



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

**Summary**

Record of Site Condition Number	226507
Date Filed to Environmental Site Registry	2020/03/17
Certification Date	2019/09/04
Current Property Use	Industrial
Intended Property Use	Parkland
Certificate of Property Use Number	No CPU
Applicable Site Condition Standards	Background Site Conditions Standard, with Potable Ground Water, for Parkland property use
Property Municipal Address	No Municipal Address, Oshawa

**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, Conservation and Parks.

**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	2285136 ONTARIO LIMITED
Owner type	Firm, corporation or partnership
Authorized person	STUART CRAIG
Mailing address	Post Box 2386 SUITE 500, 2300 YONGE ST, TORONTO Ontario, Canada
Postal Code	M4P 1E4
Phone	(416) 847-8001
Fax	
Email address	scraig@riocan.com

**Record of site condition property location information**

Municipal address(es)	No municipal address
Municipality	Oshawa
Legal description	<b>See attached Lawyer's letter</b>
Assessment roll number(s)	181307000422821
Property identifier number(s)	16262-2984 (LT)

**Record of site condition property geographical references**

Coordinate system	<b>UTM</b>
Datum	<b>NAD 83</b>
Zone	17
Easting	668,548.00
Northing	4,870,264.00

**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	Industrial
Intended property use	Parkland
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	RYAN JOSEPH SMITH
Type of licence under Professional Engineers Act	Licence
Licence number	90469610
Qualified person's employer name	GOLDER ASSOCIATES LTD.
Mailing address	1, 215 SHIELDS COURT, MARKHAM Ontario, L3R 8V2 Canada
Phone	(905) 475-5591
Fax	(905) 475-5257
Email address	Ryan_Smith@golder.com

**Municipal information**

Local or single-tier municipality	Oshawa
Upper-tier municipality	Durham

**Ministry of the Environment, Conservation and Parks District Office**

District office	York-Durham District Office
District office address	230 Westney Rd. S., 5th floor, Ajax ON L1S 7J5

## 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) 2019-10-04
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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, Windfields Farm, Part of 2300 and 2425 Simcoe Street North, Oshawa, Ontario	2015-01-30	Emily Casey, M. Env.Sc. and Ryan J. Smith, P. Eng. QP ESA	GOLDER ASSOCIATES LTD.
Update to phase one environmental site assessment	Phase One Environmental Site Assessment Update, Windfields Farm Development Site, "Parcel D", Oshawa, Ontario	2019-11-06	Emily Casey, M. Env.Sc. and Ryan J. Smith, P. Eng. QP ESA	GOLDER ASSOCIATES 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
Preliminary Geotechnical Investigation, Windfields Farm Property, Parcel 1 - Future Residential Development, City of Oshawa, Ontario	2008-03-08	Doug Gorrill, P.Eng. and John St. John	GOLDER ASSOCIATES LTD.
Phase I Environmental Site Assessment, Windfields Farm, Riocan Proposed Commercial Development, Oshawa, Ontario	2008-06-01	Dulce Reyes, M. Sc., Ryan Smith, P. Eng. and S. D. Parker, B. Sc,	GOLDER ASSOCIATES LTD.
Phase II Environmental Site Assessment, Windfields Farm, Riocan Proposed Commercial Development, Oshawa, Ontario	2008-06-19	Ryan J. Smith, P. Eng. and S. D. Parker, B. Sc.	GOLDER ASSOCIATES LTD.

## 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) 2019-09-04
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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, Windfields Farm Development Site, "Parcel D", Oshawa, Ontario	2019-11-06	Kevan Browne, B. A. and Ryan J. Smith, P. Eng. QP ESA	GOLDER ASSOCIATES 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
Geotechnical Investigation Main Roadway for Proposed Windfields Farm Commercial / Residential Development, South of Winchester Road, between Thornton Road N and Bridle Road S, Oshawa	2016-07-19	Alan Mohammad, P.Eng. and Andrew J. Hagner, P. Eng.	GOLDER ASSOCIATES LTD.
Environmental Test Pit Investigation, Windfields Farm Development, Northeast Block, Oshawa, Ontario	2018-02-20	Kevan Browne, B. A. and Ryan J. Smith, P. Eng. QP ESA	GOLDER ASSOCIATES LTD.
Areas of Natural Significance and Species at Risk Screening, Windfields Farm Development, Oshawa, Ontario	2018-07-06	Jill LaPorte, B.Sc. and Heather Melcher, M. Sc.	GOLDER ASSOCIATES LTD.
Phase Two Environmental Site Assessment, Windfields Farm Development Site, "Parcel C", Oshawa,	2017-04-26	Lisa Douglas, Ph. D. and Ryan J. Smith, P. Eng. QP ESA	GOLDER ASSOCIATES LTD.
Phase Two Environmental Site Assessment, Windfields Farm Development Site, "Parcel B", Oshawa, Ontario	2017-04-18	Lisa Douglas, Ph. D. and Ryan J. Smith, P. Eng. QP ESA	GOLDER ASSOCIATES LTD.
Phase Two Environmental Site Assessment, Windfields Farm Development Site, "Parcel A", Oshawa, Ontario	2017-03-24	Lisa Douglas, Ph. D. and Ryan	GOLDER ASSOCIATES LTD.

	D. and Ryan J. Smith, P. Eng. QP ESA	
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**Environmental condition**

Section 41 applies?	Yes
Section 43.1 applies?	No

**Site condition information**

Certification date (yyyy/mm/dd)	2019/09/04
Total area of record of site condition property (in hectares)	29.71396
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	
Assessment/restoration approach	Background
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	BUREAU VERITAS LABORATORIES (FORMERLY MAXXAM ANALYTICS INTERNATIONAL CORPORATION)
Ground water condition (potable, non-potable)	Potable
Applicable site condition standard	TABLE 1

**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	Barium		<b>140</b>	220	µg/g
2	Beryllium		<b>1.2</b>	2.5	µg/g
3	Boron (total)		<b>10</b>	36	µg/g
4	Cadmium		<b>0.44</b>	1.2	µg/g
5	Chromium Total		<b>30</b>	70	µg/g
6	Cobalt		<b>9.4</b>	21	µg/g
7	Copper		<b>22</b>	92	µg/g
8	Lead		<b>69</b>	120	µg/g
9	Molybdenum		<b>0.57</b>	2	µg/g
10	Nickel		<b>20</b>	82	µg/g
11	Silver	<	0.2	0.5	µg/g
12	Thallium		<b>0.22</b>	1	µg/g
13	Uranium		<b>1.6</b>	2.5	µg/g
14	Vanadium		<b>40</b>	86	µg/g
15	Zinc		<b>100</b>	290	µg/g
16	Antimony		<b>1.3</b>	1.3	µg/g
17	Arsenic		<b>4.5</b>	18	µg/g
18	Selenium		<b>0.78</b>	1.5	µg/g
19	Chromium VI	<	0.2	0.66	µg/g
20	Cyanide (CN-)		<b>0.05</b>	0.051	µg/g
21	Electrical Conductivity		<b>0.38</b>	0.57	mS/cm
22	Mercury		<b>0.056</b>	0.27	µg/g
23	Sodium Adsorption Ratio		<b>1.4</b>	2.4	
24	Benzene	<	0.02	0.02	µg/g
25	Ethylbenzene	<	0.02	0.05	µg/g
26	Toluene	<	0.02	0.2	µg/g
27	Xylene Mixture	<	0.04	0.05	µg/g
28	Petroleum Hydrocarbons F1****	<	10	25	µg/g
29	Petroleum Hydrocarbons F2	<	10	10	µg/g
30	Petroleum Hydrocarbons F3	<	50	240	µg/g
31	Petroleum Hydrocarbons F4	<	50	120	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	420	µg/L
2	Petroleum Hydrocarbons F2	<	100	150	µg/L
3	Petroleum Hydrocarbons F3	<	200	500	µg/L
4	Petroleum Hydrocarbons F4	<	200	500	µg/L
5	Benzene	<	0.2	0.5	µg/L
6	Ethylbenzene	<	0.2	0.5	µg/L
7	Toluene	<	0.2	0.8	µg/L
8	Xylene Mixture	<	0.4	72	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)
N/A	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.

Between July of 2018 and July 2019, impacted soil materials (consisting primarily of topsoil) were excavated and removed from the Phase Two Property and not returned. The maximum depth of excavation was approximately 0.6m, and the site was roughly graded upon completion. No soil was imported to backfill the excavation.

### 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)	38,112.0
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)	0.0
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**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.

N/A

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

N/A

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
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**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.

N/A

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.

N/A

**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.

N/A

**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.

N/A

**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

## B 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 2019/09/04, 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

As of 2019/09/04, 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  background site condition standards prescribed by section 34 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 2019/09/04, 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 background 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 GOLDER ASSOCIATES 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 2019/09/04.

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, RYAN JOSEPH SMITH, a qualified person as defined in section 5 of O. Reg. 153/04 am, on 2020/01/31:

- 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**

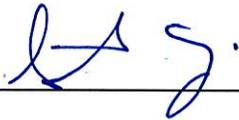
The following documents have been submitted to the Ministry of the Environment, Conservation and Parks as part of the record of site condition

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 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.
2. I have conducted reasonable inquiries to obtain all information relevant to this record of site condition, including information from the other current owners of the record of site condition property named in this part of the record of site condition and I have obtained all information relevant to this record of site condition of which I am aware.
3. I have disclosed all information referred to in paragraph 2 to any qualified person named in this record of site condition.
4. To my knowledge, the statements made in this part of the record of site condition are true as of March 5, 2020.
5. I have ensured that access to the entire property, including the phase one property, any phase two property and the record of site condition 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: 2285136 Ontario Limited

Signature:  \_\_\_\_\_

Date signed: March 5, 2020

Name of person signing: Stuart Craig

I, Stuart Craig, am authorized to and hereby do bind 2285136 Ontario Limited.