



VIA EMAIL: dwrudichuk@prairiemerchant.ca

Victoria File: 26250-20/2556, 28147
Site ID: 2556, 28147

May 28, 2024

PMC (Harvey) Holdings Corp., Inc. No. BC1100928 and,
PMC (KBC) Holdings Corp., Inc. No. BC1391099
Att: Daryl Rudichuk
340-1085 Homer Street
Vancouver, BC V6B 1J4

Dear Daryl Rudichuk:

Re: Approval in Principle – 1574 and 1634 Harvey Avenue, Kelowna, BC

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) removal of soil under the provisions of Part 8 of the Contaminated Sites Regulation that may be encountered during any future 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 Roberto.Prieto@gov.bc.ca.

Yours truly,



Roberto Prieto, P.Ag.
Senior Contaminated Sites Officer

Enclosure

cc: Corey Davis, City of Kelowna
cdavis@kelowna.ca

Audrie Henry, Ministry of Transportation and Infrastructure
audrie.henry@gov.bc.ca

Michael Geraghty, Approved Professional, Keystone Environmental Ltd.
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Byron Taylor, The Bank of Nova Scotia,
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APPROVAL IN PRINCIPLE
(Pursuant to Section 53 of the *Environmental Management Act*)

THIS IS TO CERTIFY that the remediation plan described herein submitted by PMC (Harvey) Holdings Corp., Inc. No. BC1100928 and, PMC (KBC) Holdings Corp., Inc. No. BC1391099 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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Roberto Prieto
For Director, *Environmental Management Act*

Schedule A

The site covered by this Approval in Principle is located at 1574 and 1634 Harvey Avenue and a portion of the sidewalk south of 1634 Havey Avenue in the City of Kelowna, British Columbia, which is more particularly known and described as:

West property: 1574 Harvey Avenue
Lot 3 Section 20 Township 26 Osoyoos Division Yale District Plan 32159
PID: 002-556-618

East Property: 1634 Harvey Avenue
Lot B Section 20 Township 26 Osoyoos Division Yale District Plan 16186 Except Plan KAP49728
PID: 008-688-575

Potential affected parcel adjacent south of the Site: A portion of sidewalk adjacent to 1634 Havey Avenue, Kelowna BC as described by the following metes and bounds:

Starting at the Southwest Corner of Lot B Section 20 Township 26
Osoyoos Division Yale District Plan 16186 except plan KAP49728;
thence 91° 36' 09" For 45.600 metres: the Point of Commencement.

thence 91° 36' 09" for 5.380 metres;
thence 181° 36' 09" for 1.155 metres;
thence 271° 36' 09" for 5.380 metres;
thence 1° 36' 09" for 31.155 metres;

returning to the Point of Commencement

The site contains part of a legal parcel depicted in the engineering drawing number 24-18164-01 prepared by Keystone Environmental Ltd. on February 7, 2024.

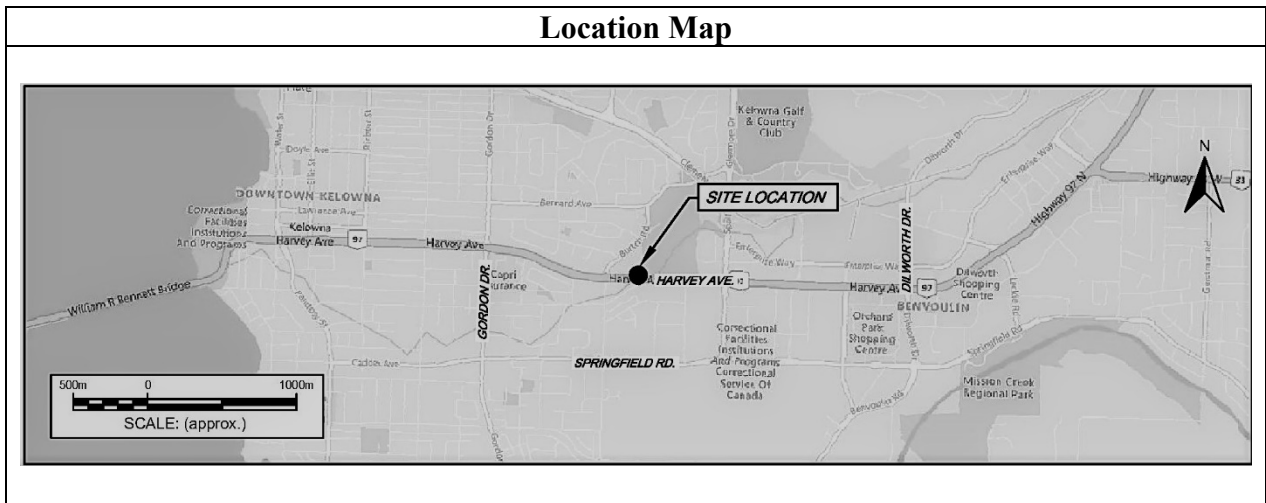
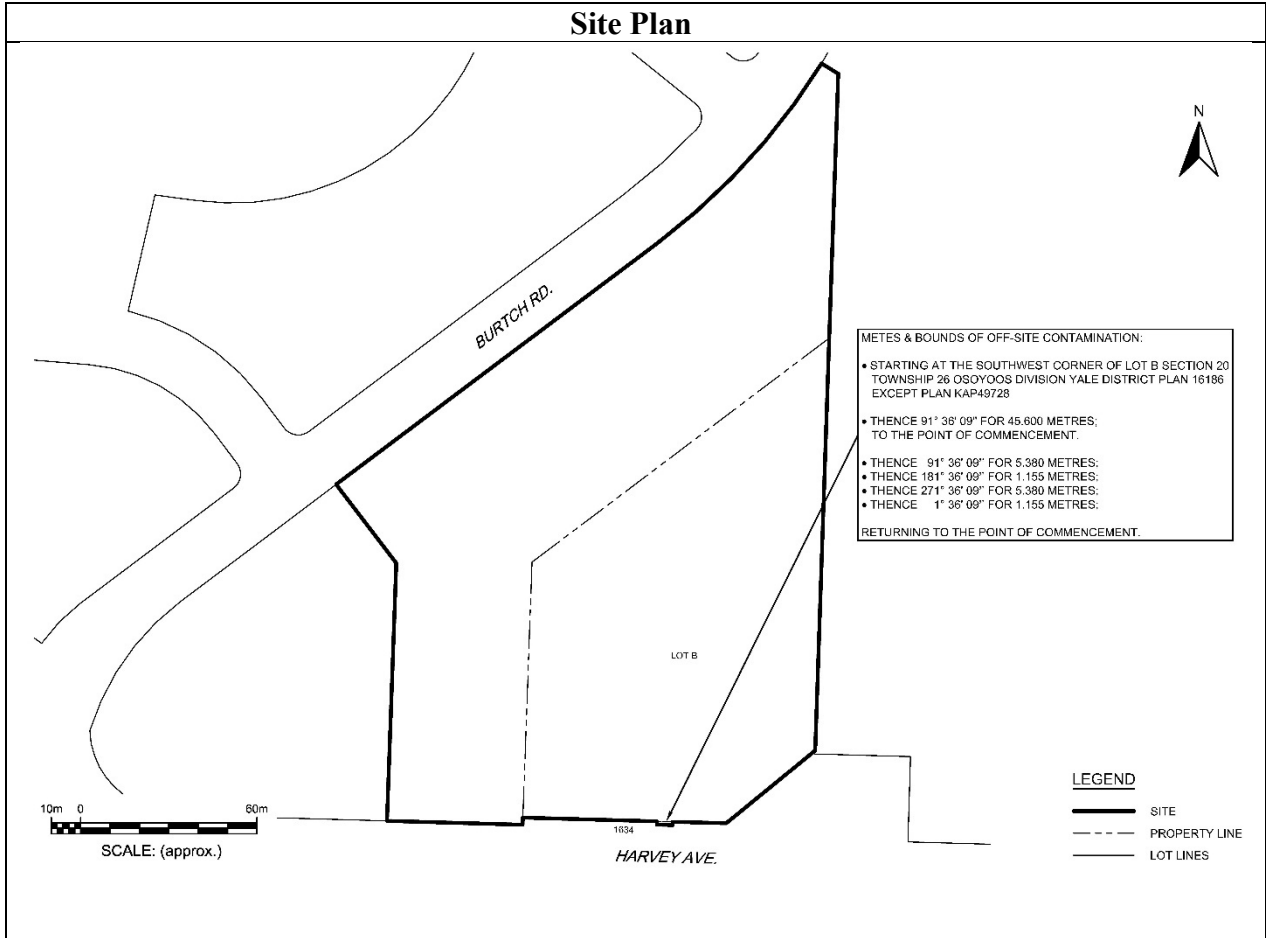
The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 49 ° 52' 59.00"
Longitude: 119° 27' 47.10"


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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 *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.

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;

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- (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) 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 the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at the site. These assumptions include the following:
- (a) *The expected site buildings will be high density residential buildings with a parkade of any depth.*
 - (b) *The sidewalk will remain as a sidewalk.*

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 Approval in Principle may be necessary.

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Schedule C

Substances and Uses

Substances to be remediated in soil for high density residential land soil use:

To meet numerical remediation standards:

VPHs	N/A
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Substances to be remediated in water for drinking water use:

To meet numerical remediation standards:

EPHw(10-19)	N/A
methylnaphthalene,1-	90-12-0
methylnaphthalene,2-	91-57-6
naphthalene	91-20-3
trimethylbenzene,1,3,5-	108-67-8
xylenes, total	1330-20-7

Substances to be remediated in water for freshwater aquatic water use:

To meet numerical remediation standards:

EPHw(10-19)	N/A
LEPHw	N/A
methylnaphthalene,1-	90-12-0
methylnaphthalene,2-	91-57-6
naphthalene	91-20-3
trimethylbenzene,1,3,5-	108-67-8
VPHw	NA

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Schedule D

Documents

Summary of Site Condition, 1574 and 1634 Harvey Avenue, Kelowna, BC, Keystone Environmental Ltd., March 8, 2024;

Report of Findings - Stage 1 Preliminary Site Investigation, Detailed Site Investigation, and Remediation Plan, 1574 and 1634 Harvey Avenue, Kelowna, BC, Keystone Environmental Ltd., February 1, 2024;

Communications Record with the City of Kelowna regarding the potential for off-Site migration and a joint Approval in Principle, Keystone Environmental Ltd., October 3, 2023;

Phase II Environmental Site Assessment, 1634 Harvey Avenue, Kelowna, BC. Prepared by SLR Consulting Ltd., January 20, 2023;

Phase I Environmental Site Assessment, 1634 Harvey Avenue, Kelowna, BC. Prepared by SLR Consulting Ltd., January 17, 2023;

Phase I Environment Site Assessment, 1574 Harvey Avenue, Kelowna, BC. Prepared by SLR Consulting Ltd., October 24, 2022;

Phase I Environment and Building Assessment, 1634 Harvey Avenue, Kelowna, BC. Prepared by Venture Engineering Consultants Ltd., October 8, 2021;

Detailed Site Investigation, Design Centre International, 1634 Harvey Avenue, Kelowna, BC. Prepared by Reid Crowther & Partners Ltd., May 4, 1992; and

Letters: Correspondence with the Ministry of Environment, 1634 Harvey Avenue, Kelowna. Prepared by Reid Crowther & Partners Ltd. Consulting Engineers BC, January to May 1992.

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