

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas, P. Eng.
Managing Director, Development & Compliance Services and
Chief Building Official
Subject: Application By: Indwell Community Homes
728, 730, 742 and 744 Dundas Street
For: Removal of Holding Provision (h-67)
Meeting on: August 13, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, based on the application by Indwell Community Homes, relating to lands located at 728, 730, 742 and 744 Dundas Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on August 28, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands **FROM** a Holding Business District Commercial Special Provision (h-67•BDC(19)•D250•H46•B-12) Zone **TO** a Business District Commercial Special Provision (BDC(19)•D250•H46•B-12) Zone to remove the h-67 holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding (h-67) provision to allow a mix of commercial, office and residential uses permitted by the Business District Commercial Special Provision (BDC(19)•D250•H46•B-12) Zone.

Rationale of Recommended Action

1. The removal of the holding provision will allow for development of a vacant and underutilized site in conformity with the Zoning By-law.
2. It is appropriate to remove the h-67 holding provision from the subject lands as a Record of Site Condition has been completed for the subject properties. The Record of Site Condition was submitted to the Ministry of the Environment and has been posted on the Ministry's Environmental Site Registry.

2.0 Description of Proposal

The removal of the holding “h-67” symbol from the zoning will allow a mix of commercial, office and residential uses permitted by the Business District Commercial Special Provision (BDC(19)•D250•H46•B-12) Zone. The applicant is proposing a mixed-use building with community and commercial uses on the ground floor, with residential housing on the upper three floors above. No detailed site concept plans have been provided as of yet.

3.0 Revelant Background

3.1 Planning History

The northwest corner of Dundas Street and English Street is currently a vacant space that previously consisted of a number of commercial and mixed-use buildings fronting on Dundas Street. Several of the buildings had become vacant over time and were eventually boarded up. One of the well-known landmarks at this location was the former Embassy Hotel which was closed in 2009, and was subsequently demolished.

In January 2009, a City-initiated zoning by-law amendment was brought forward to Planning Committee to apply a site-specific Bonus Zone in order to accommodate a proposed development consisting of an 8-storey mixed-use commercial/residential building with 154 residential units and 9 commercial units at street level, with underground parking facilities. Bonus zoning had been used to implement several higher density residential developments within this area of Central London, including the Medallion developments in proximity to the subject lands, to facilitate a high level of urban design, and as an incentive tool to help revitalize the Old East Village Community.

On February 2, 2009, Municipal Council passed an amendment to change the zoning of the subject lands FROM a Business District Commercial Special Provision (BDC(19)*D250*H46) Zone which permits a range of commercial, office, retail, and residential uses (limited to the rear portion of the ground floor or above the ground floor with a maximum density of 250 units per hectare) and a height of 46 metres TO a Holding Business District Commercial Special Provision Bonus (h-67*BDC(19)*D250*H46*B()) Zone to permit the above listed uses and, subject to design approval, an 8-storey mixed use residential/commercial building housing 154 residential units with a maximum density of 483 units per hectare, a front yard depth of 3.0 metres above 12 metres of building height, 30 bicycle parking spaces, and a minimum setback of balcony projection of 1.5 metres from the lot line; together with a holding provision to address concerns related to site contamination by ensuring that a Record of Site Condition has been submitted.

Plans for redevelopment of the site for the proposed 8-storey, residential/commercial building unfortunately did not come to fruition, and the owner (Terrasan 744 Dundas Street London Limited) has recently sold the property holdings.

4.0 Key Issues and Considerations

The purpose of the holding (“h-67”) provision in the Zoning By-law is as follows:

Purpose: To address concerns of site contamination, a Record of Site Condition shall be carried out by a qualified professional and submitted to the Ministry of the Environment. The City of London will remove the "h-67" holding provision once the Ministry is satisfied that the Record of Site Condition is satisfactory.

Has the condition for removal of holding (h-67) provision been met?

A Record of Site Condition was submitted to the Ministry of the Environment and filed on the Ministry’s Environmental Site Registry (RSC Registration #69522) on October 7, 2010. The Record of Site Condition indicates that Phases 1 & 2 Environmental Site

Assessments were conducted in support of the RSC by qualified persons. Specifically, the following reports were relied upon in certifying the information as set out in the RSC:

Date	Report Title	Author	Affiliation
December 20, 2009	Confirmatory Soil and Groundwater Sampling, 726-748 Dundas Street, London, Ontario	Robert C. Ostry, M.A., P.Eng.	TRY Environmental Services Inc
March 06, 2009	Phase II Environmental Soil and Groundwater Investigation, 726-742 Dundas Street, London, Ontario	Tijana Medencevic B.A., Joe Hoyles B.E.S., W. Dave Lewis, P.Eng.	Coffey Geotechnics Inc.
November 18, 2008	Phase I Environmental Site Assessment, 726-742 Dundas Street, London, Ontario	Tijana Medencevic B.A., Joe Hoyles B.E.S., W. Dave Lewis, P.Eng.	Shaheen & Peaker Limited
August 26, 2005	Phase II Environmental Site Assessment, 744-748 Dundas Street, London, Ontario	Randy Knudson B.Sc. and Grant F. Glady B.Sc.	AMEC Earth & Environmental

(Note: The preceding table is an excerpt from Record of Site Condition #69522, Part 2 - List of Reports, Summary of Site Conditions, and Qualified Persons Certifications)

The RSC notes that there was no soil remediation provided; however, an estimated 316 cubic metres of soil was removed and not returned to the property. As of October 28, 2009, a qualified person, identified on the Record of Site Condition as Robert C. Ostry of TRY Environmental Services Inc., provided certification based on the Phases 1 & 2 Environmental Site Assessments, and confirmatory sampling, that there was no evidence of any contaminants in the soil, ground water or sediment on, in or under the RSC property that would interfere with the type of property use to which the RSC property will be put, as specified in the RSC as intended for residential uses (see **Appendix C** for complete copy of RSC).

A notice to readers on the face of the form indicates that this Record of Site Condition has been filed on the Environmental Site Registry to which the public has access and which contains a notice advising users of the Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Registry.

Development Services staff are satisfied that this satisfies the condition for removal of the “h-67” holding provision.

5.0 Conclusion

It is appropriate to remove the h-67 holding provision from the subject lands as a Record of Site Condition has been completed for the subject properties. The Record of Site Condition was submitted to the Ministry of the Environment and has been posted on the Ministry's Environmental Site Registry.

Recommended by:	Larry Mottram, MCIP, RPP Senior Planner - Development Services
Reviewed by:	Lou Pompilli, MPA, RPP Manager, Development Planning
Concurred In by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

August 3, 2018
GK/PY/LP/LM/lm

CC: Matt Feldberg, Manager Development Services (Subdivisions) - electronic only

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Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2018

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for lands located at 728, 730, 742 and 744 Dundas Street.

WHEREAS Indwell Community Homes has applied to remove the holding provision from the zoning for the lands located at 728, 730, 742 and 744 Dundas Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 728, 730, 742 and 744 Dundas Street, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Business District Commercial Special Provision (BDC(19)•D250•H46•B-12) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - August 28, 2018
Second Reading – August 28, 2018
Third Reading - August 28, 2018

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of June 11, 2018

File Number: H-8925
 Planner: LM
 Date Prepared: 2018/07/10
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 19, 2018

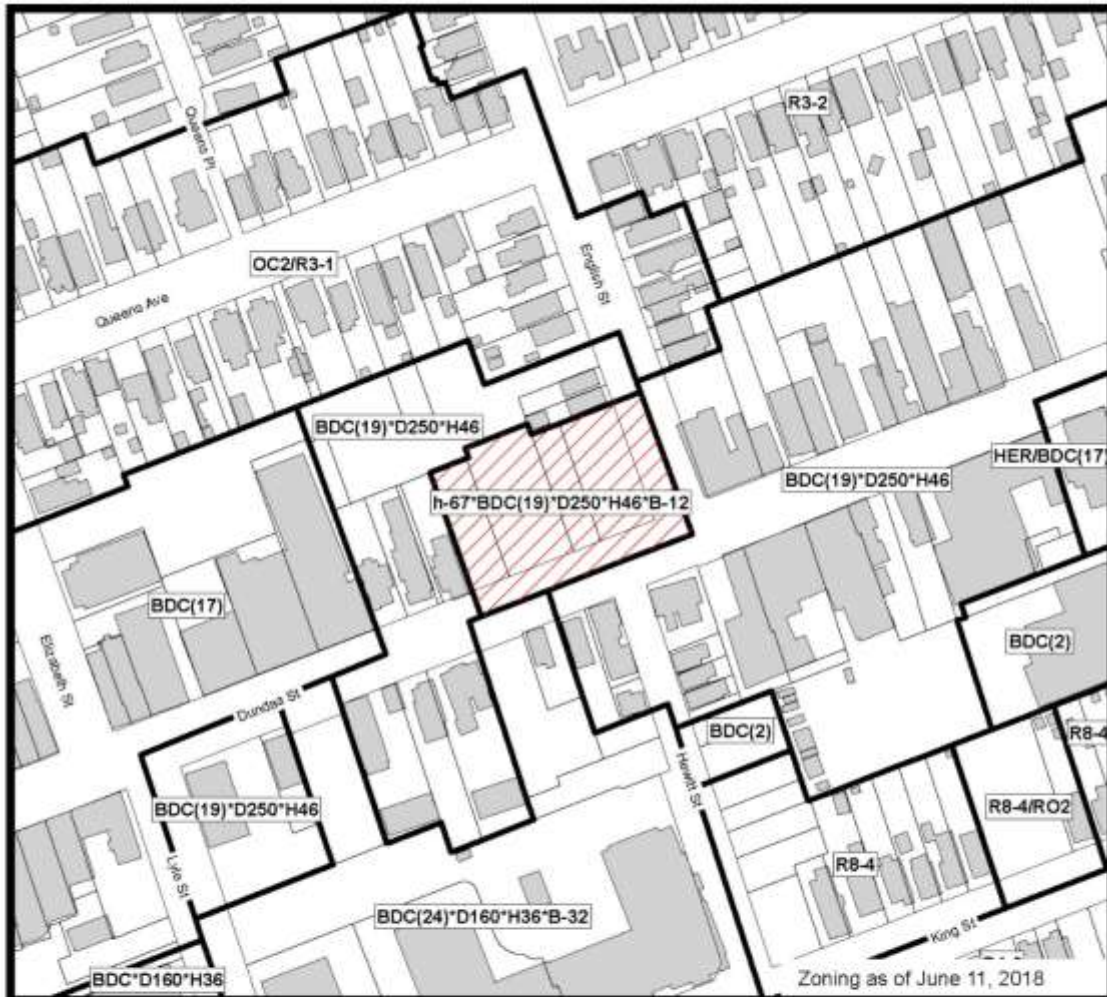
1 written reply received requesting further information regarding the existing zoning.

Nature of Liaison: The purpose and effect is to remove the holding symbol from the zoning to allow a mix of commercial, office and residential uses permitted by the Business District Commercial Special Provision (BDC(19)•D250•H46•B-12) Zone.

Possible change to Zoning By-law Z.-1 by deleting the Holding ("h-67") Provision from the zoning. The purpose of the "h-67" provision is to address concerns of site contamination, a Record of Site Condition shall be carried out by a qualified professional and submitted to the Ministry of the Environment. The City of London will remove the "h-67" holding provision once the Ministry is satisfied that the Record of Site Condition is satisfactory. Municipal Council will consider removing the holding provision as it applies to the lands described above, no earlier than August 28, 2018.

Appendix C – Relevant Background

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "Y" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

H-8925

LM

MAP PREPARED:

2018/07/10

RC

1:2,000

0 10 20 40 60 80 Meters

Record of Site Condition

Ontario Ministry of the Environment - Record of Site Condition #69522

Record of Site Condition For Part XV.1 of the *Environmental Protection Act*

Summary

Registration Number	69522
Status	Filed
Filing Date	2010/10/07
Certification Date	2009/10/28
Current Property Use	Commercial
Intended Property Use	Residential
Certificate of Property Use Number	No CPU
Applicable Standards	Full Depth Site Conditions Standard, with Nonpotable Ground Water, Coarse Textured Soil, for Residential/Parkland/Institutional property use
Property Municipal Address	726-728;730-736;740-742;744-748 Dundas Street, London Ontario N5W 2Z4

Notice to Readers Concerning Due Diligence

This record of site condition has been filed on the Environment Site Registry to which the public has access and which contains a notice advising users of the Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Registry.

Contents of this Record of Site Condition

This record of site condition consists of this document which is available to be printed directly from the Environmental Site Registry as well as all documentation indicated in this document to have been submitted in paper format to the Ministry of the Environment.

Definitions

The following definitions are taken from the *Environmental Protection Act* or Regulation 153/04 under that Act and are included for ease of reference. The Act and Regulation should be referenced for other applicable definitions.

In this Record of Site Condition,

"Act" means the *Environmental Protection Act*, as amended;

"Cleanup Guideline 1996" means the Ministry publication entitled "Guideline for Use at Contaminated Sites in Ontario" originally dated June 1996 and later revised;

"Intended property use", in relation to a record of site condition, means the type of property use in respect of which the record of site condition is filed;

"phase one environmental site assessment" has the same meaning as defined in the Act at s. 168.1;

"phase two environmental site assessment" has the same meaning as defined in the Act at s. 168.1;

"Regulation" means Ontario Regulation 153/04, Records of Site Condition Part XV.1 of the Act, as amended;

"risk assessment" has the same meaning as defined in the Act at s. 168.1;

"RSC" means a record of site condition under Part XV.1 of the Act;

"RSC property", in relation to a record of site condition, means the property in respect of which the record of site condition is filed;

"SSRA" means a site specific risk assessment conducted in accordance with the Cleanup Guideline 1996.

Part 1: Property Ownership, Property Information and Owner's Certifications**Information about the owner who is filing or authorizing the filing of the RSC**

Owner Name	Terrasan 744 Dundas Street London Limited
Corporate Contact (Authorized Officer)	Jeff Usher
Mailing Address	94 BROCKPORT DRTORONTO, ON, M9W 5C5
Phone	416-2019982x262
Fax	416-2019073
Email	jeff@terrasan.com

RSC Property Location Information

Municipal Address	726-728;730-736;740-742;744-748 Dundas Street London Ontario N5W 2Z4
Municipality	LONDON
Legal Description	PART OF LOTS 5 and 6 BLOCK L, PLAN 304 (3RD), DESIGNATED AS PARTS 3, 4 AND 5, PLAN 33R-4443, LONDON; T/W AND S/T 576806: together with a right of way in perpetuity, in common with the owners thereof, to pass, from time to time and at all times, on foot or with vehicles, together with the full, free, undisturbed, unobstructed and uninterrupted right, liberty, privilege, use, enjoyment and easement, to install, construct, reconstruct, repair, replace, clean, maintain, inspect and use, improvements consistent with the said right of way in, over and upon that part of lot 5, plan 304 (3rd), designated as Part 2, Plan 33R-4443 (being part of PIN 08281-0144); reserving a right of way in perpetuity in favour of the owners from time to time of part of said Lot 5, Plan 304 (3rd) designated as Parts 1 and 2, Plan 33R-4443 (being part of said PIN 08281-01444), in common with the owners of the land herein, to pass, from time to time and at all times, on foot or with vehicles, together with the full, free, undisturbed, unobstructed and uninterrupted right, liberty, privilege, use, enjoyment and easement, to install, construct, reconstruct, repair, replace, clean, maintain, inspect and use, improvements consistent with the said right of way in, over and upon that part of the land herein designated as Part 3, Plan 33R-4443: PART LOTS 6 AND 7 BLOCK L PLAN 304(3RD), PARTS 6, 7, 8 33R4443; S/T AND T/W 576806 LONDON: PART LOT 7 BLOCK L PLAN 304(3RD) AS IN 763010; T/W 763010 LONDON: PART LOT 8 BLOCK L PLAN 304(3RD) AS IN 804817 LONDON;
Assessment Roll Number	030 010 11300 000A7;030 010 11100 000A9;030 010 11000 000A0;030 010 10800 000A4
Property Identification Number (PIN)	08281-0144 LT;08281-0145 LT;08281-0146 LT;08281-0148 LT
RSC applies to entire legal property	YES

RSC Property Geo Reference

UTM Coordinates	NAD83 17-481485-4759790
Latitude & Longitude	42.99054630N 81.22711980W (converted from UTM)
Accuracy Estimate	21 to 100 meters
Measurement Method	Interpolation from a map

RSC Property Use Information

The following types of property uses are defined by the Regulation: Agricultural or other use, Commercial use, Community use,

Ontario Ministry of the Environment - Record of Site Condition #69522

Industrial use, Institutional use, Parkland use, and Residential use:

Current Property Use	Commercial
Intended Property Use	Residential
Certificate of Property Use has been issued under section 168.6 of the Act	NO

Additional Documentation Provided by Property Owner or Agent

The following documents have been submitted to the Ministry of the Environment as part of the record of site condition:

1	Deed or Transfer for the property
2	Certificate of Status

Signature and Statements of Property Owner or Agent

As an authorized officer acting on behalf of the owner of the RSC property:

1. I acknowledge that the RSC will be filed in the Environmental Site Registry, that records of site condition that are filed in the Registry are available for examination by the public and that the Registry contains a notice advising users of the Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Registry.
2. I have conducted reasonable inquiries to obtain all information relevant to this RSC, including information from the other current owners of the RSC property named in this part of the RSC.
3. I have disclosed all information referred to in paragraph 2 to any qualified person named in this RSC.
4. To my knowledge, the statements made in this part of the RSC are true as of _____.

As an authorized officer making the certifications on behalf of the owner:

1. I certify that I have been authorized by the owner of the RSC property to make the statements prescribed by this section on their behalf and that the owner of the RSC property has read and understands the statements being made on their behalf.

Name of Authorized Officer _____ Signature _____ Date _____

A signed and dated copy of this Part of the record of site condition has been received by the Ministry of the Environment prior to the filing of this record of site condition in the Environmental Site Registry.

Part 2 List of Reports, Summary of Site Conditions, Qualified Person's Certifications

Qualified Person Information

Name	Robert C Ostry
Company	TRY Environmental Services Inc.
Job Title	
Business Address	8 WIDDICOMBE HILL TORONTO, ON, M9R 1B3
Phone	416-2461107
Fax	416-2461127
Email	try.env@rogers.com

Additional Documentation Provided by the Qualified Person

The following documents have been submitted to the Ministry of the Environment as part of the record of site condition:

1	Certificate of Status in relation to the employer of the qualified person
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Municipal Information

Local or Single-Tier Municipality

Municipality	LONDON
Municipal Clerk	George Duncan
Address	300 DUFFERIN AVE LONDON, ON, N6A 4L9
Phone	519-6614500
Fax	519-6614892
Email	webmaster@city.london.on.ca

Upper Tier Municipality

Municipality	MIDDLESEX
Municipal Clerk	Donald Hudson
Address	399 RIDOUT ST N LONDON, ON, N6A 2P1
Phone	519-4347321
Fax	519-4340638
Email	kbunting@county.middlesex.on.ca

Ministry of the Environment District Office

District Office	LONDON
District Office Address	733 Exeter RD, London, ON, N6E 1L3

Reports Supporting Record of Site Condition

The following types of assessments have been conducted in support of this record of site condition:

- A phase one environmental site assessment
- A phase two environmental site assessment

Previous RSCs applying to any part of the RSC property

Previous risk assessments or SSRA applying to any part of the RSC property

Assessments or other reports have been relied upon in certifying the information set out in this Part

Date	Report Title	Report Type	Author	Affiliation
2009/12/20	Confirmatory Soil and Groundwater Sampling, 726-748 Dundas Street, London, Ontario	Others	Robert C. Ostry, M.A., P.Eng.	TRY Environmental Services Inc
2009/03/06	Phase II Environmental Soil and Groundwater Investigation, 726-742 Dundas Street, London, Ontario	Phase 2 ESA	Tijana Medencevic B.A., Joe Hoyles B.E.S., W. Dave Lewis, P.Eng.	Coffey Geotechnics Inc.
2008/11/18	Phase I Environmental Site Assessment, 726-742 Dundas Street, London, Ontario	Phase 1 ESA	Tijana Medencevic B.A., Joe Hoyles B.E.S., W. Dave Lewis, P.Eng.	Shaheen & Peaker Limited
2005/08/26	Phase II Environmental Site Assessment, 744-748 Dundas Street, London, Ontario	Phase 2 ESA	Randy Knudson B.Sc. and Grant F. Glady B.Sc.	AMEC Earth & Environmental

Site Condition Information

Total area of the RSC property (in hectares)	0.305
Phase Two Environmental Site Assessment applies to the entire RSC property	YES
Risk assessment has been prepared and accepted	NO
Environmentally Sensitive Area	No
Sediment Present	N
Soil Texture	Coarse
Assessment/Restoration Approach	Full Depth
Property Use for Site Condition Standards Determination	Residential/Parkland/Institutional
Ground Water Condition	Nonpotable
Contaminant testing on the Ground Water	Y
Local Municipality Non-Potable Water Notification Date	2009/09/25
Upper Tier Municipality Non-Potable Water Notification Date	2009/09/25
Certification Date	2009/10/28

The applicable site condition standards applied for the purpose of this record of site condition are: Full Depth Site Conditions Standard, with Nonpotable Ground Water, Coarse Textured Soil, for Residential/Parkland/Institutional property use.

Final RSC Property Profile - Site Condition Standards

Soil

Contaminant Name	Maximum Concentration	Applicable Standard	Unit of Measure
ANTIMONY	< 1.6	13	µg/g
ARSENIC	6.6	20	µg/g
BARIUM	57.5	750	µg/g
BENZENE	< 0.1	5.3	µg/g
BERYLLIUM	< 0.4	1.2	µg/g
BORON (AVAILABLE)	< 0.1	1.5	µg/g
CADMIUM	< 0.4	12	µg/g

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Contaminant Name	Maximum Concentration	Applicable Standard	Unit of Measure
CHROMIUM (TOTAL)	8	750	µg/g
CHROMIUM (VI)	< 0.4	8	µg/g
COBALT	2.9	40	µg/g
COPPER	6.9	225	µg/g
CYANIDE (FREE)	< 1	100	µg/g
ELECTRICAL CONDUCTIVITY	0.55	0.7	mS/cm
ETHYLBENZENE	< 0.05	290	µg/g
LEAD	89.5	200	µg/g
MERCURY	0.381	10	µg/g
MOLYBDENUM	< 0.5	40	µg/g
NICKEL	5.7	150	µg/g
PETROLEUM HYDROCARBONS F1 (C6 - C10)	< 5	30	µg/g
PETROLEUM HYDROCARBONS F2 (>C10 - C16)	< 10	150	µg/g
PETROLEUM HYDROCARBONS F3 (>C16 - C34)	< 50	400	µg/g
PETROLEUM HYDROCARBONS F4 (>C34)	< 50	2800	µg/g
SELENIUM	< 0.8	10	µg/g
SILVER	< 0.4	20	µg/g
SODIUM ADSORPTION RATIO (SAR)	4.3	5	No Unit
THALLIUM	< 0.4	4.1	µg/g
TOLUENE	< 0.08	34	µg/g
VANADIUM	12.5	200	µg/g
XYLENES	< 0.07	34	µg/g
ZINC	85.2	600	µg/g

Sediment

Contaminant Name	Maximum Concentration	Applicable Standard	Unit of Measure
No Measurements Provided			

Ground Water

Contaminant Name	Maximum Concentration	Applicable Standard	Unit of Measure
ANTIMONY	< 1	16000	µg/l
ARSENIC	< 0.6	480	µg/l
BARIUM	41.1	23000	µg/l
BERYLLIUM	< 1	53	µg/l
BORON (AVAILABLE)	57.3	50000	µg/l
CADMIUM	< 0.5	11	µg/l
CHROMIUM (TOTAL)	3.45	2000	µg/l
CHROMIUM (VI)	< 5	110	µg/l
COBALT	0.83	100	µg/l
COPPER	2.14	23	µg/l

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Contaminant Name	Maximum Concentration	Applicable Standard	Unit of Measure
CYANIDE (FREE)	< 10	52	µg/l
LEAD	< 0.5	32	µg/l
MERCURY	< 0.1	0.12	µg/l
MOLYBDENUM	4.37	7300	µg/l
NICKEL	1.34	1600	µg/l
SELENIUM	4.16	50	µg/l
SILVER	< 0.5	1.2	µg/l
THALLIUM	< 0.5	400	µg/l
VANADIUM	2.4	200	µg/l
ZINC	9.04	1100	µg/l

Remedial Action and Mitigation

Remediated Soils

Estimate of quantities of soil, if any, originating and remaining on the RSC property that have been remediated, at a location either on or off the RSC property, to reduce the concentration of contaminants in the soil.

Soil Remediation Process	Estimated Quantity of Soil (in-situ cubic meters)
No Remediation Provided	

Removed Soils

Estimated quantity of soil or sediment, if any, removed from and not returned to the RSC property (in-situ cubic meters): 316

Deposited Soils

Estimated quantity of soil or sediment, if any, being brought to and deposited at the RSC property not including any soil that has been remediated off the RSC property (identified in the Soil Remediation Process above) (in-situ cubic meters): 0

Remediated or Removed Soil From Near Property Boundary

Has any soil, sediment or ground water at the RSC property that is or was located within 3 meters of the RSC property boundary been remediated or removed for the purpose of remediation: YES

Ground Water Control or Treatment Measures

Ground Water Control or treatment measures that were required for the RSC property prior to the certification date for the purpose of filing the RSC:

No comments entered

Other than the activities identified above, constructed works to control or otherwise mitigate release or movement of known existing contaminants that are required for the RSC property after the certification date:

No comments entered

Other Activities Including Risk Management Measures

Other than the activities identified above, constructed works to control or otherwise mitigate release or movement of known existing contaminants that were required for the RSC property prior to the certification date for the purpose of filing the RSC:

No comments entered

Other than the activities identified above, constructed works to control or otherwise mitigate release or movement of known existing contaminants that are required for the RSC property after the certification date:

No comments entered

Monitoring or Maintenance

Soil monitoring requirements, or any requirements for care, maintenance, or replacement of any monitoring control works, for known existing contaminants, if any, on the RSC property, after the certification date:

none required

Ground Water monitoring requirements, or any requirements for care, maintenance, or replacement of any monitoring control works, for known existing contaminants, if any, on the RSC property, after the certification date:

none required

Certifications

As the qualified person, and in relation to this Part of the RSC, I certify that:

1. A phase one environmental site assessment of the RSC property, which includes the evaluation of the information gathered from a records review, site visit and interviews, has been conducted in accordance with the Regulation by or under the supervision of a qualified person as required by the Regulation.
2. I have conducted or supervised a phase two environmental site assessment, which includes the evaluation of information gathered through the sampling and analysis of soil and other site investigation or assessment activities, of all or part of the RSC property with respect to one or more contaminants, in accordance with the Regulation.
3. The information represents the site conditions at the sampling points at the time of sampling only and the conditions between and beyond the sampling points may vary.
4. As of 2009/10/28, in my opinion, based on the phase one environmental site assessment and the phase two environmental site assessment, and any confirmatory sampling, there is no evidence of any contaminants in the soil, ground water or sediment on, in or under the RSC property that would interfere with the type of property use to which the RSC property will be put, as specified in the RSC.
5. If non-potable ground water standards have been applied,
 - a. I have given written notice of intention to apply non-potable ground water site condition standards to the clerk of the local municipality in which the property is located and the clerk of any upper-tier municipality in which the property is located.
 - b. The owner of the property has informed me that either,
 - i. the owner did not receive a notice of objection from either the local municipality or the upper-tier municipality within 30 days of the municipality or upper-tier municipality receiving the notice described in paragraph a, or
 - ii. after receiving a notice of objection from the municipality, the municipality has withdrawn its objection and given written consent to the application of non-potable ground water standards.
 - c. I did not receive a notice of objection from either the local municipality or the upper-tier municipality within 30 days of the municipality receiving the notice described in paragraph a, or, after I received a notice of objection from the municipality, the municipality gave written consent to the application of non-potable ground water standards.
6. As of 2009/10/28, in my opinion, based on the phase one and phase two environmental site assessments and any confirmatory sampling, the RSC property meets the applicable Full Depth site condition standards prescribed by section 37

of the Regulation for all contaminants prescribed by the Regulation in relation to the type of property use for which this RSC is filed, except for those contaminants (if any) specified in this RSC at Part 2, Final RSC Property Profile - Risk Assessment Standards.

7. As of 2009/10/28, the maximum known concentration of each contaminant in soil, sediment and ground water at the RSC property for which sampling and analysis has been performed is specified in this RSC at Final RSC Property Profile.
8. In relation to any contaminant excepted from the certification mentioned above and as specified in this RSC at Part 2, Final RSC Property Profile - Risk Assessment Standards, or in relation to any other contaminant that in my opinion is likely to cause an adverse effect:
 - a. A risk assessment was prepared for the contaminant with respect to the property for which the phase two environmental site assessment was conducted.
 - b. The Director has accepted the risk assessment under clause 168.5 (1) (a) of the Act.
 - c. As of 2009/10/28, the property for which the phase two environmental site assessment was conducted meets the standards specified in the risk assessment for the contaminant.

As the qualified person, and in relation to this Part of the RSC, I also certify that:

1. I am a qualified person and have the qualifications required by section 5 of the Regulation.
2. I have in place an insurance policy that satisfies the requirements of section 7 of the Regulation.
3. I acknowledge that the RSC will be filed in the Environmental Site Registry, that records of site condition that are filed in the Registry are available for examination by the public and that the Registry contains a notice advising users of the Registry who have dealings with any property to consider conducting their own due diligence with respect to the environmental condition of the property, in addition to reviewing information in the Registry.
4. The opinions expressed in this RSC are engineering or scientific opinions made in accordance with generally accepted principles and practices as recognized by members of the environmental engineering or science profession or discipline practising at the same time and in the same or similar location.
5. To the best of my knowledge, the certifications and statements in this part of the RSC are true as of 2009/10/28.
6. By signing this RSC, I make no express or implied warranties or guarantees.

I, the qualified person named below, on the date stated below, make all of the stated certifications applicable to the qualified person in this Part of the record of site condition.

Name of Qualified Person _____ Signature _____ Date _____

A signed and dated copy of this Part of the record of site condition has been received by the Ministry of the Environment prior to the filing of this record of site condition in the Environmental Site Registry.

Record of Site Condition Filing Form

IMPORTANT notes for submission of Record of Site Condition (RSC) to Ministry of the Environment (MOE):

After completing RSC on Brownfields website, ensure that a signed copy of RSC is submitted to MOE.

Print the downloaded version of RSC in PDF.

Ensure that footer of each page of RSC detail indicates that the RSC is on "Submitted" status.

Forward the signed copy of PDF file together with the additional documentation listed under sections:

- Additional Documentation Provided by Property Owner or Agent
- Additional Documentation Provided by Qualified Person

The forwarding address and fax information for MOE office is:

**Ministry of the Environment
Environmental Assessment and Approval Branch
2 St. Clair Avenue West, Floor 12 A
Toronto, Ontario M4V 1L5**

Fax Number: 416-314-6810