

121-0004

August 3, 2021

Ryan Walker  
Walker Homes Ltd.  
287 Devonshire Road  
Port Elgin, Ontario  
N0H 2C2

**Re: Requirement for Record of Site Condition  
RANGE 9 EGR PT PARK LOT 7 RP;16R8804  
PT PART 1; Roll# 425901000633806  
Owen Sound, ON.**

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Dear Mr. Walker:

It is understood by McLean Environmental that pre-consultation regarding the development of RANGE 9 EGR PT PARK LOT 7 RP; 16R8804 PT PART 1; Roll# 425901000633806, in Owen Sound, ON (Site), between the City of Owen Sound (City) and Walker Homes Ltd. (Walker Homes) was initiated and documented in correspondence from the City, dated April 29, 2021.

Within this pre-consultation correspondence, the City identified in Schedule "A" a list of studies and reports required by Walker Homes in order to progress with this development project. Item 20 of Schedule "A" indicated the following:

*Proponents of application(s) for Official Plan amendment, Zoning Bylaw amendment, plan of subdivision and/or condominium or site plan approval shall submit a Record of Site Condition to the City for review prior to the scheduling of a public meeting.*

*A Record of Site Condition is required. Alternatively, an opinion by a qualified person confirming that a RSC is not required shall be submitted to the satisfaction of the City.*

Neil McLean from McLean Environmental was retained by Walker Homes to provide guidance on this item of the pre-consultation. Neil McLean has 16 years of experience in completion of Phase 1 and 2 environmental site assessment (ESA) and remediation of brownfield projects, as defined by the Province of Ontario (Province), including Record of Site Condition (RSC) filings.

The Province has provided guidance on the requirement for completion of a RSC filing (Ontario, 2021) based on various conditions and for specific development projects. Section 11 of the Province's guidance document covers when a "Mandatory Filing" of a RSC is required, linking requirements within Ontario Regulation 153/04, Records of Site Condition – Part XV.1 of the act, under the Environmental Protection Act, R.S.O 1990, to the Building Code Act, 1992. Section 11 of the Province's guidance document also provides direction on when a RSC is not considered required. This provincial guidance has been used to form the opinion of McLean Environmental.

In order to apply guidance from the Province, McLean Environmental was required to determine the current and historic land uses at the Site, and apply definitions of land use that may be linked to the Building Code Act. Historical uses were determined through the use of pre-development air photography. A photo graph was selected from the National Air Photo Library, dated April 19, 1974 (Figure 1). In this photo, the original agricultural land use can be clearly seen, with the original barn, fence lines and pasture

lands evident in the photo. The original home and barn for the original lot boundary is still present at the time of writing of this letter. No other land use was identified across the original lot boundaries in this historical photo.

The next air photo reviewed was provided through open source air photography, dated June 7, 2005 (Figure 2). In this air photo, the original farm lot appeared to be partially developed. Parcels along 9<sup>th</sup> Avenue East had been severed off for light residential uses. However, the land use for the Site remained vacant. Effectively, there had been no change in land use from the original agricultural status.

At the time of writing, the Site does not appear to have any further development or any land use indicators that would suggest it had been utilized for anything other than agricultural purposes. The surrounding lands have been severed and developed as light residential dwellings, but the subject property remains vacant and undeveloped. Effectively, the only historical land use category that could be applied at the Site would be agricultural, despite no obvious agricultural practices taking place at the time of writing of this letter.

Based on this agricultural land use definition, in combination with the guidance given by the Province, there is no requirement for a RSC to be produced for this Site. Effectively, to address Note 20 of Schedule "A" of the pre-consultation letter from the City, McLean Environmental is of the opinion that a RSC is not required for development of RANGE 9 EGR PT PARK LOT 7 RP; 16R8804 PT PART 1; Roll# 425901000633806, in Owen Sound, ON.

I trust the above is satisfactory. If you have any questions, please do not hesitate to contact this office.

Yours truly,

McLean Environmental.



Neil McLean, M.Sc., P.Geo.  
Professional Geoscientist  
/nrm

Encl.

c.c. Amy Hoffarth, Cobide Engineering Inc.



**Legend**



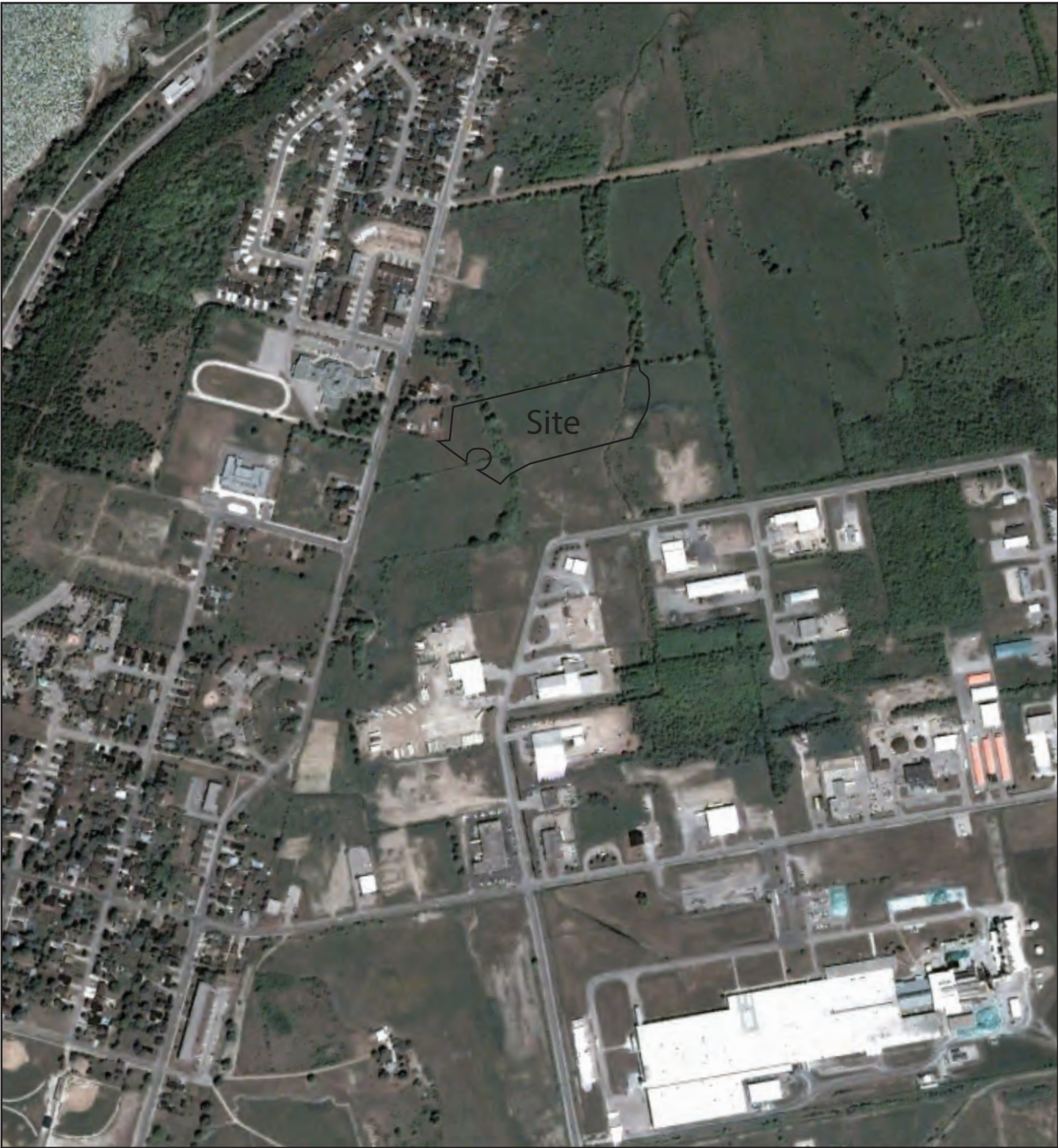
Site Boundary

**Figure 1**

1974 Air photo  
RANGE 9 EGR  
PT PARK LOT 7 RP;16R8804  
PT PART 1;  
Roll# 425901000633806

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Source: National Air Photo Library, 2021.



**Legend**



Site Boundary

Source: Google Earth Pro, 2021.

**Figure 2**

2005 Air photo  
RANGE 9 EGR  
PT PARK LOT 7 RP;16R8804  
PT PART 1;  
Roll# 425901000633806

McLean Environmental  
Project: 121-0004

## References:

Google Earth Pro 7.3.3.7786 (beta). (June, 2005). Owen Sound, ON Canada. 17TNK0651337182, Eye alt 595 m. Maxar Technologies 2021. (Accessed August 1, 2021).

National Air Photo Library. 1:35,000. A23662. Photo 123. Ottawa, Ontario: Natural Resources Canada, 1974.

Ontario Building Code Act, 1992, S.O. 1992, c. 23. <https://www.ontario.ca/laws/statute/92b23>. (Accessed August 1, 2021).

Ontario Environmental Protection Act, R.S.O. 1990, c. E. 19. <https://www.ontario.ca/laws/statute/90e19>. (Accessed August 1, 2021).

Ontario, 2021. Guide: site assessment, cleanup of brownfields, filing of records of site condition. <https://www.ontario.ca/page/guide-site-assessment-cleanup-brownfields-filing-records-site-condition>. (Accessed August 1, 2021).

Ontario Regulation 153/04: Records of Site Condition – Part XV.1 of the Act. <https://www.ontario.ca/laws/regulation/040153>. (Accessed August 1, 2021).