



VIA EMAIL ONLY

Victoria Files: 26250-20/0596
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SITE IDs: 1521/9769

May 7, 2021

Greater Vancouver Sewerage and Drainage District
4330 Kingsway
Burnaby, BC V5H 4G8

Attn: Laurie Ford (Laurie.Ford@metrovancover.org)

Dear Laurie Ford:

**Re: Protocol 6 Approval Application and Decision
Exclusion of an Offsite Management Area: Greater Vancouver Sewerage and
Drainage District (GVSD) Wastewater Treatment Plant
107 Pemberton Avenue, North Vancouver, BC**

This letter provides my decision on the above-referenced application for approval under Protocol 6, Version 10, to exclude the offsite management area from a Certificate of Compliance (CoC) for site 1521, located at 107 Pemberton Avenue, North Vancouver BC (the Site); also known as the North Vancouver Wastewater Treatment Plant.

The Legal Description of the Site is as follows and is shown as a dashed red line on the attached Site Plan:

Parcel A (Plan BCP10746) of Lot D, District Lot 266, Group 1, NWD Plan 4680
PID: 029-931-568

The offsite management area is represented by the solid purple line on the attached Site Plan and is described in a metes and bounds survey provided in the Approval in Principle (excerpt provided below) issued for the area in 2011. The area is described as a portion of PID 025-980-661 as follows:

The lands covered by this Approval are located on CN Railway lands adjacent to 1311, 1321 and 1350 West 1st Street, North Vancouver, British Columbia, which are more particularly known and described as:

ALL THAT PORTION of Parcel "A" (Plan BCP 10746) of Lot "D", District Lot 266, Group 1, New Westminster District, Plan 4680, as shown within the heavy bold outline on a drawing prepared by Hobbs, Winter & MacDonald, British Columbia Land Surveyors, dated 12 August 2010, which said portion may be more particularly described as follows:

COMMENCING at a point on the Northerly boundary of said Parcel "A", said point lying 20 metres perpendicularly distant to and Westerly from the Easterly boundary of said Parcel "A";
Thence 252°52'18" and following in the Northerly boundary of said Parcel "A", 60.000 metres,
Thence 126°43'39", 14.648 metres more or less, to a point on the Southerly boundary of said Parcel "A",
Thence 72°48'17" and following in the Southerly boundary of said Parcel "A", 47.500 metres more or less to a point lying 20 metres perpendicularly distant to and Westerly from the Easterly boundary of said Parcel "A",
Thence parallel to the Easterly boundary of said Parcel "A" a distance of 12.390 metres more or less, to the point of commencement, said portion of said Parcel "A" containing 634.4 square metres, more or less.

As depicted in legal sketch plan number M3065-08 NVD prepared by Hobbs, Winter & MacDonald, B.C. Land Surveyors on August 12, 2010.

In reaching my decision I have relied on the ministry's review of information provided in the following application documents:

- *"Application for Protocol 6 Pre-Approval for Exclusion of an Off-site Management Area", dated June 10, 2020, prepared by Advisian (Worley Canada Services Ltd.)*
- *"Confirmation of Environmental Release & Indemnification of the GVS&DD for Plan BCP10746 of Lot D District Lot 266 Group 1 New Westminster District Plan 4680", dated March 5, 2021, prepared by Metro Vancouver.*

The primary rationale and supporting information presented by Advisian in support of the approval application are summarized as follows:

- The historical owner and responsible person of both the Site and the affected portion of the railway when contamination occurred was BC Rail.
- BC Rail continues to own the affected railway right-of-way.
- In accordance with s. 22 of the CSR, the history of the Site and affected parcel meet the conditions of "person not responsible" for remediation of a contaminated site.

Based on the information provided in the above-referenced documents I confirm my approval of the subject request to exclude the offsite management area from the anticipated certificate of

compliance application for the Site. I base this decision primarily on the outcome of the ministry's review and assessment of the application, which concluded as follows:

- The affected portion of the railway corridor is to be retained by BC Rail and will continue to operate as a rail line.
- The current requirement of GCSDD is to obtain a CoC for the wastewater treatment plant, which is currently under construction.
- Confirmation that BC Rail Properties Ltd., retains responsibility for the affected lands and has released, indemnified, and saved harmless, the GVS&DD in connection with and related to pre-remediation offsite contamination.

Aside from the specific relief granted above, this approval does not constitute review nor acceptance by the Director of any other aspect of the investigations or remediation conducted at or planned for the Site.

Please ensure that a copy of this letter is included in any future applications to the ministry for the Site.

This decision is based on the most recent information provided to the ministry regarding the above-referenced site. The ministry, however, makes no representation or warranty as to the accuracy or completeness of this information. The ministry expressly reserves the right to change or substitute different requirements where circumstances warrant.

Please email the undersigned at Alan.McCammon@gov.bc.ca if you have any questions regarding this letter.

Sincerely,



Alan McCammon

for Director, Environmental Management Act

attach: Site Plan

cc: Janet Humphrey, P.Ag., Advisian, janet.humphrey@advisian.com
Richard-Myhill Jones, BC Rail Property Ltd., Richard.MyhillJones@gov.bc.ca
Anna Popova, CSAP Society, apopova@csapsociety.bc.ca
Vincent Hanemayer, ENV, Vincent.hanemayer@gov.bc.ca
Client Information Officer, ENV csp_cio@victoria1.gov.bc.ca

Site Plan:

