



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

Summary

| | |
|---|---|
| Record of Site Condition Number | 222828 |
| Date Filed to Environmental Site Registry | 2016/12/12 |
| Certification Date | 2016/10/31 |
| Current Property Use | Commercial |
| Intended Property Use | Residential |
| Certificate of Property Use Number | No CPU |
| Applicable Site Condition Standards | Full Depth Generic Site Conditions Standard, with Non-potable Ground Water, Medium and Fine Textured Soil, for Residential property use |
| Property Municipal Address | 816 KING STREET WEST, HAMILTON, ON, L8S 1K1, 804 KING STREET WEST, HAMILTON, ON, L8S 1K1 |

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.

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 | CORE URBAN INC. |
| Authorized person | STEPHEN KULAKOWSKY |
| Mailing address | 136 KENILWORTH AVENUE NORTH, HAMILTON Ontario, Canada |
| Postal Code | L8H 4R8 |
| Phone | (905) 543-1579 |
| Fax | |
| Email address | |

Record of site condition property location information

| | |
|-------------------------------|--|
| Municipal address(es) | 804 KING STREET WEST, HAMILTON, ON L8S 1K1 816 KING STREET WEST, HAMILTON, ON L8S 1K1 |
| Municipality | Hamilton |
| Legal description | See attached Lawyer's letter |
| Assessment roll number(s) | 251801006100550 251801006100580 |
| Property identifier number(s) | 17468-0016 (LT) 17468-0017 (LT) |

Record of site condition property geographical references

| | |
|-------------------|---------------|
| Coordinate system | UTM |
| Datum | NAD 83 |
| Zone | 17 |
| Easting | 589,419.00 |
| Northing | 4,790,579.00 |

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 | No |

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

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

Qualified person's information

| | |
|--|--|
| Name | IAN SHAW |
| Type of licence under Professional Engineers Act | Licence |
| Licence number | 100042315 |
| Qualified person's employer name | SOIL-MAT ENGINEERS & CONSULTANTS LTD. |
| Mailing address | 130 LANCING DRIVE, HAMILTON Ontario, L8W 3A1 Canada |
| Phone | (905) 318-7440 |
| Fax | (905) 318-7455 |
| Email address | soilmaton@gmail.com |

Municipal information

| | |
|-----------------------------------|----------|
| Local or single-tier municipality | Hamilton |
|-----------------------------------|----------|

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) 2015-07-02 |
|--|----------------------------|

| Type of report | Report title | Date of report (yyyy/mm/dd) | Author of report | Name of consulting company |
|---|--|-----------------------------|-------------------|---------------------------------------|
| Phase one environmental site assessment | Phase One Environmental Site Assessment, 804 and 816 King Street West, Hamilton, Ontario | 2014-02-26 | Jacky So, P. Eng. | G2S ENVIRONMENTAL CONSULTING INC. |
| Update to phase one environmental site assessment | Phase One Environmental Site Assessment, Proposed Residential Redevelopment, 804 and 816 King Street West, Hamilton, Ontario | 2015-07-02 | Ian Shaw, P. Eng. | SOIL-MAT ENGINEERS & CONSULTANTS LTD. |

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) 2016-10-31 |
|---|----------------------------|

| Type of report | Report title | Date of report (yyyy/mm/dd) | Author of report | Name of consulting company |
|---|---|-----------------------------|-------------------|---------------------------------------|
| Phase two environmental site assessment | Phase Two Environmental Site Assessment, 804 and 816 King Street West, Hamilton, Ontario | 2014-02-27 | Jacky So, P. Eng. | G2S ENVIRONMENTAL CONSULTING INC. |
| Update to phase two environmental site assessment | Supplemental Soil and Groundwater Investigation, 804-816 King Street West, Hamilton, Ontario | 2014-04-24 | Jacky So, P. Eng. | G2S ENVIRONMENTAL CONSULTING INC. |
| Update to phase two environmental site assessment | Final Phase Two Environmental Site Assessment, Proposed Residential Redevelopment, 804 and 816 King Street West, Hamilton, Ontario | 2015-11-04 | Ian Shaw, P. Eng. | SOIL-MAT ENGINEERS & CONSULTANTS LTD. |
| Update to phase two environmental site assessment | Phase Two Environmental Site Assessment, Groundwater Flow Calculations, Proposed Residential Redevelopment, 804 and 816 King Street West, Hamilton, Ontario | 2016-08-05 | Mr. Ian Shaw | SOIL-MAT ENGINEERS & CONSULTANTS LTD. |
| Update to phase two environmental site assessment | Phase Two Environmental Site Assessment, Supplemental Groundwater Sampling, Proposed Residential Redevelopment, 804 and 816 King Street West, Hamilton, Ontario | 2016-10-31 | Mr. Ian Shaw | SOIL-MAT ENGINEERS & CONSULTANTS LTD. |

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 |
|--------------|-----------------------------|------------------|----------------------------|
| N/A | | | |

Environmental condition

| | |
|-----------------------|----|
| Section 41 applies? | No |
| Section 43.1 applies? | No |

Site condition information

| | |
|---|--------------------|
| Certification date (yyyy/mm/dd) | 2016/10/31 |
| 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 | |
| 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 LABORATORIES |
| Ground water condition (potable, non-potable) | Non-potable |
| Applicable site condition standard | TABLE 3 |
| Local or single-tier municipality non-potable written notification date | 2016/09/19 |

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 Petroleum Hydrocarbons F1**** | | 10 | 65 | µg/g |
| 2 Petroleum Hydrocarbons F2 | | 33 | 150 | µg/g |
| 3 Petroleum Hydrocarbons F3 | < | 50 | 1300 | µg/g |
| 4 Petroleum Hydrocarbons F4 | < | 50 | 5600 | µg/g |
| 5 Benzene | < | 0.02 | 0.17 | µg/g |
| 6 Ethylbenzene | < | 0.05 | 15 | µg/g |
| 7 Toluene | < | 0.08 | 6 | µg/g |
| 8 Xylene Mixture | < | 0.05 | 25 | 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**** | < | 25 | 750 | µg/L |
| 2 | Petroleum Hydrocarbons F2 | < | 100 | 150 | µg/L |
| 3 | Petroleum Hydrocarbons F3 | < | 100 | 500 | µg/L |
| 4 | Petroleum Hydrocarbons F4 | < | 100 | 500 | µg/L |
| 5 | Benzene | < | 0.2 | 430 | µg/L |
| 6 | Ethylbenzene | < | 0.1 | 2300 | µg/L |
| 7 | Toluene | < | 0.2 | 18000 | µg/L |
| 8 | Xylene Mixture | < | 0.2 | 4200 | µg/L |

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) |
|--------------------------|---|
| | 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.

The remedial operation consisted of a 'dig and dump' operation that commenced on December 9, 2014 and was completed on December 23, 2014. During this period, 2,350 metric tonnes of petroleum hydrocarbon and BTEX impacted soil was excavated from the remedial excavation on the RSC property and transported off-site for disposal at the Newalta Landfill property in Hamilton [Stoney Creek], Ontario.

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) | 1,175.0 |
| 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) | 1,050.0 |
|---|---------|

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.

A low permeable silty clay material was imported from Nelson Aggregates to the RSC property for use as backfill material against the southern wall of the remedial excavation. The use of this low permeable silty clay extended from the southern limit of the RSC property to approximately 5.5 metres to the north. The silty clay was imported as a control measure to mitigate potential petroleum hydrocarbon migration back onto the RSC property as select confirmatory soil samples at the southern property limit of the RSC property have residual petroleum hydrocarbons remaining in the soil that are marginally above the applicable site condition standards.

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.

None

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.

None

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?

Yes

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 2016/10/31, 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 2016/10/31, 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 2016/10/31, 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.

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.

I do not hold and have not held and my employer SOIL-MAT ENGINEERS & CONSULTANTS LTD. 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 2016/10/31.

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, IAN SHAW, a

By checking the boxes above, and entering my membership/licence number in this submission, I, IAN SHAW, a qualified person as defined in section 5 of O. Reg. 153/04 am, on 2016/11/17:

- 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 |
| 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 |

As an owner:

1. I acknowledge that the RSC 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 RSC, including information from the other current owners of the RSC property named in this part of the RSC and I have obtained all information relevant to this RSC of which I am aware.
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 Nov 10/16.
5. I have ensured that access to the entire property, including the phase one property, any phase two property and the RSC 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: Core Urban Inc.

Signature: 

Date Signed: Nov 10/16

Name of Person Signing: Stephen Kulakowsky

I, Stephen Kulakowsky, am authorized to and hereby do bind Core Urban Inc.