



Victoria File: 26250-20/1210
Site ID: 1210

March 14, 2023

Arif Rahemtulla
518166 British Columbia Ltd.
9th Floor, 1190 Horny Street
Vancouver, BC V6Z 2K5
ARahemtulla@concertproperties.com

Dear Mr. Rahemtulla:

Re: Certificate of Compliance - 18 Fell Avenue, North Vancouver, BC

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:

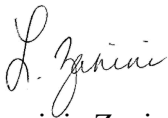
1. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
2. The provisions of this Certificate of Compliance are without prejudice to the right of the Director to make orders or impose requirements as the Director may deem necessary in 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 (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Lavinia Zanini, P. Geo.
Senior Contaminated Sites Officer

Enclosure

cc: Angela Negenman, City of North Vancouver
anegenman@cnv.org

Beth Power, Approved Professional, Azimuth Consulting Group Inc.
bpower@azimuthgroup.ca

Bill Tyler, Telus Communications Inc.
btyler@telus.com

Brenda Hatch, BC Hydro and Power Authority
brenda.hatch@bchydro.com

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

CSAP Society
apopova@csapsociety.bc.ca

Michael Geraghty, Approved Professional, Keystone Environmental Ltd.
mgeraghty@keystoneenvironmental.ca

Rajwinder Deol, FortisBC Energy Inc., Rajwinder.Deol@fortisbc.com



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.

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Lavinia Zanini
For Director, *Environmental Management Act*

Schedule A

The site covered by this Certificate of Compliance is located at 18 Fell Avenue, North Vancouver, British Columbia which is more particularly known and described as:

Lot 45 District Lot 2654 Group 1 New Westminster District Plan LMP49271

Lot 46 District Lot 2654 Group 1 New Westminster District Plan LMP49271

PID: 024-984-094

PID: 024-984-108

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

Latitude: 49° 18' 50.0"

Longitude: 123° 5' 37.5"

The site contains a soil management area, depicted on an engineering plan by Keystone Environmental Ltd., dated November 18, 2022. The area is described by the following metes and bounds:

Metes & Bounds of the Soil Management Area:

Starting at the northeast corner of Lot 45 District Lot 2654 Group 1 New Westminster District Plan LMP49271: The Point of Commencement.

- Thence 181° 15' 48" for 9.307 metres;
- Thence 272° 19' 12" for 2.405 metres;
- Thence 00° 36' 19" for 4.192 metres;
- Thence 355° 24' 24" for 3.767 metres;
- Thence 315° 07' 38" for 6.750 metres;
- Thence 271° 06' 20" for 12.715 metres;
- Thence 00° 16' 35" for 3.660 metres;
- Thence 91° 00' 08" for 13.183 metres;
- Thence 135° 13' 07" for 10.140 metres;

Returning to the Point of Commencement.

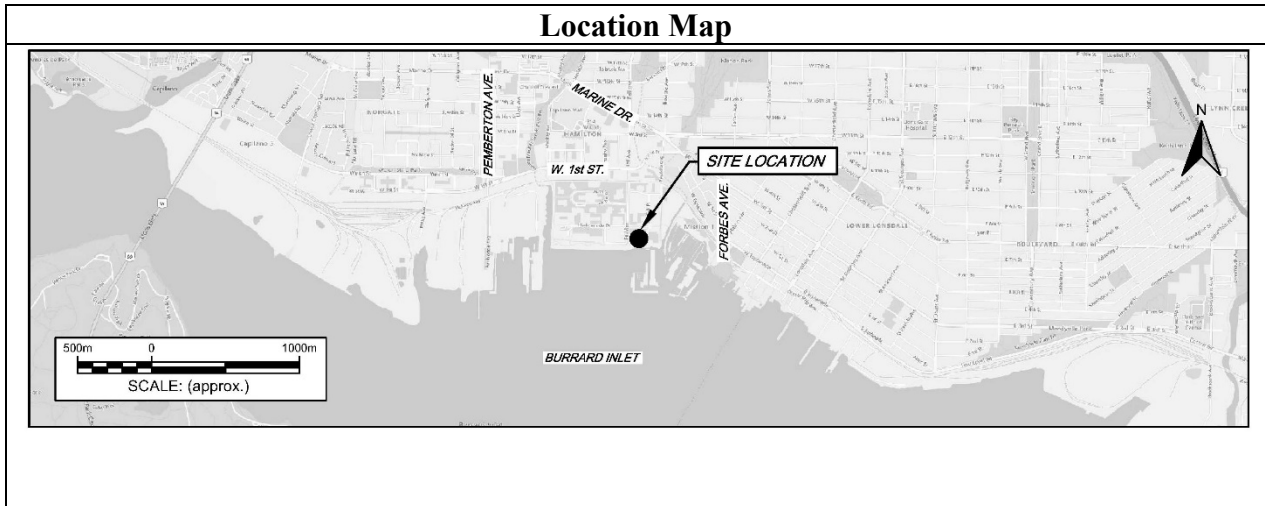
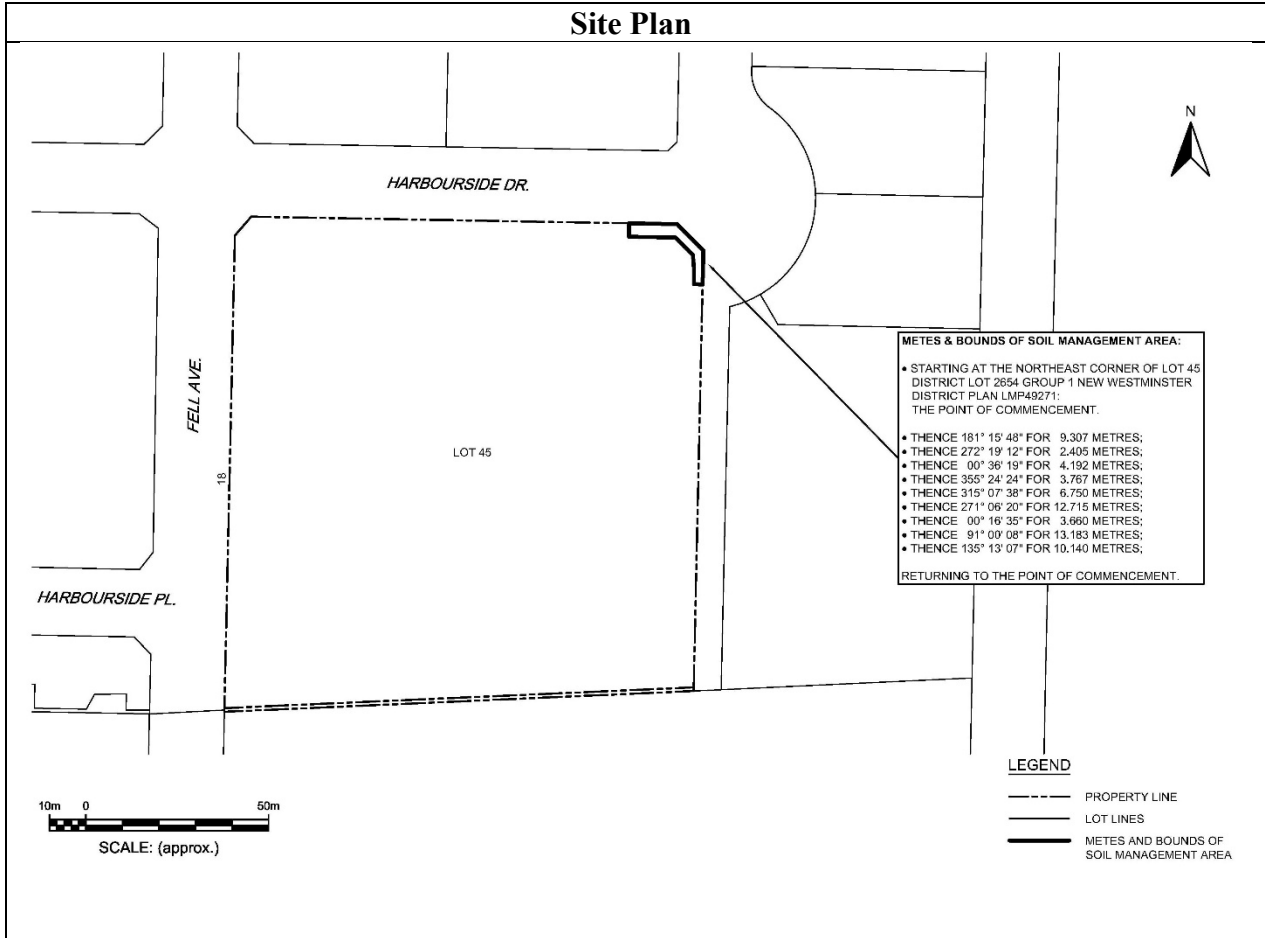
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Schedule B

Requirements and Conditions

1. Any changes in land, vapour, or water 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 a 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 existing or expected at the site. These assumptions include the following:

- (a) Any building(s) erected can be constructed as slab-on-grade or with underground parkade(s) to any depth below ground surface.

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 persons 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) Contaminated soils located within the soil management area must remain covered by a minimum of 1.0 m of uncontaminated material or covered by intact pavement or building foundations.
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.

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5. Where required under a Performance Verification Plan for the site, records of performance verification actions and results must be maintained by the responsible persons or their agent. The records must be available for inspection by the Director.
6. The Director must be notified promptly by the person<s> 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.

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Schedule C

Substances and Uses

Substances remediated in soil for high density residential land soil use:

To meet numerical remediation standards:

mercury 7439-97-6

To meet risk-based remediation standards:

tetraethyl lead 78-00-2
VPHs NA


Substances remediated in water for marine aquatic life water use:

To meet numerical remediation standards:

LEPHw NA
naphthalene 91-20-3
VPHw NA

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Schedule D

Documents

Summary of Site Conditions, 18 Fell Avenue, North Vancouver, BC. Keystone Environmental Ltd., January 9, 2023;

Report of Findings – Stage 1 and 2 Preliminary Site Investigation, Detailed Site Investigation, Confirmation of Remediation, 18 Fell Avenue (Lot D), North Vancouver, BC, Keystone Environmental Ltd., January 9, 2023;

Report of Findings – Human Health and Ecological Risk Assessment, 18 Fell Avenue (Lot D), North Vancouver, BC, Keystone Environmental Ltd., January 9, 2023;

Performance Verification Plan for Certificate of Compliance, 18 Fell Avenue (Lot D), North Vancouver, BC, Keystone Environmental Ltd., January 9, 2023;

Phase I and II Environmental Site Assessment (DRAFT), Harbourside Waterfront Development – Foreshore 1, North Vancouver, BC, Golder Associates Ltd., dated September 16, 2019;

Preliminary Site Investigation, Detailed Site Investigation Update and Remediation Completion Report – Lot 45 Harbourside Business Park, North Vancouver, BC, SLR Consulting (Canada) Ltd. (SLR), March 3, 2008;

Summary of Site Conditions – Lot 45 Harbourside Business Park, North Vancouver, BC, SLR Consulting (Canada) Ltd. (SLR), March 3, 2008;

Certificate of Compliance – Northeast Corner of Lot 45, Harbourside Business Park, North Vancouver, BC and adjacent portions of City of North Vancouver Right-of-Way and 10 Gostick Place, dated March 3, 2008;

Excerpts from: Detailed Site Investigation Summary – Lot 45 (“Site”); City of North Vancouver Utility Corridor and Burrard Yacht Club, Fell Avenue and Gostick Place, North Vancouver, BC, NEXT Environmental Inc., November 8, 2006;

Underground Storage Tank Removal and Confirmatory Soil Sampling Program, Lot 45, Harbourside Business Park, North Vancouver, BC, NEXT Environmental Inc., July 11, 2006,

Environmental Stage 2 Preliminary Site Investigation, Lot 45, Harbourside Business Park, North Vancouver, BC, NEXT Environmental Inc., November 8, 2005;

Environmental Stage 1 Preliminary Site Investigation, Lot 45, Harbourside Business Park, North Vancouver, BC, NEXT Environmental Inc., October 6, 2005;

Certificate of Compliance – Area B, Foot of Fell Avenue, North Vancouver, BC, dated November 5, 1999;

Confirmation of Remediation Report, Area B Harbourside Business Park, North Vancouver. Prepared by NEXT Environmental Inc., August 1999;

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Detailed Site Investigation and Remedial Plan – Area B Clarification Letter, NEXT Environmental Inc., April 1999;

Detailed Site Investigation Summary Report and Remedial Plan, Study Area B, NEXT Environmental Inc., December 1998; and

Phase 1 and 2 Environmental Assessment Fullerton Lumber Company Property, North Vancouver, BC, SRK-Robinson Inc. (SRK), May 1992.

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