



Victoria File: 26250-20/22027  
Site ID: 22027

October 25, 2022

Mr. Jeff Bayles  
PacificGold Homes Ltd., In. No. BC0740162  
957 Langford Parkway  
Victoria, BC V9B 0A5  
[jbayles@sesthillsbc.com](mailto:jbayles@sesthillsbc.com)

Dear Mr. Bayles:

**Re: Certificate of Compliance – Proposed Lots 1, 2 and 3 2229 Boxwood Road,  
Nanaimo, 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 [Peter.Yan@gov.bc.ca](mailto:Peter.Yan@gov.bc.ca).

Yours truly,



Hong (Peter) Yan, M.A.Sc., P.Eng.  
For Director, *Environmental management Act*

Enclosure

cc:

Paul Gardner, Approved Professional, Tetra Tech Canada Inc.  
[Paul.gardner@tetrattech.com](mailto:Paul.gardner@tetrattech.com)

CSAP Society, [apopova@csapsociety.bc.ca](mailto:apopova@csapsociety.bc.ca)

Phil Stewardt, City of Nanaimo  
455 Wallace Street, Nanaimo, BC V9R 5J6  
[Phil.Stewart@nanaimo.ca](mailto:Phil.Stewart@nanaimo.ca)

Client Information Officer, BC ENV, Victoria [csp\\_cio@victoria1.gov.bc.ca](mailto:csp_cio@victoria1.gov.bc.ca)



**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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Signing Authority  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is the western portion of the legal parcel located at 2229 Boxwood Road, Nanaimo, British Columbia which depicted in metes and bounds explanation survey prepared by Williamson & Associates Professional Surveyors on August 24, 2022, as:

That part of Lot 1, Section 18, Ranges 6 and 7, Mountain District, Plan VIP63562 (PID: 023-477-733) described as all that portion of said Lot 1 that lies to the west and south of a boundary described as:

Commencing at a point along the southerly boundary of said Lot 1 that is coincident with the northeast corner of Strata Plan EPS7440;

Thence northerly at  $0^{\circ}50'26''$ , a distance of 2.028 metres to a beginning of curve;

Thence along a curve of radius of 35.000 metres to the left for a distance of 37.658 metres along the curve to the tangential end of the curve;

Thence northwesterly at  $299^{\circ}11'34''$ , a distance of 45.221 metres to a beginning of curve;

Thence along a curve of radius of 100.000 metres to the right for a distance of 74.431 metres along the curve to the tangential end of the curve;

Thence northwesterly at  $341^{\circ}50'18''$ , a distance of 10.360 metres to a beginning of curve;

Thence along a curve of radius 6.000 metres to the left for a distance of 8.768 metres along the curve to the tangential end of the curve;

Thence southwesterly at  $258^{\circ}06'41''$ , a distance of 47.432 metres to a beginning of curve;

Thence along a curve of radius 6.000 metres to the left for a distance of 4.227 metres along the curve to a point of reverse curvature;

Thence along a curve of radius 15.000 metres to the right for a distance of 68.260 metres along the curve to a point of reverse curvature;

Thence along a curve of radius 6.000 metres to the left for a distance of 4.227 metres along the curve to the non-tangential end of the curve;

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Thence northwesterly at 340°33'36", a distance of 125.758 metres to intersect with the boundary of said Lot 1 at a location which is 32.725 metres easterly from the southwest corner of Lot 7 shown on Plan VIP84098, and the area of the described portion of said Lot 1 is approximately 4.40 hectares more or less.

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

Latitude: 49° 11' 41.00"  
Longitude: 123° 59' 59.00"

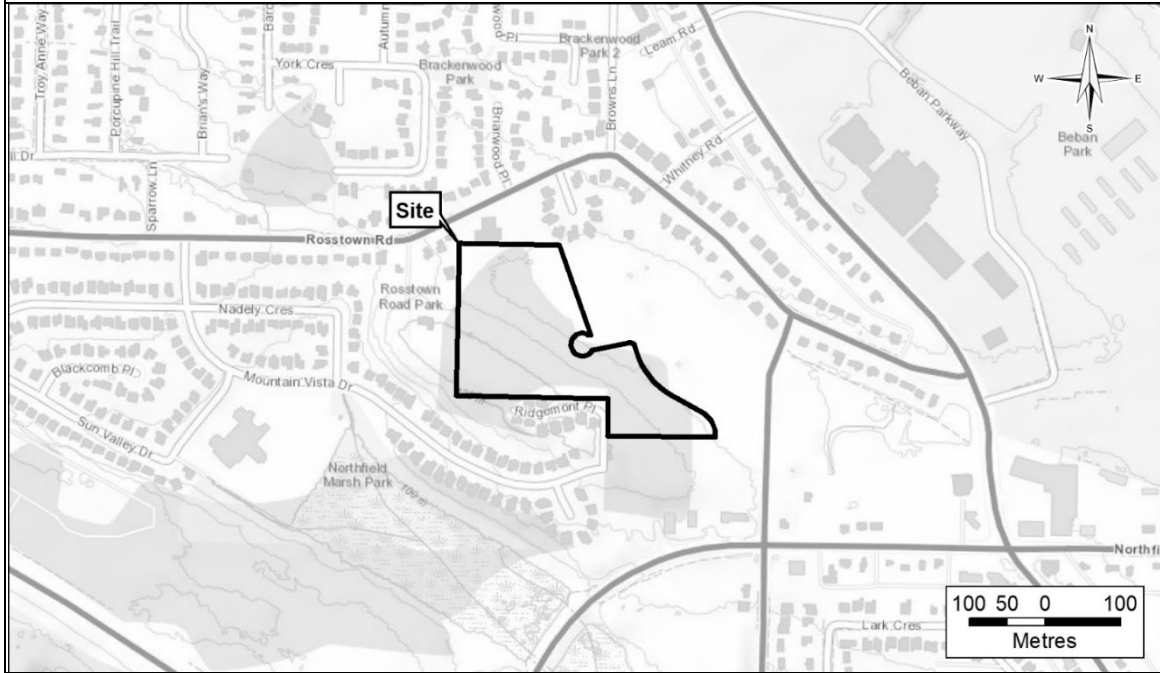
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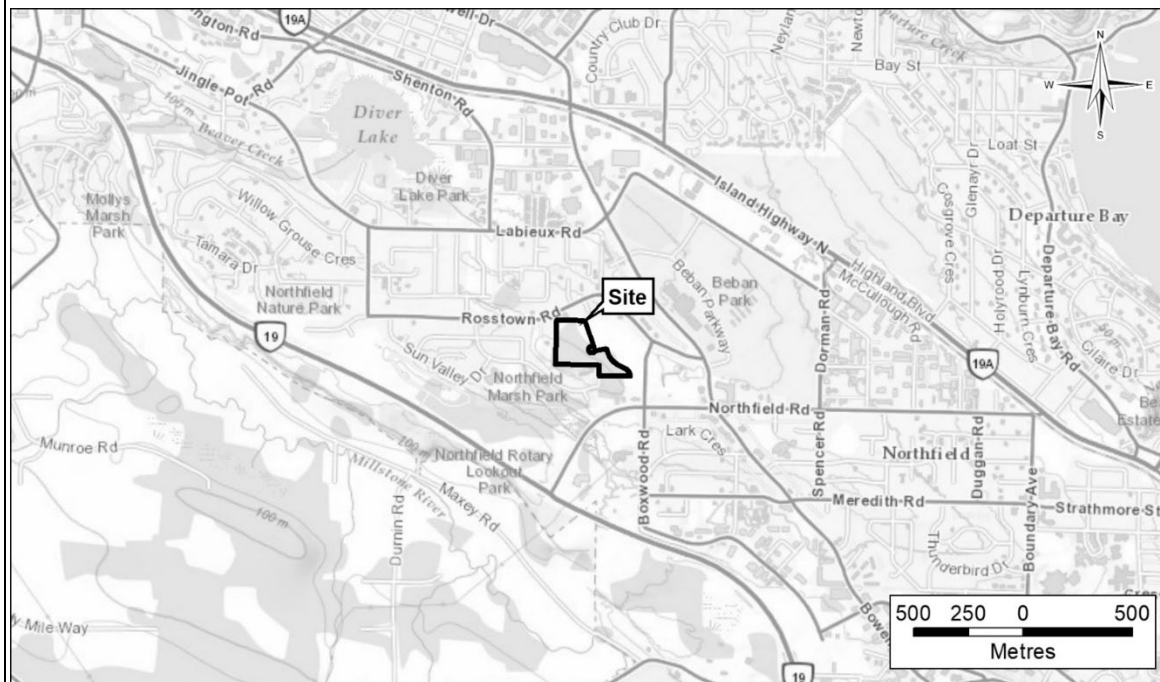


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### Site Plan



### Location Map



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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 person<s> 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 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 expected at the site. These assumptions include the following:

- (a) Future use is for residential purposes with a combination of slab-on-grade or basements; with the future foundation or basement slab at an elevation above the water table.

Any inconsistencies that arise between the structures, locations and depths of proposed or constructed buildings or trenches at the site and the range of structures, locations and depths of buildings or trenches 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.

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**Schedule C**

**Substances and Uses**

**Lots 1, 2, 3 Part of the site**

***Substances remediated in soil for residential low density land soil use:***

To meet numerical remediation standards:

Arsenic	7440-38-2
Barium	7440-39-3
Benzene	71-43-2
Cobalt	7440-48-4
Lithium	7439-93-2
Naphthalene	91-20-3
Nickel	7440-02-0
Phenanthrene	85-01-8
Zinc	7440-66-6

To meet local background concentrations:

Aluminum	7429-90-5
Chromium	7440-47-3

***Substances evaluated in water for drinking water use:***

To meet local background concentrations:

Cobalt	7440-48-4
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## Schedule D

### Documents

- *Summary of Site Condition*, Tetra Tech Canada Inc., August 25, 2022;
- *Stage 1 Preliminary Site Investigation Update, Proposed Lots 1, 2 and 3 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc., August 25, 2022;
- *Confirmation of Remediation, Proposed Lots 1, 2 and 3 of 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc., August 25, 2022;
- *Site Plan of Part of Lot 1, Plan VIP63562 within Section 18, Ranges 6 & 7, and Section 19, Range 7 Mountain District*, Tyler Hansen, Williamson & Associates Professional Surveyors, August 24, 2022;
- *Re: Approval in Principle - 2229 Boxwood Road, Nanaimo, BC (Site ID: 22027; PID: 023-477-733)*, Ministry of Environment and Climate Change Strategy, December 13, 2021;
- *Re: Contaminated Sites Services Application Director's Preapproval under Protocol 6 2229 Boxwood Road, Nanaimo, BC (PID: 023-477-733)*, Ministry of Environment and Climate Change Strategy, September 1, 2021;
- *Protocol 6 Preapproval Request Addendum - Site ID 22027, 2229 Boxwood Road, Nanaimo, BC, PID 023-477-733*, Paul Gardner / Ben Barton, Tetra Tech Canada Inc., May 21, 2021;
- *Remediation Plan, 2229 Boxwood Road, Nanaimo, BC*, Ben Barton/Martin Jarman, Tetra Tech Canada Inc., April 28, 2021;
- *Stage 1 Preliminary Site Investigation Update, 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Ben Barton, Tetra Tech Canada Inc., April 21, 2021;
- *Detailed Site Investigation, 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall/Ben Barton, Tetra Tech Canada Inc., April 21, 2021; and

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- *Protocol 6 Preapproval Request, 2229 Boxwood Road, Nanaimo, BC, PID 023-477-733, Paul Gardner/Don Williams, Tetra Tech Canada Inc., March 22, 2021.*

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