

August 27, 2020

City of Port Colborne
66 Charlotte Street
Port Colborne, ON
L3K 3C8

Re: Opinion Letter: 301 Mitchell Street, Port Colborne, ON

Hallex Environmental Ltd. provides the following Phase One ESA summary letter to the City of Port Colborne regarding 301 Mitchell Street, Port Colborne, ON owned by Mr. Nikolas Kosmos and Mr. Peter Kouretsos. The objective was to provide the clients with information about historic or existing land use including identifying any Potentially Contaminating Activities that may have resulted in creating Areas of Potential Environmental Concern at the study site. In addition, Hallex was asked to provide comment on the necessary requirement for a Record of Site Condition at the property relating to the conversion of site use from mixed (commercial/residential) to residential only.

REVIEW OF FINDINGS***Aerial Photographs***

A review of the aerial photographs from 1934 to 2018 revealed that the study site was developed for residential purposes as early as 1934 with the presence of one (1) building onsite. The structure appeared to have been reconstructed to a larger rectangular building in the 1975 air photo. The study site footprint remained in the same configuration until present day. The northeast portion of the study site did not appear to contain any structures from 1934 to present.

Site Reconnaissance

A site visit was conducted on August 14th, 2020 by Jade Anema, *Project Coordinator*, to investigate the current condition of the study site and surrounding properties. One (1) single-storey building (with a portion of the building being 1 ½ stories) was observed on-site in use for residential purposes (apartments). Past history of the study site included a commercial doctor's office and residential apartments. No evidence of historic or current on-site potentially contaminating activities were observed.

Fire Insurance Plans

Two (2) Fire Insurance Plans (FIP) were available from EnviroScan dated 1914 and 1953. Both plans depicted the study site and surrounding land use. The 1914 FIP illustrated the study site as undeveloped. The 1953 FIP depicted the site as being developed with a building located on the southwestern portion of the site.

Potentially Contaminating Activities

Seven (7) off-site Potentially Contaminating Activities (PCAs) were found within the study area; however, due to distance to study site and inferred groundwater flow direction, none of the PCAs result in Areas of Potential Environmental Concern (APEC) at the study site. The PCAs were all noted to be down gradient or cross gradient of the study site; therefore, no groundwater migration pathways were considered available to potentially impact the study site.

MINISTRY OF THE ENVIRONMENT, CONSERVATION & PARKS REGULATORY REQUIREMENTS O.Reg. 153/04

Review of Ontario Regulation 153/04: Records of Site Condition - Part XV.1 of the Act, and consultation with MECP officer Colin Lacey, determined that the study site property located at 301 Mitchell Street, Port Colborne is exempt from the requirement for filing a Record of Site Condition (RSC) as per Section 15.(1):

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.

This statement applies as the eastern portion is currently being utilised as residential apartments while the other portion of the building was formerly being utilised for commercial purposes as a Dr.'s office.

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.

This statement applies as the owners have confirmed to Hallex no changes to the existing building footprint are planned.

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.

This statement applies as Hallex has confirmed through Phase One ESA research that none of the Potentially Contaminating Activities mentioned were conducted at the property.

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.

This statement applies as the property has never had an RSC filed before.

CONCLUSION

Hallex's research did not reveal any information about the historic or current property or surrounding land uses that would require a recommendation for Phase Two Environmental Site Assessment work at the study site. Hallex confirmed that the property is exempt from the requirement of filing a Record of Site Condition with the Ministry of the Environment, Conservation and Parks for the change in land use from mixed to residential. Based on the above noted findings Hallex therefore concludes that no further environmental site assessment work is required at 301 Mitchell Street, Port Colborne, ON as of August 26th, 2020 and the property is justified for continued residential use.

We trust the above information satisfies your requirements. Please contact the undersigned with any questions.

Sincerely,

Hallex Environmental Ltd.



Kevin Christian, M.Sc., P.Geo., QP
Principal Geoscientist

