

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 5773-BJTHVN
Risk Assessment number 5304-ABVPPS**

**Owner: Equinix Canada Ltd.
c/o Equinix Inc. One
Lagoon Drive, 4th Floor
Redwood City, CA 94065
USA**

Site: 45 Parliament Street, Toronto, ON

with a legal description as set out below:

Part of Lot 1 on Plan 108 E.S. of Parliament Street & Part of Lot 3A on Plan 108 S.S. of Front Street & Part of Lots 1, 2 & 3 on Plan 108 on N.S. Mill Street Designated as Parts 3 & 4 on Plan 66R26445; Toronto; subject to an easement over Part 3 on Plan 66R26445 in favour of Part of Lots 1, 2 & 3 E.S. Parliament St. on Plan 108 & Part of Lot 3A S.S. Front St. East, Designated as Parts 1, 2 & 5 on Plan 66R26445 as in AT3162357; together with an easement over Part of Lots 1 & 2 E.S. Parliament St. on Plan 108 & Part of Lot 3A S.S. Front St. East on Plan 108 Designated as Parts 2 & 5 on Plan 66R26445 as in AT3162357; City of Toronto

Being All of PIN 21077-0339 (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.

Summary:

Refer to Part 1 of the CPU, Interpretation, for the meaning of all the defined capitalized terms that apply to the CPU.

- i) CPU requirements addressed in Part 4 of the CPU, Director Requirements, are summarized as follows:
- | | |
|---|-----|
| a. Installing/maintaining any equipment | No |
| b. Monitoring any contaminant | No |
| c. Refraining from constructing any building specified | Yes |
| d. Refraining from using the Property for any use specified | Yes |
| e. Other: Preparing and implementing a health and safety plan for the Property. | Yes |
- ii) Duration of Risk Management Measures identified in Part 4 of the CPU is summarized as follows:
- a. The health and safety plan shall be required for the Property during any activities potentially in contact with or exposing site soils for as long as the Contaminants of Concern are present on the Property.
- b. All other Risk Management Measures shall continue indefinitely until the Director alters or revokes the CPU.

Part 1: Interpretation

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

“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.

“Act” means the *Environmental Protection Act*, R.S.O. 1990, c. E. 19, as amended.

“Building” means an enclosed structure occupying an area greater than ten square metres consisting of a wall or walls, roof and floor.

“Building Code” means the Ontario Regulation 332/12; ‘Building Code’ as amended January 1, 2019.

“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 meaning as set out in section 3.2 of the CPU.

“CPU” means this Certificate of Property Use as may be altered from time to time and bearing the document number 5773-BJTHVN.

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

“First Storey” has the same meaning as in the Building Code.

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

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

“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” as amended, made under the Act.

“O. Reg. 347/90 means Ontario means R.R.O. 1990, Regulation 347 General - Waste Management” as amended, made under the Act.

“Owner” means the owner(s) of the Property, beginning with the person(s) to whom the Certificate of Property Use for the Property is first issued by the Director under section 168.6 of the Act based on the Risk Assessment, and any subsequent owner of the Property.

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

“Property” means the property that is the subject of the CPU and described in the “Site” section on page 1 above.

“Property Specific Standards” means the property specific standards established for the Contaminants of Concern set out in the Risk Assessment and in section 3.2 of the CPU and are the same standards specified in the Risk Assessment.

"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 subsection 5 (2) of O. Reg. 153/04, namely a person who:

- a. Holds a license, limited license or temporary license under the *Professional Engineer Act*, or
- b. Holds a certificate of registration under the *Professional Geoscientists Act, 2000*, and is a practicing member, temporary member, or limited member of the Association of Professional Geoscientists of Ontario.

"Risk Assessment" means the Risk Assessment number 5304-ABVPPS accepted by the Director on December 16, 2019 and set out in the following documents:

- Report entitled "Final, Human Health and Ecological Risk Assessment – IDS Ref No. 5304-ABVPPS, 45 Parliament Street, Toronto, Ontario" prepared by Pinch Limited, dated February 14, 2018;
- Report entitled "Revised, Human Health and Ecological Risk Assessment – IDS Ref No. 5304-ABVPPS, 45 Parliament Street, Toronto, Ontario" prepared by Pinchin Limited, December 7, 2018;
- Report entitled "Revised, Human Health and Ecological Risk Assessment – IDS Ref No. 5304-ABVPPS, 45 Parliament Street, Toronto, Ontario" prepared by Pinchin Limited, July 26, 2019;
- Email entitled "RE: Risk Assessment for 45 Parliament Street, Toronto, Ontario; RA1531-16c ; IDS# 5304-ABVPPS" prepared by Pinchin Limited, dated September 17, 2019 with the following attachments:
 - Responses to RMP Comments; Updated Appendix XIII RMP; FINAL SVA Report; New Lawyer's letter; New signed PSF Section A and B; Certificate of Status for BRL Realty Limited.
- Report entitled "Human Health and Ecological Risk Assessment Addendum, 45 Parliament Street, Toronto, Ontario (RA1531-16c; IDS#5304-ABVPPS)" prepared by Pinchin Limited, November 12, 2019;
- Email entitled "RE: Risk Assessment for 45 Parliament Street, Toronto, Ontario; RA1531-16c ; IDS# 5304-ABVPPS" prepared by Pinchin Limited, dated November 12, 2019 with the signed mandatory certifications:

"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 Environmental Review 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:
1. 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.
 2. 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: “commercial use”, as defined in O. Reg. 153/04.
- 3.2 The Contaminants on, in or under the Property that are present above the Commercial/Community/Industrial Property Use Standards within **Table 3** and **Table 7** (for volatile groundwater contaminants) 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 for medium/fine textured soils or for which there are no such standards are defined as the Contaminants of Concern. The Property Specific Standards for the

Contaminants of Concern are set out in Schedule “A” along with the minimum Building design in Schedule ‘B’ attached to and forming part of the CPU with the following figures:

- Plan of Survey with the Property outlined in red; and
- Drawings L1, L2 and L3.

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

Part 4: Director Requirements

Pursuant to the authority vested in me under section 168.6(1) of the Act, I hereby require the Owner to do or cause to be done the following:

Risk Management Measures

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 Item 4.1, carry out or cause to be carried out the following key elements of the Risk Management Measures:

- a. The Property shall include the design and installation of a concrete caisson wall, silty clay soils, synthetic and natural liner and waterproofing systems as follows:
 - i. The concrete caisson wall shall be along the entire perimeters of the Property (as illustrated in drawing no L1) notched into competent bedrock and shall be designed, installed and maintained in accordance with the Risk Assessment (as also illustrated by drawings no. L2 and L3).
 - ii. The importation of silty clay soil with a minimum content of 20% clay to act as a barrier between the underside of the Building and the bedrock at the site and shall be designed, installed and maintained in accordance with the Risk Assessment (as illustrated by drawings no. L1 and L2).
 - iii. The synthetic and natural liner system to the caisson wall shall be designed, installed and maintained in accordance with the Risk Assessment (as illustrated by drawings no. L2 and L3).
 - iv. The waterproofing of the exterior foundation wall of the Building shall be designed, installed and maintained in accordance with the Risk Assessment (as illustrated by drawings no. L2 and L3).
- b. An inspection and maintenance program shall be prepared and implemented to ensure the continuing integrity of the caisson wall and synthetic and natural liner risk management measures as long as the Contaminants of Concern are present on the Property. The inspection program shall include, at a minimum, semi-annual (every six months) inspections for intrusive activities on the Property. If any intrusive activities have taken place on the Property and damaged the integrity of the caisson

wall and synthetic and natural liner risk management measures shall be repaired forthwith and any deficiencies and repairs shall be recorded in a log book maintained by the Owner and made available upon request by a Provincial Officer.

- c. A site-specific health and safety plan shall be developed for the Property and implemented during all intrusive, below-grade construction activities potentially coming in contact with or exposing groundwater and a copy shall be maintained on the Property for the duration of these intrusive activities. The Owner shall ensure that the health and safety plan take into account the presence of the Contaminants of Concern and is implemented prior to any intrusive work being done on the Property in order to protect workers from exposure to the Contaminants of Concern. The health and safety plan shall be prepared in accordance with applicable Ministry of Labour health and safety regulations, shall address any potential risks identified in the Risk Assessment, and shall include, but not be limited to, occupational hygiene requirements, requirements for personal protective equipment, and contingency plan requirements including site contact information and any other requirement identified in the Risk Assessment. Prior to initiation of any project (as defined in the Occupational Health and Safety Act, as amended) on the Property, the local Ministry of Labour office shall be notified of the proposed activities and that the Property contains contaminated groundwater and free phase product. Any excavation of trenches on the Property; the health and safety plan shall also include special personal protective equipment (i.e. ventilation and/or respirators) as listed in the Risk Assessment to protect all workers in any trenches. Implementation of the health and safety plan shall be overseen by persons qualified to review the provisions of the plan with respect to the proposed site work and conduct daily inspections. The Owner shall retain a copy of the plan, which shall be made available for review by the Ministry upon request.
- d. The Owner shall ensure that the current Building meets the minimum design details as listed in Schedule 'B'. No alterations or additions to the existing Building or the construction of any new Building(s) may be made unless an assessment of the risk to human receptors is provided to the Director and the Director approves any alterations or additions to the existing Building or the construction of any new Building.
- e. The Owner shall retain a copy of the as-builts drawing and plans as prepared and signed by a Qualified Person which will describe the Property and placement of caisson wall, synthetic and natural liner systems, waterproofing and quality of any soils placed on the Property. The site plan shall include any cross-sectional drawings specifying the vertical and lateral extent of these risk management measures. This site plan shall be retained by the Owner for inspection upon request by a Provincial Officer.
- f. 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, but not be limited to, the following minimum information requirements:
 - i. a copy of all records relating to the inspection and maintenance program for the caisson walls and synthetic and natural liner systems;

- ii. a copy of all records relating to the to the health and safety plan and documenting any trenches and any risk management measures that were implemented because of the trenches on the Property; and
 - iii. a copy of all signed as-built drawings and plans of the caisson wall, synthetic and natural liner systems and waterproofing shall be included in first annual report dated March 31, 2021 and only include any changes or alterations to those as-built drawings in the annual reports thereafter; and
 - iv. confirmation that the current Building design and configuration meets the minimum Building design details as listed in Schedule 'B'.
- 4.3 Refrain from using the Property for any of the following use(s): all property uses except for following property uses as defined in O.Reg. 153/04: "commercial use".
- 4.4 Refrain from constructing the following building(s): No building construction or alterations unless construction or alterations is in accordance with Item 4.2 d. of the CPU.
- 4.5 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 4.3 and 4.4, unless noted N/A. 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.

Site Changes

- 4.6 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, 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. An amendment to the CPU will be issued to address the changes set out in the notice received and any further changes that the Director considers necessary in the circumstances.

Reports

- 4.7 Retain a copy of any reports required under the CPU, the Risk Assessment and any reports referred to in the Risk Assessment (until otherwise notified by the Director) and within ten (10) days of the Director or a Provincial Officer making a request for a report, provide a copy to the Director or Provincial Officer.

Property Requirement

- 4.8 For the reasons set out in the CPU and pursuant to the authority vested in me under 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.

Certificate of Requirement

- 4.9 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 'C', register the certificate of requirement on title to the Property, in the appropriate land registry office.
- 4.10 Immediately after registration of the certificate of requirement, provide to the Director written verification that the certificate of requirement has been registered on title to the Property.

Owner Change

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

Financial Assurance

- 4.12 The Director has not included in the CPU a requirement that the Owner provide financial assurance.

Part 5: General

- 5.1 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, the application of such requirement to other circumstances and the remainder of the CPU shall not be affected thereby.
- 5.2 An application under sub 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.

- 5.3 The Director may alter the CPU under subsections 132(2) or (3) of the Act to change a requirement as to financial assurance, including that the financial assurance may be increased or reduced or released in stages. The total financial assurance required may be reduced from time to time or released by an order issued by the Director under section 134 of the Act upon request and submission of such supporting documentation as required by the Director.
- 5.4 Subsection 186(3) of the Act provides that non-compliance with the requirements of the CPU constitutes an offence.
- 5.5 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.
- 5.6 Notwithstanding the issuance of the CPU, further requirements may be imposed in accordance with legislation as circumstances require. The Director shall also alter the CPU where the approval or acceptance of the Director is required in respect of a matter under the CPU and the Director either does not grant the approval or acceptance or does not grant it in a manner agreed to by the Owner.
- 5.7 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.
- 5.8 Failure to comply with a requirement of the CPU by the date specified does not absolve the Owner from compliance with the requirement. The obligation to complete the requirement shall continue each day thereafter.
- 5.9 In the event that the Owner complies with the provisions of Items 4.9 and 4.10 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, as amended, 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

Part 6: Hearing before the Environmental Review Tribunal

- 6.1 Pursuant to section 139 of the Act, you may require a hearing before the Environmental Review 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.
- 6.2 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.
- 6.3 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 as they may be amended from time to time. The address, email address and fax numbers of the Director and the Tribunal are:

The Secretary
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, ON, M5G 1E5
Fax: 1-877-849-2066
Email: ERTTribunalSecretary@ontario.ca

and

Jimena Caicedo
Ministry of the Environment, Conservation and Parks
5775 Yonge Street, 8th Floor
Toronto, Ontario
M2M 4J1
Fax: 416-326-5536
Email: Jimena.Caicedo@ontario.ca

- 6.4 Unless stayed by application to the Tribunal under section 143 of the Act, the CPU is effective from the date of issue.
- 6.5 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 EBR registry. 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 Environmental Commissioner of Ontario who will place it on the EBR registry. The notice must be delivered to the Environmental Commissioner at 605-1075 Bay Street, Toronto, Ontario M5S 2B1 by the earlier of:

- 6.5.1 two (2) days after the day on which the appeal before the Tribunal was commenced; and
 - 6.5.2 fifteen (15) days after service on you of a copy of the CPU.
- 6.6 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.
- 6.7 For your information, under section 38 of the EBR, any person resident in Ontario with an interest in the CPU may seek leave to appeal the CPU. Under section 40 of the EBR, the application for leave to appeal must be made to the Tribunal by the earlier of:
- 6.7.1 fifteen (15) days after the day on which notice of the issuance of the CPU is given in the EBO registry; and
 - 6.7.2 if you appeal, fifteen (15) days after the day on which your notice of appeal is given in the EBO registry.

Issued at Toronto this 24th day of April 2020

“Originally Signed by”

Jimena Caicedo
Director, section 168.6 of the Act

Schedule 'A'

Property Specific Standards (Groundwater) for each Contaminant of Concern

Contaminants of Concern (COC)	Property Specific Standards for Groundwater (µg/L)
Acenaphthylene	276
Ammonia	24,000
Anthracene	55
Benzene	8640
Benzo(a)anthracene	48
Benzo(a)pyrene	46
Benzo(b)fluoranthene	40
Benzo(g,h,i)perylene	16
Benzo(k)fluoranthene	14
Chrysene	36
Dibenzo(a,h)anthracene	2.4
Ethylbenzene	3600
Indeno(1,2,3-cd)pyrene	13
Naphthalene	8280
Petroleum Hydrocarbons F1	3360
Petroleum Hydrocarbons F2	20,400
Pyrene	156
Toluene	4200
Xylene	2640

Schedule 'B'

Minimum Design Details of the Building

45 Parliament Street, Toronto

Building Parameter	Specifications
Cross sectional area of basement (m ²)	3919.86 m ² (75.6 m x 51.85 m)
Building Total Volume (m ³)	3919.86 m ² x 30.063 m height = 117,842.75 m ³
Number of air exchanges per day	<p>The building air is almost constantly exchanged, there are 3 separate areas and each of them has their own control as described below:</p> <p>There are 2 exhaust and one supply air fan in the underground garage with 3 carbon monoxide detectors. Supply air fan provide makeup air in the parking garage level. Fans operate anytime CO is detected (CO detectors set at 30PPM-adjustable), fresh air is supplied through a normal duct.</p> <p>There are 2 MAUs (Make-up Air Units with Enthalpy wheel for heat recovery) that supplies air to a common duct feeding the colo space. The relief fans on both units are controlled together to maintain exhausted airflow in balance to supply air flow (~4000CFM /each unit).</p> <p>There are 2 AHUs (Air Handling Units with Economizer) that supply a common duct to the offices. Both units share a return duct that has 2 independently controlled return fans and common relief damper. The fans are controlled to a single air flow setpoint (~4000CFM).</p>
Minimum thickness of parking garage or foundation walls (m)	0.08 ± 0.02 m
Length of foundation perimeter (m)	254.9 m (75.6 + 75.6 + 51.85 + 51.85 m)
Foundation depth below ground surface (m)	4.048 mbgs

Schedule 'C'

CERTIFICATE OF REQUIREMENT

s.197(2)

Environmental Protection Act

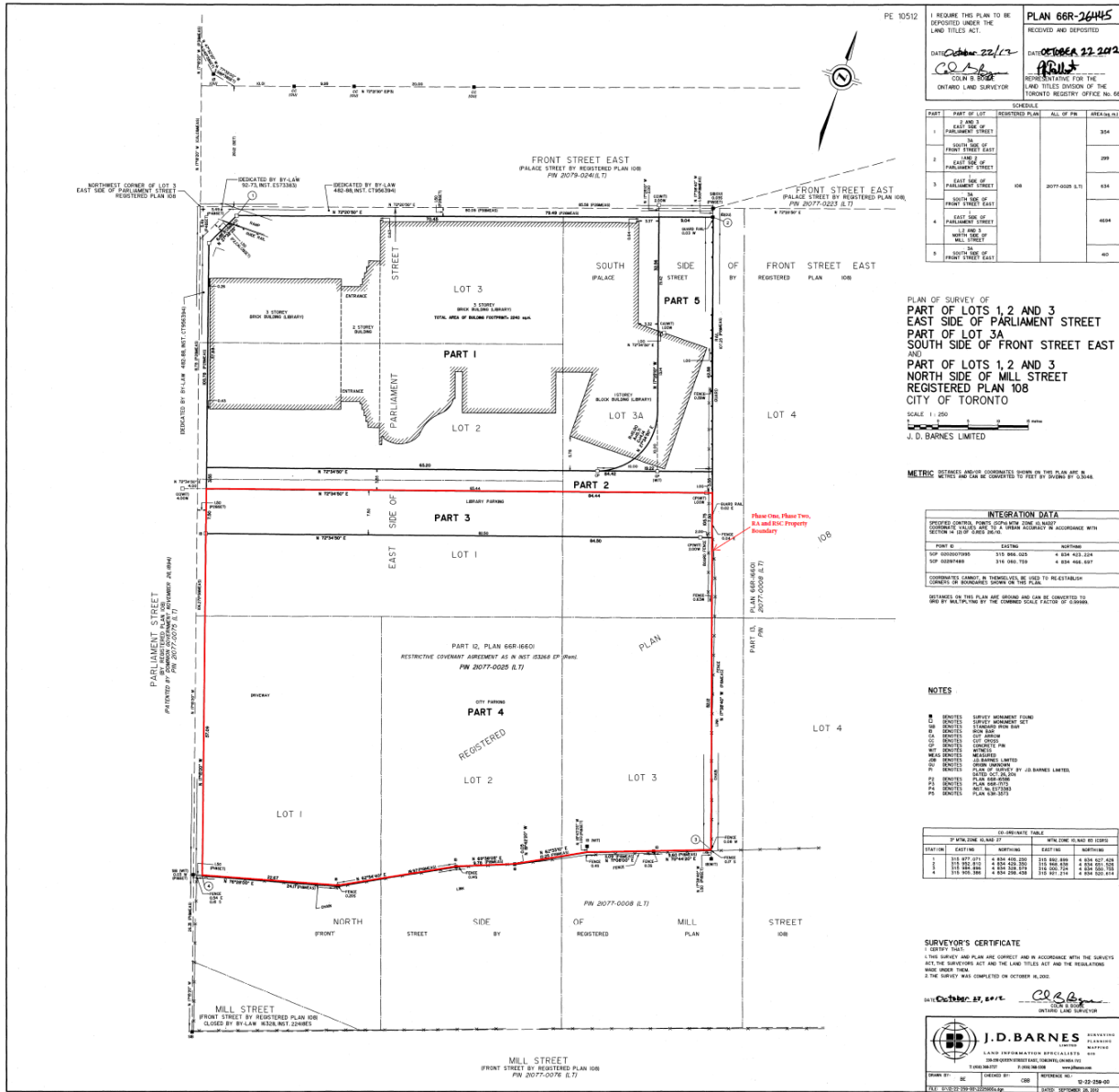
This is to certify that pursuant to Item 4.9 of Certificate of Property Use number 5773-BJTHVN issued by Jimena Caicedo, Director of the Ministry of the Environment, Conservation and Parks, under sections 168.6 and 197 of the Environmental Protection Act, on April 24, 2020, being a Certificate of Property Use and order under subsection 197(1) of the Environmental Protection Act relating to the property municipally known as 45 Parliament Street, Toronto, Ontario, being all of Property Identifier Number 21077-0339 (LT) (the "Property") with respect to a Risk Assessment and certain Risk Management Measures and other preventive measure requirements on the Property

EQUINIX CANADA LTD.

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.

Plan of Survey



PE 10512

I HEREBY THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: October 22, 2019 REGISTERED FOR THE LAND TITLES DIVISION OF THE TORONTO REGISTRY OFFICE No. 66
 COLIN S. BARNES
 ONTARIO LAND SURVEYOR

DATE: OCTOBER 22 2019
COLIN S. BARNES
 ONTARIO LAND SURVEYOR

SHEET	PART OF LOT	SCHEDULE	ALL OF PLAN	AREA (M ²)
1	EAST SIDE OF PARLIAMNT STREET			934
2	SOUTH SIDE OF PARLIAMNT STREET			389
3	EAST SIDE OF PARLIAMNT STREET			434
4	EAST SIDE OF PARLIAMNT STREET			4694
5	SOUTH SIDE OF PARLIAMNT STREET			40

PLAN OF SURVEY OF PART OF LOTS 1, 2 AND 3 EAST SIDE OF PARLIAMNT STREET PART OF LOT 3A SOUTH SIDE OF FRONT STREET EAST AND PART OF LOTS 1, 2 AND 3 NORTH SIDE OF MILL STREET REGISTERED PLAN 108 CITY OF TORONTO

SCALE 1:250

J. D. BARNES LIMITED

METRIC DISTANCES AND ALL DIMENSIONS GIVEN ON THIS PLAN ARE IN METRES UNLESS OTHERWISE SHOWN TO THE CONTRARY.

INTEGRATION DATA

POINT NO.	EASTING	NORTHING
SOP CORNER/STAKE	316 088 623	4 834 462 224
SOP CORNER/STAKE	316 088 759	4 834 462 697

CONFORMED TO CANADIAN SURVEYING PRACTICES AND STANDARDS. THIS PLAN IS TO BE ESTABLISHED BY THE SURVEYOR'S FIELD NOTES AND THIS PLAN.

DETAILS ON THIS PLAN ARE SHOWN AND CAN BE COMPARED TO PLAN NO. 108 (REGISTERED PLAN) BY MULTIPLYING BY THE CORRECTION SCALE FACTOR OF 0.99999.

NOTES

- S: BENCH MARK
- LA: BENCH MARK
- BP: BENCH MARK
- LP: BENCH MARK
- OP: BENCH MARK
- CP: BENCH MARK
- TP: BENCH MARK
- MP: BENCH MARK
- IP: BENCH MARK
- FP: BENCH MARK
- GP: BENCH MARK
- HP: BENCH MARK
- JP: BENCH MARK
- KP: BENCH MARK
- LP: BENCH MARK
- MP: BENCH MARK
- NP: BENCH MARK
- OP: BENCH MARK
- PP: BENCH MARK
- QP: BENCH MARK
- RP: BENCH MARK
- SP: BENCH MARK
- TP: BENCH MARK
- UP: BENCH MARK
- VP: BENCH MARK
- WP: BENCH MARK
- XP: BENCH MARK
- YP: BENCH MARK
- ZP: BENCH MARK

SURVEYOR'S CERTIFICATE

I, COLIN S. BARNES, ONTARIO LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAN AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE UNDER THEREIN COMPLETED ON OCTOBER 18, 2019.

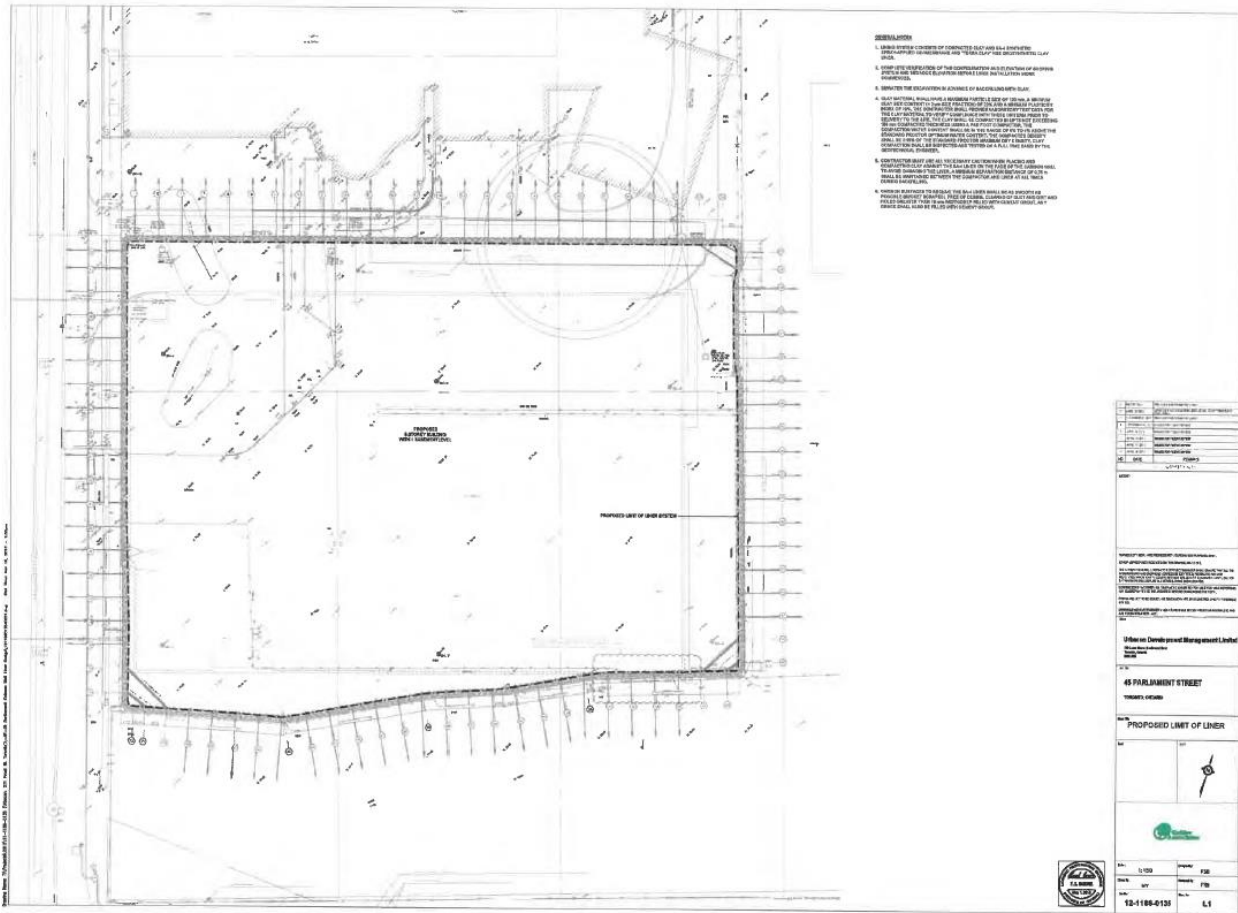
DATE: October 22, 2019 **COLIN S. BARNES**
 ONTARIO LAND SURVEYOR

J. D. BARNES LIMITED
 1200 SHEPPARD AVENUE EAST, SUITE 100
 SCARBOROUGH, ONTARIO M1B 4V3

PLAN NO. 108

DATE: 08/22/2019

Drawing L1

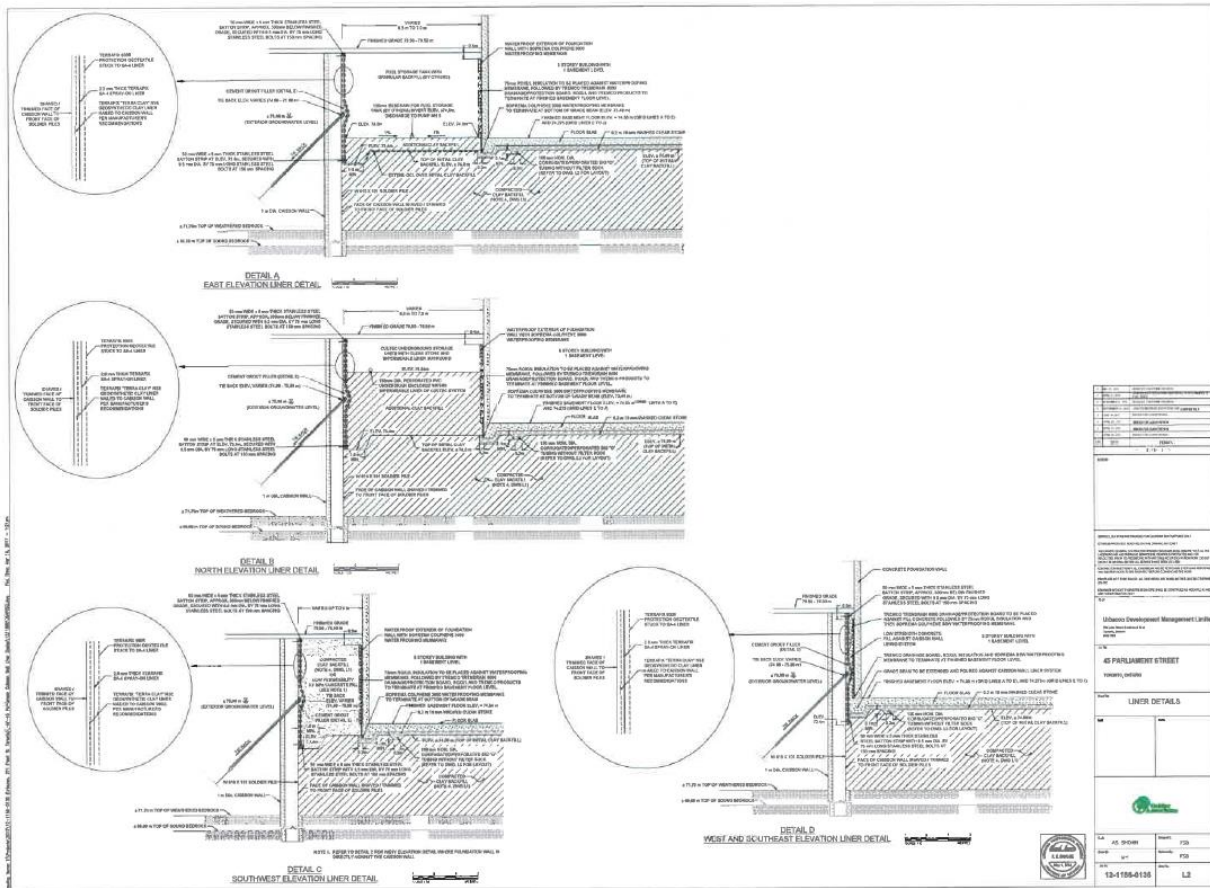


- REVISIONS**
1. Update drawing contents to reflect changes to the site plan and utility lines.
 2. Update drawing contents to reflect changes to the site plan and utility lines.
 3. Update drawing contents to reflect changes to the site plan and utility lines.
 4. Update drawing contents to reflect changes to the site plan and utility lines.
 5. Update drawing contents to reflect changes to the site plan and utility lines.
 6. Update drawing contents to reflect changes to the site plan and utility lines.
 7. Update drawing contents to reflect changes to the site plan and utility lines.
 8. Update drawing contents to reflect changes to the site plan and utility lines.
 9. Update drawing contents to reflect changes to the site plan and utility lines.
 10. Update drawing contents to reflect changes to the site plan and utility lines.

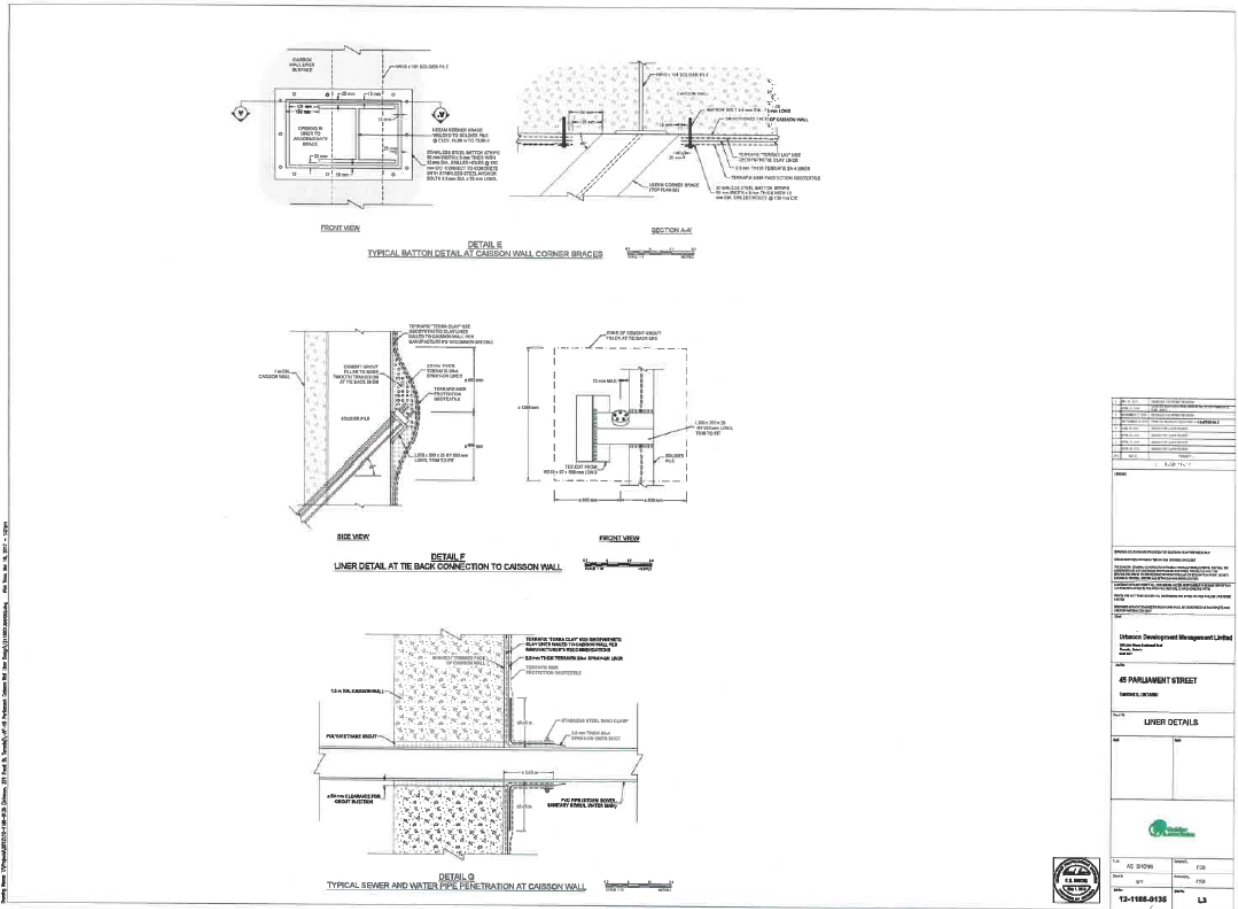
NO.	DATE	DESCRIPTION
1	12/11/19	Issue for Review
2	12/11/19	Issue for Review
3	12/11/19	Issue for Review
4	12/11/19	Issue for Review
5	12/11/19	Issue for Review
6	12/11/19	Issue for Review
7	12/11/19	Issue for Review
8	12/11/19	Issue for Review
9	12/11/19	Issue for Review
10	12/11/19	Issue for Review

Urban Development Management Limited 45 PARLIAMENT STREET SYDNEY NSW 2009 PH: (02) 9230 9000 FAX: (02) 9230 9001 WWW.URBANDVELOPMENTMANAGEMENT.COM.AU	
PROPOSED LIMIT OF LINER	
Scale: 1:100 Date: 12/11/19 Drawing No: 13-1196-0-120 Sheet No: L1	

Drawing No. L2



Drawing No. L3



<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ISSUED FOR TENDER</td> <td>2020/04/24</td> </tr> </tbody> </table>		NO.	DESCRIPTION	DATE	1	ISSUED FOR TENDER	2020/04/24
NO.	DESCRIPTION	DATE					
1	ISSUED FOR TENDER	2020/04/24					
<p>PROJECT INFORMATION</p> <p>PROJECT NAME: 45 PARLIAMENT STREET</p> <p>CLIENT: STRONGTOWN DEVELOPMENT MANAGEMENT LIMITED</p> <p>DESIGNER: JACOBS GROUP</p>							
<p>DATE: 2020/04/24</p> <p>SCALE: AS SHOWN</p>							
<p>PROJECT LOCATION: 45 PARLIAMENT STREET, AUCKLAND</p>							
<p>PROJECT NUMBER: T2-1188-0130</p>							
<p>DRAWING NUMBER: L3</p>							