



VIA EMAIL: bsawchyn@pcurban.ca

Victoria File: 26250-20/23514
Site ID: 23514

July 6, 2022

856 Esquimalt Road Ltd., Inc.No. BC1210435 and
858 Esquimalt Road Ltd., Inc.No. BC1210428
Suite 880 – 1090 West Georgia Street
Vancouver, BC V6E 3V7

Attention: Brent Sawchyn

Re: Approval in Principle – Portion of Esquimalt Road (adjacent to 856 Esquimalt Road), Esquimalt, B.C.

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 Part 8 of the Contaminated Sites Regulationand 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, conditions or circumstances described in the risk assessment upon which the remediation plan is based, 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 George.Szefer@gov.bc.ca.

Yours truly,



George Szefer, M.Eng., P.Eng.
For Director, *Environmental Management Act*

Enclosure

cc: Joel Clary, Director of Engineering and Public Works, Township of Esquimalt,
joel.clary@esquimalt.ca

Bill Brown, Director of Development Services, Township of Esquimalt,
bill.brown@esquimalt.ca

Windsor Manor Strata c/o Meg De Wolfe, Strata Property Manager, South Island Property
Management, meg@sipmltd.com

Zayed Mohamed, Approved Professional, PGL Environmental Consultants
zmohamed@pggroup.com

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 856 Esquimalt Road Ltd., Inc.No. BC1210435 and 858 Esquimalt Road Ltd., Inc.No. BC1210428 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.

The substances to which this Approval in Principle applies migrated to the site from a neighbouring source. It should not be assumed that this Approval in Principle is an approval for the remediation of all contaminants at the site.

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For Director, *Environmental Management Act*

Schedule A

The site covered by this Approval in Principle is a portion of Esquimalt Road adjacent to 856 Esquimalt Road, Esquimalt, British Columbia. The site is more particularly known and described as:

Point of Commencement (P.o.C) being at the SE most corner of Lot A Section 11, Esquimalt District Plan VIP80973 and proceeding
S 63° 50' 34.2692" W 38.563m, then
S 80° 16' 41.6957" E 15.719m, then
N 63° 04' 56.6561" E 23.744m, then
N 73° 47' 41.1646" E 11.374m, then
N 27° 14' 44.8637" E 12.986m, then
N 12° 17' 28.3232" W 1.052m, then
S 77° 42' 31.6768" W 4.882m, then
S 77° 42' 31.6768" W 3.876m, then
S 63° 50' 42.0135" W 11.293m to P.o.C

The site contains part of a legal parcel is depicted in an engineering drawing prepared by PGL Environmental on December 21, 2021.

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

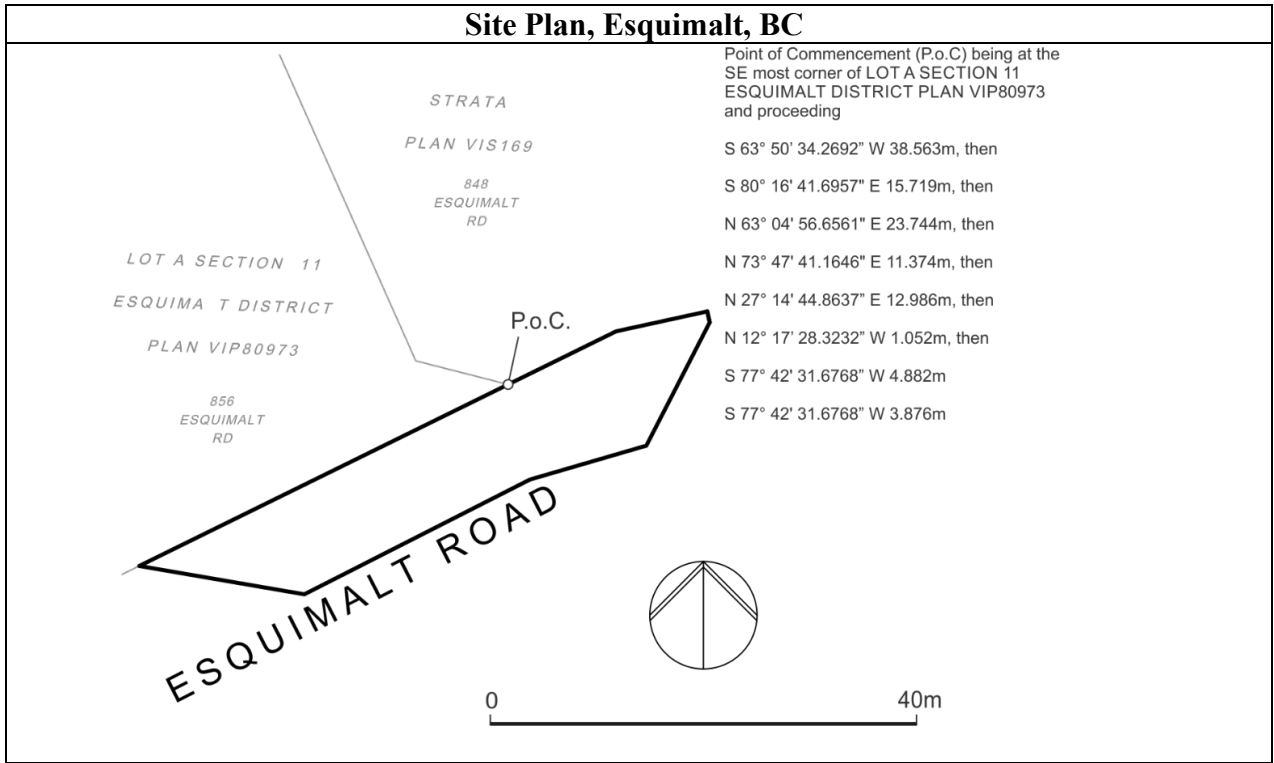
Latitude: 48° 25' 53.00"
Longitude: 123° 23' 53.00"

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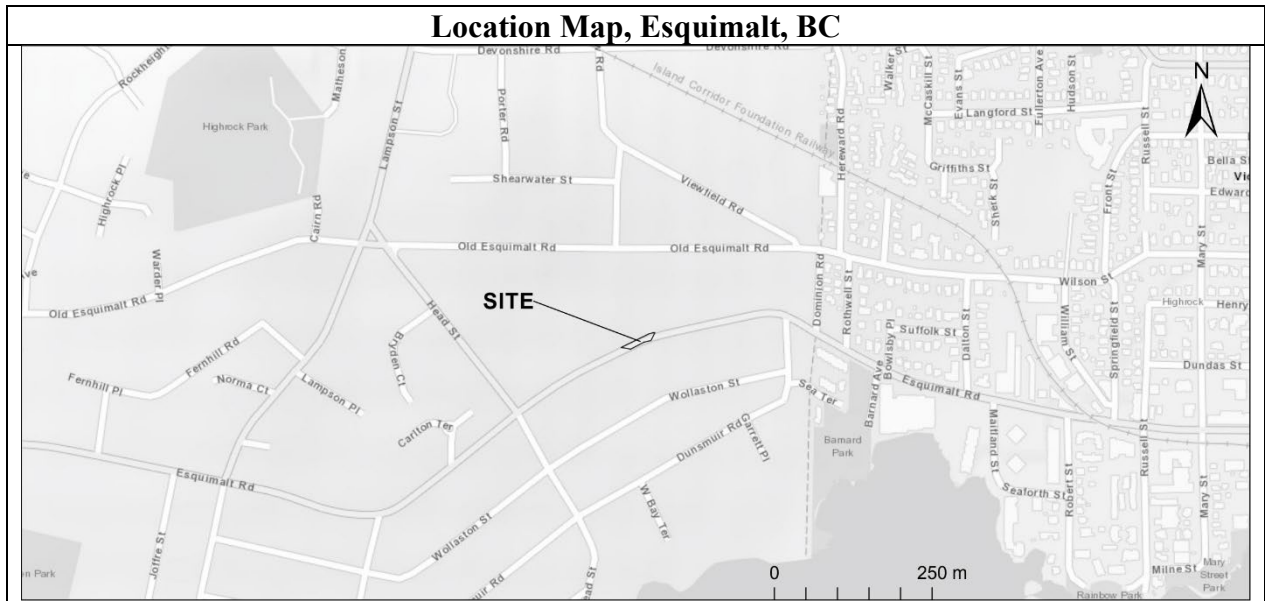


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Site Plan, Esquimalt, BC



Location Map, Esquimalt, BC



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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 persons 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, conditions or circumstances described in the risk assessment upon which the remediation plan is based, or changes in land, vapour, or water, use, must be promptly identified in a written submission by the responsible persons 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 persons 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 annually 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.

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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) A summary of remedial activities undertaken to date;
 - (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;
 - (c) Interpretation of current and cumulative monitoring results from the monitoring program; and
 - (d) Supporting documentation (e.g., analytical reports, records of inspection, maintenance of treatment works, etc.).

8. The documents listed in Schedule D indicate that vapour attenuation factors were applied to meet Contaminated Sites Regulation numerical 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 include the following:
 - (a) *The affected area of Esquimalt Road will remain road; or,*
 - (b) *Any future building(s) that requires active pumping or drawdown of groundwater will be underlain by a parkade.*

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings at or adjacent to 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 Approval in Principle may be necessary.

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Schedule C

Substances and Uses

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

To meet risk-based remediation standards:

ethylbenzene	100-41-4
tetraethyl lead	78-00-2
VPHs	n/a
xylenes	1330-20-7

Substances to be remediated in water for drinking water use:

To meet risk-based remediation standards:

arsenic	7440-38-2
ethylbenzene	100-41-4
tetraethyl lead	78-00-2
trimethylbenzene, 1,3,5-	108-67-8
xylenes, total	1330-20-7

Substances to be remediated in water for marine aquatic life water use:

To meet risk-based remediation standards:

naphthalene	91-20-3
VPHw	n/a
xylenes, total	1330-20-7

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Schedule D

Documents

- *RE: 23515/23514/23515 draft AiPs – preliminary review*, Zayed Mohamed, PGL Environmental Ltd., emails dated June 7 and 27, 2022.
- *Summary of Site Condition*, prepared by Zayed Mohamed / PGL Environmental Ltd., dated December 2021.
- *Stage 2 Preliminary and Detailed Site Investigation, Screening Level Risk Assessment, and Remediation Plan – 856 and 858 Esquimalt Road, Esquimalt, BC*, prepared by PGL Environmental Ltd., dated December 2021.
- *Preapproval under Protocol 6 Application for Area Wide Determination of Contaminated Fill – 856 and 858 Esquimalt Road, Esquimalt, BC*, prepared by the Ministry of Environment and Climate Change Strategy, dated April 30, 2021.
- *Protocol 6 Preapproval Application Not to Delineate Area-wide Fill Contamination, 856 and 858 Esquimalt Road, Esquimalt, BC*, prepared by PGL Environmental Ltd., dated April 7, 2021.
- *Stage 1 Preliminary Site Investigation – 856 and 858 Esquimalt Road, Esquimalt, BC*, prepared by PGL Environmental Ltd., dated November 2020.

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