



By EMAIL: pkerr@kinghoe.ca

Victoria File: 26250-20/24017
Site ID: 24017

April 29, 2021

Patrick Kerr
Kerr Properties 002 Ltd.
26138 – 31B Avenue
Aldergrove, BC V4W 2Z6

Dear Patrick Kerr:

Re: Certificate of Compliance – 920 Leathead Road, Kelowna, 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:

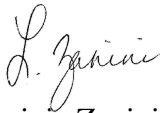
1. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
2. The provisions of this Certificate of Compliance are without prejudice to the right of the Director to make orders or impose requirements as the Director may deem necessary in 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 and may be encountered during any future subsurface work at the site.
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 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 Site@gov.bc.ca or toll free via Enquiry BC at 1-800-663-7867.

Yours truly,



Lavinia Zanini, P.Geo.
Senior Contaminated Sites Officer

Enclosure

cc: City of Kelowna
1435 Water Street, Kelowna, BC, V1Y 1J4 (planninginfo@kelowna.ca) (By Email)

Jeff Taylor, Approved Professional, Active Earth Engineering Ltd.
160-2250 Boundary Road, Burnaby, BC, V5M 3Z3 (jeff.taylor@activeearth.ca) (By E-mail)

Gurbinder Singh Mander, Envision Financial, a division of First West Credit Union
8393 - 120 Street, Delta, BC, V4C 6R1 (gmander@envisionfinancial.ca) (By Email)

CSAP Society, apopova@csapsociety.bc.ca

Client Information Officer, ENV, Victoria csp_cio@Victoria1.gov.bc.ca



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.

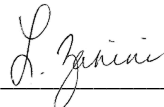
The substances for which remediation has been satisfactorily completed and for which this Certificate of Compliance is valid are listed in Schedule C.

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.

April 29, 2021
Date Issued


Lavinia Zanini
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at 920 Leathead Road, Kelowna, British Columbia which is more particularly known and described as:

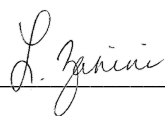
Lot E District Lot 143 and of Section 27 Township 26 Osoyoos Division Yale District Plan 40065

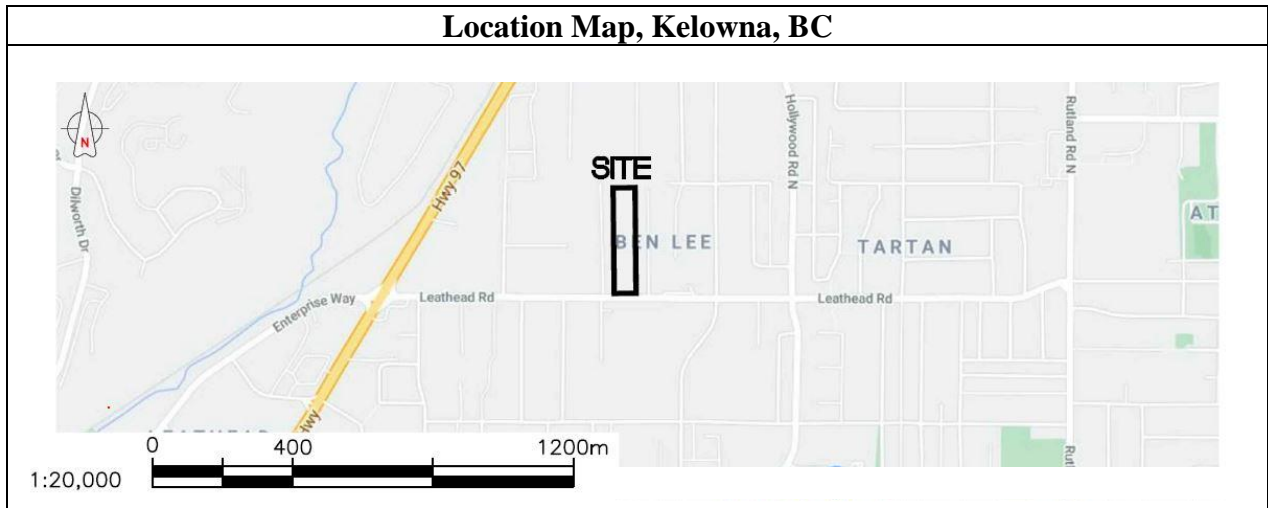
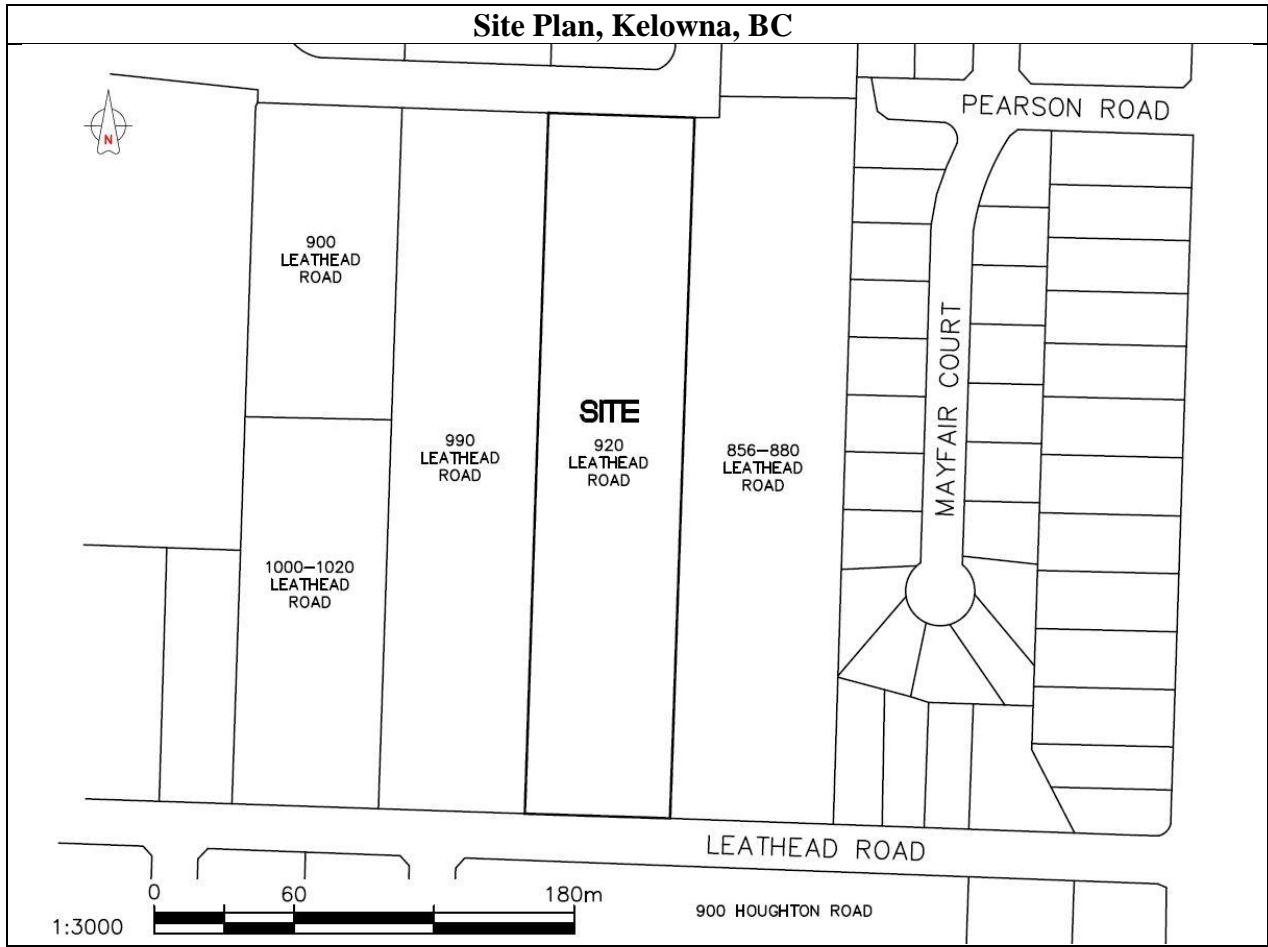
PID: 011-820-993

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


Latitude: 49° 53' 49.0"
Longitude: 119° 24' 16.0"

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Schedule B

Requirements and Conditions

1. Any changes in land uses must be promptly identified by the responsible persons 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 vapour attenuation factors were applied to meet Contaminated Sites Regulation numerical standards at the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings expected at the site. These assumptions include the following:

- (a) Any building constructed at the Site will be either slab-on-grade or will have underground concrete parking structures constructed to meet the 2012 BC Building Code or better.

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at the site and the range of structures, locations and depths of buildings assumed in the selection of vapour attenuation factors in the documents listed in Schedule D 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.

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Schedule C
Substances and Uses

Substances remediated in soil for industrial land soil use:

To meet numerical remediation standards:

Chloride Ion	16887-00-6	Sodium Ion	17341-25-2
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Schedule D

Documents

- *Summary of Site Condition*, prepared by Active Earth Engineering Ltd., dated January 2021;
- *Confirmation of Remediation, 920 Leathead Road, Kelowna, BC*, prepared by Active Earth Engineering Ltd., dated November 2020;
- *Groundwater Monitoring & Sampling Results, 920 Leathead Road, Kelowna, BC*, prepared by TerraWest Environmental Inc., dated September 30, 2019
- *Supplemental Site Investigation, 920 Leathead Road, Kelowna, BC*, prepared by Active Earth Engineering Ltd., dated June 2020;
- *Supplemental Phase II Environmental Site Assessments, 920 Leathead Road, Kelowna, BC*, prepared by HON Engineering Consultants Ltd., dated June 2019; and
- *Phase I and II Environmental Site Assessments, 920 Leathead Road, Kelowna, BC*, prepared by HON Engineering Consultants Ltd., dated July 2018.

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