



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning and Development Services, Planning Services

Date of Report: August 6, 2013

Date of Meeting: August 26, 2013

Report Number: PDS-246-2013

File: 60.35.996

Subject: Application to Remove Holding Provision from Zoning; Address: 226 Merritt Street; Applicant: Southwestern Ontario Youth for Christ

Recommendation

That Council grant approval to remove the Holding (H) designation from the zoning for lands municipally know as 226 Merritt Street; and

That the City Solicitor be directed to prepare the necessary by-law to give effect to Council's decision; and

That the Clerk be directed to make the necessary notifications. FORTHWITH

Background

Staff have received a request to remove the Holding (H) provision attached to the zoning for 226 Merritt Street (Appendix 1). The lands effected by the request are zoned Commercial Residential - Holding by By-law No. 2004-263 (Zone 7), which was passed by Council on August 30, 2004.

Section 2 (a) of the by-law requires that a signed and stamped Environmental Site Assessment be prepared and submitted to the City of St. Catharines for approval. If contamination above provincial guidelines is found, a Record of Site Condition, or other acceptable documentation, shall be required for submission to the Ministry of the Environment prior to the removal of the Holding (H) designation. The Holding (H) provision shall be removed by Council without any further public meeting once this condition has been met to the satisfaction of the City.

Report

The applicant has submitted a report titled "Phase III Environmental Site Decommissioning & Remediation of 226 Merritt Street for Southwestern Ontario Youth of Christ", prepared by CERTI Environmental Consultants, dated July 24, 2013. The report has been reviewed by Transportation and Environmental Services (TES), who offered the following comments:

- The report documents the removal of a 3,000 litre fuel oil tank, the liquid contents in the tank (heating oil and water), associated piping, and associated petroleum hydrocarbon contaminated soil (impacted soil).
- The project was performed to comply with both Ministry of the Environment (MOE) and TSSA Regulations. The excavation area was sampled for Petroleum Hydrocarbons (F1 to F4: gasoline, diesel, weathered diesel, heavy oils), benzene, toluene, ethyl benzene, xylenes (BTEX), and pH to assure compliance with Ontario Regulation 153/511.
- Laboratory results indicated that the impacted soil was classified as non-hazardous solid waste. The impacted soil was excavated and sent to Walker Environmental Group Inc. for disposal.
- The soil was assessed using the MOE's Soil, Ground Water and Sediment Standards Table 3 (Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Institutional property use).
- All confirmatory soil samples had concentrations below the MOE Criteria.
- The site was backfilled with gravel.
- The report did not recommend any additional restoration or monitoring.
- The report was signed and stamped by a Qualified Person (Professional Geoscientist).

Based on this review, this report is qualified as acceptable documentation. TES has advised that the report is sufficient to remove the Holding (H) provision for this property.

No further public meeting is required prior to Council considering this matter. The notice of Council's intent to remove the Holding (H) provision has been issued to the owner of the properties as required by the Planning Act.

Staff have reviewed the request to remove the Holding (H) provision and advise that the condition required in accordance with By-law No. 2004-263 has been satisfied.

Financial Implications

Not applicable.

Notification

It is in order to notify Southwestern Ontario Youth for Christ, c/o Henry Epp, 11 Parklane Crescent, St. Catharines, ON L2T 3T9, and Sullivan Mahoney LLP, c/o Tom Richardson, 40 Queen Street, PO Box 136, St. Catharines, ON L2R 6Z2.

Submitted by:

Judy Pihach, MCI.P, RPP
Manager

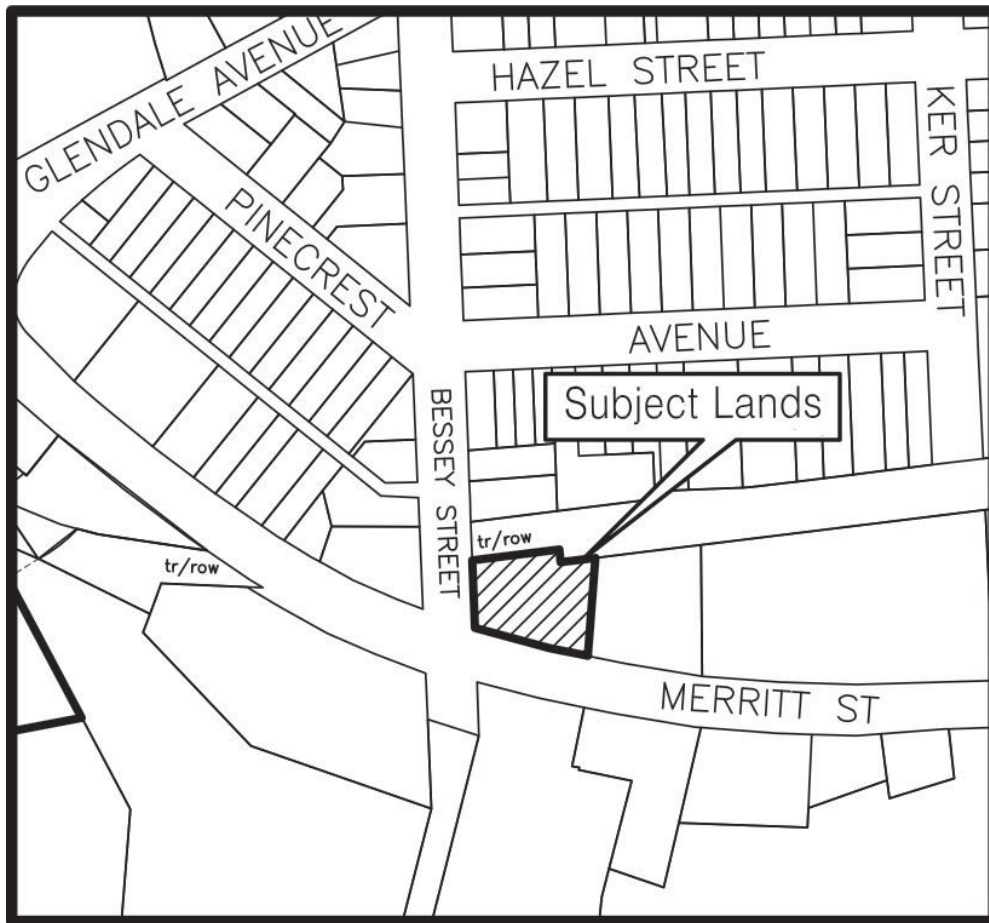
Prepared by:

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Planner I

Approved by:

James N. Riddell, MPI, MCIP, RPP
Director

LOCATION MAP



SUBJECT LANDS KNOWN AS
226 MERRITT STREET
FILE NO. 60.35.996