sub-slab venting system;
vii. conversion of the passive Vapour Mitigation System to an active sub-slab depressurization system through the installation of in-line or exterior-mounted fans on the vent risers;
viii. adjustment of airflow and the magnitude of depressurization beneath the building slab; and
ix. preparation and implementation of a revised monitoring program.

4.43 Where the passive Vapour Mitigation System is converted to an active sub-slab depressurization system, the conversion shall be designed by a Licensed Professional Engineer and implemented by a qualified contractor under the direction of a Qualified Person.

4.44 Within ninety (90) days following completion of the conversion of the passive Vapour Mitigation System to an active sub-slab depressurization system, the Owner shall submit to the Director:

i. written confirmation prepared and signed by a Licensed Professional Engineer that the active system has been installed and commissioned in accordance with its design;
ii. final design specifications and as-built drawings;
iii. an operation, inspection and maintenance program for the active system;
iv. a revised monitoring program prepared by a Qualified Person; and
v. an updated Site Plan Report.

Record Keeping:

4.45 The Owner shall maintain a permanent logbook recording all monitoring, inspection, maintenance, repair, restoration and contingency activities required by this CPU and the RMP.

4.46 The logbook shall include, but not be limited to:

i. the name of each person or firm designated to conduct monitoring, inspection or maintenance activities;
ii. the signature of the person who conducted the monitoring, inspection or maintenance activity;
iii. the date of each activity;
iv. a description of the activity and its outcome;
v. identification of any areas or components requiring maintenance or repair;

DRAFT

vi. the results of all sub-slab soil vapour, indoor air and outdoor air monitoring;
vii. air pressure differential measurements;
viii. all related correspondence with the Ministry and other agencies;
ix. the date and nature of each repair, replacement or maintenance activity;
x. records relating to imported soil; and
xi. final and as-built plans for any construction, alteration or restoration involving the RMMs.

4.47 The Owner shall retain all reports, plans, drawings, analytical results, inspection records, maintenance records, repair records, photographs, certifications, logbooks and correspondence relating to the RMMs and shall make them available for review by the Director or a Provincial Officer upon request.

Part 5: CPU Restrictions on Property Use – Prohibitions

Pursuant to my authority under paragraph 168.6(1)2 of the Act, I require the Owner, jointly and severally, unless otherwise indicated, to do the following:

Prohibition of Groundwater Use:

5.1 Refrain from using groundwater in or under the Property as a potable water source and take all actions necessary or advisable to prevent any use of groundwater in or under the Property as a potable water source.

5.2 Refrain from using groundwater in or under the Property for drinking, food preparation, bathing, irrigation, livestock watering or any other domestic or agricultural purpose, or for any other purpose that may result in human ingestion of or recurring exposure to groundwater.

5.3 Refrain from constructing any wells on the Property, other than a well installed or used to test or obtain information in respect of groundwater or an aquifer, or a well required for the implementation, monitoring or verification of the RMMs.

5.4 Abandon any well that is not permitted under Section 5.3 of this CPU in accordance with Revised Regulations of Ontario 1990, Regulation 903 (Wells), made under the OWRA.

5.5 The restrictions set out in Sections 5.1 to 5.4 of this CPU shall remain in effect unless and until additional investigations completed by a Qualified Person demonstrate that groundwater use would not result in an unacceptable risk and the Director provides written approval to alter or discontinue the restrictions.

Prohibition of Building Occupancy Without the Vapour Mitigation System:

5.6 Refrain from occupying, or permitting the occupancy of, any building located wholly or partially on the Property unless the Vapour Mitigation System required by Part 4 of this CPU has been installed, inspected, commissioned and certified in accordance with the applicable requirements of this CPU and the RMP.

Prohibition of Altering or Disturbing the Vapour Mitigation System:

5.7 Refrain from altering, removing, penetrating, damaging or otherwise interfering with any component of the Vapour Mitigation System, including the vapour barrier, venting layer, collector piping, vent risers, vent outlets and sub-slab soil vapour probes, except in accordance with the applicable requirements of Part 4 of this CPU.

5.8 Refrain from undertaking or permitting any construction, renovation, maintenance, utility work or other Intrusive Activities that may alter, penetrate, damage or otherwise interfere with the Vapour Mitigation System unless the work is undertaken under the direction of a Qualified Person and in accordance with a plan prepared by a Licensed Professional Engineer that ensures the continued effectiveness of the Risk Management Measures.

DRAFT

Prohibition of Altering the Building or Property in a Manner That May Affect the Risk Management Measures:

5.9 Refrain from making or permitting any alteration to a building located wholly or partially on the Property, including an alteration to the building footprint, foundation, lowest occupied level, floor slab, basement, crawl space, utility configuration, ventilation system or building use, where the alteration may affect the design, operation, integrity or effectiveness of the Vapour Mitigation System, unless:

i. the proposed alteration has been reviewed by a Qualified Person and a Licensed Professional Engineer;
ii. any required modification to the Vapour Mitigation System has been designed by a Licensed Professional Engineer;
iii. the proposed work is carried out in accordance with the applicable requirements of Part 4 of this CPU; and
iv. the Vapour Mitigation System is restored, inspected, commissioned and certified in accordance with the applicable requirements of this CPU.

Part 6: Additional Requirements

Site Changes

6.1 In the event of a change in the physical site conditions or receptor characteristics at the Property that may affect the RMMs and/or any underlying basis for the RMMs, forthwith notify the Director of such changes, including any steps taken to prevent, eliminate or ameliorate any Adverse Effect that will result from the presence of any Contaminant of Concern on, in, or under the Property, or the discharge of any Contaminant of Concern into the natural environment from the Property.

Reports

6.2 The Owner shall retain copies of all records, plans, reports, programs, procedures and other documentation required to be prepared, developed or provided under this CPU, the RA and any reports referred to in the RA, until otherwise notified in writing by the Director.

6.3 Within ten (10) days after the Director or a Provincial Officer requests any documentation required under this CPU, the Owner shall provide a copy of the requested documentation to the Director or Provincial Officer.

Annual Report

6.4 The Owner shall prepare and submit to the Director, by March 31 of each year, an Annual Report documenting the activities relating to the RMMs undertaken during the previous calendar year. The Annual Report shall be prepared and signed by a Qualified Person and shall include, but not be limited to:

i. all factual information gathered during the monitoring activities;
ii. the results of the sub-slab soil vapour monitoring program;
iii. the results of any indoor and outdoor air monitoring undertaken;
iv. the dates, findings and results of all VMS inspections;
v. a description of all maintenance, repairs and restoration completed;
vi. an evaluation of the performance and continuing effectiveness of the RMMs;
vii. a description of any contingency measures implemented and their effectiveness;
viii. recommendations regarding the need for additional or upgraded RMMs; and
ix. recommendations regarding the requirements for further monitoring.

Financial Assurance

6.5 Within thirty (30) days of service of this CPU, the Owner shall provide financial assurance to the Director in the amount of one hundred fifty thousand seven hundred dollars ($150,700.00), in a form acceptable to the Director, for the initial monitoring, inspection, reporting and contingency requirements of this CPU.

DRAFT

6.6 The financial assurance required under Section 6.5 shall include financial assurance for:

i. inspection and maintenance of the VMS;
ii. the initial two-year sub-slab soil vapour monitoring program;
iii. preparation of two Annual Reports;
iv. preparation of the Site Plan Report; and
v. implementation of contingency measures during the initial performance-verification period.

6.7 The financial assurance shall remain in effect unless and until the Director issues a written order reducing or releasing it. Where monitoring, inspection, maintenance or reporting is required to continue beyond the initial two-year period, the Director may retain or require replenishment of the financial assurance in accordance with the Act.

Part 7: Ownership, Disclosure and Registration Requirements

Pursuant to my authority under subsection 197(1) of the Act, I order the Owner, jointly and severally, unless otherwise indicated, to do the following:

Disclosure of CPU

7.1 Upon service of the CPU, the Owner and any other person with an interest in the Property shall, before dealing with the Property in any way, 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

7.2 Within 15 days of the CPU being served, submit to the Director an acknowledgement and direction package completed as described in accordance with the instructions accompanying the service of the CPU, provided by the Director.

7.3 Within 15 days from the date of receipt of an acknowledgment and direction package signed by the Director, register a certificate of requirement, issued under subsection 197(2) of the Act and completed as outlined in Schedule ‘B’, on title to the Property in the appropriate land registry office.

7.4 Within 5 days after registering of the certificate of requirement, provide to the Director written confirmation that the certificate of requirement has been registered on title to the Property as required by Section 7.3, by providing a copy of the registered certificate and of the parcel register(s) for the property identifier number (PIN) for the Property.

Owner Change

7.5 Within 5 days of any change in ownership of the Property, notify the Director in writing describing the change in ownership of the Property except changes in ownership of individual condominium units or any appurtenant common elements of a Property registered under the *Condominium Act, 1998*, S.O.1998 c.19.

7.6 In the event that the Owner complies with Section 7.3 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 and then transfers ownership of the Property to various condominium unit owners, the ongoing obligations of the Owner under the CPU may be carried out by the condominium corporation on behalf of the new Owners of the Property.

DRAFT

Part 8: Additional Information

8.1 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.

8.2 An application under subsection 168.6(3) of the Act to alter any terms and conditions in the CPU or impose new terms and conditions, or revoke the CPU, may be made in writing to the Director, with reasons for the request.

8.3 Subsection 186(3) of the Act provides that failure to comply with a requirement of the CPU constitutes an offence.

8.4 The requirements of the CPU are minimum requirements only and do not relieve you 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.

8.5 Notwithstanding the issuance of the CPU, further requirements may be imposed in accordance with legislation as circumstances require.

8.6 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.

8.7 Failure to comply with a requirement of the CPU by the date specified does not relieve the Owner(s) from compliance with the requirement. The obligation to complete the requirement shall continue each day thereafter.

8.8 The Risk Management Measures identified in the Risk Assessment and also in Part 4 of the CPU and all the other requirements in the CPU shall commence upon the issuance of the CPU and continue in full force and effect in accordance with the terms and conditions of the CPU until such time as the Director alters or revokes the CPU.

8.9 The requirements of the CPU shall take precedence in the event of a conflict between the requirements of the CPU and the Risk Assessment.

8.10 Where there is more than one Owner, each person is jointly and severally liable to comply with any requirements of the CPU unless otherwise indicated.

Part 9: Information Regarding a Hearing Before the Ontario Land Tribunal

With respect to those provisions relating to my authority in issuing a certificate of property use under section 168.6 and an order under section 197 of the Act:

9.1 Pursuant to section 139 of the Act, you may require a hearing before the Tribunal, if within fifteen (15) days after being served a copy of the CPU, you serve written notice upon the Director and the Tribunal.

DRAFT

9.2 Pursuant to section 142 of the Act, the notice requiring the hearing must include a statement of the portions of the CPU in respect of which the hearing is required, and the grounds on which you intend to rely at the hearing. Except with 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.

9.3 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 contact information for the Director and the Tribunal is the following:

Registrar

Ontario Land Tribunal

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

and

Tracy Hart, Director

Ministry of the Environment, Conservation and Parks
2430 Don Reid Drive, Unit 103
Ottawa, ON
K1H 1E1

Email: Tracy.Hart@ontario.ca

The contact information of the Ontario Land Tribunal and further information regarding its appeal requirements can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or Toll Free 1 (866) 448-2248 or www.olt.gov.on.ca.

Further information regarding service can be obtained from e-Laws at www.ontario.ca/laws. Please note where service is made by mail, it is deemed to be made on the fifth day after the date of mailing and choosing service by mail does not extend any timelines.

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

9.5 If you commence an appeal before the Tribunal, under section 47 of the EBR you must give notice to the public in the Environmental Registry of Ontario. 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 Minister of the Environment, Conservation and Parks who will place it on the Environmental Registry of Ontario. The notice must be delivered to the Minister of the Environment, Conservation and Parks, College Park 5th Floor, 777 Bay St, Toronto, ON M7A 2J3 by the earlier of:

(a) two (2) days after the day on which the appeal before the Tribunal was commenced; and
(b) fifteen (15) days after the day on which you were served a copy of the CPU.

9.6 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.

9.7 Pursuant to section 38 of the EBR, any person resident in Ontario with an interest in the CPU may seek leave to appeal the CPU. Pursuant to section 40 of the EBR, the application for leave to appeal must be to the Tribunal by the earlier of:

DRAFT

(a) fifteen (15) days after the day on which notice of the decision to issue the CPU is given in the Environmental Registry of Ontario; and

(b) if you appeal, fifteen (15) days after the day on which your notice of appeal is given in the Environmental Registry of Ontario.

9.8 The procedures and other information provided in this Part 9 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.

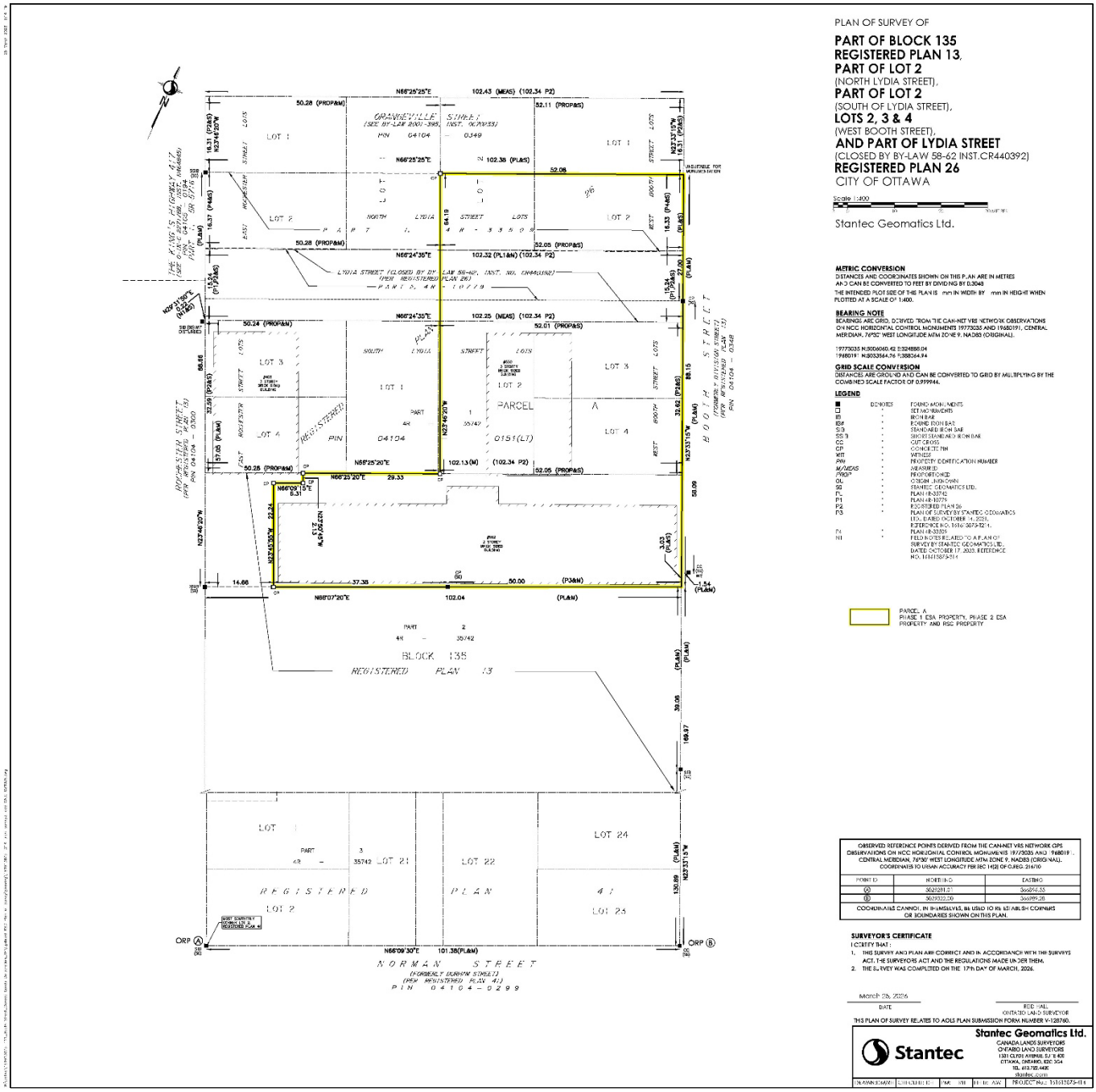
Issued at Ottawa, Ontario this **XX** day of **XXXX**, **2026**.

DRAFT

Tracy Hart,
Director, sections 168.6 and 197 of the Act

DRAFT

Schedule ‘A’: Figure 1A- Plan of Survey (not to scale)



Schedule 'A': Figure 1B: Site Plan (not to scale)



Schedule 'A': Table A - Property Specific Standards (PSS) - Groundwater

Chemical of Concern	*Maximum Concentration (µg/L)*	*Proposed PSS (µg/L)*	*Basis for Proposed Property Specific Standard*
Chloroform	3.30	3.96	Max.+20%
Dichloroethylene, cis-1,2-	4.10	4.92	Max.+20%
Tetrachloroethylene	0.56	0.672	Max.+20%
Trichloroethylene	7.80	9.36	Max.+20%
Vinyl chloride[a]	1.82	1.82	Max.+20%

Notes: units are µg/L; GW3 – Groundwater to surface water pathway: VMS – Vapour Mitigation System
a Theoretical maximum is calculated as the measured vinyl chloride concentration plus 10% of the sum of the five indicated parent compounds that can degrade to vinyl chloride.

DRAFT

SCHEDULE 'B'

CERTIFICATE OF REQUIREMENT

s.197(2)
***Environmental Protection Act,* R.S.O. 1990, c.E.19**

This is to certify that pursuant to Section 7.1 of Certificate of Property Use number **2746-C8GG3N-1** issued by **Tracy Hart**, Director of the Ministry of the Environment, Conservation and Parks under subsections 168.6 and 197(1) of the *Environmental Protection Act*, dated **XXXX XX, 2026** being a Certificate of Property Use and order under section 197(1) of the *Environmental Protection Act* relating to the property municipally known as **550 and 552 Booth Street, Ottawa,** being legally described as **Part of Block 135, Registered Plan 13; Part of Lot 2 North Lydia Street, Part of Lot 2 South Lydia Street, Lots 2, 3 and 4 West Booth Street, and Part of Lydia Street closed by By-law 58-62, Instrument CR440392, Registered Plan 26; City of Ottawa, Ontario** which is **PART of PIN 04104-0151 (LT) (the "Property")** with respect to a Risk Assessment and certain Risk Management Measures and other preventive measure requirements on the Property,

Canada Lands Company CLC Limited.

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 that may be made thereto, to every person who will acquire an interest in the Property as a result of the dealing.

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

DRAFT