

## **Certificate of Property Use (CPU) – Background Information**

A Certificate of Property Use (CPU) is issued at the discretion of the Director and summarizes risk management measures identified in the property risk assessment (RA).

The risk management measures provided in the RA must be posted to the EBR for a 30 day period for public comment. The EBR posting is normally done when the RA is received by EAAB. EAAB does the posting. There are instances where the posting either was not done or the RMP contained significant changes from an earlier posting to EBR which, as a result, caused the District to post to EBR a second time. Issuance of a CPU by the district is a “decision” in the context of EBR and it is this decision that the District posts to EBR. The statement above is correct.

Under the Environmental Protection Act (EPA) when the Director accepts a RA, they may issue the property owner a CPU requiring the owner to:

- Take any action specified in the CPU that is necessary to prevent, eliminate, or ameliorate any adverse effect on the property including installation of equipment, monitoring contaminants or recording/reporting information for that purpose.
- Follow any land use or building restrictions that may be imposed on the property and identified in the CPU.

The Director may alter or impose new conditions in a CPU or revoke the CPU. When a CPU is issued, altered or revoked, the Director is required to give notice to the municipality in which the property is located. The CPU is binding on all future property owners and must be made available to all property occupants.

The Director may also issue an order requiring the CPU to be registered on title.

The CPU can be issued after the RA has been accepted by the Director, however a Record of Site Condition (RSC) cannot be filed on the Brownfields Environmental Site Registry until SDB uploads the Property Specific Standards developed in the RA and uploads a copy of the issued CPU. The CPU is applicable law under the Ontario Building Code and must be attached to the RSC when filed. Although the RSC cannot be filed until the property meets the property specific standards developed in the RA, the risk management measures provided in the issued CPU do not have to be in place prior to filing the RSC. Timing of implementation of the RMM can be specified in the CPU.

The RSC, including any associated CPU, is filed on the MOE’s Brownfield Environmental Site Registry and available for review by the public.

The purpose of the CPU is to ensure that future property owners, municipal officials, and property occupants are aware of any property use restrictions, building restrictions or equipment installation that is required and must function in order to ensure that contaminants remaining on site do not pose a threat to the intended property users or the environment.

## **Reference Document for the Service Station Redevelopment Framework**

Supported By:



Project Lead:

