



VIA E-MAIL

Victoria File: 26250-20/22990
Site ID: 22990

September 23, 2021

Dan Robbins
66 Development Ltd.
295 King George Terrace
Victoria, BC V8S 2J8
dan@sakuradevelopments.com

Dear Dan Robbins:

Re: Approval in Principle – 1150 Cook Street, Victoria, British Columbia

Please find enclosed an Approval in Principle respecting the contaminated site referenced above.

In addition to the conditions set out in Schedule B of the Approval in Principle, 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 Approval in Principle 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 Approval in Principle will restrict or impair the Director's powers 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. This Approval in Principle does not authorize entry upon, crossing over, or use for any purpose of private or Crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility for obtaining such authority rests with the persons

undertaking remediation. It is also the responsibility of those persons to ensure that all activities conducted under this Approval in Principle are carried out with due regard to the rights of third parties, and comply with other applicable legislation that may be in force.

5. Additional permits and approvals may be required before remediation begins.
6. All site materials (e.g., excavated soil, replaced soil, groundwater from dewatering, pumping, well development etc.) must be characterized and managed in accordance with applicable legislation and ministry guidance.
7. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.
8. Please be advised that there are inherent health and safety risks associated with remediation activities at contaminated sites. Development of site-specific work procedures in accordance with WorkSafeBC regulations is warranted. Please direct related questions to the WorkSafeBC office at 604-276-3100 (Lower Mainland only) or 1-888-621-7233 (toll free in B.C.).
9. Any substantial modifications to the approved remediation plan, including substantial changes to the remediation schedule, or changes in land use, must be promptly identified by written submission to the Director.
10. If an application for a Certificate of Compliance is to be submitted for the site, the confirmation of remediation report accompanying the application must demonstrate compliance with the remediation standards and criteria in force at the time the application for the Certificate is made, which may differ from the remediation standards and criteria in force at the time of issuance of this Approval in Principle.

Issuance of this Approval in Principle is a decision that may be appealed under Part 8 of the *Environmental Management Act*.

If you require clarification of any aspect of this Approval in Principle, please contact the undersigned at Lavinia.Zanini@gov.bc.ca .

Yours truly,



Lavinia Zanini, P.Geol.
Senior Contaminated Sites Officer

cc: Charlotte Wain, City of Victoria
1 Centennial Square, Victoria, BC, Canada, V8W 1P6 (cwain@victoria.ca) (By E-mail)

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

Bradley Leysath. Coast Capital Savings Federal Credit Union
310 – 1515 Douglas Street, Victoria, BC, V8W 2G4
(bradley.leysath@coastcapitalsavings.com) (By E-mail)

CSAP Society, apopova@csapsociety.bc.ca

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



APPROVAL IN PRINCIPLE

(Pursuant to Section 53 of the *Environmental Management Act*)

THIS IS TO CERTIFY that the remediation plan described herein submitted by 66 Development Ltd. for the contaminated site identified in Schedule A of this document has been approved.

When implemented, the remediation plan must be implemented in accordance with the requirements and conditions specified in Schedule B.

The substances for which remediation will be conducted and for which this Approval in Principle is valid are specified in Schedule C.

I have issued this Approval in Principle based on a review of 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 Approval in Principle if conditions imposed in the Approval in Principle are not complied with or any fees payable under Part 4 of the Act or regulations are outstanding.

This Approval in Principle 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 Approval in Principle is located at 1150 Cook Street, and City of Victoria Roadways, Victoria, British Columbia which is more particularly known and described as:

PID	Legal Description	Civic Address
009-388-273	The Easterly ½ of Lot 997 Victoria City	1150 Cook Street, Victoria
009-388-257	Lot 996 Victoria City	
N/A	Beginning at the northeast corner of Lot 1 on Plan EPP112147, thence grid bearing 279 °35'31" a distance of 6.645m along north easterly boundary of the said lot to the point of commencement, thence grid bearing 316°58'16" a distance of 7.768m, thence grid bearing 232°42'35" a distance of 6.461m, thence grid bearing 99 °35'31" a distance of 10.589m along north easterly boundary of the said lot to the point of commencement, containing 25.0 m ² more or less.	City of Victoria Roadways (off-Site Impacted Area)

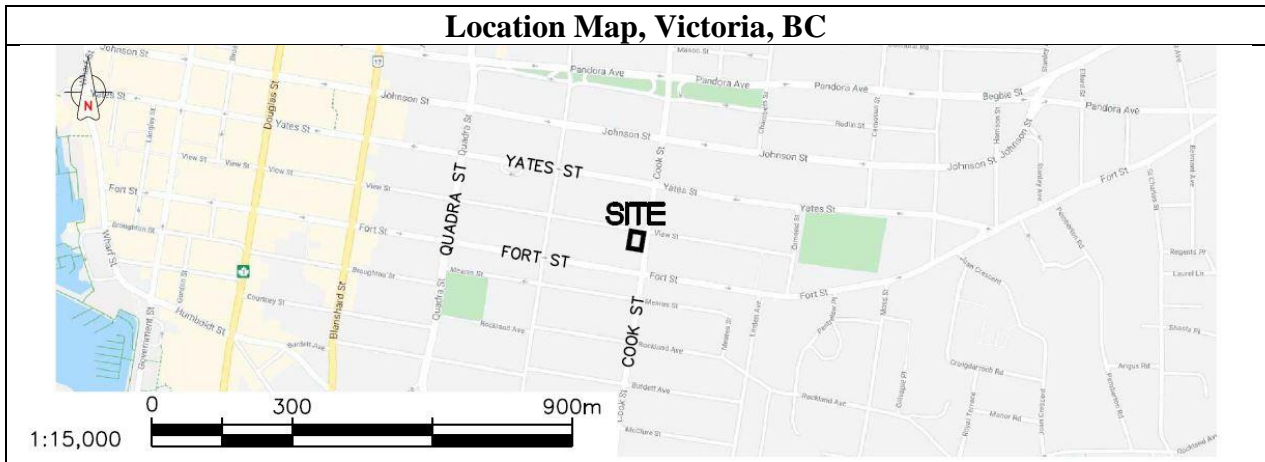
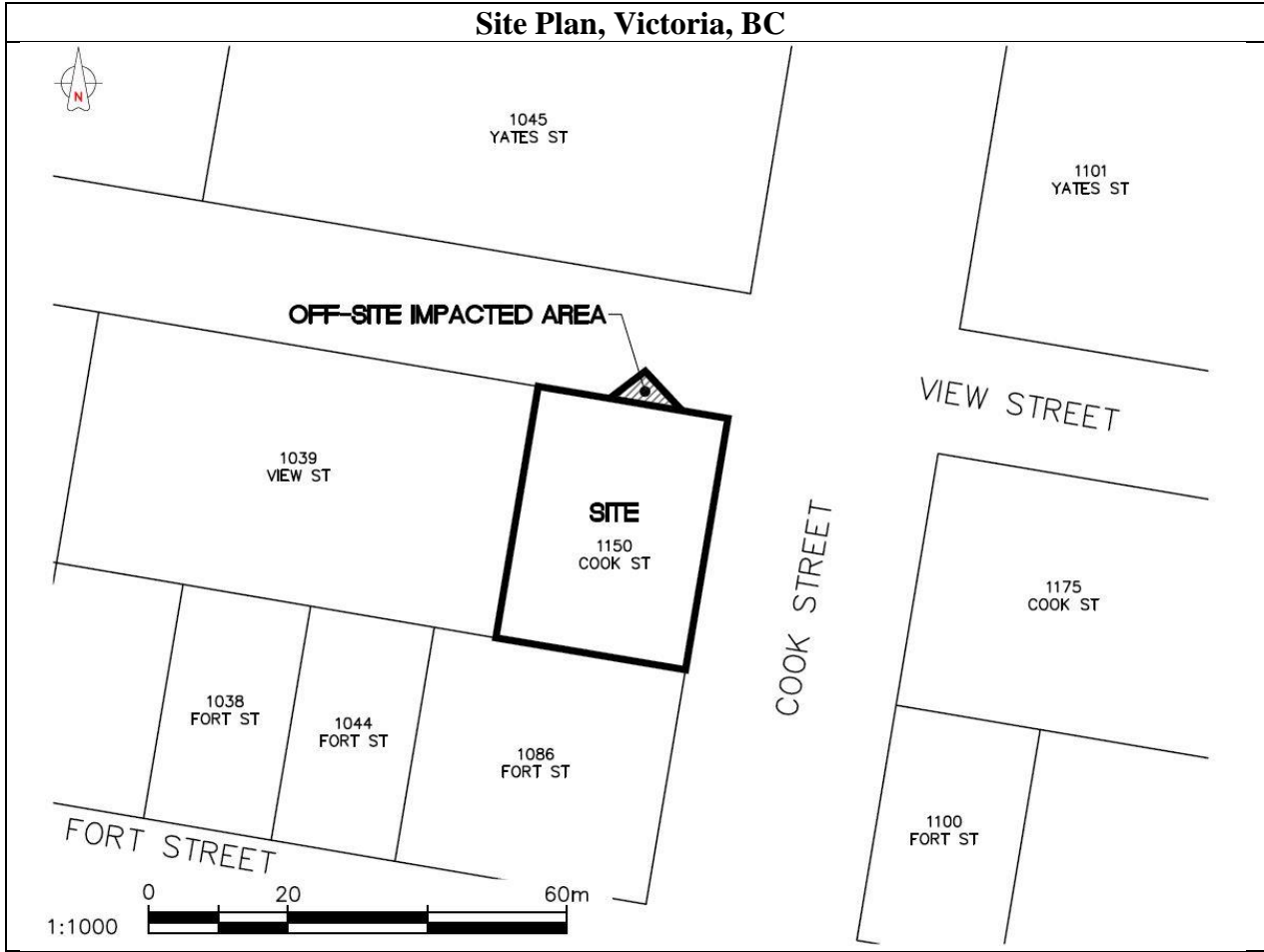
The site contains an off-site impacted area depicted in a legal sketch plan prepared by Sameer Caphley, B.C. Land Surveyor.

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


Latitude: 48° 25' 26.50"
Longitude: 123° 21' 15.50"

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Schedule B

Requirements and Conditions

1. Remediation, including monitoring, inspections, and maintenance of any works, must be undertaken by the responsible person in the manner and schedule specified in the plan listed in Schedule D or as specified in a modification of the plan approved by the Director.
2. Any substantial modifications to the approved remediation plan, including substantial changes to the remediation schedule, or changes in land, vapour, water, or sediment use, must be promptly identified in a written submission by the responsible person to the Director. An application for an amendment or new Approval in Principle may be necessary.
3. Up-to-date records of monitoring, inspections and maintenance of any works must be maintained by the responsible person or their agent. The records must be available for inspection by the Director.
4. Remediation must be completed within five years of the date of issuance of this Approval in Principle.
5. Remediation must be confirmed in accordance with applicable legislation and ministry guidance. Within 90 days of completing remediation, a report summarizing confirmation of remediation must be prepared in accordance with section 49 (2) of the Contaminated Sites Regulation and submitted to the Director.
6. A statement signed by an Approved Professional must be submitted to the Director within 90 days of the anniversary of the date of issuance of this Approval in Principle. The statement must include the following:
 - (a) A summary of remedial activities undertaken during the reporting period; and
 - (b) An assessment comparing remediation progress to the actions and schedule set out in the plans referenced above. Refer to Condition 3 above if remedial progress differs substantially from the schedule set out in the approved plan, and,
 - (c) Supporting documentation (e.g., analytical reports, records of inspection, maintenance of treatment works, etc.).
7. The documents listed in Schedule D indicate that vapour attenuation factors were applied to meet Contaminated Sites Regulation numerical standards at and adjacent to the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at and adjacent to the site. These assumptions

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include the following:

- (a) The future site building will include two or more levels of underground parking.

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 Approval in Principle may be necessary.

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Schedule C

Substances and Uses

For the Site: (PIDs: 009-388-273 & 009-388-257)

Substances to be remediated in soil for commercial land soil use:

To meet numerical remediation standards:

Arsenic	7440-38-2
Barium	7440-39-3
Benzene	71-43-2
Copper	7440-50-8
Lead	7439-92-1
Nickel	7440-02-0
Toluene	108-88-3
Xylenes	1330-20-7
Zinc	7440-66-6

Substances to be remediated in vapour for parkade vapour use:

To meet numerical remediation standards:

VPHv

Substances to be remediated in water for drinking water use:

To meet numerical remediation standards:

Benzene 71-43-2

For the Off-Site Impacted Area: Metes and Bounds (see Schedule A)

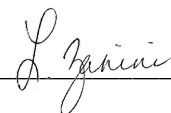
Substances to be remediated in soil for industrial land soil use:

To meet numerical remediation standards:

Benzene 71-43-2

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Schedule D

Documents

Summary of Site Condition, 1150 Cook Street, Victoria, BC, prepared by Active Earth Engineering Ltd., August 2021;

Remediation Plan, 1150 Cook Street, Victoria, BC, prepared by Active Earth Engineering Ltd., August 2021;

Stage 1 Preliminary Site Investigation Update, Stage 2 Preliminary Site Investigation, Detailed Site Investigation, 1150 Cook Street, Victoria, BC, prepared by Active Earth Engineering Ltd., August 2021; and

Stage 1 Preliminary Site Investigation, 1150 Cook Street, Victoria, BC, prepared by Active Earth Engineering Ltd., November 2018

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