



VIA EMAIL: [bjarvis@wesgroup.ca](mailto:bjarvis@wesgroup.ca)

Victoria File: 26250-20/24124  
Site ID: 24124

November 23, 2022

West 41<sup>st</sup> & Oak Street Investments Ltd.  
c/o Wesgroup Properties  
2000 – 595 Burrard Street  
Vancouver, BC V6C 0E4  
Attn. Beau Jarvis

Dear Beau Jarvis:

**Re: Certificate of Compliance – 5763 to 5791 Oak Street & 1008 West 41<sup>st</sup> Avenue, Vancouver, British Columbia**

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 Regulationand 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 future site development may create preferential pathways for vapour. In this event, further assessment and remediation of vapour may be warranted.
6. 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 [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 Vancouver – [Contaminated.Sites@vancouver.ca](mailto:Contaminated.Sites@vancouver.ca)

Active Earth Engineering Ltd.  
Chuck Jochems, Approved Professional ([Chuck.Jochems@activeearth.ca](mailto:Chuck.Jochems@activeearth.ca))  
160 – 2250 Boundary Road, Burnaby, BC V5M 3Z3

Scotiabank – Real Estate Banking  
Winston Szeto ([winston.szeto@scotiabank.com](mailto:winston.szeto@scotiabank.com))  
34<sup>th</sup> Floor – 650 West Georgia Street, Vancouver, BC V6B 4N7

Client Information Office, ENV, Victoria, [csp\\_cio@Victoria1.gov.bc.ca](mailto:csp_cio@Victoria1.gov.bc.ca)

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

November 23, 2022  
Date Issued

  
Liliana Jerade  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is located at 5763 to 5791 Oak Street & 1008 West 41<sup>st</sup> Avenue, Vancouver, British Columbia which is more particularly known and described as the majority of:

Lot I (See N8741L) Except Firstly: Part in Plan LMP 18850; Secondly: Part Shown on Plan LMP36671, Block 995, District Lot 526, Group 1, New Westminster District, Plan 20366 PID: 006-635-687 1008 West 41<sup>st</sup> Avenue, Vancouver

Lot E of Lots 12 to 15, Block 995, District Lot 526, Plan 8152  
PID: 010-228-471, 5763 Oak Street, Vancouver

Lot F of Lots 12 to 15, Block 995, District Lot 526, Plan 8152  
PID: 010-228-497, 5763 Oak Street, Vancouver

Lot G of Lots 12 to 15, Block 995, District Lot 526, Plan 8152  
PID: 010-228-543, 5763 Oak Street, Vancouver

Lot H of Lots 12 to 15, Block 995, District Lot 526, Plan 8152  
PID: 010-228-560, 5763 Oak Street, Vancouver

Which may be more particularly described as follows:

Commencing at the northwest corner of Lot I, Block 995, District Lot 526, Group 1, New Westminster District, Plan 20366 (PID: 006-635-687) thence southerly along a bearing of 181°22'46" a distance of 0.745 metres to the point of beginning;  
Thence easterly along a bearing of 93°06'00" a distance of 39.152 metres;  
Thence southeasterly along a bearing of 133°47'15" a distance of 1.885 metres;  
Thence southerly along a bearing of 181°22'46" a distance of 58.052 metres;  
Thence southerly along a bearing of 179°26'46" a distance of 20.550 metres;  
Thence westerly along a bearing of 273°05'47" a distance of 41.238 metres;  
Thence northerly along a bearing of 1°22'46" a distance of 79.802 metres to the point of beginning

The site contains part of a legal parcel depicted in an engineering drawing prepared by Active Earth Engineering Ltd. on June 27, 2022.

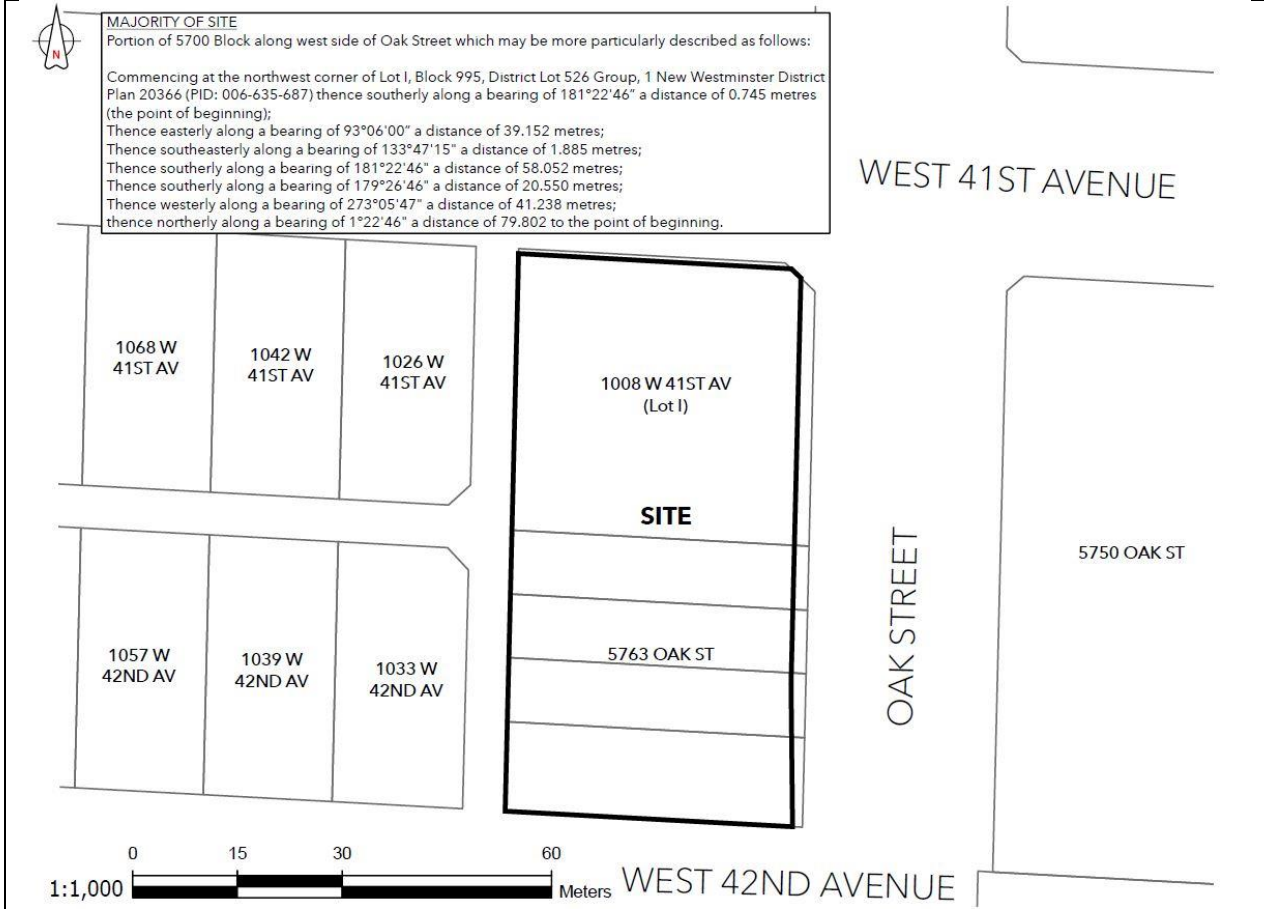
The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 49° 14' 00"  
Longitude: 123° 7' 42.70"

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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 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 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 include the following:

- (a) The Site will continue to be used for outdoor use prior to re-development.*
- (b) Future buildings will include an underground parkade that extends up to a maximum depth of 10.5m below grade;*

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 person 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) Groundwater from the Site must not be used as a source of drinking water.*
3. If requested by the Director, the responsible person 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.

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## Schedule C

### Substances and Uses

#### *Substances remediated in soil for commercial land soil use:*

##### To meet risk-based remediation standards:

benzene	71-43-2
ethylbenzene	100-41-4
tetraethyl lead	78-00-2
toluene	108-88-3
VPHs	N/A
xylenes	1330-20-7

#### *Substances remediated in water for no specified water use:*

##### To meet numerical remediation standards:

EPHW <sub>10-19</sub>	N/A
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#### *Substances remediated in water for drinking water use:*

##### To meet numerical remediation standards:

benzene	71-43-2
ethylbenzene	100-41-4
naphthalene	91-20-3
toluene	108-88-3

##### To meet risk-based remediation standards:

methylnaphthalene, 1-	90-12-0
methylnaphthalene, 2-	91-57-6
trimethylbenzene, 1,3,5-	108-67-8
xylenes, total	1330-20-7

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## Schedule D

### Documents

*Summary of Site Condition, 41<sup>st</sup> Avenue and Oak Street (5700 Block), Vancouver, BC, Active Earth Engineering Ltd, September 2022.*

*Off-Site Affected Parcel Communication Record – 5700 Block of Oak Street, Vancouver, Site ID: 15264, Adjacent to Site ID 24124, Active Earth Engineering Ltd, July 2022.*

*Human Health and Ecological Risk Assessment, 1008 West 41<sup>st</sup> Avenue and 5763 Oak Street, Vancouver, BC, Steer Environmental Associates, July 2022.*

*Stage 1 Preliminary Site Investigation Update and Groundwater Plume Stability Assessment, 1008 West 41<sup>st</sup> Avenue and 5763 Oak Street, Vancouver, BC, Active Earth Engineering Ltd, June 2022.*

*Detailed Site Investigation, 1008 West 41<sup>st</sup> Avenue and 5763 Oak Street, Vancouver, BC, Active Earth Engineering Ltd, October 2021.*

*2017 Site Decommissioning Report – 41<sup>st</sup> and Oak Chevron Station (VC61511), 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., September 2017.*

*Remediation Plan, Chevron Service Station, 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, Active Earth Engineering Ltd., June 2017.*

*Supplemental Site Investigation, 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, Active Earth Engineering Ltd., June 2017.*

*Phase II Environmental Site Assessment, Chevron Service Station VC61511, 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., May 2017.*

*Stage 2 Preliminary Site Investigation, 5763 Oak Street, Vancouver, BC, Active Earth Engineering Ltd, April 2017.*


*Stage 1 Preliminary Site Investigation 5763 Oak Street, Vancouver, BC, RJS Environmental Services, March 2017.*

*Phase I Environmental Site Assessment, Chevron Service Station VC61511, 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., February 2017.*

*August 2015 Groundwater Monitoring and Sampling, Chevron Service Station (VC61511), 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., August 2015.*

*City of Vancouver Data Package, Chevron Service Station (VC61511), 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., January 2015.*

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*September 2014 Groundwater Monitoring and Sampling, and Removal of an Inoperative Vapour Extraction System, Chevron Service Station (VC61511), 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., October 2014.*

*RE: 2009 – 2013 Environmental Investigation and Monitoring Summary, Chevron Service Station (VC61511), 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, BC Ministry of Environment, February 2014.*

*RE: Notification of Likely or Actual Offsite Migration to Neighbouring Property from 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, BC Ministry of Environment, May 2013.*

*2009 – 2013 Environmental Investigation and Monitoring Summary, Chevron Service Station (VC61511), 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., May 2013.*

*March 2013 Groundwater and Vapour Monitoring and Sampling, Chevron Service Station (VC61511), 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., March 2013.*

*August 2012 Groundwater and Vapour Monitoring and Sampling, Chevron Service Station (VC61511), 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., October 2012.*

*September 2011 Groundwater and Vapour Monitoring and Sampling, Chevron Service Station (VC61511), 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., December 2011.*

*Results of 2011 Drilling, Groundwater and Vapour Investigation, Chevron Service Station VC61511, 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., July 2011*

*Chevron Service Station VC61511, 1008 West 41<sup>st</sup> Avenue, Vancouver, BC, SLR Consulting (Canada) Ltd., February 2009.*

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