



VIA EMAIL

ENV File #: 26250-20/1534  
SITE: 1534

September 25, 2020

Brad Stokes  
Lougheed Mall Holdings Corp.  
2020 One Bentall Centre,  
505 Burrard Street, Box 206  
Vancouver, BC, V7X 1M6  
[stokes@shapeproperties.com](mailto:stokes@shapeproperties.com)

Dear Brad Stokes:

**Re: Request for Approval to Apply for a Legal Instrument for a Part of Site at  
9859 and 9861 Austin Road, Burnaby, BC  
PID: 030-526-540 and 030-526-558 (formerly part of 003-237-238)**

This letter provides my decision with respect to your September 2019 Protocol 6 application requesting approval to obtain a Preliminary Determination for part of a larger site located at 9855 Austin Avenue, Burnaby, BC. The larger site is herein referred to as the “Site” and the part of the Site that is the subject of this application is referred to as “Part of Site”. The “Part of Site” is also referred to as “1 East” area. The Site comprises the Lougheed Town Centre (LTC) mall property, which is proposed for redevelopment as the City of Lougheed over the next 25 years.

The Part of Site is described as follows:

<b>Civic Address</b>	9861 Austin Rd.	9859 Austin Rd.
<b>PID</b>	030-526-540	030-526-558
<b>Legal Description</b>	Lot 1, District Lot 4, Group 1, New Westminster District Plan EPP60170	Lot 2, District Lot 4, Group 1, New Westminster District Plan EPP60170

The site location plan and overview of development plan phases (1 East area in black outline) are provided in Attachment A for reference.

In reaching my decision I have relied on information provided in the following supporting documents:

- “*Request for Approval to Apply for a Legal Instrument for a Portion of Site at 9855 Austin Avenue, Burnaby, BC, PID: 030-526-540 and 030-526-558 (formerly part of 003-237-028), Site ID: 1534*” dated September 16, 2019, prepared by Thurber Engineering Ltd. (Thurber); and
- “*Commitment letter for 9855 Austin Avenue, Burnaby, BC, Site ID: 1534*”, prepared by Shape Properties Ltd. and dated June 29, 2020.

The rationale provided by Thurber in support of the approval application is summarized below:

- The City of Burnaby has approved a Master Plan for development of the entire Site;
- Legal instruments will be required for future phases of the development; and
- No Schedule 2 activities have been conducted on the Part of Site.

In addition:

- A Stage 2 preliminary site investigation was conducted at the Part of Site. Concentrations of potential contaminants of concern at the areas of potential environmental concern (APECs) assessed by Thurber were less than the applicable standards; therefore, no APECs were carried forward as areas of environmental concern;
- Upcoming amendments to the Contaminated Sites Regulation related to site profiles and releases will require an Approval in Principle for the Site prior to any instrument applications for future individual development phases; and
- A commitment letter was provided to the ministry (signed by Shape Properties, agent for the owner) confirming the owner’s commitment to investigate/remediate the remainder of the Site and obtain legal instruments for the different phases of the development.

Based on the information provided in the above-referenced documents, I confirm my approval of your request to seek a legal instrument for the Part of Site in advance of seeking legal instruments for the remainder of the Site. Aside from the specific relief granted above, my approval does not constitute review or acceptance by the director of any other submission requirements for such applications.

Please ensure that a copy of this letter and the attached signed Protocol 6 approval application form is included in the legal instrument application made for the Part of Site.

The above comments are based on the most recent information provided to the ministry with respect to the indicated site. The ministry, however, makes no representation or warranty as to the accuracy or correctness of this information. The ministry expressly reserves the right to change or substitute different requirements where circumstances warrant.

Please contact the undersigned at [Heather.Osachoff@gov.bc.ca](mailto:Heather.Osachoff@gov.bc.ca) if you have any questions regarding this letter.

Yours truly,



Heather Osachoff  
for Director, *Environmental Management Act*

Manager, Risk Assessment and Remediation

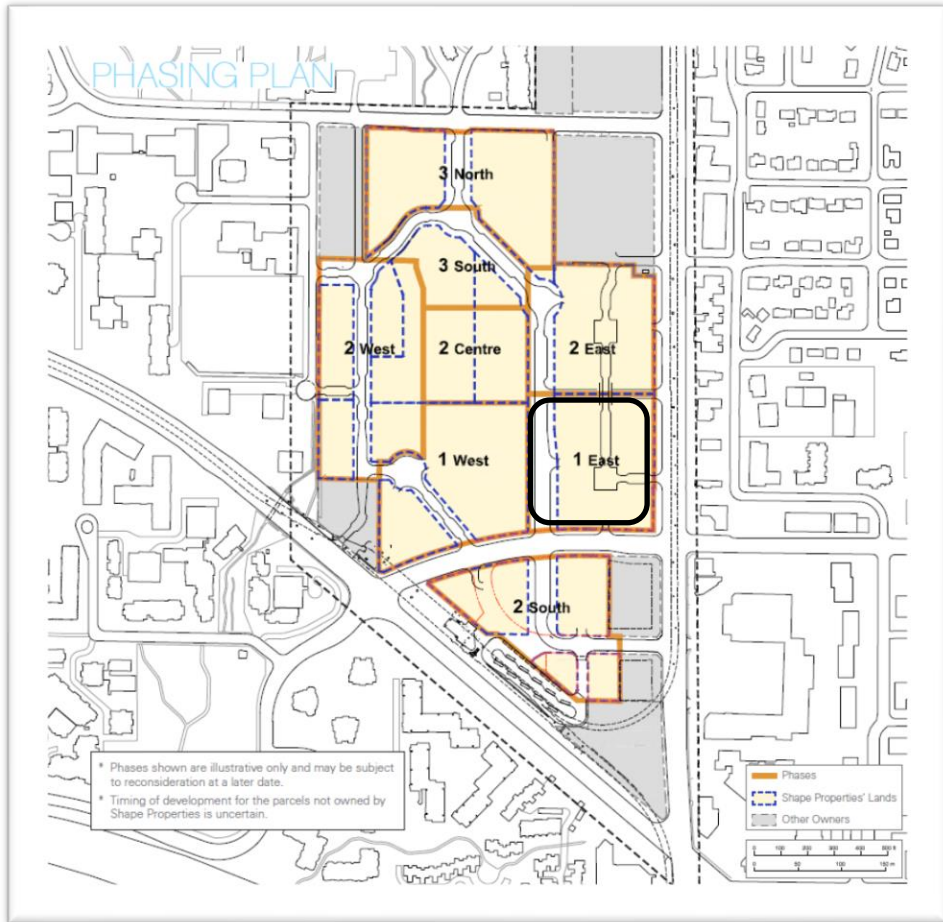
cc: Andrew Sorensen, Thurber Engineering Ltd. (BY EMAIL) [asorensen@thurber.ca](mailto:asorensen@thurber.ca)  
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Janet Barrett, Land Remediation Section, (ENV; BY EMAIL) [Janet.Barrett@gov.bc.ca](mailto:Janet.Barrett@gov.bc.ca)

# Attachment A

## Site Location Plan



Figure 1: Site Location Plan



**Figure 2: Master Plan Development Phases**