



Victoria File: 26250-20/12034  
Site ID: 12034

May 28, 2020

Ms. Stephanie Marshall  
Nicola VA Nickel Inc.  
5th Floor, 1508 West Broadway  
Vancouver, BC V6J 1W8

Dear Ms. Marshall:

**Re: Certificate of Compliance - 285 West 5<sup>th</sup> Avenue, Vancouver, British Columbia**

Please find enclosed a Certificate of Compliance respecting the site referenced above.

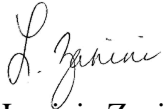
In addition to the conditions set out in Schedule B of the Certificate of Compliance, please be advised of the following:

1. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
2. The provisions of this Certificate of Compliance are without prejudice to the right of the Director to make orders or impose requirements as the Director may deem necessary in accordance with applicable laws. Nothing in this Certificate of Compliance will in any way restrict or impair the Director's power in this regard.
3. A qualified environmental consultant should be available to identify, characterize and appropriately manage:
  - (a) any environmental media that may be contaminated, or
  - (b) soil which may exceed the standards triggering a Contaminated Soil Relocation Agreement set out in section 40 of the Contaminated Sites Regulation
4. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.
5. Please note that future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.

6. The applicant has prepared and provided to the Director proof acceptable to the Director of registration of a covenant under section 219 of the *Land Title Act*.
7. Please note that the attached Certificate of Compliance does not address obligations of employers regarding worker health and safety under the *Workers Compensation Act* and Occupational Health and Safety Regulation. Development of site-specific work procedures in accordance with Workers' Compensation Board regulations may be warranted. Please direct related questions to Worksafe BC.

Issuance of this Certificate of Compliance is a decision that may be appealed under Part 8 of the *Environmental Management Act*. If you require clarification of any aspect of this Certificate of Compliance, please contact the undersigned at 236-468-2251 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Lavinia Zanini, P.Ge  
Senior Contaminated Sites Officer

Enclosure

cc: Christiaan Iacoe, City of Vancouver,  
515 west 10th Avenue, Vancouver, BC, V5Z 4A8

John Marquardt, 463702 BC Ltd.,  
64 – 6300 Birch Street, Richmond, BC, V6Y 4K3

Brent Sawchyn, PC Urban (285 West 5th) Holdings Ltd.,  
800-1090 West Georgia Street, Vancouver, BC, V6E 3V7

Coast Capital Savings Credit Union,  
800-9900 King George Blvd, Surrey, BC, V3T 0K7

CSAP Society, [apopova@csapsociety.bc.ca](mailto:apopova@csapsociety.bc.ca)

Michael Geraghty, Approved Professional, Keystone Environmental Ltd.,  
[mgeraghty@keystoneenviro.com](mailto:mgeraghty@keystoneenviro.com)

Scott Steer, Approved Professional, Steer Environmental Associates Ltd.,  
[scott.steer@steerenvironmental.com](mailto:scott.steer@steerenvironmental.com)

Client Information Officer, BC ENV



**CERTIFICATE OF COMPLIANCE**  
(Pursuant to Section 53 of the *Environmental Management Act*)

**THIS IS TO CERTIFY** that as of the date indicated below, the site identified in Schedule A of this Certificate of Compliance has been satisfactorily remediated to meet the applicable Contaminated Sites Regulation remediation standards and criteria.

This Certificate of Compliance is qualified by the requirements and conditions specified in Schedule B.

The substances for which remediation has been satisfactorily completed and for which this Certificate of Compliance is valid are listed in Schedule C.

I have issued this Certificate of Compliance based on a review of relevant information including the documents listed in Schedule D. I, however, make no representation or warranty as to the accuracy or completeness of that information.

A Director may rescind this Certificate of Compliance if requirements and conditions imposed in the Certificate of Compliance are not complied with or any fees payable under Part 4 of the Act or regulations are outstanding.

This Certificate of Compliance should not be construed as an assurance that there are no hazards present at the site.

May 28, 2020  
Date Issued

  
Lavinia Zanini  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is located at 285 West 5<sup>th</sup> Avenue, Vancouver, British Columbia which is more particularly known and described as:


Lot A Block 10 District Lot 302 Group 1 New Westminster District Plan EPP73579  
PID:030-188-318;

The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 49° 16' 00.60"  
Longitude: 123° 06' 36.10"

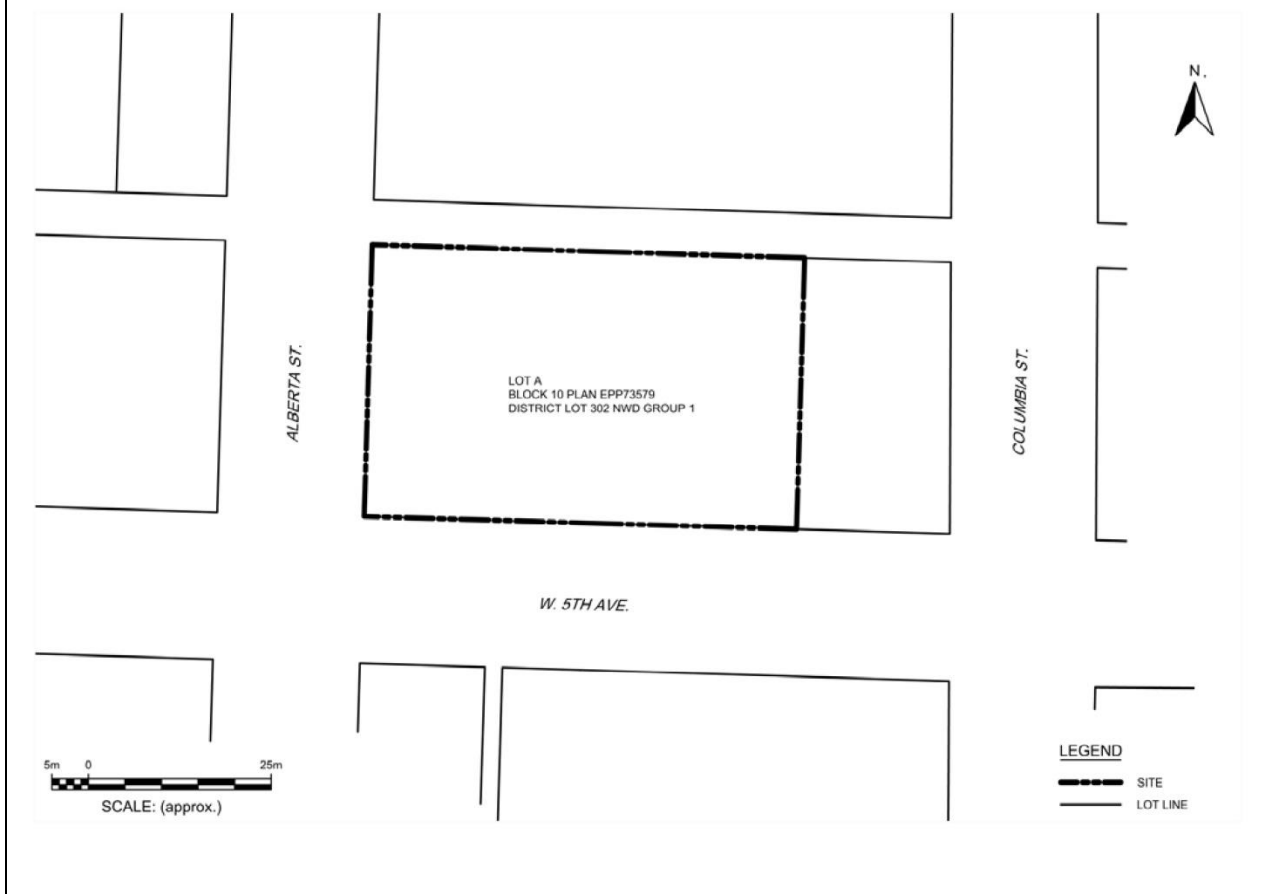
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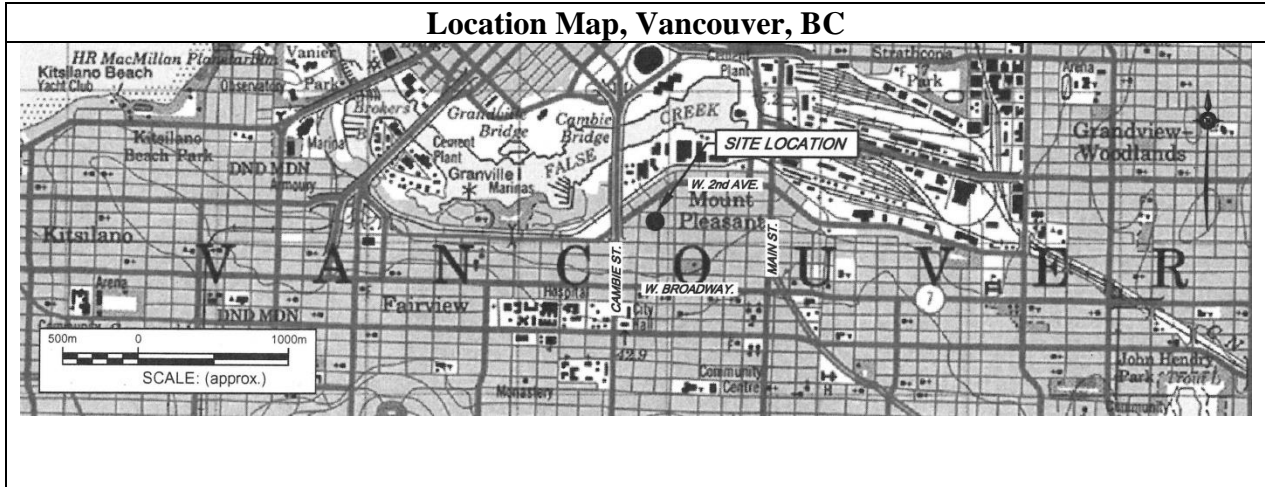
  
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### Site Plan, Vancouver, BC



### Location Map, Vancouver, BC



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*L. Zanini*  
Lavinia Zanini  
For Director, Environmental Management Act

## Schedule B

### Requirements and Conditions

1. Any changes in land, vapour, or water uses must be promptly identified by the responsible person in a written submission to the Director. An application for an amendment or new Certificate of Compliance may be necessary. The uses to which this condition applies are described in Schedule C and in the site investigation documents listed in Schedule D.

The documents listed in Schedule D indicate that indoor air within the parkade of the existing building at the site was measured to demonstrate substances in vapour meet the Contaminated Sites Regulation numerical standards at the site. The assumptions of the vapour assessment are:

- a) The current building structure, configuration and depth will be maintained.
- b) The vapour barrier will continue to function as designed.
- c) The parkade ventilation system will continue to function as designed.

Any change in the structure, configuration or depth of the current building at the site, or failure of the vapour barrier or ventilation system to operate as designed, must be promptly identified by the responsible person in a written submission to the Director. An application for an amendment or new Certificate of Compliance may be necessary.

2. The principal risk controls which must be present or implemented and must be maintained at the site include the following:
  - a) The vapour barrier must continue to function as designed.
  - b) The parkade ventilation system must continue to function as designed.
  - c) Soil contamination must remain at depths greater than 1 metre below ground surface or beneath paved surfaces
3. If requested by the Director, the responsible persons must provide a signed statement indicating whether the principal risk controls listed in clause 2 of this Schedule have been and continue to be met. This may include providing a signed statement by an Approved Professional.
4. Performance verification must be undertaken as specified in the Performance Verification Plan listed in Schedule D or as specified in a modification of the plan approved by the Director.
5. Where required under a Performance Verification Plan for the site, records of performance verification actions and results must be maintained by the responsible person<s> or their agent. The records must be available for inspection by the Director.


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6. The Director must be notified promptly by the person responsible for the site if performance verification actions indicate that any institutional and engineering controls required in clause 2 of this Schedule are not being met. The following information must be submitted to the Director with the notification, or as soon as practicable thereafter:
  - (a) The time period over which institutional and engineering controls did not meet the requirements of Schedule B;
  - (b) The nature of the excursion;
  - (c) The temporary or permanent corrective measures implemented or to be implemented;
  - (d) An implementation schedule; and
  - (e) Supporting documentation.
  
7. If requested by the Director, a report signed by an Approved Professional must be submitted for review to the Director and must include the following:
  - (a) An evaluation of the performance of the institutional and engineering controls;
  - (b) Recommendations for modification of any plans referenced above, along with supporting rationale;
  - (c) Interpretation of current and cumulative results of the performance verification actions undertaken according to the plan described in clause 4 above; and
  - (d) Supporting documentation.
  
8. Institutional and engineering controls required in clause 2 of this Schedule must be undertaken as specified in the Contingency Plan provided in the Performance Verification Plan listed in Schedule D.

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## Schedule C

### Substances and Uses

#### ***Substances to be remediated in soil for commercial land soil use:***

##### To meet numerical remediation standards:

antimony	(7440-36-0)
cadmium	(7440-43-9)
copper	(7440-50-8)
lead	(7439-92-1)
tetrachloroethylene	(127-18-4)
tin	(7440-31-5)

##### To meet risk-based remediation standards:

chromium (+3)	(16065-83-1)
chromium (+6)	(18540-29-9)
chromium (total)	(7440-47-3)
trichloroethylene	(79-01-06)
zinc	(7440-66-6)

#### ***Substances to be remediated in vapour for commercial land vapour use:***

##### To meet numerical remediation standards:

1,1-dichloroethylene	(75-35-4)
1,2-dichloroethylene, cis	(156-59-2)

##### To meet risk-based remediation standards:

trichloroethylene	(79-01-06)
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#### ***Substances to be remediated in water for marine aquatic life water use:***

##### To meet numerical remediation standards:

arsenic	(7440-38-2)
cadmium	(7440-43-9)
chloroform	(67-66-3)
chromium (+3)	(16065-83-1)
cobalt	(7440-48-4)
copper	(7440-50-8)
nickel	(7440-02-0)

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zinc (7440-66-6)

To meet risk-based remediation standards:

chromium (+6) (18540-29-9)  
trichloroethylene (79-01-06)

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## Schedule D

### Documents

*Summary of Site Condition, 285 West 5th Avenue, Keystone Environmental Ltd., March 2020;*

*Addendum Report to Stage 1 Update, Supplemental Site Investigation, and Confirmation of Remediation, 285 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., January 2020;*

*Addendum Report to Human Health and Ecological Risk Assessment, 285 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., January 2020;*

*Performance Verification Plan for Certificate of Compliance, 285 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., January 2020;*

*Report of Findings – Human Health and Ecological Risk Assessment, 285 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., August 2019;*

*Preliminary Site Investigation – Stage 1 Update, Supplemental Site Investigation, and Confirmation of Remediation, 285 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., August 2019.*

*Administrative Guidance 11: Communication Record between Affected Parcels and Keystone Environmental Ltd., July 2019;*

*Request for Preapproval for Submission of Certificate of Compliance for a High Risk Site by Approved Professional, 285 West 5th Avenue, Vancouver, BC; PID: 030-188-318, BC Ministry of Environment and Climate Change Strategy, June 11, 2019;*

*Summary of Site Condition, 285 West 5th Avenue, June 2019;*

*Administrative Guidance 11: Communication Record between Affected Parcels and Keystone Environmental Ltd., June 2019;*


*Addendum Report #2 to Stage 1 and 2 Preliminary Site Investigation, Detailed Site Investigation, Confirmation of Remediation, and Remediation Plan 221 and 275 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., May 2019;*

*Addendum Report to Stage 1 and 2 Preliminary Site Investigation, Detailed Site Investigation, Confirmation of Remediation, and Remediation Plan, 221 and 275 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., August 2018;*

*Soil Vapour and Groundwater Sampling, 303 West 5th Avenue, Vancouver, BC, D. Kelly Environmental Consulting Ltd., May 15, 2018;*

*Re: Former Hudson Plating Site, Gandalf Consulting Ltd. for Grant Street Properties Inc., September 15, 2017;*

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*Sub-surface Soil Vapour Investigation City Property Adjacent to 275 West 5th Avenue, Vancouver, BC, D. Kelly Environmental Consulting Ltd., September 7, 2017;*

*Re: 303 West 5th Avenue, Vancouver, B, Grant Street Properties Inc. for the Ministry of Environment and Climate Change, September 17, 2017;*

*Administrative Guidance 11: Communication Record between Affected Parcels and Keystone Environmental Ltd., August 2017;*

*Sub-surface Environmental Site Investigation City Property Adjacent to 275 West 5th Avenue, Vancouver, BC, D. Kelly Environmental Consulting Ltd., August 23, 2017;*

*Summary of Site Condition, 221 and 275 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., August 2017;*

*Report of Findings – Human Health and Ecological Risk Assessment, 221 and 275 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., August 2017;*

*Request to Have Approval in Principle Application Reviewed by an Approved Professional, 221 and 275 West 5th Avenue, Vancouver, BC; PID: 009-445-048, 006-388-213, 006-338-272, BC Ministry of Environment, August 1, 2017;*

*Preliminary Site Investigation – Stage 1 and Stage 2, Detailed Site Investigation, Confirmation of Remediation, and Remediation Plan, 221 and 275 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., August 2017;*

*Supplemental Letter – Groundwater Sampling Program – 275 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., March 2015;*

*Groundwater Sampling Program – 275 West 5th Avenue, Vancouver, BC, Keystone Environmental Ltd., January 2015;*

*Revised Draft Report of Findings – Phase I Environmental Site Assessment and Detailed Site Investigation, Keystone Environmental Ltd., December 2011; and*

*Stage 1 & 2 Preliminary Site Investigation – 275 West 5th Avenue, Vancouver, BC, EBA Engineering Consultants Ltd., August, 2000.*

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