



**VIA EMAIL**

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

May 2, 2024

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

Dear Mr. Bayles:

**Re: Certificate of Compliance - Proposed Lot 4 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) removal of soil under the provisions of Part 8 of the Contaminated Sites Regulation and may be encountered during any future 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 [site@gov.bc.ca](mailto:site@gov.bc.ca).

Yours truly,



Kirstin Webster, M.E.T., R.P.Bio.  
Senior Risk Assessment Officer

Enclosure

cc:

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

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

CSAP Society, 613- 744 Hastings Street, Vancouver, BC, V6C 1A5  
[Apopova@csapsociety.bc.ca](mailto:Apopova@csapsociety.bc.ca)

Tara Kennedy, Approved Professional, Atkins Realis  
[Tara.kennedy@atkinsrealis.com](mailto:Tara.kennedy@atkinsrealis.com)

Client Information Officer, BC Ministry of Environment and Climate Change Strategy, Site Remediation Program [csp\\_cio@victorial.gov.bc.ca](mailto:csp_cio@victorial.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.

May 2, 2024

---

Kirstin Webster  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Certificate of Compliance is a 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 November 15, 2022, as:

The described area is 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 bounded as described as follows:

Commencing at a point along the northerly boundary of said Lot 1 that is the northwesterly corner of Section 18, Range 7 and that is also the southeast corner of Lot 9 Plan VIP84098;

Thence southeasterly along the boundary of said Lot 1 at approximately  $121^{\circ}57'18''$ , a distance of 24.744 metres more or less to the south corner of Lot A shown on Plan 42869;

Thence northeasterly along the boundary of said Lot 1 at approximately  $37^{\circ}50'47''$ , a distance of 28.425 metres more or less to the southeast corner of Lot A shown on Plan 42869;

Thence southerly at  $169^{\circ}48'49''$ , a distance of 1.000 metres;

Thence southerly at  $181^{\circ}06'50''$ , a distance of 73.780 metres to a beginning of curve;

Thence along a curve of radius 80.000 metres to the right for a distance 24.524 metres along the curve to a point reverse curvature;

Thence along a curve of radius 78.000 metres to the left for a distance of 12.062 metres along the curve to a point of reverse curvature;

Thence along a curve of radius 6.000 metres to the right for a distance of 7.152 metres along the curve to a tangential end of the curve;

Thence southwesterly at  $258^{\circ}06'41''$ , a distance of 53.792 metres;

Thence northwesterly at  $340^{\circ}33'36''$ , a distance of 125.758 metres more or less to a point along the north boundary of said Lot 1;

Thence easterly along the northern boundary of said Lot 1 at approximately  $91^{\circ}15'16''$ , a distance of 69.173 metres more or less to the point of commencement.

May 2, 2024

---



Kirstin Webster  
For Director, *Environmental Management Act*

The area of the described portion of said Lot 1 is approximately 0.932 hectares more or less.

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

Latitude: 49° 11' 42.2"  
Longitude: 123° 59' 58.3"

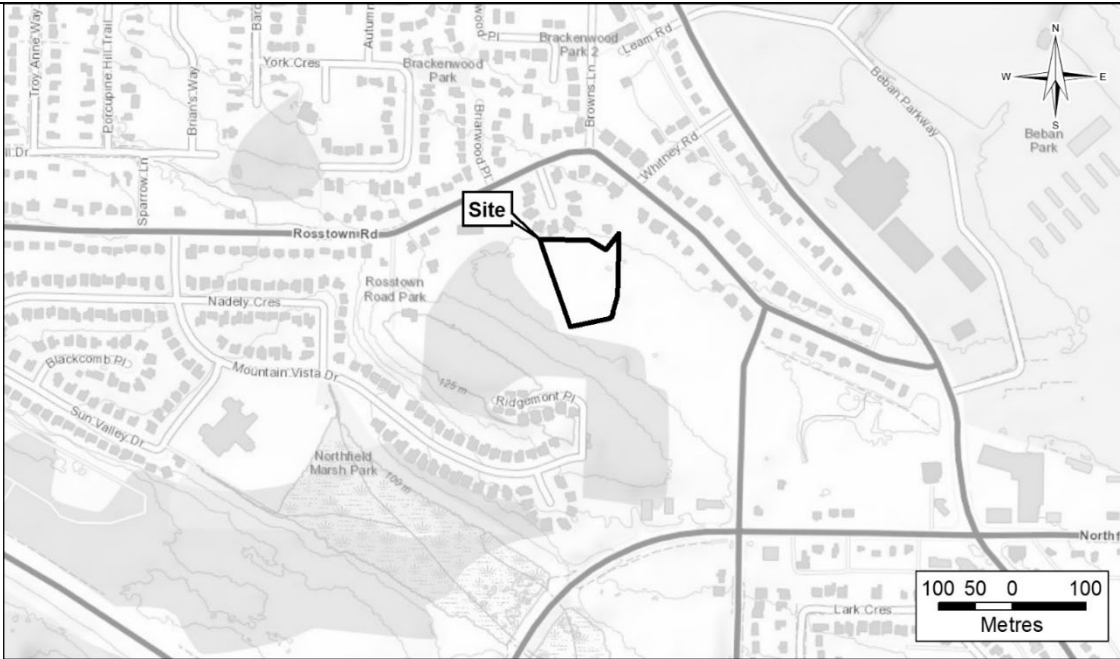
May 2, 2024

---

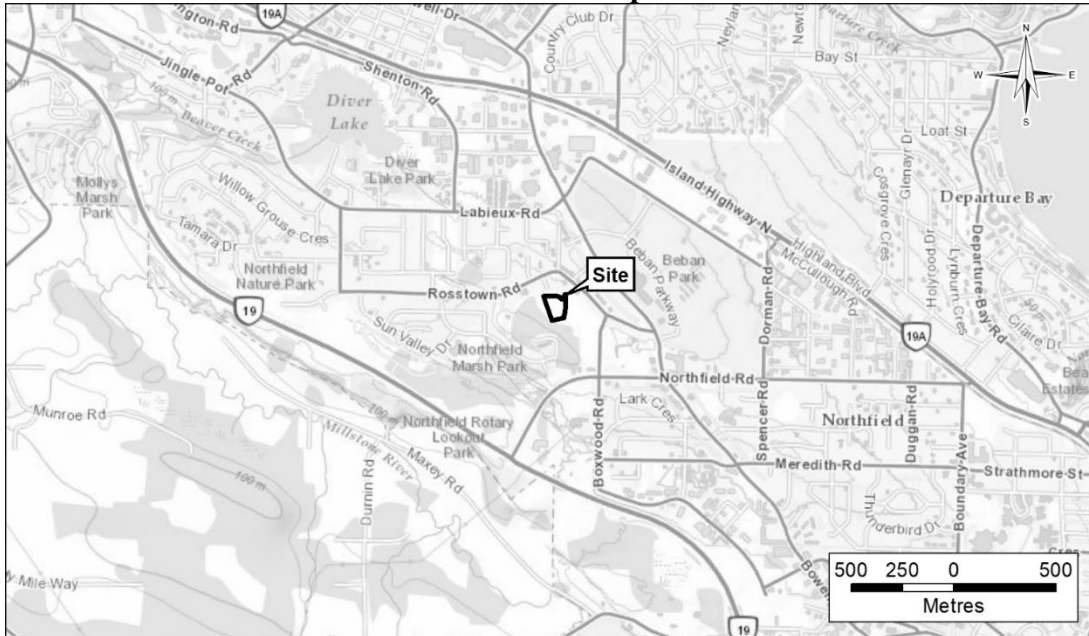


Kirstin Webster  
For Director, *Environmental Management Act*

### Site Plan



### Location Map



May 2, 2024

Kirstin Webster  
For Director, *Environmental Management Act*

## 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 buildings will not be in contact with the water table or will have an underground parkade.*

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.

- 2 The principal risk controls which must be present or implemented and must be maintained at the site include the following:

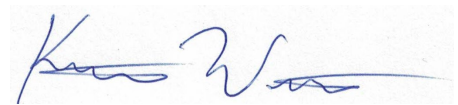
*(a) Groundwater from the Site must not be used as a source of drinking water; and*

*(b) Vegetable gardens and edible fruit producing vegetation must be grown in raised planter boxes (i.e., not in contact with contaminated soils).*

- 3 If requested by the Director, the responsible person<s> 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.
4. Performance verification must be undertaken as specified in the Performance Verification Plan listed in Schedule D or as specified in a modification of the plan approved by the Director.

May 2, 2024

---

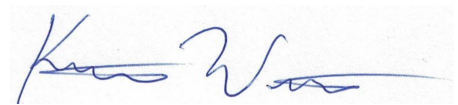


Kirstin Webster  
For Director, *Environmental Management Act*

5. Where required under a Performance Verification Plan for the site, records of performance verification actions and results must be maintained by the responsible person<s> or their agent. The records must be available for inspection by the Director.
6. The Director must be notified promptly by the person<s> responsible for the site if performance verification actions indicate that any institutional and engineering controls required in clause 2 of this Schedule are not being met. The following information must be submitted to the Director with the notification, or as soon as practicable thereafter:
  - (a) The time period over which institutional and engineering controls did not meet the requirements of Schedule B;
  - (b) The nature of the excursion<s>;
  - (c) The temporary or permanent corrective measures implemented or to be implemented;
  - (d) An implementation schedule; and
  - (e) Supporting documentation.
7. A statement signed by an Approved Professional on whether the institutional and engineering controls required in clause 2 of this Schedule have been implemented and are being met must be submitted to the Director annually for a period of 5 years, or as otherwise approved by the Director, within 90 days of the anniversary of the date of issuance of this Certificate of Compliance or as otherwise approved by the Director.
8. 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) An evaluation of the performance of the institutional and engineering controls;
  - (b) Recommendations for modification of any plans referenced above, along with supporting rationale;
  - (c) Interpretation of current and cumulative results of the performance verification actions undertaken according to the plan<s> described in clause 4 above; and
  - (d) Supporting documentation.

May 2, 2024

---



Kirstin Webster  
For Director, *Environmental Management Act*



## Schedule C

### Substances and Uses

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

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

arsenic	7440-38-2
benzene	71-43-2
copper	7440-50-8
HEPHs	NA
lead	7439-92-1
LEPHs	NA
lithium	7439-93-2
naphthalene	91-20-3
zinc	7440-66-6

#### *Substances evaluated in soil for low density residential land use:*

##### To meet local background concentrations:

iron	7439-89-6
vanadium	7440-62-2

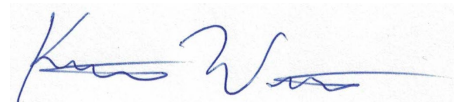
#### *Substances evaluated in water for drinking water use:*

##### To meet local background concentrations:

cobalt	7440-48-4
--------	-----------

May 2, 2024

---



Kirstin Webster  
For Director, *Environmental Management Act*

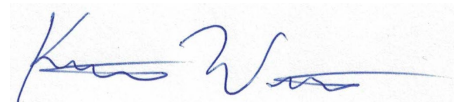
## Schedule D

### Documents

- *Summary of Site Condition Proposed Lot #4*, Tetra Tech Canada Inc., March 26, 2024
- *Performance Verification Plan, Lot #4, Pacific Gold Homes – 2229 Boxwood Road, Nanaimo, BC*, Andrew Wan / Mandeep Purewal, SNC-Lavalin Inc., March 26, 2024
- *Addendum to Stage 1 Performance Assessment Report – Performance Assessment Review 23-050, Site No: 22027 (Lots 4 and 5), PID 023-477-733, Location: 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc., November 27, 2023
- *Human Health and Ecological Risk Assessment – Addendum in Response to Stage 1 Performance Assessment Report #23-050, Pacific Gold Homes – 2229 Boxwood Road, Nanaimo, BC (Portion of ENV Site ID #22027)*, Andrew Wan / Mandeep Purewal, SNC-Lavalin Inc., November 27, 2023
- *Human Health and Ecological Risk Assessment, Lot #4, Lot #5 and Roadways, 2229 Boxwood Road Property, Nanaimo, BC*, Andrew Wan / Mandeep Purewal, SNC-Lavalin Inc., July 20, 2023
- *Stage 1 Preliminary Site Investigation Update, Proposed Lots 4 and 5, and Proposed Roadway 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc., July 19, 2023.
- *Confirmation of Remediation, Proposed Lots 4 and 5, and Proposed Roadway of 2229 Boxwood Road, Nanaimo, BC*, Roxanne Croxall / Erin O'Brien, Tetra Tech Canada Inc., July 19, 2023.
- *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, November 15, 2022
- *Re: Certificate of Compliance - Proposed Lots 1, 2, and 3 2229 Boxwood Road, Nanaimo, BC*, Ministry of Environment and Climate Change Strategy, October 25, 2022

May 2, 2024

---

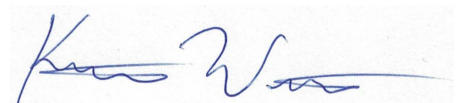


Kirstin Webster  
For Director, *Environmental Management Act*

- *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 24, 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 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*
- *Performance Verification Plan, Pacific Gold Homes - 2229 Boxwood Road, Nanaimo, BC, Debby Reeves/Andrew Wan, SNC Lavalin, April 29, 2021*
- *Human Health and Ecological Risk Assessment, 2229 Boxwood Road Property, Nanaimo, BC, Debby Reeves/Andrew Wan, SNC Lavalin, April 29, 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*
- *Protocol 6 Preapproval Request, 2229 Boxwood Road, Nanaimo, BC, PID 023-477-733, Paul Gardner/Don Williams, Tetra Tech Canada Inc., March 22, 2021*
- *Stage 2 Preliminary Site Investigation, 2229 Boxwood Road, Nanaimo, BC, Kristy Gabelhouse/Martin Jarman, Tetra Tech EBA Inc., November 7, 2016*

May 2, 2024

---

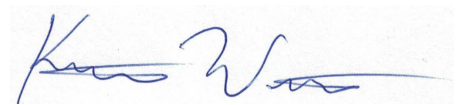


Kirstin Webster  
For Director, *Environmental Management Act*

- *Stage 1 Preliminary Site Investigation, 2229 Boxwood Road, Nanaimo, BC, Joel Shandro / Martin Jarman EBA Engineering Consultants Ltd., April 2012*

May 2, 2024

---



Kirstin Webster  
For Director, *Environmental Management Act*