

Andre Breberina P. Geo.

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April 28, 2021

**Submitted to: Mr. David Schultz
Planner
City of Port Colborne
66 Charlotte Street
Port Colborne, ON.
L3K 3C8**

Site: 409 Davis Street., Port Colborne – Ontario

Dear Mr. Schultz:

I was retained by the current owners of the above referenced property (the Site), Mr. Rohit Singh and Mrs. Savi Singh, to conduct a Phase I Environmental Site Assessment (PI ESA) on the Site. The Phase I ESA was conducted as part a process to obtain a Record of Site Condition (RSC) to satisfy the City of Port Colborne's condition for removal of the current 'CH' holding provision for property conversions on the Site, which is currently zoned R2-CH, and allow the owners to obtain a renovation permit to convert the Site from its current use as a convenience store on the main floor with a residence on the second floor (residential/commercial) to just residential use on both floors. The permit is strictly for renovations and there is to be no changes to the building footprint or additions to the building.

The Phase I ESA entitled "Phase 1 Environmental Site Assessment, 409 Davis Street, Port Colborne, On., March 18, 2021" found the Site:

- was previously under agricultural use as cereal grass fields until, according to aerial photographs, in 1948 it was developed as a single detached two storey dwelling for residential use;
- was used as a residence and convenience store from 1955 to 2020 under previous owners based on a review of street directories and interview with previous occupant;
- is not used or has not ever been used, in whole or in part, for an industrial use, as a garage, as a bulk liquid dispensing facility, including a gasoline outlet, or for the operation of dry cleaning equipment; an
- had no potential contaminating activities identified on it from current or past uses.

Based on the current and past uses of the Site and its intended uses and conversion plans, the Site would meet the exemption for the requirement of a RSC under Section 15 of O. Reg 153/04 (consolidated as of January 1, 2021) which is as follows:

Exemptions

15. (1) Section 168.3.1 of the Act and section 14 of this Regulation do not apply to any of the following changes in use to a building, nor do those sections apply to the construction of a building that will be used in connection with any of the following changes in use:

1. A change that meets all of the following criteria:
 - i. Before the change in use to the building, part of the building is used for residential use or institutional use and another part of the building is used for commercial use or community use.

- ii. After the change in use to the building, the existing building envelope is to remain unchanged and there will be no addition to the exterior portions of the building.
 - iii. The property on which the building is located is not used or has not ever been used, in whole or in part, for an industrial use, as a garage, as a bulk liquid dispensing facility, including a gasoline outlet, or for the operation of dry cleaning equipment.
 - iv. The property on which the building is located was not exempt under paragraph 2 of this subsection from section 168.3.1 of the Act and section 14 of this Regulation with respect to conversion from a commercial or community use to a use specified in subparagraph 2 ii of this subsection.
2. A change that meets all of the following criteria:
- i. Before the change, the property is used for a commercial or community use.
 - ii. After the change, the property will be used,
 - A. for a commercial or community use as well as for a residential use,
 - B. for a commercial or community use as well as for an institutional use, or
 - C. for a commercial or community use as well as for both a residential use and an institutional use.
 - iii. The change to residential use or institutional use is restricted to floors above the ground floor.
 - iv. The building has no more than six storeys before the change and will have no more than six storeys after the change.
 - v. The existing building envelope is to remain unchanged and there will be no addition to the exterior portions of the building.
 - vi. The property on which the building is located is not used or has not ever been used, in whole or in part, for an industrial use, as a garage, as a bulk liquid dispensing facility, including a gasoline outlet, or for the operation of dry cleaning equipment. O. Reg. 407/19, s. 5 (1).

Please call me anytime if you have any questions or wish to discuss any of the details presented herein.

Sincerely,



Andre Breberina P. Geo. O.P.ESA.