



VIA EMAIL: [cathy@blacksheepventures.ca](mailto:cathy@blacksheepventures.ca)

Victoria File: 26250-20/26029  
Site ID: 26029

May 18, 2023

Cathy Butler  
Black Sheep Ventures Inc., Inc. No. BC1274512  
7103 Christie Briar Manor SW  
Calgary, AB T3H 2G5

Dear Cathy Butler,

**Re: Preliminary Determination - 1030 Old Victoria Road, Nanaimo 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 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 at the site meets the applicable Contaminated Sites Regulation "no water use" standards for VHW<sub>6-10</sub> and/or EPHW<sub>10-19</sub>. Please note that future site development (dewatering, perimeter drainage systems, sumps, etc. associated with future buildings, etc.)

may create preferential pathways for groundwater. In this event, further assessment and remediation of groundwater may be warranted.

6. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.
7. 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 [Liliana.Jerade@gov.bc.ca](mailto:Liliana.Jerade@gov.bc.ca) (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Liliana Jerade  
Senior Contaminated Sites Officer

Enclosure

cc: City of Nanaimo ([planning@nanaimo.ca](mailto:planning@nanaimo.ca))  
CSAP Society ([apopova@csapsociety.bc.ca](mailto:apopova@csapsociety.bc.ca))  
Jason Wilkins, CSAP ([jwilkins@legacyenv.ca](mailto:jwilkins@legacyenv.ca))  
Client Information Officer, ENV, Victoria ([csp\\_cio@Victoria1.gov.bc.ca](mailto: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.

The substances to which this Preliminary Determination applies migrated to the site from a neighbouring source. It should not be assumed that this Preliminary Determination is based on site investigations which identified all contaminants at the site.

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Liliana Jerade  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Preliminary Determination is located at 1030 Old Victoria Road, Nanaimo British Columbia which is more particularly known and described as:


Block B, Section 1, Nanaimo District, Plan 1748, except part in Plans 35164 and VIP66021

PID 006-910-661

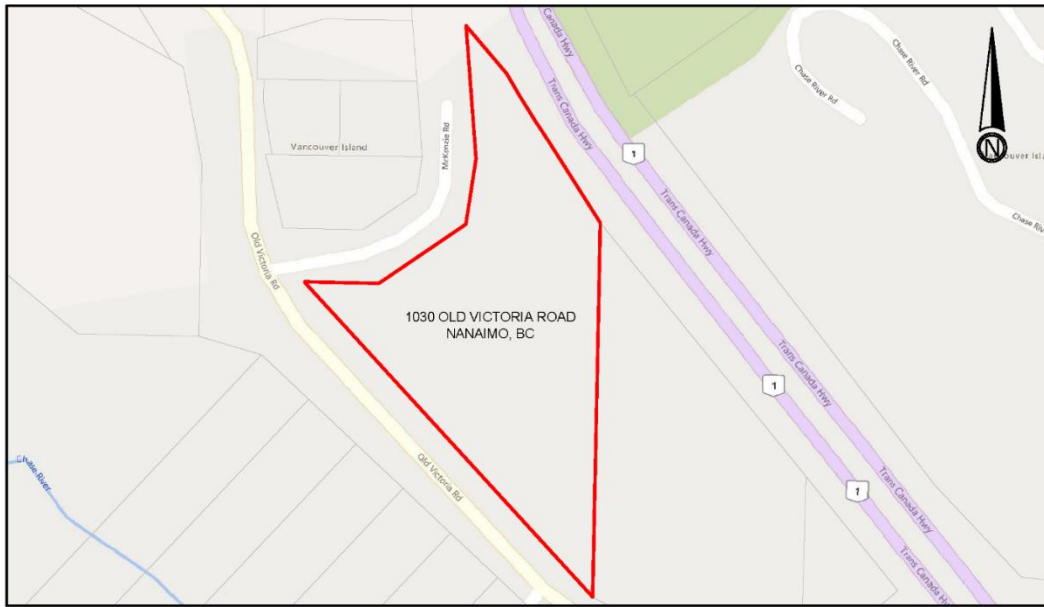
The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 49° 8' 20.20"  
Longitude: 123° 55' 37.50"

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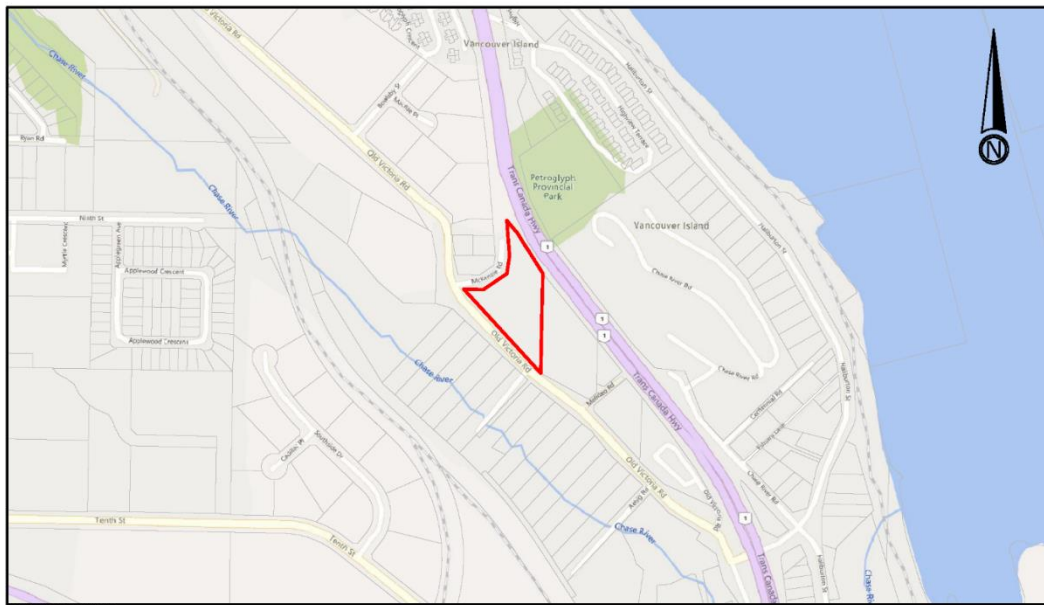
  
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## Site Plan



SITE PLAN

## Location Map



LOCATION PLAN

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## Schedule B

### Requirements and Conditions

1. Any changes in land, vapour or water or 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 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) A slab-on-grade commercial building and outdoor commercial use.*

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 land soil use:***

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


Acenaphthene	83-32-9	Lead	7439-92-1
Aluminum	7429-90-5	LEPHs	NA
Anthracene	120-12-7	Lithium	7439-93-2
Antimony	7440-36-0	Manganese	7439-96-5
Arsenic	7440-38-2	Mercury	7439-97-6
Barium	7440-39-3	Methylnaphthalene, 1-	90-12-0
Benz(a)anthracene	56-55-3	Methylnaphthalene, 2-	91-57-6
Benzo(a)pyrene	50-32-8	Molbydenum	7439-98-7
Benzo(b+j)fluoranthenes	205-99-2 & 205-82-3	Naphthalene	91-20-3
Benzo(k)fluoranthene	207-08-9	Nickel	7440-02-0
Beryllium	7440-41-7	Phenanathrene	85-01-8
Boron	7440-42-8	Pyrene	129-00-0
Cadmium	7440-43-9	Quinoline	91-22-5
Chromium	7440-47-3	Selenium	7782-49-2
Chrysene	218-01-9	Silver	7440-22-4
Cobalt	7440-48-4	Strontium	7440-24-6
Copper	7440-50-8	Styrene	100-42-5
Dibenz(a,h)anthracene	53-70-3	Thallium	7440-28-0
Ethylbenzene	100-41-4	Tin	7440-31-5
Fluoranthene	206-44-0	Tungsten	7440-33-7
Fluorene	86-73-7	Uranium	7440-61-1
HEPHs	NA	VPHs	NA
Indeno(1,2,3-cd)pyrene	193-39-5	Vanadium	7440-62-2
Iron	7439-89-6	Zinc	7440-66-6

To meet site-specific numerical standards:

Benzene	71-43-2
Toluene	08-88-3
Xylenes, total	1330-20-7

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***Substances evaluated in vapour for commercial land vapour use:***

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

Benzene	71-43-2	Naphthalene	91-20-3
Butadiene, 1,3-	106-99-0	n-decane	124-18-5
Dibromoethane, 1,2-	106-93-4	n-hexane	110-54-3
Dichloroethane, 1,2-	107-06-2	Toluene	108-88-3
Ethylbenzene	100-41-4	trimethylbenzene, 1,2,4-	5-63-6
Isopropylbenzene	98-82-8	trimethylbenzene, 1,3,5-	108-67-8
Methyl tert-butyl ether [MTBE]	1634-04-4	VPH <sub>v</sub>	NA
Methylcyclohexane	108-87-2	Xylenes	1330-20-7

***Substances evaluated in water for marine and freshwater aquatic life water use:***

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

Acenaphthene	83-32-9	LEPH <sub>w</sub>	NA
Anthracene	120-12-7	Mercury	7439-97-6
Antimony	7440-36-0	Methyl tert-butyl ether [MTBE]	1634-04-4
Arsenic	7440-38-2	Molybdenum	7439-98-7
Barium	7440-39-3	Naphthalene	91-20-3
Benz(a)anthracene	56-55-3	Nickel	7440-02-0
Benzene	71-43-2	Phenanthrene	1985-01-08
Benzo(a)pyrene	50-32-8	Pyrene	129-00-0
Beryllium	7440-41-7	Quinoline	91-22-5
Boron	7440-42-8	Selenium	7782-49-2
Cadmium	7440-43-9	Silver	7440-22-4
Chromium, hexavalent	18540-29-9	Styrene	100-42-5
Chromium, trivalent	16065-83-1	Thallium	7440-28-0
Chrysene	218-01-9	Titanium	7440-32-6
Cobalt	7440-48-4	Toluene	108-88-3
Copper	7440-50-8	Uranium	7440-61-1
EPH <sub>w10-19</sub>	NA	VH <sub>w6-10</sub>	NA
Ethylbenzene	100-41-4	VPH <sub>w</sub>	NA
Fluoranthene	206-44-0	Xylenes, total	330-20-7
Fluorene	86-73-7	Zinc	7440-66-6
Lead	7439-92-1		

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*Substances evaluated in water for drinking water use:*

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

Acenaphthene	83-32-9	Lithium	7439-93-2
Aluminum	7429-90-5	Manganese	7439-96-5
Anthracene	120-12-7	Mercury	7439-97-6
Antimony	7440-36-0	Methyl tert-butyl ether [MTBE]	1634-04-4
Arsenic	7440-38-2	Methylnaphthalene, 1-	90-12-0
Barium	7440-39-3	Methylnaphthalene, 2-	91-57-6
Benz(a)anthracene	56-55-3	Molybdenum	7439-98-7
Benzo(a)pyrene	50-32-8	Naphthalene	91-20-3
Benzo(b+j)fluoranthenes	205-99-2 & 205-82-3	Nickel	7440-02-0
Benzene	71-43-2	Pyrene	129-00-0
Beryllium	7440-41-7	Quinoline	91-22-5
Boron	7440-42-8	Selenium	7782-49-2
Cadmium	7440-43-9	Silver	7440-22-4
Chromium, hexavalent	18540-29-9	Sodium	17341-25-2
Chromium, trivalent	16065-83-1	Strontium	7440-24-6
Chrysene	218-01-9	Styrene	100-42-5
Cobalt	7440-48-4	Tin	7440-31-5
Copper	7440-50-8	Toluene	108-88-3
Dibenz(a,h)anthracene	53-70-3	Tungsten	7440-33-7
EPH <sub>w10-19</sub>	NA	Uranium	7440-61-1
Ethylbenzene	100-41-4	Vanadium	7440-62-2
Fluoranthene	206-44-0	VH <sub>w6-10</sub>	NA
Fluorene	86-73-7	Xylenes, total	330-20-7
Iron	7439-89-6	Zinc	7440-66-6
Lead	7439-92-1		

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## Schedule D

### Documents

*Summary of Site Condition, 1030 Old Victoria Road, Nanaimo, BC*, prepared by Legacy Environmental Ltd., dated February 21 2023.

*Site Risk Classification Report, 1030 Old Victoria Road, Nanaimo, BC*, prepared by Legacy Environmental Ltd., dated February 16 2023

*Stage 1 & 2 Preliminary Site Investigation 1030 Old Victoria Road, Nanaimo, BC* prepared by Legacy Environmental Ltd., dated February 16 2023.

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