

Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

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**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
  - Applicant/agent on file, or
  - Person likely to be interested in this application
- 

**APPLICATION NO.:** HM/A-20:124

**APPLICANTS:** Owner: 1649626 Ontario Inc.  
Agent: Sam Esposto

**SUBJECT PROPERTY:** Municipal address 801 King St. W., Hamilton

**ZONING BY-LAW:** Zoning By-law 6593, as Amended by By-law 00-97

**ZONING:** E-H/S-1446 (Multiple Dwellings, Lodges, Clubs and Etc.) district

**PROPOSAL:** To permit the construction of a seven (7) storey multiple dwelling containing a total of one hundred (100) dwelling units as per related Site plan application SPA-20-003, notwithstanding that;

1. A minimum front yard depth of 5.5m shall be permitted from the Carling street front lot line instead of the minimum 6.0m front yard depth required.
2. A minimum rear yard depth of 6.1m shall be permitted instead of the minimum 9.2m rear yard depth required.
3. A maximum gross floor area of 11, 014m<sup>2</sup> shall be permitted instead of the maximum 7735.0m<sup>2</sup> gross floor area permitted by previous Committee of Adjustment decision HM/A-09:233.
4. A minimum of fifty-six (56) parking spaces shall be permitted instead of the minimum 102 parking spaces required for the one-hundred dwelling units.
5. A minimum of eleven (11) parking spaces shall be provided exclusively for visitors instead of the minimum twenty (20) visitors parking spaces required.
6. The required 1.5m wide planting strip along the easterly side lot line shall be permitted to be obstructed by an existing retaining wall and the required 1.5m wide planting strip along the westerly side lot line shall be permitted to be obstructed by a visual barrier/fence whereas the zoning By-law does not permit a required planting strip to be obstructed by retaining wall or a visual barrier.
7. A transformer shall be permitted to be located a minimum distance of 0.6m from the Carling Street front lot line instead of the minimum required 3.0m setback from front lot line.

**Notes:**

These variances are necessary to facilitate Site Plan applications SPA-20-003. Previous Committee Decision HM/A-09:233, permitted a minimum of fifty-five (55) parking spaces (including ten (10) parking spaces which were exclusively devoted for visitor parking) for the original proposal consisting of 63 dwelling units. The proposed increase in the number of dwelling units to a total of one hundred (100) units, requires an additional 47

parking spaces for a total of 102 spaces to be provided on site.

.../2

HM/A-20:124

Page 2

The applicant requested a variance to permit the parking area to be located as close as 3.1m from the Carling street front lot line; however, the requested variance is not required as previous Committee Decision HM/A-09:233, permitted the surface parking area to be located as close as 1.5m from the Carling Street lot line.

No elevation plans were provided to determine compliance respecting the maximum permitted 28.5m height and nine (9) storeys. In addition, previous submitted elevation plans showed proposed balconies and canopy encroachments which are not shown on the site plan drawing. Therefore, further variances may be required.

No landscaped plan was provided to confirm that the required planting strip as defined is provided along the required easterly and westerly sides. As such, further variances may be required.

Details respecting the required visual barriers were not clearly shown on the submitted plan. In addition, a chain link fence does not meet the requirement for a visual barrier. Therefore, further variances may be required.

This application will be heard by the Committee as shown below:

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**DATE:** Thursday, August 6<sup>th</sup>, 2020  
**TIME:** 2:00 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
**To be streamed at** [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
**for viewing purposes only**

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## PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

For more information on this matter, including access to drawings illustrating this request:

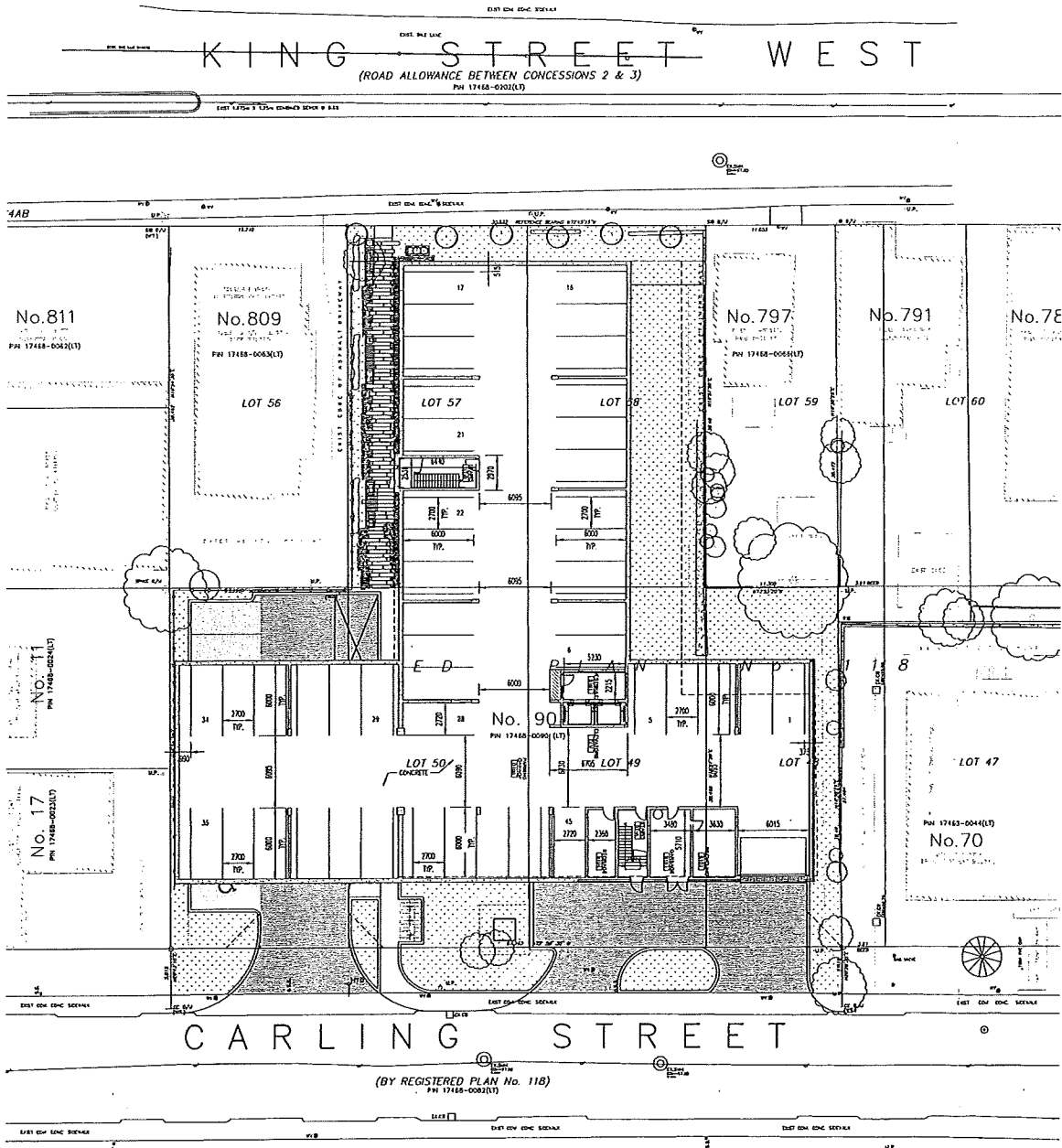
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***





1 SITE PLAN w UNDERGROUND PARKING  
A101 1:200

NO DRAWING DIVISION SHALL BE VIEWED INDEPENDENTLY. CONTRACTOR AND ALL SUB CONTRACTORS TO REVIEW AND BE FAMILIAR WITH ENTIRE DRAWING SET.

Revisions		
No.	For	Date

Issue Table		
No.	For	Date
A	ISSUED FOR MINOR VARIANCE	2020.06.15
CITY (1)	PER-ISSUED FOR SPA	2020.03.24
CITY (2)	ISSUED FOR SITE PLAN AMENDMENT	2019.11.27

Note:  
CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH WORK. DO NOT SCALE DRAWINGS.  
CONTRACTORS AND SUBCONTRACTORS SHALL USE THIS DRAWING IN CONJUNCTION WITH OTHER DISCIPLINARY ENGINEER DRAWINGS AND TENDRIT FIT-UP DRAWINGS.  
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS ISSUED FOR CONSTRUCTION BY DESIGN PROFESSIONAL UNDER ISSUE COLUMN.  
CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION BY THE CONSULTANTS.  
**ALL DRAWINGS ARE TO BE REVIEWED AS A FULL PACKAGE SET.**

Scale:

North Arrow:

Architect:  
**SAM ESPOSTO ARCHITECT INC.**  
848 UPPER JAMES ST., HAMILTON, ON. L8C 2Y4  
T. 905.383.7500 F. 905.383.5700

Project:  
**7 STOREY  
RESIDENTIAL BUILDING  
90 CARLING STREET  
HAMILTON, ONTARIO  
SPA-20-003**

Drawing Title:  
**Site Plan  
Underground  
Parking.**

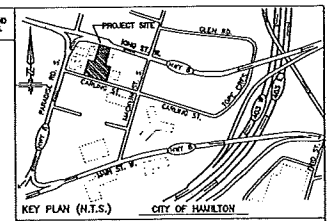
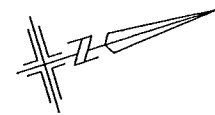
Drawn By: MG Scale: AS NOTED  
Checked By: SE Plot Date: 2020.03.18

Project Date: NOVEMBER 2019

Project No.: ISEAH1

Drawing No.: **A101** Sheet version: **1**

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



- NOTES**
- BENCHMARK: GEODETIC B.M. No. 83-U-025  
WESTSIDE SECONDARY SCHOOL AT NORTH-EAST CORNER OF MAIN STREET AND LONGWOOD ROAD, TABLET IN NORTH WALL, 7.83M EAST OF NORTH-WEST CORNER AT REAR SIDE ENTRANCE, 0.34M BELOW BRICK, SLIGHTLY BELOW ROAD LEVEL, ELEVATION = 89.130m.
  - BOUNDARIES AS PER DRAFT REFERENCE PLAN SURVEY BY L. G. WOODS SURVEYING INC. DATED NOVEMBER, 2019. (FILE NO. 19-1008)
  - EXISTING GROUND ELEVATIONS ARE AS SURVEYED BY L.G. WOODS SURVEYING INC. DURING OCTOBER '19. (FILE NO. 19-1008-TOPG).

- LEGEND**
- 3 (214.00) DENOTES PROPOSED FINISHED GROUND ELEVATION
  - 3 (212.00) DENOTES EXISTING GROUND ELEVATIONS AS SURVEYED BY L.G. WOODS SURVEYING INC.
  - DENOTES EXISTING GROUND CONTOUR

- ⊙ DENOTES EXISTING WATER SERVICE SHUTOFF VALVE
- U.P. DENOTES EXISTING UTILITY POLE
- DENOTES EXISTING OVERHEAD WIRES
- DENOTES EXIST. WIRE OR CHAINLINK FENCE
- DENOTES EXISTING STREET LIGHT STANDARD
- DENOTES EXISTING DECIDUOUS TREE
- ⊗ DENOTES EXIST. CONIFEROUS TREE
- HYD DENOTES EXISTING FIRE HYDRANT
- └ DENOTES TOP OF EXISTING SLOPE
- ⊕ DENOTES EXIST MONITOR WELL LOCATIONS

NO.	DATE	BY	REVISION
SCALE	1:150		DATE DECEMBER 2019
REF.			

SEAL

CONSULTANT  
**SIDNEY W. WOODS ENGINEERING**  
 334 HAIT ST., DUNDAS, ON L9H 2H9 (905)527-0775

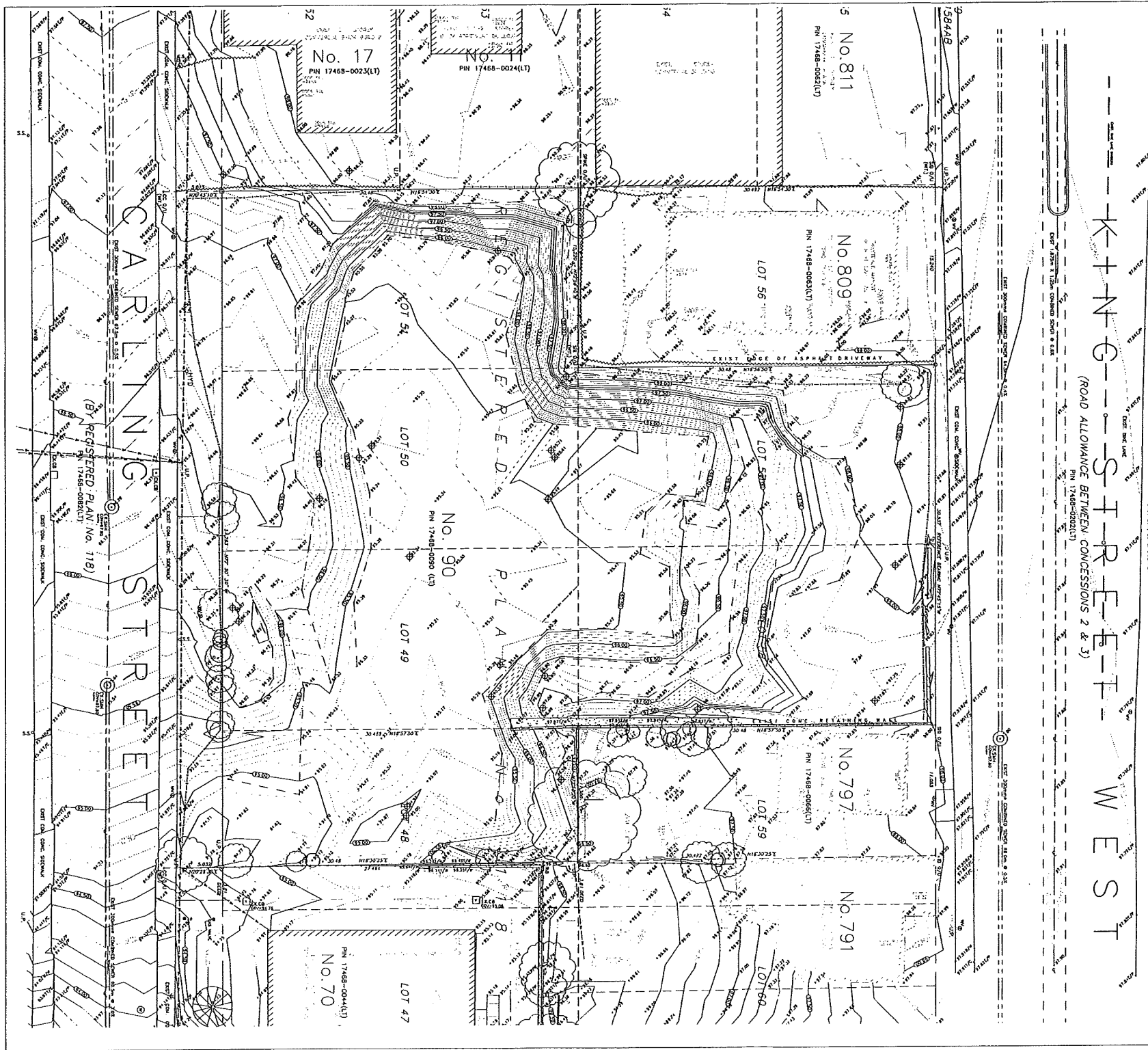
MUNICIPALITY  
 CITY OF HAMILTON

OWNER  
 998057 ONTARIO LTD.  
 (8 HUNTS DRIVE, DUNDAS ON L9H 6J1)

TITLE  
 EXISTING TOPOGRAPHY

PROJECT  
 90 CARLING STREET  
 PROPOSED 7-STORY BUILDING  
 (LOTS NOS 49, 50, 51, 57, 58 & PART OF LOT 48  
 OF REGISTERED PLAN 118)

© 2019, ALL RIGHTS RESERVED  
 SHEET TOPO  
 SIDNEY W. WOODS ENGINEERING (2019) INC. INDEX NO. E-1334



KENNESICOTT STREET WEST  
 ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3  
 PIN 17468-0022(LT)

20.172181



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>Hm/A-20:124</u>	DATE APPLICATION RECEIVED <u>June 17/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner 1649626 Ontario Inc. c/o Frank Bragagnolo Telephone No.
- 
- Name of Agent Sam Esposto Telephone No.
- 

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
n/a  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:
1. The Maximum Floor Area Ratio of 11,014m<sup>2</sup>, and 100 units shall be provided, instead of the maximum, 7,735m<sup>2</sup>, and 63 units;
  2. 56 parking spaces (11 surface spaces, and 45 underground) shall be provided, instead of the required 102;
  3. 11 parking spaces of the 56 shall be signed and used for Visitor Parking instead of the required 20;
  4. The surface parking area is setback 3.1 metres from Carling Street instead of the minimum required 6.0m;
  5. The rear yard requires a setback of 9.2m, however 6.1m is provided;
  6. The existing concrete retaining wall shall be maintained within the required planting strip;
  7. The front yard requires a setback of 6m, however 5.5m is provided from Carling St.;
  8. The transformer requires a setback of 3m, however 605mm is provided;
  9. The 1.5m wide planting strip shall not be obstructed by a visual barrier, there is a fence along the required property lines within the 1.5m planting strip.

7. Why it is not possible to comply with the provisions of the By-law?

1. Increased unit count and floor area;
2. Lot size;
3. not enough visitor parking;
4. The surface parking count; HM/A-09:233 Variance 1.2m from Carling St. Lot Line.
5. Not enough setback room;
6. Existing concrete retaining wall;
7. 3m ROW pushed building closer to Carling St;
8. Transformer can only be so close to building opening;
9. Fence is required in that area.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

801 King St W. PLAN 118 LOTS 49 57 58 PT LOT 48 50 51 IRREG 28690.00SF 100.00FR D

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9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

See attached property use list \_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes \_\_\_ No  Unknown \_\_\_

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No \_\_\_ Unknown \_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

To the best of our knowledge. Per property previous use information from Phase 1 Environmental Assessment. RSC was completed for the property.

\_\_\_\_\_  
\_\_\_\_\_

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No \_\_\_

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

June 11th. 2020  
Date



Signature Property Owner

Frank Bragagnolo  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 57.26m  
Depth 61m  
Area 2,674.3m<sup>2</sup>  
Width of street Carling St ±9m, King ±20.2m, ROW streetline at 13.107m from CL

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: n/a  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: \_\_\_\_\_

Ground Floor Area 1,332. , Gross Floor Area: 11,014 - 1,660 = 9,354m<sup>2</sup>, number of stories: 7, height: 21m  
AS PER CONDITIONALLY APPROVED SITE PLAN SPA-20-003

\_\_\_\_\_  
\_\_\_\_\_

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing: n/a  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Proposed: Front Yard: 5.5m (Carling St), 0m (King St.)  
 East Side Yard: 2.1m  
 West Side Yard: 3.9m  
 Rear Yard: 6.1m

13. Date of acquisition of subject lands:  
December 1999
14. Date of construction of all buildings and structures on subject lands:  
TBD
15. Existing uses of the subject property: Vacant
16. Existing uses of abutting properties: WEST: H/S-1361 Community Shopping and Commercial, Etc.  
WEST: I2 Community Institutional NORTH: C5 Exc.570 Mixed Use Medium Density EAST: C5 Exc.570, E/S-1361  
SOUTH: C/S-1361, C/S-1788 Urban Protected Residential, Etc. E/S-1788
17. Length of time the existing uses of the subject property have continued:  
Unknown
18. Municipal services available: (check the appropriate space or spaces)  
 Water  Connected  
 Sanitary Sewer  Connected  
 Storm Sewers
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Neighbourhoods (Landsdale Neighbourhood Plan: Commercial Apartment, Medium Density  
Apartments and Single and Double
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
E-H/S-1446 Multiple Dwellings Residential Lodges Clubs
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No  
 If the answer is yes, describe briefly.  
 HM/A-09:233 Variance
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

NO DRAWING DIVISION SHALL BE VIEWED INDEPENDENTLY. CONTRACTOR AND ALL SUB CONTRACTORS TO REVIEW AND BE FAMILIAR WITH ENTIRE DRAWING SET.

Revisions

No.	For	Date
A	ISSUED FOR MINOR VARIANCE	2020.06.15
CITY (1)	RE-ISSUED FOR SPA	2020.03.24
CITY (0)	ISSUED FOR SITE PLAN AMENDMENT	2019.11.27

Issue Table

Note:  
CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH WORK. DO NOT SCALE DRAWINGS.

CONTRACTORS AND SUBCONTRACTORS SHALL USE THIS DRAWING IN CONJUNCTION WITH OTHER DISCIPLINARY ENGINEER DRAWINGS AND TENANT FIT-UP DRAWINGS.

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Seal:  North Arrow: 

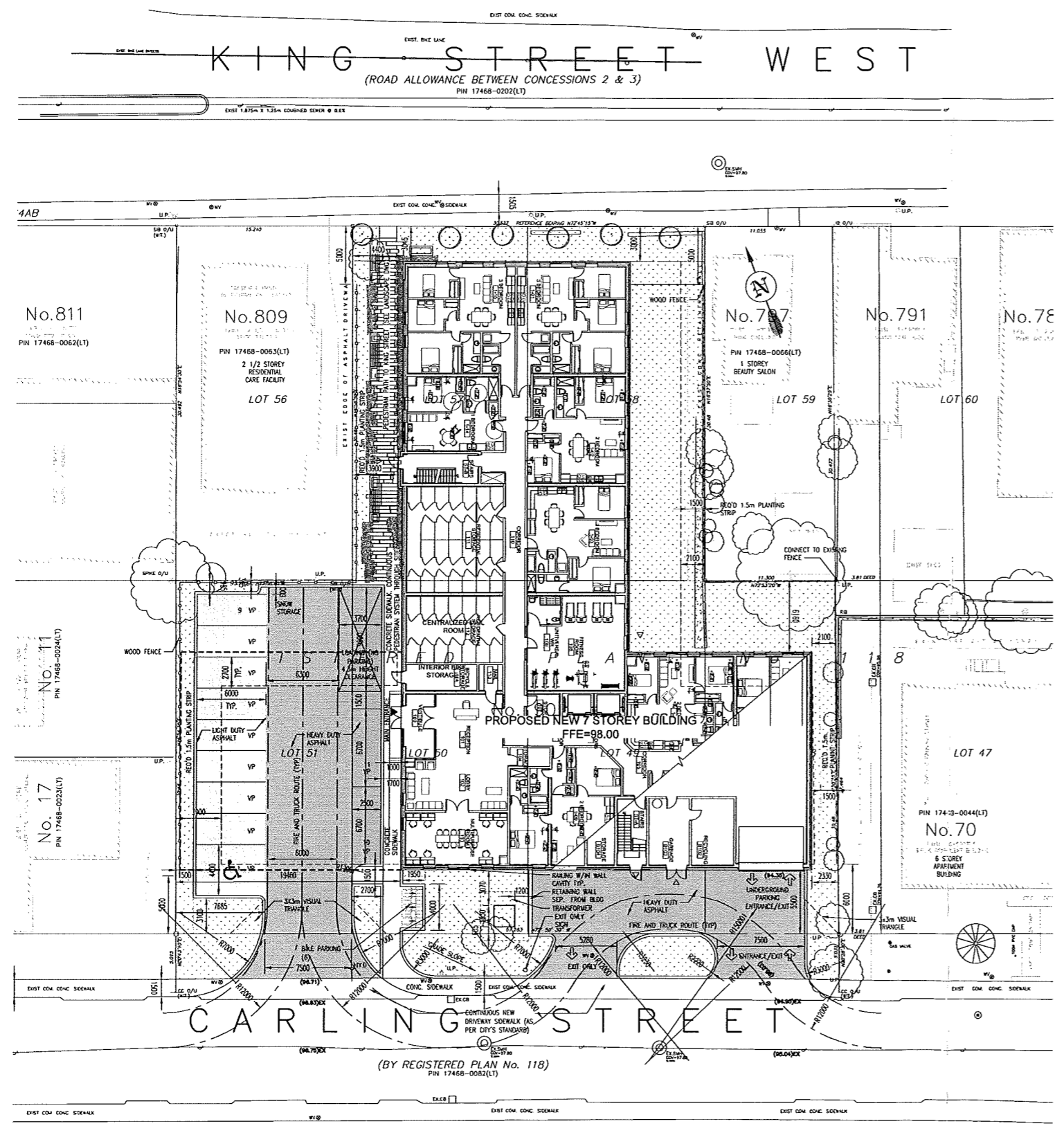
Architect: **SAM ESPOSTO ARCHITECT INC.**  
848 UPPER JAMES ST., HAMILTON, ON. L8S 2V4  
T. 905.383.7500 F. 905.383.5700

Project: **7 STOREY RESIDENTIAL BUILDING  
90 CARLING STREET  
HAMILTON, ONTARIO  
SPA-20-003**

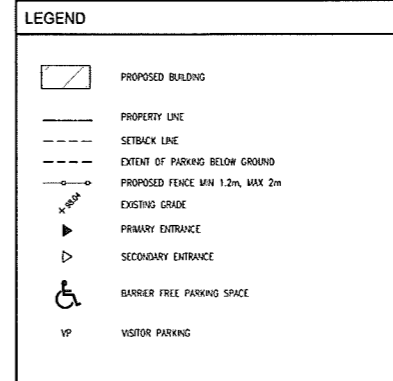
Drawing Title: **Site Plan**

Drawn By: **MG** Scale: **AS NOTED**  
Checked By: **SE** Plot Date: **2020.03.18**  
Project Date: **NOVEMBER 2019**  
Project No: **ISEA11**  
Drawing No: **A100** Sheet version: **1**

Handwritten: **HM/A.20:124**



REQUIREMENTS	PROPOSED
ZONING DESIGNATION	E - MULTIPLE DWELLINGS
LOT AREA (M <sup>2</sup> )	2,674.3 m <sup>2</sup> (28,785.9 FT <sup>2</sup> )
LOT FRONTAGE (M)	57.26m
FRONT YARD (M)	5.50m (CARLING ST)
EAST SIDE YARD (M)	2.1m
WEST SIDE YARD (M)	3.9m
REAR YARD (M)	6.1m
MIN PARKING LOCATION (BY-LAW 00-97)	KING ST: NO PARKING PROVIDED CARLING AVE: 3.1m
LOT COVERAGE (MAX)	50%
LANDSCAPE (MIN)	25%
GFA (MAX)	11,014m <sup>2</sup> - DEDUCTION 1,660m <sup>2</sup> = 9,354m <sup>2</sup>
BUILDING HT (MAX)	28.5m OR 9 STOREYS
PARKING (MIN)	45 (UNDERGROUND) + 11 (SURFACE/VISITOR) = 56 SPACES
LOADING SPACE (MIN)	10



GENERAL NOTES:

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, AND CITY PLANNER, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 m UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM THE PROPERTY LINES FOR THE FIRST 7.5 m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: BUILDING PERMIT, SEWER AND WATER PERMITS, ROAD CUT PERMITS, RELOCATION OF SERVICES, APPROACH APPROVAL PERMITS, ENCROACHMENT AGREEMENTS (IF REQUIRED), COMMITTEE OF ADJUSTMENT.
- ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOO AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
- FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED: 75 METRE BY 5 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET.
- PROPOSED SOUNDAGE SHALL CONFORM TO THE CITY'S SON AND OTHER DEVICES BY-LAW NO. 10-197
- LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS
- ALL FENCES SHALL COMPLY TO FENCE BY-LAW NO. 10-142
- S-1446, BY-LAW NO. 00-097 WAS ISSUED TO AMEND ZONING BY-LAW NO. 6593, REFER TO BILL NUMBER C-031.
- PARKING AND LOADING CALCULATION IS BASED ON PARKING REQUIREMENTS IN SECTION 18A, HAMILTON ZONING BY-LAW 6593, PG 18A-1.
- EXISTING SITE GRADE INFORMATION TAKEN FROM TYMOSHUK & TYMOSHUK ARCHITECT, GRADING PLAN REV DATED JAN 5/01.
- THE 1' HOLDING PROVISION SHALL BE REMOVED PRIOR TO THE COMMENCEMENT OF THE PROPOSED DEVELOPMENT
- THE LOT LINES ADJACENT TO BOTH STREETS KING ST W AND CARLING AVE ARE CONSIDERED THE FRONT LOT LINES FOR THIS PROPERTY
- THIS PROPERTY IS ELIGIBLE FOR WEEKLY COLLECTION OF GARBAGE, GREEN CUT ORGANICS, RECYCLABLE MATERIAL, AND LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATIONS INDICATED BY THE WASTE MANAGEMENT DIVISION AND SUBJECT TO COMPLIANCE WITH THE CITY'S SOLID WASTE MANAGEMENT BY-LAW.
- \*CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPRIETOR IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF HERITAGE, SPORT, TOURISM AND CULTURE INDUSTRIES (MISTCI) SHOULD BE NOTIFIED IMMEDIATELY (416-212-8888). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPRIETOR SHOULD IMMEDIATELY CONTACT BOTH MISTCI AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416-212-7499).
- MULTIPLE DWELLINGS - RENTAL, 20% AFFORDABLE

LETTER OF UNDERTAKING

FILE NO. SPA-20-003  
90 CARLING AVE, HAMILTON ON

I, (We) \_\_\_\_\_, the owner of the land, hereby undertake and agree without reservation, (a) to comply with all the content of this plan and drawing and not to vary therefrom;

(b) to perform the facilities, works or matters mentioned in Section 41(7)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the letter of approval dated \_\_\_\_\_;

(c) to maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and alleyways, parking and loading areas and walkways;

(d) in the event that the Owner does not comply with the plan dated \_\_\_\_\_ the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security filed to obtain compliance with this plan;

(e) that the Owner agrees to physically affix the municipal number 90 or full address 90 Carling Street to the building or on a sign in accordance with the City's sign by-law, in a manner that is visible from the street;

(f) the owner shall complete to the satisfaction of the Director of Engineering of Canada Post:

- include on all offers of purchase and sale, a statement that advises the prospective purchaser;
- that the home/business mail delivery will be from a designated Centralized Mail Box;
- that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales;

g) the owner further agrees to:

- work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, sidewalks and sidewalks are in place in the remainder of the subdivision;
- install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community mail Boxes;
- identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalks and/or curb installation within each phase of the plan of subdivision;
- determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans;
- Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations;
- Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (Lock Box Assembly) at their own expense (less than 100 units will require a front loading Lock Box Assembly & more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Witness (signature) \_\_\_\_\_ Owner(s) (signature) \_\_\_\_\_  
Witness (print) \_\_\_\_\_ Owner (print) \_\_\_\_\_  
Address of Witness \_\_\_\_\_

1 SITE PLAN  
A100 1:200


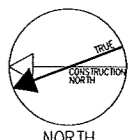
NO DRAWING DIVISION SHALL BE VIEWED INDEPENDENTLY. CONTRACTOR AND ALL SUB CONTRACTORS TO REVIEW AND BE FAMILIAR WITH ENTIRE DRAWING SET.

Revisions

No.	For	Date
A	ISSUED FOR MINOR VARIANCE	2020.06.15
CITY (1)	RE-ISSUED FOR SPA	2020.03.24
CITY (0)	ISSUED FOR SITE PLAN AMENDMENT	2019.11.27
To:	for:	Date:

Issue Table

Note:  
 CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH WORK. DO NOT SCALE DRAWINGS.  
 CONTRACTORS AND SUBCONTRACTORS SHALL USE THIS DRAWING IN CONJUNCTION WITH OTHER DISCIPLINARY ENGINEER DRAWINGS AND TENANT FIT-UP DRAWINGS.  
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSE UNTIL ISSUED FOR CONSTRUCTION BY DESIGN PROFESSIONAL UNDER ISSUE COLUMN.  
 CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION BY THE CONSULTANTS.  
 ALL DRAWINGS ARE TO BE REVIEWED AS A FULL PACKAGE SET.

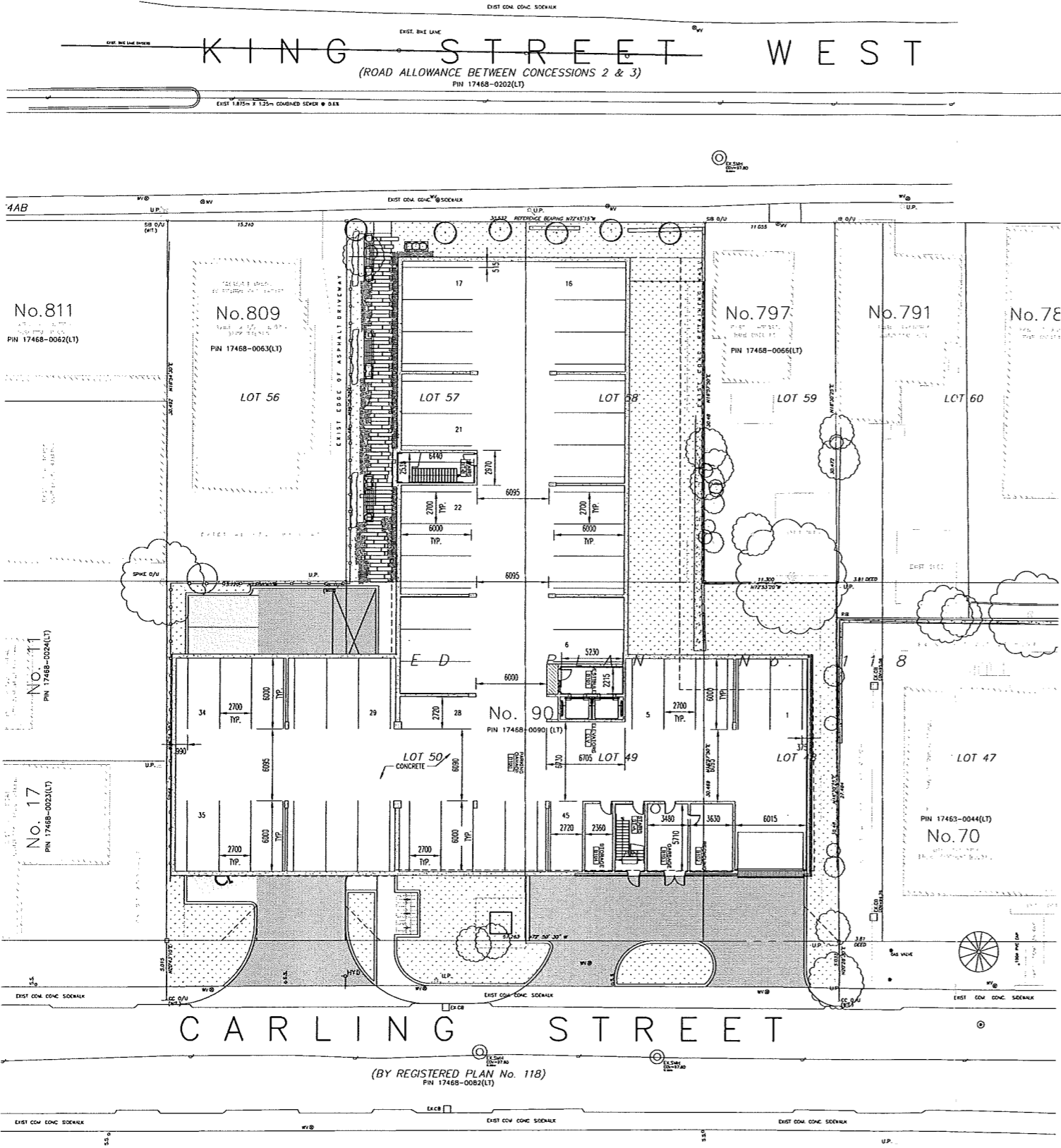
Seal:  North Arrow: 

Architect:  
**SAM ESPOSTO ARCHITECT INC.**  
 548 UPPER JAMES ST. HAMILTON, ON. L9C 2Y4  
 T. 905.383.7500 F. 905.383.5700

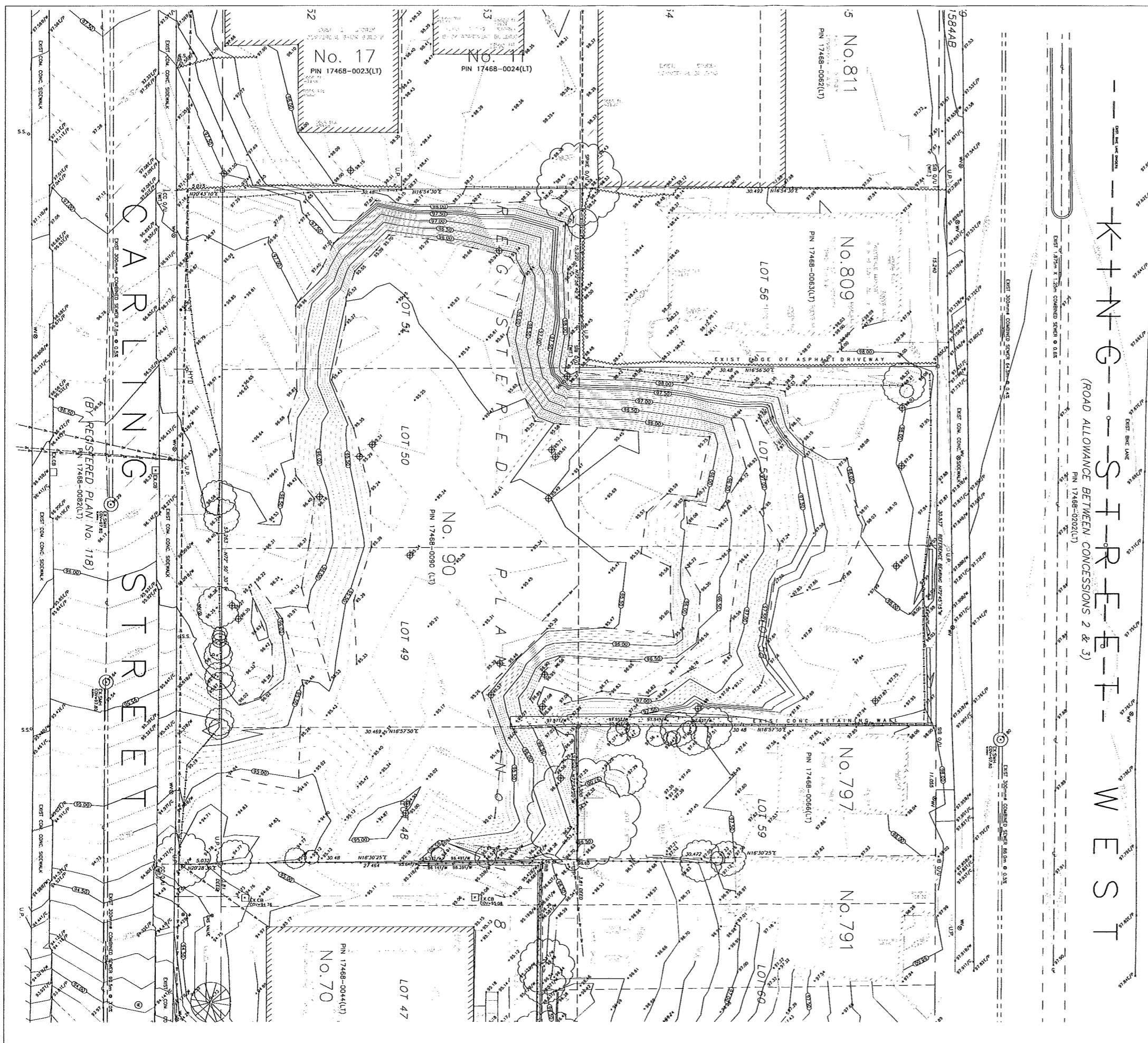
Project:  
 7 STOREY  
 RESIDENTIAL BUILDING  
 90 CARLING STREET  
 HAMILTON, ONTARIO  
 SPA-20-003

Drawing Title:  
**Site Plan  
 Underground  
 Parking**

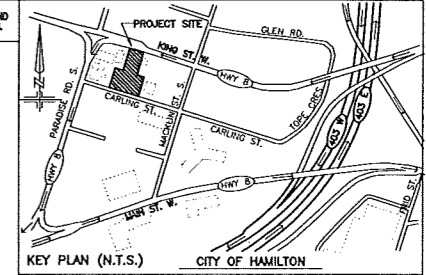
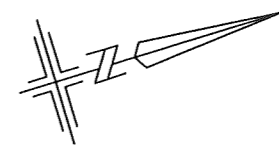
Drawn By: MG Scale: AS NOTED  
 Checked By: SE Plot Date: 2020.03.18  
 Project Date: NOVEMBER 2019  
 Project No. \SEA\1  
 Drawing No. A101 Sheet version 1



1 SITE PLAN w UNDERGROUND PARKING  
 A101 1:200



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



- NOTES**
- BENCHMARK: GEODETIC B.M. No. 65-U-025 WESTDALE SECONDARY SCHOOL AT NORTH-EAST CORNER OF MAIN STREET AND LONGWOOD ROAD, TABLET IN NORTH WALL, 7.62M EAST OF NORTH-WEST CORNER AT REAR SIDE ENTRANCE, 0.3M BELOW BRICK, SLIGHTLY BELOW ROAD LEVEL. ELEVATION = 99.340m.
  - BOUNDARIES AS PER DRAFT REFERENCE PLAN SURVEY BY L.G. WOODS SURVEYING INC. DATED NOVEMBER, 2019. (FILE NO. 19-1008).
  - EXISTING GROUND ELEVATIONS ARE AS SURVEYED BY L.G. WOODS SURVEYING INC. DURING OCTOBER '19. (FILE NO. 19-1008-TOPO).

- LEGEND**
- (228.00) DENOTES PROPOSED FINISHED ELEVATION
  - x 223.00 DENOTES EXISTING GROUND ELEVATIONS AS SURVEYED BY L.G. WOODS SURVEYING INC.
  - (---) DENOTES EXISTING GROUND CONTOUR
  - ⊕ DENOTES EXISTING WATER SERVICE SHUTOFF VALVE
  - U.P. DENOTES EXISTING UTILITY POLE
  - DENOTES EXISTING OVERHEAD WIRES
  - DENOTES EXIST. WIRE OR CHAINLINK FENCE
  - DENOTES EXISTING STREET LIGHT STANDARD
  - DENOTES EXISTING DECIDUOUS TREE
  - ⊗ DENOTES EXIST. CONIFEROUS TREE
  - HYD DENOTES EXISTING FIRE HYDRANT
  - DENOTES TOP OF EXISTING SLOPE
  - ⊕ DENOTES EXIST MONITOR WELL LOCATIONS

KENNEDY STREET WEST  
 (ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3)

NO.	DATE	BY	REVISION
SCALE	1:150		DATE DECEMBER 2019
SEAL			REF.
CONSULTANT	SIDNEY W. WOODS ENGINEERING 334 HATT ST., DUNDAS, ON L9H 2H9 (905)627-0775		
MUNICIPALITY	CITY OF HAMILTON		
OWNER	998057 ONTARIO LTD. (8 HUNTS DRIVE, DUNDAS ON L9H 6J1)		
TITLE	EXISTING TOPOGRAPHY		
PROJECT	90 CARLING STREET PROPOSED 7-STORY BUILDING (LOTS NOS. 49, 50, 51, 57, 58 & PART OF LOT 48 OF REGISTERED PLAN 118)		
© 2019, ALL RIGHTS RESERVED SIDNEY W. WOODS ENGINEERING (2011) INC.	SHEET TOPO	INDEX NO. E-1334	

Site		
<i>Address</i>	<i>Property Use</i>	<i>Years Occupied</i>
801 King Street West	National Painting and Decorating Inc.	1955-1995, 2006-2011
	Vacant	2000
	Your Personal Cleaners	1950
	Springbank Dairy Farm	1940-1945
	Springbank Dairy	1935
	No Listing	<1930
803 King Street West	No Return	2000-2011
	Vacant	1985-1995
	Residence	1930-1980
	No Listing	<1925
80 Carling Street	No Return	2006-2011
	Residence	1955-2001
	Rogers Electric	1955—1975
	No Listing	<1950
86 Carling Street	No Return	2011
	Residence	1950-2006
	No Listing	<1945
90 Carling Street	No Return	2006-2011
	Residence	1950-2001
	No Listing	<1945

West			
Address	Property Use	Years Occupied	
809 King Street West (adjacent)	Residential	1995-2011	
	Westdale Manor	2006-2007	
	Karl Robert Manor	1990-2001	
	Apartments	1960-1985	
	No Listing	1955	
	Brown G A Enterprises	1950	
	Residential	1930-1940	
811 King Street West (adjacent)	Direct Energy	2000-2011	
	Residential	2006-2011	
	Therapy Health Care	2006-2007	
	Salon Paradise	2000	
	Quality Hearing Aids Ltd.	1995	
	Vector Marketing	1995	
	Wu Shu-Chinese Martial Arts	1995	
	Professional Respiratory Home Care Corporation	1990	
	National Pagette Ltd.	1990	
	Reap What You Sew	1990	
	No Listing	<1985	
	11 Paradise Road South (adjacent)	Donan Apartments	1960-2011
		Residential	1930-1955
17 Paradise Road South (adjacent)	Apartments	1950-2011	
	Cupe	2011	
	Liberty Tax Service	2006-2011	
	Open Sky Solutions	2006-2011	
	West Hamilton Denture Clinic	2000-2011	
	The Tax Ladies	2000	
	Pierik's Cycle Ltd.	1975-1995	
	Pierik's Sport & Cycle	1975-1980	
	Phil's Chateau Beauty Salon	1970	



**Record of Site Condition  
Under Part XV.1 of the Environment Protection Act**

**Summary**

Record of Site Condition Number	222261
Date Filed to Environmental Site Registry	2016/07/14
Certification Date	2016/02/17
Current Property Use	Commercial
Intended Property Use	Residential
Certificate of Property Use Number	3445-9XQPHA
Applicable Site Condition Standards	Full Depth Generic Site Conditions Standard, with Non-potable Ground Water, Medium and Fine Textured Soil, for Residential property use, with RA
Property Municipal Address	803 KING STREET WEST, HAMILTON, ON, L8S 1M9, 801 KING STREET WEST, HAMILTON, ON, L8S 1M9, 90 CARLING STREET, HAMILTON, ON, L8S 1M9, 80 CARLING STREET, HAMILTON, ON, L8S 1M9, 86 CARLING STREET, HAMILTON, ON, L8S 1M9

**Notice to Readers Concerning Due Diligence**

This record of site condition (RSC) has been filed in the Environmental Site Registry to which the public has access and which contains a notice advising users of the Environmental Site 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 Environmental Site Registry.

**Contents of this Record of Site Condition**

This RSC consists of this document which is available to be printed directly from the Environmental Site Registry as well as all supporting documentation indicated in this RSC to have been submitted in electronic format to the Ministry of the Environment and Climate Change.

property, in addition to reviewing information in the Environmental Site Registry.

**Contents of this record of site condition**

This record of site condition (RSC) consists of this document which is available to be printed directly from the Environmental Site Registry as well as all supporting documentation indicated in this record of site condition to have been submitted in electronic format to the Ministry of the Environment and Climate Change.



**Part 1: Property Ownership, Property Information and Owner's Certifications**

**Information about the owner who is submitting or authorizing the submission of the record of site condition**

Owner name	1649626 ONTARIO INC.
Authorized person	DAVID HORWOOD
Mailing address	242 MAIN STREET EAST, HAMILTON Ontario, Canada
Postal Code	L8N 1H5
Phone	(905) 528-8956
Fax	(905) 528-9858
Email address	dh@effortrust.ca

**Record of site condition property location information**

Municipal address(es)	801 KING STREET WEST, HAMILTON, ON L8S 1M9 803 KING STREET WEST, HAMILTON, ON L8S 1M9 80 CARLING STREET, HAMILTON, ON L8S 1M9 86 CARLING STREET, HAMILTON, ON L8S 1M9 90 CARLING STREET, HAMILTON, ON L8S 1M9
Municipality	Hamilton
Legal description	<b>See attached Lawyer's letter</b>
Assessment roll number(s)	251801005502680 251801005502650 251801005407230 251801005407290 251801005407320
Property identifier number(s)	17467-0090 (LT)

**Record of site condition property geographical references**

Coordinate system	<b>UTM</b>
Datum	<b>NAD 83</b>
Zone	17
Easting	589,430.00
Northing	4,790,504.00

**Record of site condition property use information**

The following types of property uses are defined by the Regulation: Agricultural or other use, Commercial use, Community use, 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 Environmental Protection Act	Yes
Certificate of property use number	3445-9XQPHA

**Please see the signed statements of property owner, or agent,  
or receiver at the end of this record of site condition**

The rest of this page has been left intentionally blank

**Part 2: List of reports, summary of site conditions and qualified person's statements and certifications**

**Qualified person's information**

Name	GEOFF MURRAY BELL
Type of membership under the Professional Geoscientists Act	Limited member
Membership number	1730
Qualified person's employer name	G2S ENVIRONMENTAL CONSULTING INC.
Mailing address	SUITE 411, 37 SANDIFORD DRIVE, STOUFFVILLE Ontario, L4A 7X5 Canada
Phone	(905) 766-4054
Fax	(905) 642-5999
Email address	geoffb@g2senvironmental.com

**Municipal information**

Local or single-tier municipality	Hamilton
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**Ministry of the Environment and Climate Change District Office**

District office	Hamilton District Office
District office address	9th floor, 119 King St. W., Hamilton ON L8P 4Y7

**Phase one environmental site assessment report**

**Document used as the phase one environmental site assessment report and updates in submitting the record of site condition for filing**

The date the last work on all of the records review, interviews and site reconnaissance components of the phase one environmental site assessment was done (refer to clause 28(1) (a) of O. Reg. 153/04)	(yyyy/mm/dd) 2016-06-10
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------

Type of report	Report title	Date of report (yyyy/mm/dd)	Author of report	Name of consulting company
Phase one environmental site assessment	Phase I Environmental Site Assessment	2012-07-27	Steve Campbell, P. Geo., Whitney Meyer, B. Sc.	G2S ENVIRONMENTAL CONSULTING INC.
Update to phase one environmental site assessment	Phase I Environmental Site Assessment Update	2014-11-07	Geoff Bell, P. Geo. (Limited)	G2S ENVIRONMENTAL CONSULTING INC.
Update to phase one environmental site assessment	Phase One Environmental Site Assessment Update	2016-06-14	Geoff Bell, P. Geo. (Limited), Steve Campbell, P. Geo.	G2S ENVIRONMENTAL CONSULTING INC.

**Reports and other documents related to the phase one environmental site assessment**

**Reports and other documents relied upon in certifying the information set out in section 10 of Schedule A or otherwise used in conducting the phase one environmental site assessment**

Report title	Date of report (yyyy/mm/dd)	Author of report	Name of consulting company
N/A			

## Phase two environmental site assessment report

### Document used as the phase two environmental site assessment report and updates in submitting the record of site condition for filing

The date the last work on all of the planning of the site investigation and conducting the site investigation components of the phase two environmental site assessment was done (refer to clause 33.5(1)(a) of O. Reg. 153/04)	(yyyy/mm/dd) 2016-02-17
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------

Type of report	Report title	Date of report (yyyy/mm/dd)	Author of report	Name of consulting company
Phase two environmental site assessment	Supplemental Phase II Environmental Site Assessment, 801 and 803 King Street West and 80, 86 and 90 Carling Street, Hamilton, Ontario	2012-08-31	Geoff Bell P. Geo. (limited)	G2S ENVIRONMENTAL CONSULTING INC.
Update to phase two environmental site assessment	Subsurface Soil Investigation, 80, 86 and 90 Carling Street, 801 and 803 King Street West, Hamilton, Ontario	2013-11-19	Geoff Bell, P. Geo. (limited), Steve Campbell, P. Geo.	G2S ENVIRONMENTAL CONSULTING INC.
Update to phase two environmental site assessment	Supplemental Groundwater Investigation, 80, 86 and 90 Carling Street, 801 and 803 King Street West, Hamilton, Ontario	2014-12-22	Geoff Bell, P. Geo. (limited), Steve Campbell, P. Geo.	G2S ENVIRONMENTAL CONSULTING INC.
Update to phase two environmental site assessment	Delineation of Soil Impacted with Polycyclic Aromatic Hydrocarbons, 80, 86 and 90 Carling Street, 801 and 803 King Street West, Hamilton, Ontario	2016-03-04	Geoff Bell, P. Geo. (limited), Steve Campbell, P. Geo.	G2S ENVIRONMENTAL CONSULTING INC.

## Reports and other documents related to the phase two environmental site assessment

### Reports and other documents relied upon in making any certifications in the record of site condition for the purposes of Part IV of Schedule A or otherwise used in conducting the phase two environmental site assessment

Report title	Date of report (yyyy/mm/dd)	Author of report	Name of consulting company
Phase II Environmental Site Assessment	2011-07-08	Frank Colozza, P. Geo.	JFM Environmental Ltd.
A Risk Assessment of 80,86 and 90 Carling Street, and 801 and 803 King Street West, Hamilton, Ontario	2013-12-31	Adam Safruk, B. Sc., M.E.S. QPra	INTRINSIK ENVIRONMENTAL SCIENCES INC.

**Environmental condition**

Section 41 applies?	No
Section 43.1 applies?	No

**Site condition information**

Certification date (yyyy/mm/dd)	2016/02/17
Total area of record of site condition property (in hectares)	0.25000
Number of any previously filed record of site condition that applies to any part of the record of site condition property	57510
Number of any previously filed transition notice that applies to any part of the record of site condition property	
Soil texture	Medium and fine
Assessment/restoration approach	Full depth generic
Site investigation includes the investigation, sampling and analysis of ground water?	Yes
Is there soil present that is sufficient to investigate, sample and analyze soil on, in or under the property in accordance with s. 6, Schedule E of O.Reg. 153/04?	Yes
Site investigation includes the investigation, sampling and analysis of soil on, in or under the property which is used in the record of site condition?	Yes
Name of the laboratory used to analyze any samples collected of soil, ground water or sediment	AGAT LABORATORY INC. ,ALS LABORATORIES AND MAXXAM
Ground water condition (potable, non-potable)	Non-potable
Applicable site condition standard	TABLE 3
Local or single-tier municipality non-potable written notification date	2016/06/06

**Risk assessment information**

A risk assessment has been prepared and accepted by the Director in support of this record of site condition?	Yes
Risk assessment identification number	4623-8UQP86
Risk assessment was a site specific risk assessment completed and approved in accordance with the Cleanup Guideline 1996?	No

**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards**

**Measured concentration for contaminants in soil**

Contaminant name		Maximum concentration		Applicable site condition	Unit of measure
1	Trichlorobenzene, 1,2,4-	<	0.05	1.4	µg/g
2	Bromodichloromethane	<	0.05	13	µg/g
3	Bromoform	<	0.05	0.26	µg/g
4	Dibromochloromethane	<	0.05	9.4	µg/g
5	Electrical Conductivity		<b>0.187</b>	0.7	mS/cm
6	Sodium Adsorption Ratio		<b>0.356</b>	5	
7	Petroleum Hydrocarbons F3		<b>178</b>	1300	µg/g
8	Petroleum Hydrocarbons F4	<	50	5600	µg/g
9	Antimony	<	0.8	7.5	µg/g
10	Arsenic	<	7	18	µg/g
11	Selenium		<b>0.6</b>	2.4	µg/g
12	Acenaphthene	<	0.05	58	µg/g
13	Acenaphthylene	<	0.05	0.17	µg/g
14	Anthracene	<	0.05	0.74	µg/g
15	Benz[a]anthracene	<	0.05	0.63	µg/g
16	Benzo[a]pyrene	<	0.05	0.3	µg/g
17	Benzo[b]fluoranthene	<	0.05	0.78	µg/g
18	Benzo[ghi]perylene	<	0.05	7.8	µg/g
19	Benzo[k]fluoranthene	<	0.05	0.78	µg/g
20	Chrysene	<	0.05	7.8	µg/g
21	Dibenz[a h]anthracene	<	0.05	0.1	µg/g
22	Fluoranthene	<	0.05	0.69	µg/g
23	Fluorene	<	0.05	69	µg/g
24	Indeno[1 2 3-cd]pyrene	<	0.05	0.48	µg/g
25	Methylnaphthalene, 2-(1-) ***		<b>3.39</b>	3.4	µg/g
26	Phenanthrene	<	0.05	7.8	µg/g
27	Pyrene	<	0.05	78	µg/g
28	Barium		<b>110</b>	390	µg/g
29	Beryllium		<b>0.9</b>	5	µg/g
30	Boron (total)		<b>12</b>	120	µg/g
31	Cadmium	<	0.5	1.2	µg/g
32	Chromium Total		<b>29</b>	160	µg/g
33	Cobalt		<b>13.9</b>	22	µg/g
34	Copper		<b>37</b>	180	µg/g
35	Lead		<b>27</b>	120	µg/g

...Continued on next page



**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards**

**Measured concentration for contaminants in soil**

*Continued from previous page....*

Contaminant name	Maximum concentration	Applicable site condition	Unit of measure
36 Molybdenum	0.6	6.9	µg/g
37 Nickel	28	130	µg/g
38 Silver	< 0.2	25	µg/g
39 Thallium	< 0.4	1	µg/g
40 Uranium	0.8	23	µg/g
41 Vanadium	39	86	µg/g
42 Zinc	134	340	µg/g
43 Bromomethane	< 0.05	0.05	µg/g
44 Carbon Tetrachloride	< 0.05	0.12	µg/g
45 Chlorobenzene	< 0.05	2.7	µg/g
46 Chloroform	< 0.05	0.18	µg/g
47 Dichlorobenzene, 1,2-	< 0.05	4.3	µg/g
48 Dichlorobenzene, 1,3-	< 0.05	6	µg/g
49 Dichlorobenzene, 1,4-	< 0.05	0.097	µg/g
50 Dichlorodifluoromethane	< 0.05	25	µg/g
51 Dichloroethane, 1,1-	< 0.05	11	µg/g
52 Dichloroethane, 1,2-	< 0.05	0.05	µg/g
53 Dichloroethylene, 1,1-	< 0.05	0.05	µg/g
54 Dichloroethylene, 1,2-cis-	< 0.05	30	µg/g
55 Dichloroethylene, 1,2-trans-	< 0.05	0.75	µg/g
56 Dichloropropane, 1,2-	< 0.05	0.085	µg/g
57 Dichloropropene, 1,3-	0.05	0.083	µg/g
58 Ethylene dibromide	< 0.04	0.05	µg/g
59 Methyl Isobutyl Ketone	< 0.5	4.3	µg/g
60 Methyl tert-Butyl Ether (MTBE)	< 0.05	1.4	µg/g
61 Methylene Chloride	< 0.05	0.96	µg/g
62 Styrene	< 0.05	2.2	µg/g
63 Tetrachloroethane, 1,1,1,2-	< 0.05	0.05	µg/g
64 Tetrachloroethane, 1,1,1,2,2-	< 0.05	0.05	µg/g
65 Tetrachloroethylene	0.48	2.3	µg/g
66 Trichloroethane, 1,1,1-	< 0.05	3.4	µg/g
67 Trichloroethane, 1,1,2-	< 0.05	0.05	µg/g
68 Trichloroethylene	< 0.05	0.52	µg/g
69 Trichlorofluoromethane	< 0.05	5.8	µg/g
70 Vinyl Chloride	< 0.02	0.022	µg/g

**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards (Continued)**

**Ground water**

Contaminant name	Maximum concentration	Applicable site condition	Unit of measure
1 Petroleum Hydrocarbons F1****	700	750	µg/L
2 Petroleum Hydrocarbons F3	< 100	500	µg/L
3 Petroleum Hydrocarbons F4	< 100	500	µg/L
4 Barium	114	29000	µg/L
5 Beryllium	< 0.5	67	µg/L
6 Boron (total)	25.9	45000	µg/L
7 Cadmium	< 0.2	2.7	µg/L
8 Chromium Total	6.7	810	µg/L
9 Cobalt	4.6	66	µg/L
10 Copper	3.4	87	µg/L
11 Lead	< 0.5	25	µg/L
12 Molybdenum	1.1	9200	µg/L
13 Nickel	12.2	490	µg/L
14 Silver	< 0.2	1.5	µg/L
15 Thallium	< 0.3	510	µg/L
16 Uranium	7.1	420	µg/L
17 Vanadium	1.6	250	µg/L
18 Zinc	15.7	1100	µg/L
19 Trichlorobenzene, 1,2,4-	< 50	850	µg/L
20 Ethylbenzene	290	2300	µg/L
21 Toluene	2,900	18000	µg/L
22 Xylene Mixture	2,830	4200	µg/L
23 Acetone	< 500	130000	µg/L
24 Bromomethane	< 50	56	µg/L
25 Chlorobenzene	< 50	630	µg/L
26 Dichlorobenzene, 1,2-	< 50	9600	µg/L
27 Dichlorobenzene, 1,3-	< 50	9600	µg/L
28 Dichlorobenzene, 1,4-	< 50	67	µg/L
29 Dichlorodifluoromethane	< 100	4400	µg/L
30 Dichloroethane, 1,1-	< 50	3100	µg/L
31 Dichloropropane, 1,2-	< 50	140	µg/L
32 Dichloropropene, 1,3-	< 3	45	µg/L
33 Hexane (n)	200	520	µg/L
34 Methyl Ethyl Ketone	< 500	1500000	µg/L
35 Methyl Isobutyl Ketone	< 500	580000	µg/L

...Continued on next page

**Table 1 – Maximum contaminant concentrations compared to applicable site condition standards (Continued)**

**Ground water**

*Continued from previous page....*

Contaminant name	Maximum concentration	Applicable site condition	Unit of measure
36 Methyl tert-Butyl Ether (MTBE)	< 200	1400	µg/L
37 Methylene Chloride	< 500	5500	µg/L
38 Styrene	< 50	9100	µg/L
39 Tetrachloroethane, 1,1,1,2-	< 2.5	28	µg/L
40 Tetrachloroethane, 1,1,2,2-	< 2.5	15	µg/L
41 Trichloroethane, 1,1,1-	< 50	6700	µg/L
42 Trichloroethane, 1,1,2-	< 2.5	30	µg/L
43 Trichlorofluoromethane	< 100	2500	µg/L

**See the attached "Table 2. Maximum contaminant concentrations compared to standards specified in a risk assessment" for standards specified in a risk assessment and comparison to maximum concentrations measured on, in or under the record of site condition property.**

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## Remedial action and mitigation

### Remediated soils

Estimated quantities of the soil, if any, originating at and remaining on the record of site condition property that have been remediated, at a location either on or off the property, to reduce the concentration of contaminants in the soil. Indicate the remediation process or processes used and the estimated amount of soil remediated by each identified process.

Soil remediation process	Estimated quantity of soil (in ground-volume in cubic metres)
No remedial actions were taken	0.0

### Description of remediation

Description of any action taken to reduce the concentration of contaminants (including soil removals) on, in or under the record of site condition property.

None

### Soil or sediment removed and not returned

Estimated quantities of soil or sediment, if any, removed from and not returned to the record of site condition property.

Estimated quantity of soil (in ground-volume in cubic metres)	0.0
Estimated quantity of sediment (in ground-volume in cubic metres)	0.0

### Soil brought to the property

Estimated quantity of the soil, if any, being brought from another property to and deposited at the record of site condition property, not including any soil that may have originated at but been remediated off the record of site condition property and that is identified in section 28 of Schedule A.

Estimated quantity of soil brought to the property (in ground-volume in cubic metres)	0.0
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**Ground water control or treatment measures**

Ground water control or treatment measures that were required for the record of site condition property prior to the certification date for the purpose of submitting the record of site condition for filing.

None

Ground water control or treatment measures that are required for the record of site condition property after the certification date.

None

Estimated volume of ground water, if any, removed from and not returned to the record of site condition property.

Estimated volume of ground water (in litres)	0.0
----------------------------------------------	-----

**Other activities including risk management measures**

Constructed works that prior to the certification date for the purpose of submitting the record of site condition for filing, were required to control or otherwise mitigate the release or movement of known existing contaminants at the record of site condition property.

None

Constructed works that after the certification date, are required to control or otherwise mitigate the release or movement of known existing contaminants at the record of site condition property.

None

**Monitoring or Maintenance**

**Soil Management Measures**

Soil monitoring requirements or any requirements for care, maintenance or replacement or any monitoring or control works for known existing contaminants, if any, on the record of site condition property, after the certification date.

As outlined in the Risk Management Plan as incorporated in CPU #3445-9XQPHA.

**Ground water management measures**

Ground water monitoring requirements or requirements for care, maintenance or replacement of any monitoring or control works or known existing contaminants, if any, on the record of site condition property, after the certification date.

As outlined in the Risk Management Plan as incorporated in CPU #3445-9XQPHA.

**Remediated or removed soil, sediment or ground water from near property boundary**

Has any soil, sediment or ground water at the record of site condition property that is or was located within 3 metres of the record of site condition property boundary been remediated or removed for the purpose of remediation?

No

## D Qualified person's statements and certifications

As the qualified person, I certify that:

A phase one environmental site assessment of the record of site condition property, which includes the evaluation of the information gathered from a records review, site reconnaissance, interviews, a report and any updates required, has been conducted in accordance with the regulation by or under the supervision of a qualified person as required by the regulation.

A phase two environmental site assessment of the record of site condition property, which includes the evaluation of the information gathered from planning and conducting a site investigation, a report, and any updates required, has been conducted in accordance with the regulation by or under the supervision of a qualified person as required by the regulation.

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.

As of 2016/02/17, 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 record of site condition property that would interfere with the type of property use to which the record of site condition property will be put, as specified in the record of site condition.

Ground water sampling has been conducted in accordance with the regulation by or under the supervision of a qualified person as required by the regulation.

I have, within the six months immediately before the submission of this record of site condition, 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.

As of 2016/02/17, in my opinion, based on the phase one and phase two environmental site assessments and any confirmatory sampling, the record of site condition property meets the applicable full depth  generic 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 record of site condition is filed, except for those contaminants (if any) specified in this record of site condition at Table 2, maximum contaminant concentrations compared to standards specified in a risk assessment.

As of 2016/02/17, the maximum known concentration of each contaminant in soil, sediment  and ground water at the record of site condition property for which sampling and analysis has been performed is specified in this record of site condition at Table 1, maximum contaminant concentrations compared to applicable full depth generic site condition standards.

In relation to any contaminant excepted from the certification mentioned above as specified in the record of site condition at Table 2, maximum contaminant concentrations compared to standards specified in a risk assessment, or in relation to any other contaminant that in my opinion is likely to cause an adverse effect:

A risk assessment was prepared for the contaminant with respect to the property for which the phase two environmental site assessment was conducted.

The Director has accepted the risk assessment under clause 168.5 (1) (a) of the Act.

As of 2016/02/17, the property for which the phase two environmental site assessment was conducted meets the standards specified in the risk assessment for the contaminant.

I am a qualified person and have the qualifications required by section 5 of the regulation.

I have in place an insurance policy that satisfies the requirements of section 7 of the regulation.

I acknowledge that the record of site condition will be submitted for filing 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.

The opinions expressed in this record of site condition 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.



or science profession or discipline practising at the same time and in the same or similar location.

I do not hold and have not held and my employer G2S ENVIRONMENTAL CONSULTING INC.

does not hold and has not held a direct or indirect interest in the record of site condition property or any property which includes the record of site condition property and was the subject of a phase one or environmental site assessment or risk assessment upon which this record of site condition is based.

To the best of my knowledge, the certifications and statements in this part of the record of site condition are true as of 2016/02/17.

By signing this record of site condition, I make no express or implied warranties or guarantees.

By checking the boxes above, and entering my membership/licence number in this submission, I, GEOFF MURRAY BELL, a qualified person as defined in section 5 of O. Reg. 153/04 am, on 2016/06/27:

- a) signing this record of site condition submission as a qualified person; and
- b) making all certifications required as a qualified person for this record of site condition.

**I agree**

### **Additional documentation provided by property owner or agent**

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

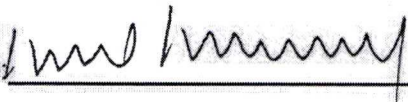
Certificate of status or equivalent for the owner
Lawyer's letter consisting of a legal description of the property
Copy of any deed(s), transfer(s) or other document(s) by which the record of site condition property was acquired
A Current plan of survey
Property specific standards
A copy of no objection statement from municipality
Area(s) of potential environmental concern
Table of current and past uses of the phase one property
Phase 2 conceptual site model
Owner or agent certification statements

8.1.2

As an owner:

1. I acknowledge that the record of site condition will be submitted for filing 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 record of site condition, including information from the other current owners of the record of site condition property named in this part of the record of site condition and I have obtained all information relevant to this record of site condition of which I am aware.
3. I have disclosed all information referred to in paragraph 2 to any qualified person named in this record of site condition.
4. To my knowledge, the statements made in this part of the record of site condition are true as of June 24 2016
5. I have ensured that access to the entire property, including the phase one property, any phase two property and the record of site condition property, has been afforded to the qualified person and to persons supervised by the qualified person, for purposes of conducting the site reconnaissance.

Name of owner: 1649626 Ontario Inc.

Signature: 

Date signed: June 24 2016

Name of person signing: David Horwood

I, David Horwood am authorized to and hereby do bind 1649626 Ontario Inc.