Ontario

Ministry of the Environment, Conservation and Parks

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

Certificate of Property Use

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

Certificate of Property use number 2845-C9CM3W-1
Risk Assessment number 2845-C9CM3W

Owner: 2585450 Ontario Inc.
71 Proctor Road
Schomberg, Ontario, L0G 1T0

Site: 71 Proctor Road, Township of King

with a legal description as follows:

PCL 4-3 SEC M10; PT LT 4 PL M10 PTS 1, 2 65R15473

being all of PIN 03399-0008(LT)

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

Part 1: Interpretation

In this CPU, the following capitalised terms have the meanings described below. These terms are also defined in the Approved Model. Not all of these terms may be used in this CPU.

“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.

“Building Code” means Ontario Regulation 163/24 (Building Code) made under the Building Code Act, 1992, S.O. 1992, c. 23.

“Capping Soil” means soil that meets the soil criteria identified in Table 2: Full Depth Generic Site Condition Standards in a Potable Ground Water Condition (medium/fine textured soils) for industrial/commercial/community of the Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Act published by the Ministry and dated April 15, 2011;

“Competent Person” has the same meaning as set out in the *Occupational Health and Safety Act,*

“Certificate of Property Use” or “CPU” means this certificate of property use bearing the number 2845-C9CM3W-1 issued for the Property by the Director under section 168.6 of the Act, as it may be amended from time to time.

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

“Contaminants of Concern” has the same meaning as in O. Reg. 153/04, which, for the Property, means one or more contaminants found on, in or under the Property at a concentration that exceeds the applicable site condition standards for the Property, as specified in section 3 of the Risk Assessment report and in Schedule ‘A’ of the CPU.

“Director” means a person in the Ministry appointed as a director for the purpose of issuing a certificate of property use under section 168.6 of the Act.

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

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

“Intrusive Activities” means any intrusive activity undertaken at the Property, such as excavating or drilling into soil or ground water, which may disturb or expose Property Specific Contaminants of Concern at the Property.

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

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

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

“OHSA” means the *Occupational Health and Safety Act,* R.S.O. 1990, c. O.1.

“Owner” means the owner(s) of the Property, described in the “Owner” section on page 1 above, and any subsequent registered or beneficial owner of the Property.

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

“Property” means the property that is the subject of the CPU and described in the “Property” section on page 1 above, and illustrated in Figure 1: Plan of Survey, which is attached to and forms part of this CPU.

“Property Specific Contaminants of Concern” means one or more contaminants found on, in or under the Property at a concentration that exceeds the applicable site condition standards for the Property and any higher standards for the contaminant or contaminants, and as specified in section 3 of the Risk Assessment.

“Property Specific Standards” or “PSS” means the property specific standards established for the Contaminants of Concern in the Risk Assessment and in Item 3.2 of the CPU.

“Provincial Officer” has the same meaning as in the Act, namely, a person who is designated by the Minister as a provincial officer for the purposes of the Act and the regulations.

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

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

“Risk Assessment” means the risk assessment number 2845-C9CM3W submitted with respect to the Property and accepted by a Director under section 168.5 of the Act on July 21, 2025 and set out in the following documents:

- “Tier III Risk Assessment, 7 Proctor Road, Schomberg, Ontario – Pre-Submission Form”, report prepared by Stantec Consulting Ltd., December 2, 2021
- “Tier III Risk Assessment – 71 Proctor Road, Schomberg, Ontario - First Submission”, report prepared by Stantec Consulting Ltd., dated February 7, 2023
- “Tier III Risk Assessment – 71 Proctor Road, Schomberg, Ontario - Second Submission”, report prepared by Stantec Consulting Ltd., dated February 14, 2024
- “Tier III Risk Assessment – 71 Proctor Road, Schomberg, Ontario - Third Submission”, report prepared by Stantec Consulting Ltd., dated February 10, 2025

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

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

Part 2: Legal Authority

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

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

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

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

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

2.4 Subsection 168.6(2) of the Act states that a certificate of property use shall not require an owner of property to take any action that would have the effect of reducing the concentration of a contaminant on, in or under the property to a level below the level that is required to meet the standards specified for the contaminant in the risk assessment.

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

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

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

specified use or from constructing a specified building on the property,

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

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

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

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

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

Part 3: Background

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

3.2 The Contaminants on, in or under the Property that are present above the industrial/commercial/community property use standards within **Table 2 Full Depth Generic Site Condition Standards in a Potable Groundwater Condition (medium-fine textured soils)** of the ***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, or for which there are no such standards are defined as the Contaminants of Concern. The Property Specific Standards for these Contaminants of Concern are also

set out in Schedule ‘A’ which is attached to and forms part of the CPU. Also attached to and forming part of the CPU are the following figures:

- Figure 1: Site Survey
- Figure 2: Typical Barrier Cap Details

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

3.4 The Risk Assessment indicates the presence of Contaminants of Concern including: inorganics in soil and groundwater which require on-going pathway elimination. As such, it is necessary to restrict the use of the Property, impose building restrictions and implement Risk Management Measures as set out in the Risk Assessment and in Parts 4 and 5 of the CPU.

3.5 I am of the opinion, that the requirements set out in Part 6 of this CPU are necessary to supplement the Risk Management Measures described in the Risk Assessment and in Part 4 of the CPU.

3.6 I believe for the reasons set out in the Risk Assessment that it is also advisable to require the disclosure of this CPU and the registration of notice of the CPU on title to the Property as set out in the order requirements in Part 7 of this CPU.

Part 4: CPU Risk Management Measures and Requirements Relating to the Risk Assessment and the Property

I hereby require the Owner to do or cause to be done the following under the authority of paragraph 168.8(1)1 of the Act:

Risk Management Measures

4.1 Implement, and thereafter maintain or cause to be maintained, the following Risk Management Measures and requirements identified in the Risk Assessment and set out in Sections 4.3 to 4.6 as applicable.

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

4.3 **Hard Cap Barrier or Fill Cap Barrier Risk Management Measure**

a. Cover all areas of the Property where Contaminants of Concern are present at or within 0.5 metre below the soil surface such that a Hard Cap Barrier or Fill Cap Barrier is in place in these areas, so as to prevent exposure to the Contaminants of Concern at the Property, in conjunction with any existing

Barriers in any other areas of the Property where Contaminants of Concern are present below the soil surface;

i. Hard caps on the Property shall consist of a minimum of 75mm of asphalt, concrete or equivalent underlain by a minimum of 150mm of unimpacted fill, granular fill or equivalent (as illustrated in figure 2 of the CPU); and

ii. The fill cap shall consist of aggregate, granular fill or Capping Soil to a minimum depth of 0.5m (as illustrated in figure 2). Fill caps for any landscaped areas shall consist of a minimum of 1m of Capping soil, and planting any new deep rooting plants (i.e., trees and shrubs) shall excavate , to a minimum depth of 1.5m, for a radius of at least 1m surrounding the planting.

4.4 **Inspection, Maintenance, and Reporting Requirements for all Barriers**

a. Prepare and implement a written inspection and maintenance program, prepared by a Qualified Person and to be retained by the Owner, and to be available for inspection upon request by a Provincial Officer, so as to ensure the continuing integrity of each Barrier at the Property so long as the Property Specific Contaminants of Concern are present at the Property, including, at a minimum:

i. procedures and timing for implementing the program;
ii. semi-annual inspections of the Barrier;
iii. noting any deficiencies in the Barrier observed during the inspections, or at any other time;
iv. repairing promptly any such deficiencies, to the original design specifications, with written confirmation that the Barrier has been properly repaired;
v. contingency measures, such as fencing, to be implemented if cracks, breaches or any loss of integrity of the Barrier cannot be repaired or addressed in a timely manner, to prevent exposure to the Property Specific Contaminants of Concern in that area of the Property; and
vi. recording, in writing, all inspections, deficiencies, repairs and implementation of contingency measures, to be retained by the Owner and be available for inspection upon request by a Provincial Officer;

and which are:

vii. prepared within 90 days of issuance of the CPU; and
viii. updated within 30 days following making any alteration to the program.

b. Prepare a site plan of the entire Property, prepared by a Professional Engineer and to be retained by the Owner, and be available for inspection upon request by a Provincial Officer, showing the Property, any fencing, and the location, type and design of each Barrier at the Property, including cross-sectional drawings of the Barrier showing its design and vertical and lateral extent;

and which are,

i. delivered to the Owner before use of all or any part of the Property begins, or within 90 days following completion of covering of all or any part of the Property, whichever is earlier; and

ii. updated and delivered to the Owner within 30 days following making any alteration to the location, design or extent of the Barrier, or other relevant feature shown on the site plan.

4.5 **Soil Management Plan:**

Prepare and implement a written soil management plan for the Property, prepared by a Qualified Person and to be retained by the Owner, and be available for inspection upon request by a Provincial Officer, for managing excavated soil or soil brought to the Property during Intrusive Activities at the Property, to prevent exposure to or uncontrolled movement or discharge of the Property Specific Contaminants of Concern in soil at the Property, including, at a minimum:

a. procedures and timing for implementing the plan, including the supervision of persons implementing the plan;
b. Dust control measures and prevention of soil tracking by vehicles and personnel from the Property, which may include wetting of soil with potable water, reduced speeds for on-site vehicles, tire washing stations and restricting working in high wind conditions, as required;
c. measures, in addition to any applicable measures specified in O. Reg. 153/04, to manage soil excavated at the Property and any soil brought to or removed from the Property, including:
    i. characterizing for contaminant quality all excavated soil and any soil brought to the Property, including determining whether the soil:
        1. is suitable for use as Capping Soil;
        2. meets the Property Specific Standards; or
        3. exceeds the Property Specific Standards.
    ii. managing excavated soil separately from any soil brought to the Property, including any excavated soil that is to be used as fill or removed from the Property.
    iii. stockpiling of excavated soil and any soil brought to the Property in separate designated areas that:
        1. reflect the distinctions described in part c. (i) and (ii);
        2. have been lined and covered, as appropriate, to prevent uncontrolled movement
        3. have been bermed, as appropriate, to restrict access by persons; and
        4. have storm water runoff controls in place to minimize storm water runoff contacting stockpiled soil, with provision for discharge of storm water runoff to a sanitary sewer or to other approved treatment if needed.
d. recording, in writing, the soil management measures undertaken, in addition to any applicable record keeping requirements specified in O. Reg. 153/04 or pursuant to other applicable law or other instruments, to be retained by the Owner, and be available for inspection upon request by a Provincial Officer, including:
    i. dates and duration of the Intrusive Activities being undertaken;
    ii. weather and site conditions during the Intrusive Activities;
    iii. the location and depth of excavation activities;
    iv. dust control and soil tracking control measures;
    v. characterization results for excavated soil and any soil brought to or removed from the Property;
    vi. soil management activities including soil quantities excavated and brought to and removed from the Property, and stockpile management and storm water runoff control;
    vii. names and contact information for the Qualified Persons and on-site contractors involved in the Intrusive Activities;

viii. names and contact information for any haulers and receiving sites for soil removed from the Property, and for haulers and source sites of any soil brought to the Property; and
ix. any complaints received relating to the Intrusive Activities, including the soil management activities;
and which is,
x. prepared before any Intrusive Activities are undertaken at the Property; and
xi. updated within 30 days following making any alteration to the plan.

4.6 **Annual Reports:**

The Owner shall prepare by March 31 each year, an annual report documenting activities relating to the Risk Management Measures undertaken during the previous calendar year. A copy of this report shall be maintained on file by the Owner and shall be made available upon request by a Provincial Officer. The report shall include the following information:

a. A copy of all records relating to the inspection and maintenance program for the site barriers to the site soils described by Item 4.4 of this CPU;
b. A copy of all records relating to the soil management plan described by Item 4.5 of this CPU;
c. Any recommendations for changes to inspection, maintenance, and/or monitoring programs with supporting rational.
d. A log of any modifications and/or maintenance efforts carried out to mitigate concerns identified because of the implementation of any RMM;
e. A copy of all as-built drawings signed by a Licenced Professional Engineer; and
f. A copy of all signed site plans including any alterations.

Part 5: CPU Restrictions on Property Use, Building Construction and Notice Requirements

I hereby require the Owner to do or cause to be done the following under the authority of paragraph 168.6(1)2 of the Act:

5.1 Property Use Restriction:
Refrain from using the Property for any of the following use(s): Any use other than "industrial use" as defined in O. Reg. 153/04.

5.2 Building Construction Restrictions: N/A.

5.3 Groundwater Use Restriction:
Upon issuance of the CPU, the Owner shall take all actions necessary or advisable to prevent any use of groundwater in or under the Property as a potable water source, except as may be required for continued use as a monitoring well, as defined in the Ontario Water Resources Act, R.S.O. 1990, c. O.40 (OWRA) subject to the following:

i. properly abandon on the Property any wells, as described or defined in the

OWRA, according to the requirements set out in Regulation 903 of the Revised Regulations of Ontario 1990: (Wells), made under the OWRA; and,

ii. refrain from constructing on the Property any wells as described or defined in the OWRA.

5.4 Notice of Restrictions
Pursuant to the requirements of subsection 168.6(4) of the Act, the Owner shall ensure that every occupant of the Property is given notice that the Ministry has issued this CPU and that it contains the provisions noted above in Items 5.1, 5.2, and 5.3 and that every occupant complies with such provisions. For the purposes of this requirement, an occupant means any person with whom the Owner has a contractual relationship regarding the occupancy of all or part of the Property.

Part 6: Additional Requirements

I hereby require the Owner to do or cause to be done the following things under the authority of subsection 168.6(1) of the Act.

6.1 Site Changes Affecting Risk Management Measures
In the event of a change in the physical site conditions or receptor characteristics at the Property that may affect the Risk Management Measures and/or any underlying basis for the Risk Management Measures, the Owner shall forthwith notify the Director of such changes and the steps taken, to implement, maintain and operate any further Risk Management Measures as are necessary to prevent, eliminate or ameliorate any Adverse Effect that will result from the presence on, in or under the Property or the discharge of any Contaminant of Concern into the natural environment from the Property. In support of this work, a new risk assessment may need to be completed in accordance with O. Reg. 153/04 and submitted to the Ministry for acceptance. An amendment to the CPU will be issued to address the changes set out in any notice received and any future changes that the Director considers necessary in the circumstances.

6.2 Report Retention Requirements
The Owner shall retain a copy of any reports required under the CPU for a period of seven (7) years from the date the report is created and within ten (10) days of the Director or a Provincial Officer making a request for a report, provide a copy to the requesting Director or Provincial Officer.

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

Part 7: Section 197 Order (Property Notice and Certificate of Requirement Registration) Requirements

I hereby order the Owner to do or cause to be done the following under the authority of subsections 197(1) and 197 (2) of the Act:

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

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

7.3 Verification
Within five (5) days after registering the certificate of requirement provide to the Director a copy of the registered certificate and of the parcel register(s) for the Property confirming that registration has been completed.

Part 8: General Requirements

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 section 168.6(3) of the Act to, a) alter any terms and conditions in the CPU or impose new terms and conditions; or b) revoke the CPU; shall be made in writing to the Director, with reasons for the request.

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

8.4 The requirements of the CPU are minimum requirements only and do not relieve the Owner from, a) complying with any other applicable order, statute, regulation, municipal, provincial or federal law; or b) obtaining any approvals or consents not specified in the CPU.

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 a date specified does not absolve the Owner 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 provisions of the CPU shall take precedence in the event of a conflict between the provisions of the CPU and the Risk Assessment save and except for the Part 4 Risk Management Measures.

8.10 In the event that the Owner complies with the provisions of Items 7.2 and 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 this CPU can be carried out by the condominium corporation on behalf of the new Owners of the Property.

8.11 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 Ontario Land Tribunal (the “Tribunal”), if within fifteen (15) days after service on you of a copy of the CPU, you serve written notice upon the Director and the Tribunal.

9.2 Pursuant to section 142 of the Act, the notice requiring the hearing must include a statement of the portions of the CPU and the grounds on which you intend to rely at the

hearing. Except by leave of the Tribunal, you are not entitled to appeal a portion of the CPU, or to rely on a ground, that is not stated in the notice requiring the hearing.

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

Celeste Dugas
York Durham District Office
Ministry of the Environment, Conservation and Parks
230 Westney Road South, 5th Floor
Ajax, Ontario
Email: Celeste.Dugas@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 that 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 Environmental Bill of Rights, 1993 (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 Ministry of the Environment, Conservation and Parks, College Park 5th Flr, 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 service on you of 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, on 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 made to the Tribunal by the earlier of: (a) fifteen (15) days after the day on which the 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 this 6th day of November, 2026.

Celeste Dugas
Director, section 168.6 of the Act

Schedule ‘A’

Table 1: Contaminants of Concern and Property Specific Standards

Media	Contaminants of Concern (COC)	Units	Property Specific Standards
Soil	Sodium Adsorption Ratio		30
Groundwater	Cadmium	µg/L	4.8
Groundwater	Cobalt	µg/L	10.1
Groundwater	Mercury	µg/L	0.24
Groundwater	Nickel	µg/L	324

SCHEDULE ‘B’

CERTIFICATE OF REQUIREMENT

s.197(2)
Environmental Protection Act

This is to certify that pursuant to Item 7.1 of Certificate of Property Use number 2845-C9CM3W-1 issued by Celeste Dugas, Director of the Ministry of the Environment, Conservation and Parks, under sections 168.6 and 197 of the *Environmental Protection Act*, on November 6, 2026 being a Certificate of Property Use and order under subsection 197(1) of the *Environmental Protection Act* relating to the property municipally known as: 71 Proctor Road, Township of King, Regional Municipality of York, being all of PIN 03399-0008(LT), (the “Property”) with respect to a Risk Assessment and certain Risk Management Measures and other preventive measure requirements on the Property

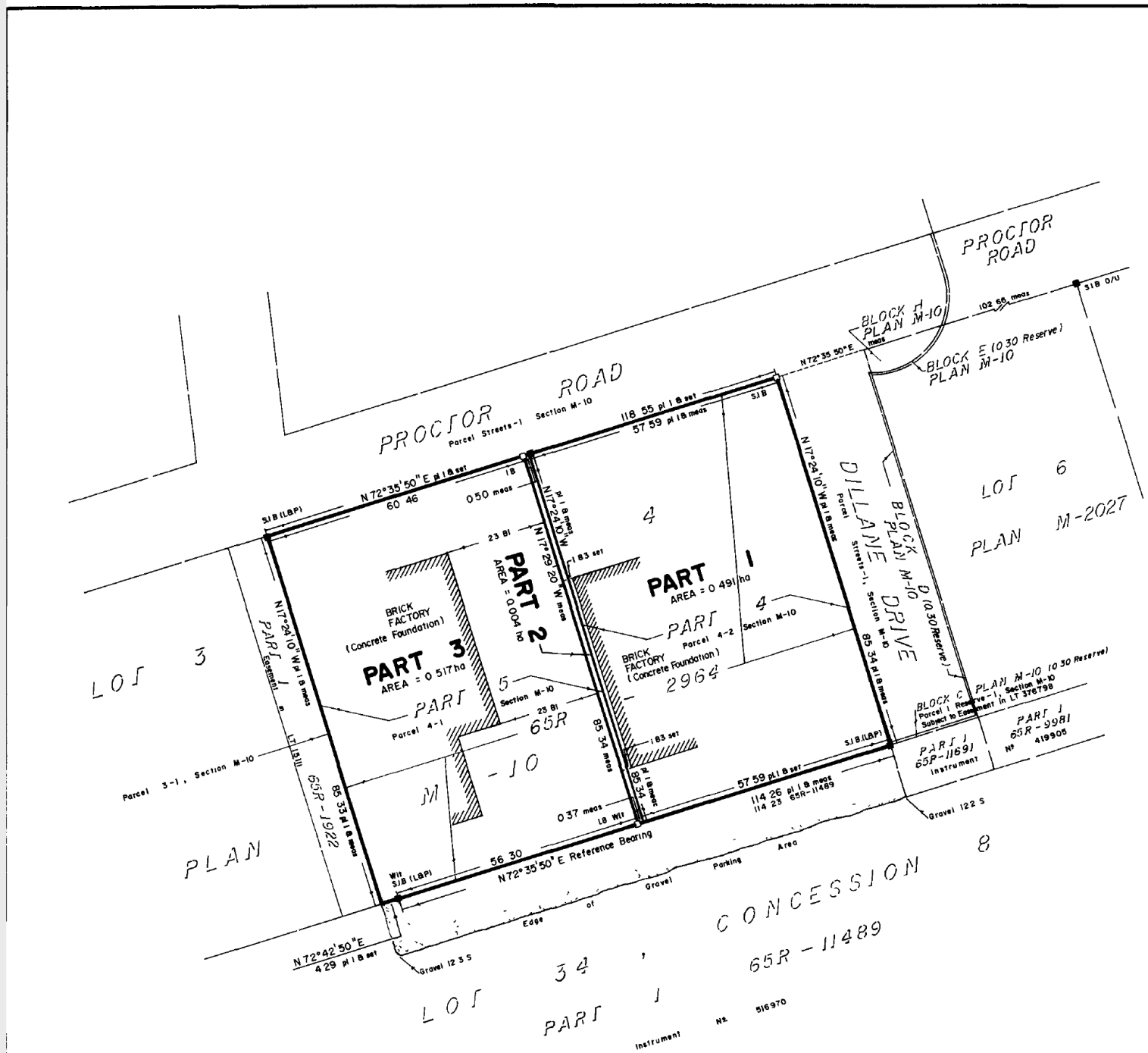
2585450 Ontario Inc.

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

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

Figure 1: Plan of Survey

65R 15473



I CERTIFY THAT
1 THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER
2 THE SURVEY WAS COMPLETED ON THE 4th DAY OF SEPTEMBER 19 91

9/09/1991
JAMES M PURCELL
ONTARIO LAND SURVEYOR

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT
DATE SEPTEMBER 9, 1991

JAMES M PURCELL

PLAN 65R-15473
RECEIVED AND DEPOSITED
DATE 13 SEPT 1991

LAND REGISTRAR
FOR THE LAND TITLES DIVISION OF YORK REGION No 65

PART	LOT / BLOCK	CONCESSION / PLAN	PARCEL	REMARKS
1	Lot 4	Plan M-10	All of Parcel 4-2, Section M-10	
2			All of Parcel 4-1, Section M-10	
3				

PLAN OF SURVEY OF LOT 4 PLAN M-10 TOWNSHIP OF KING REGIONAL MUNICIPALITY OF YORK

LLOYD & PURCELL LTD, 1991, SCALE 1 750
0 10m 20m 30m 40 metres

BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE DERIVED FROM THE SOUTHERN LIMIT OF LOT 4 PLAN M-10 SHOWN AS N 72° 35' 50" E THEREON

CAUTION THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT

NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

SIB	STANDARD IRON BAR	Wit	WITNESS	O/N	OLD NOTE
IB	IRON BAR	L&P	LLOYD & PURCELL LTD	Prop'n	PROPORTIONED
IP	IRON PIPE	O/U	ORIGIN UNKNOWN	pl	PLAN 65R-2964
●	FOUND	ha	HECTARES		
□	SET	ø	ROUND		
meas	MEASURED	Inst	INSTRUMENT		

LLOYD & PURCELL LTD ONTARIO LAND SURVEYORS
1228 GORHAM ST, UNIT 28, NEWMARKET, ONTARIO, L3Y-7V1, 416-895-6416, FILE No KI-M10-4-3

25.51 x 16.54 in

Figure 2: Typical Barrier Cap Details

