



Victoria File: 26250-20/26907
Site ID: 26907

March 03, 2023

Patrick Kerr
Kerr Properties 002 Ltd.
5350 272nd Street, Building A
Langley, BC V4W 1S3
pkerr@kinghoe.ca

Dear Patrick Kerr:

Re: Preliminary Determination – 1834 Byland Road, West Kelowna, BC

Please find enclosed a Preliminary Determination respecting the site referenced above and be advised of the following:

1. The Director has made a Preliminary Determination that the site is not contaminated because the numerical standards and criteria of the Contaminated Sites Regulation have been met at the site.
2. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
3. The provisions of this Preliminary Determination 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 Preliminary Determination will restrict or impair the Director's power in this regard.
4. 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 Regulationand may be encountered during any future subsurface work at the site.
5. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.

6. Please note that future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.

This is to advise that the Director will consider submissions received within 35 days after delivery of this Preliminary Determination before a Final Determination is made.

If you require clarification of any aspect of this Preliminary Determination, please contact the undersigned at site@gov.bc.ca.

Yours truly,



Annette Mortensen, Ph.D., P.Eng
Senior Contaminated Sites Officer

Enclosure

cc: Development Services, City of West Kelowna
(BY EMAIL) dev.services@westkelownacity.ca

Gurbinder Singh Mander, First West Credit Union
(BY EMAIL) gmander@envisionfinancial.ca

Jeff Taylor, Approved Professional, Active Earth Engineering Ltd.
(BY EMAIL) jeff.taylor@activeearth.ca

Anna Popova, CSAP Society
(BY EMAIL) apopova@csapsociety.bc.ca

Client Information Officer, BC Ministry of Environment and Climate Change Strategy,
(BY EMAIL) csp_cio@victoria1.gov.bc.ca



PRELIMINARY DETERMINATION
(Pursuant to Section 44 of the *Environmental Management Act*)

I have made a Preliminary Determination that the site identified in Schedule A of this document **is not** a contaminated site.

This Preliminary Determination is qualified by the requirements and conditions specified in Schedule B.

The site does not have concentrations of the substances specified in Schedule C that exceed the applicable standards and criteria prescribed in the Contaminated Sites Regulation for determining whether a site is a contaminated site.


I have issued this Preliminary Determination 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.

This is to advise that I will consider submissions received 35 days after delivery of this Preliminary Determination before a Final Determination is made.

In accordance with the *Environmental Management Act*, I will notify persons with an interest in the subject site once a Final Determination is made.

This Preliminary Determination should not be construed as an assurance that there are no hazards present at the site.

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For Director, *Environmental Management Act*

Schedule A

The site covered by this Preliminary Determination is located at 1834 Byland Road, West Kelowna, British Columbia which is more particularly known and described as:

Lot A District Lot 2601 Osoyoos Division Yale District Plan 39220
PID: 009-861-718

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

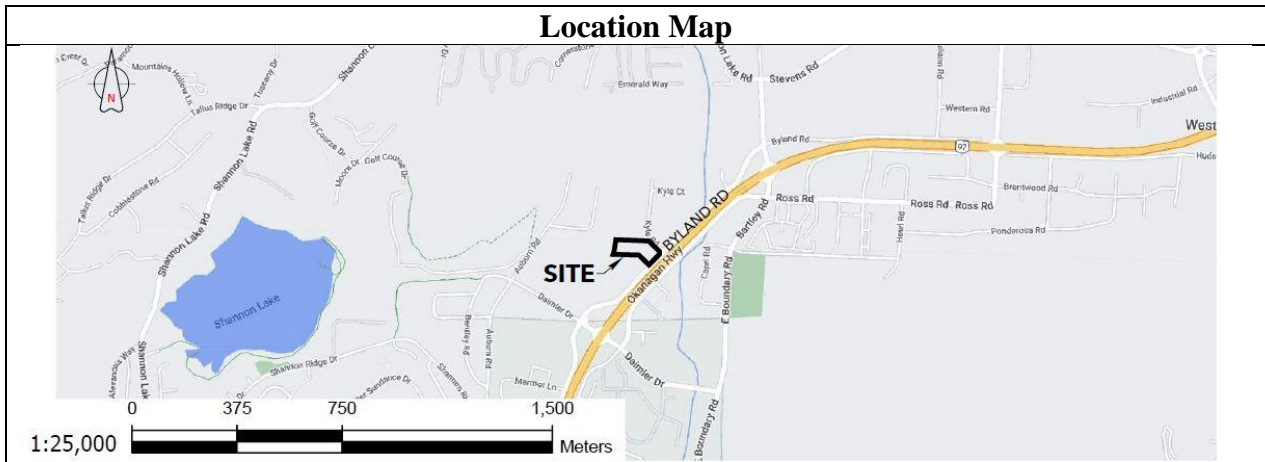
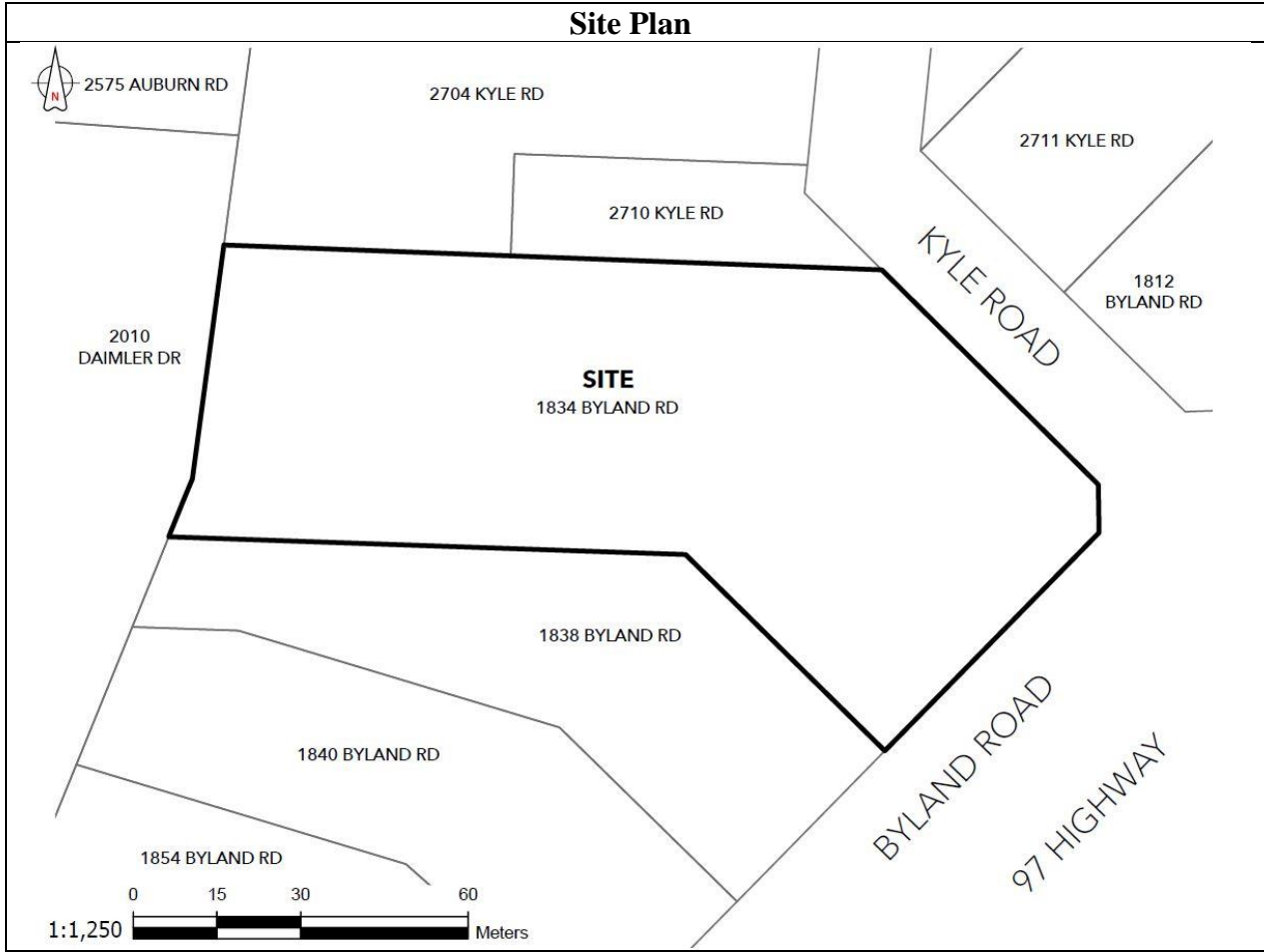
Latitude: 49° 51' 32.7"
Longitude: 119° 35' 37.2"

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Schedule B

Requirements and Conditions

1. Any changes in land, vapour, or water use must be promptly identified by the responsible person in a written submission to the Director. An application for an amendment or new Determination of Contaminated Site may be necessary. The use 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 a Contaminated Sites Regulation numerical standard at the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at the site. These assumptions include the following:

(a) The Site is currently occupied by a slab-on-grade building. Future buildings at the Site will also be constructed with a slab-on-grade.

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 Determination of Contaminated Site may be necessary.

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Schedule C

Substances and Uses

Substances evaluated in soil for commercial soil use:

To meet numerical standards prescribed for defining whether a site is contaminated:

acenaphthene	83-32-9	HEPHs	NA
anthracene	120-12-7	indeno(1,2,3-cd) pyrene	193-39-5
aluminum	7429-90-5	iron	7439-89-6
antimony	7440-36-0	lead	7439-92-1
arsenic	7440-38-2	LEPHs	NA
barium	7440-39-3	lithium	7439-93-2
benz(a)anthracene	56-55-3	manganese	7439-96-5
benzene	71-43-2	mercury	7439-97-6
benzo(a)pyrene	50-32-8	methyl tert-butyl ether [MTBE]	1634-04-4
	205-99-2 &		
benzo(b+j)fluoranthenes	205-82-3	methylnaphthalene, 1-	90-12-0
benzo(k)fluoranthene	207-08-9	methylnaphthalene, 2-	91-57-6
beryllium	7440-41-7	molybdenum	7439-98-7
boron	7440-42-8	naphthalene	91-20-3
bromodichloromethane [BDCM]	75-27-4	nickel	7440-02-0
bromoform	75-25-2	phenanthrene	85-01-8
cadmium	7440-43-9	pyrene	129-00-0
carbon tetrachloride	56-23-5	quinoline	91-22-5
chrysene	218-01-9	selenium	7782-49-2
chlorobenzene	108-90-7	silver	7440-22-4
chloroform	67-66-3	strontium	7440-24-6
chromium	7440-47-3	styrene	100-42-5
cobalt	7440-48-4	tetrachloroethane, 1,1,1,2-	630-20-6
copper	7440-50-8	tetrachloroethane, 1,1,2,2-	79-34-5
dibenz(a,h)anthracene	53-70-3	tetrachloroethylene	127-18-4
dibromochloromethane [DBCM]	124-48-1	thallium	7440-28-0
dichlorobenzene, 1,2-	95-50-1	tin	7440-31-5
dichlorobenzene, 1,3-	541-73-1	toluene	108-88-3
dichlorobenzene, 1,4-	106-46-7	trichloroethane, 1,1,1-	71-55-6

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dichloroethane, 1,1-	75-34-3	trichloroethane, 1,1,2-	79-00-5
dichloroethane, 1,2-	107-06-2	trichloroethylene	79-01-6
dichloroethylene, 1,1-	75-35-4	trichlorofluoromethane	75-69-4
dichloroethylene, 1,2-cis-	56-59-2	triethylene glycol	112-27-6
dichloroethylene, 1,2-trans-	156-60-5	tungsten	7440-33-7
dichloromethane	75-09-02	uranium	7440-61-1
dichloropropane, 2,2-	106-93-4	vanadium	7440-62-2
dichloropropene, 1,3- (cis+trans)	542-75-6	vinyl chloride	75-01-4
ethylbenzene	100-41-4	VPHs	NA
ethylene glycol	107-21-1	xylenes	1330-20-7
fluoranthene	206-44-0	zinc	7440-66-6

Substances evaluated in vapour for commercial vapour use:

To meet numerical standards prescribed for defining whether a site is contaminated:

acetone	67-64-1	dichloropropane, 1,3-	142-28-9
benzene	71-43-2	dichloropropene, 1,3- (cis+trans)	542-75-6
bromobenzene	108-86-1	ethyl acetate	141-78-6
bromodichloromethane [BDCM]	75-27-4	ethylbenzene	100-41-4
bromoform	75-25-2	hexachlorobutadiene	87-68-3
bromomethane	74-83-9	isopropylbenzene	98-82-8
butadiene, 1,3-	106-99-0	methyl ethyl ketone [MEK]	78-93-3
carbon disulfide	75-15-0	methyl isobutyl ketone [MIBK]	108-10-1
carbon tetrachloride	56-23-5	methyl tert-butyl ether [MTBE]	1634-04-4
chlorobenzene	108-90-7	methylcyclohexane	108-87-2
chloroethane	75-00-3	naphthalene	91-20-3
chloroform	67-66-3	n-decane	124-18-5
chloromethane	74-87-3	n-hexane	110-54-3
chlorophenol, 2-	95-57-8	styrene	100-42-5
chlorotoluene, 2-	95-49-8	tetrachloroethane, 1,1,1,2-	630-20-6
dibromo-3-chloropropane, 1,2-	96-12-8	tetrachloroethane ,1,1,2,2-	79-34-5
dibromochloromethane [DBCM]	124-48-1	tetrachloroethylene	127-18-4
dibromomethane	74-95-3	trichlorobenzene, 1,2,4-	120-82-1
dibromoethane, 1,2-	106-93-4	trichloroethane, 1,1,1-	71-55-6
dichlorobenzene, 1,2-	95-50-1	trichloroethane, 1,1,2-	79-00-5
dichlorobenzene, 1,3-	541-73-1	trichloroethylene	127-18-4

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dichlorobenzene, 1,4-	106-46-7	trichlorofluoromethane	75-69-4
dichlorodifluoromethane	75-71-8	trichloropropane, 1,2,3-	96-18-4
dichloroethane, 1,1-	75-34-3	trimethylbenzene, 1,2,4-	95-63-6
dichloroethane, 1,2-	107-06-2	trimethylbenzene, 1,3,5-	108-67-8
dichloroethylene, 1,1-	75-35-4	toluene	108-88-3
dichloroethylene, 1,2-cis-	56-59-2	vinyl chloride	75-01-4
dichloroethylene, 1,2-trans-	156-60-5	VPHv(C6-C13)	NA
dichloromethane	75-09-2	xylenes, total	1330-20-7
dichloropropane, 1,2-	78-87-5		

Substances evaluated in water for drinking water use:

To meet numerical standards prescribed for defining whether a site is contaminated:

acenaphthene	83-32-9	ethylbenzene	100-41-4
acetone	67-64-1	EPHw10-19	NA
anthracene	120-12-7	ethylene glycol	107-21-1
aluminum	7429-90-5	fluoranthene	206-44-0
antimony	7440-36-0	fluorene	86-73-7
arsenic	7440-38-2	hexachlorobutadiene	87-68-3
benzene	71-43-2	hexanone, 2-	591-78-6
benz(a)anthracene	56-55-3	isopropylbenzene	98-82-8
benzo(a)pyrene	50-32-8	lead	7439-92-1
	205-99-2		
benzo(b+j)fluoranthenes	& 205-82-3	mercury	7439-97-6
barium	7440-39-3	molybdenum	7439-98-7
beryllium	7440-41-7	methyl ethyl ketone [MEK]	78-93-3
boron	7440-42-8	methyl tert-butyl ether [MTBE]	1634-04-4
bromobenzene	108-86-1	methylnaphthalene, 1-	90-12-0
bromodichloromethane [BDCM]	75-27-4	methylnaphthalene, 2-	91-57-6
bromoform	75-25-2	naphthalene	91-20-3
bromomethane	74-83-9	nickel	7440-02-0
butylbenzene, n-	104-51-8	pyrene	129-00-0
butylbenzene, sec-	135-98-8	propylbenzene, 1-	103-65-1
butylbenzene, tert-	98-06-6	propylene glycol, 1,2-	57-55-6
cadmium	7440-43-9	quinoline	91-22-5
chromium	7440-47-3	selenium	7782-49-2

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chrysene	218-01-9	silver	7440-22-4
cobalt	7440-48-4	sodium ion	17341-25-2
copper	7440-50-8	styrene	100-42-5
carbon disulfide	75-15-0	strontium	7440-24-6
carbon tetrachloride	56-23-5	tin	7440-31-5
chlorobenzene	108-90-7	tungsten	7440-33-7
chloroform	67-66-3	tetrachloroethane, 1,1,1,2-	630-20-6
chlorotoluene, 2-	95-49-8	tetrachloroethane, 1,1,2,2-	79-34-5
chlorotoluene, 4-	106-43-4	tetrachloroethylene	127-18-4
dibenz(a,h)anthracene	53-70-3	trichloroethane, 1,1,1-	71-55-6
dibromo-3-chloropropane, 1,2-	96-12-8	trichloroethane, 1,1,2-	79-00-5
dibromochloromethane [DBCM]	124-48-1	trichloroethylene	127-18-4
dibromoethane, 1,2-	106-93-4	trichlorofluoromethane	75-69-4
dichlorobenzene, 1,2-	95-50-1	trimethylbenzene, 1,3,5-	108-67-8
dichlorobenzene, 1,4-	106-46-7	triethylene glycol	112-27-6
dichlorodifluoromethane	75-71-8	toluene	108-88-3
dichloroethane, 1,1-	75-34-3	trichlorobenzene, 1,2,3-	87-61-6
dichloroethane, 1,2-	107-06-2	trichloropropane, 1,2,3-	96-18-4
dichloroethylene, 1,1-	75-35-4	uranium	7440-61-1
dichloroethylene, 1,2-cis-	56-59-2	vanadium	7440-62-2
dichloroethylene, 1,2-trans-	156-60-5	VHw6-10	NA
dichloromethane	75-09-2	vinyl chloride	75-01-4
dichloropropane, 1,2-	106-93-4	xylenes, total	1330-20-7
dichloropropene, 1,3- (cis+trans)	542-75-6	zinc	7440-66-6
dichloropropane, 1,3-	142-28-9		

Substances evaluated in water for drinking water use:

To meet local background concentrations:

lithium 7439-93-2

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Schedule D

Documents

Summary of Site Condition, 1834 Byland Road, West Kelowna, BC, prepared by Active Earth Engineering Ltd., dated January 2023;

Stage 2 Preliminary Site Investigation, 1834 Byland Road, West Kelowna, BC, prepared by Active Earth Engineering Ltd., dated January 10, 2023;

Stage 1 Preliminary Site Investigation, 1834 Byland Road, West Kelowna, BC, prepared by Active Earth Engineering Ltd., dated January 10, 2023;

Stage 1 Preliminary Site Investigation – Site Conditions Update, 1834 Byland Road, West Kelowna, BC, prepared by WSP Canada Inc., dated June 10, 2016;

Stage 1 Preliminary Site Investigation, 1834 Byland Road, West Kelowna, BC, prepared by WSP Canada Inc., dated May 19, 2016.

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