Ontario

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

Summary

Record of Site Condition Number	224288
Date Filed to Environmental Site Registry	2018/02/21
Certification Date	2017/10/27
Current Property Use	Residential
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, Coarse Textured Soil, for Residential property use
Property Municipal Address	92 PLAINS ROAD EAST, BURLINGTON, ON, L7T 4B6

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	EMBER DOG INC.
Owner type	Firm, corporation or partnership
Authorized person	MARCEL LECLERC
Mailing address	Post Box 1398 296 DUNDAS STREET EAST, WATERDOWN Ontario, Canada
Postal Code	L0R 2H0
Phone	(905) 689-2218
Fax	(905) 689-0036
Email address	marcel@cheltenhomes.com

Information about the agent

Agent name	ROBIN BROWN
Mailing address	200B, 845 HARRINGTON COURT, BURLINGTON Ontario, Canada
Postal Code	L7N 3P3
Phone	(905) 635-4063
Fax	(905) 635-4874
Email address	rbrown@rb-enviro.com

Record of site condition property location information

Municipal address(es)	92 PLAINS ROAD EAST, BURLINGTON, ON L7T 4B6
Municipality	Burlington
Legal description	**See attached Lawyer's letter**
Assessment roll number(s)	2402010113063000000
Property identifier number(s)	07117-0034 (LT)

Record of site condition property geographical references

Coordinate system	**UTM**
Datum	**NAD 83**
Zone	17
Easting	593,319.43
Northing	4,795,747.93

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	Residential
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	ROBIN BROWN
Type of licence under Professional Engineers Act	Licence
Licence number	100165872
Quallified person's employer name	RUBIDIUM ENVIRONMENTAL
Mailing address	200B, 845 HARRINGTON COURT, BURLINGTON Ontario, L7N 3P3 Canada
Phone	(905) 635-4063
Fax	(905) 635-4874
Email address	rbrown@rb-enviro.com

Municipal information

Local or single-tier municipality	Burlington
Upper-tier municipality	Halton

Ministry of the Environment and Climate Change District Office

District office	Halton-Peel District Office
District office address	4145 North Service Road, Suite 300, Burlington ON L7L 6A3

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) 2017-09-11

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, 92 Plains Road East, Burlington, Ontario	2017-10-31	Robin Brown	RUBIDIUM ENVIRONMENTAL

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
Phase One Environmental Site Assessment, 92 Plains Road East, Burlington, Ontario	2015-04-30	Peter Fortuna	TERRAPROBE INC.

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) 2017-10-27

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, 92 Plains Road East, Burlington, Ontario	2017-11-21	Robin Brown	RUBIDIUM ENVIRONMENTAL

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)	2017/10/27
Total area of record of site condition property (in hectares)	0.20000
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	Coarse
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	ALS ENVIRONMENTAL
Ground water condition (potable, non-potable)	Non-potable
Applicable site condition standard	TABLE 3
Local or single-tier municipality non-potable written notification date	2017/12/07
Upper-tier municipality non-potable written notification date	2017/12/08

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	Antimony	<	1	7.5	µg/g
2	Arsenic		**3.9**	18	µg/g
3	Selenium	<	1	2.4	µg/g
4	Barium		**41.8**	390	µg/g
5	Beryllium	<	0.5	4	µg/g
6	Boron (total)	<	5	120	µg/g
7	Cadmium	<	0.5	1.2	µg/g
8	Chromium Total		**12**	160	µg/g
9	Cobalt		**4.3**	22	µg/g
10	Copper		**17.2**	140	µg/g
11	Lead		**44.9**	120	µg/g
12	Molybdenum	<	1	6.9	µg/g
13	Nickel		**9.7**	100	µg/g
14	Silver	<	0.2	20	µg/g
15	Thallium	<	0.5	1	µg/g
16	Uranium	<	1	23	µg/g
17	Vanadium		**17**	86	µg/g
18	Zinc		**54.6**	340	µg/g
19	Acenaphthene	<	0.05	7.9	µg/g
20	Acenaphthylene	<	0.05	0.15	µg/g
21	Anthracene	<	0.05	0.67	µg/g
22	Benz[a]anthracene		**0.096**	0.5	µg/g
23	Benzo[a]pyrene		**0.113**	0.3	µg/g
24	Benzo[b]fluoranthene		**0.157**	0.78	µg/g
25	Benzo[ghi]perylene		**0.071**	6.6	µg/g
26	Benzo[k]fluoranthene		**0.057**	0.78	µg/g
27	Chrysene		**0.11**	7	µg/g
28	Dibenz[a h]anthracene	<	0.05	0.1	µg/g
29	Fluoranthene		**0.103**	0.69	µg/g
30	Fluorene	<	0.05	62	µg/g
31	Indeno[1 2 3-cd]pyrene		**0.077**	0.38	µg/g
32	Methlynaphthalene, 2-(1-) ***	<	0.042	0.99	µg/g
33	Naphthalene	<	0.05	0.6	µg/g
34	Phenanthrene	<	0.05	6.2	µg/g
35	Pyrene		**0.087**	78	µg/g

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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	Benzene	<	0.0068	0.21	µg/g
37	Ethylbenzene	<	0.018	2	µg/g
38	Toluene	<	0.08	2.3	µg/g
39	Xylene Mixture	<	0.05	3.1	µg/g
40	Acetone	<	0.5	16	µg/g
41	Bromomethane	<	0.05	0.05	µg/g
42	Carbon Tetrachloride	<	0.05	0.05	µg/g
43	Chlorobenzene	<	0.05	2.4	µg/g
44	Chloroform	<	0.05	0.05	µg/g
45	Dichlorobenzene, 1,2-	<	0.05	3.4	µg/g
46	Dichlorobenzene, 1,3-	<	0.05	4.8	µg/g
47	Dichlorobenzene, 1,4-	<	0.05	0.083	µg/g
48	Dichlorodifluoromethane	<	0.05	16	µg/g
49	Dichloroethane, 1,1-	<	0.05	3.5	µg/g
50	Dichloroethane, 1,2-	<	0.05	0.05	µg/g
51	Dichloroethylene, 1,1-	<	0.05	0.05	µg/g
52	Dichloroethylene, 1,2-cis-	<	0.05	3.4	µg/g
53	Dichloroethylene, 1,2-trans-	<	0.05	0.084	µg/g
54	Dichloropropane, 1,2-	<	0.05	0.05	µg/g
55	Dichloropropene,1,3-	<	0.042	0.05	µg/g
56	Ethylene dibromide	<	0.05	0.05	µg/g
57	Hexane (n)	<	0.05	2.8	µg/g
58	Methyl Ethyl Ketone	<	0.5	16	µg/g
59	Methyl Isobutyl Ketone	<	0.5	1.7	µg/g
60	Methyl tert-Butyl Ether (MTBE)	<	0.05	0.75	µg/g
61	Methylene Chloride	<	0.05	0.1	µg/g
62	Styrene	<	0.05	0.7	µg/g
63	Tetrachloroethane, 1,1,1,2-	<	0.05	0.058	µg/g
64	Tetrachloroethane, 1,1,2,2-	<	0.05	0.05	µg/g
65	Tetrachloroethylene	<	0.05	0.28	µg/g
66	Trichloroethane, 1,1,1-	<	0.05	0.38	µg/g
67	Trichloroethane, 1,1,2-	<	0.05	0.05	µg/g
68	Trichloroethylene	<	0.01	0.061	µg/g
69	Trichlorofluoromethane	<	0.05	4	µg/g
70	Vinyl Chloride	<	0.02	0.02	µg/g

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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
71	Petroleum Hydrocarbons F1****	<	5	55	µg/g
72	Petroleum Hydrocarbons F2	<	10	98	µg/g
73	Petroleum Hydrocarbons F3	<	50	300	µg/g
74	Petroleum Hydrocarbons F4	<	50	2800	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	Barium		**290**	29000	µg/L
2	Beryllium	<	1	67	µg/L
3	Boron (total)		**104**	45000	µg/L
4	Cadmium		**0.014**	2.7	µg/L
5	Chromium Total	<	5	810	µg/L
6	Cobalt		**0.77**	66	µg/L
7	Copper		**5.08**	87	µg/L
8	Lead		**0.082**	25	µg/L
9	Molybdenum		**4.28**	9200	µg/L
10	Nickel		**2.21**	490	µg/L
11	Silver	<	0.5	1.5	µg/L
12	Thallium		**0.02**	510	µg/L
13	Uranium		**1.08**	420	µg/L
14	Vanadium	<	5	250	µg/L
15	Zinc		**1.9**	1100	µg/L
16	Sodium		**417,000**	2300000	µg/L
17	Antimony	<	1	20000	µg/L
18	Arsenic	<	1	1900	µg/L
19	Selenium		**1.58**	63	µg/L
20	Acenaphthene	<	0.02	600	µg/L
21	Acenaphthylene	<	0.02	1.8	µg/L
22	Anthracene	<	0.02	2.4	µg/L
23	Benz[a]anthracene	<	0.02	4.7	µg/L
24	Benzo[a]pyrene	<	0.01	0.81	µg/L
25	Benzo[b]fluoranthene	<	0.02	0.75	µg/L
26	Benzo[ghi]perylene	<	0.02	0.2	µg/L
27	Benzo[k]fluoranthene	<	0.02	0.4	µg/L
28	Chrysene	<	0.02	1	µg/L
29	Dibenz[a h]anthracene	<	0.02	0.52	µg/L
30	Fluoranthene	<	0.02	130	µg/L
31	Fluorene	<	0.02	400	µg/L
32	Indeno[1 2 3-cd]pyrene	<	0.02	0.2	µg/L
33	Methlynaphthalene, 2-(1-) ***	<	0.025	1800	µg/L
34	Naphthalene	<	0.05	1400	µg/L
35	Phenanthrene	<	0.02	580	µg/L

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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	Pyrene	<	0.02	68	µg/L
37	Acetone	<	30	130000	µg/L
38	Bromomethane	<	0.5	5.6	µg/L
39	Carbon Tetrachloride	<	0.2	0.79	µg/L
40	Chlorobenzene	<	0.5	630	µg/L
41	Chloroform	<	1	2.4	µg/L
42	Dichlorobenzene, 1,2-	<	0.5	4600	µg/L
43	Dichlorobenzene, 1,3-	<	0.5	9600	µg/L
44	Dichlorobenzene, 1,4-	<	0.5	8	µg/L
45	Dichlorodifluoromethane	<	2	4400	µg/L
46	Dichloroethane, 1,1-	<	0.5	320	µg/L
47	Dichloroethane, 1,2-	<	0.5	1.6	µg/L
48	Dichloroethylene, 1,1-	<	0.5	1.6	µg/L
49	Dichloroethylene, 1,2-cis-	<	0.5	1.6	µg/L
50	Dichloroethylene, 1,2-trans-	<	0.5	1.6	µg/L
51	Dichloropropane, 1,2-	<	0.5	16	µg/L
52	Dichloropropene,1,3-	<	0.5	5.2	µg/L
53	Ethylene dibromide	<	0.2	0.25	µg/L
54	Hexane (n)	<	0.5	51	µg/L
55	Methyl Ethyl Ketone	<	20	470000	µg/L
56	Methyl Isobutyl Ketone	<	20	140000	µg/L
57	Methyl tert-Butyl Ether (MTBE)	<	2	190	µg/L
58	Methylene Chloride	<	5	610	µg/L
59	Styrene	<	0.5	1300	µg/L
60	Tetrachloroethane, 1,1,1,2-	<	0.5	3.3	µg/L
61	Tetrachloroethane, 1,1,2,2-	<	0.5	3.2	µg/L
62	Tetrachloroethylene	<	0.5	1.6	µg/L
63	Trichloroethane, 1,1,1-	<	0.5	640	µg/L
64	Trichloroethane, 1,1,2-	<	0.5	4.7	µg/L
65	Trichloroethylene	<	0.5	1.6	µg/L
66	Trichlorofluoromethane	<	5	2500	µg/L
67	Vinyl Chloride	<	0.5	0.5	µg/L
68	Benzene	<	0.5	44	µg/L
69	Ethylbenzene	<	0.5	2300	µg/L
70	Toluene	<	0.5	18000	µg/L

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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
71	Xylene Mixture	<	0.5	4200	µg/L
72	Petroleum Hydrocarbons F1****	<	25	750	µg/L
73	Petroleum Hydrocarbons F2	<	100	150	µg/L
74	Petroleum Hydrocarbons F3	<	250	500	µg/L
75	Petroleum Hydrocarbons F4	<	250	500	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)

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.

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

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)	

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.

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

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)	

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.

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.

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.

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.

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 2017/10/27, 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 2017/10/27, 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 2017/10/27, 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 RUBIDIUM ENVIRONMENTAL 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 2017/10/27.

☑ 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, ROBIN BROWN,

By checking the boxes above, and entering my membership/licence number in this submission, I, ROBIN BROWN, a qualified person as defined in section 5 of O. Reg. 153/04 am, on 2018/01/18:

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
Authorization for agent to submit record of site condition for filing
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

9.1.1

As an Agent acting on behalf of the Owner of the RSC Property:

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 January 18, 2018.

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.

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.

Robin Brown

Name of Agent



_____ January 18, 2018

Signature Date Signed