



**VIA EMAIL: wing@atelier-capital.com**

Victoria File: 26250-20/27183  
Regional File: 26250-20/27183  
Site ID: 27183

September 10, 2024

Atelier Phoenix Limited Partnership  
350-900 Howe Street  
Vancouver, BC V6Z 2M4

Dear Wing Li:

**Re: Approval in Principle – 43, 65 and 95 East 3<sup>rd</sup> Avenue, Vancouver, 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 and 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

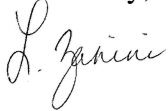
undertaking remediation. It is also the responsibility of those persons to ensure that all activities conducted under this Approval in Principle are carried out with due regard to the rights of third parties, and comply with other applicable legislation that may be in force.

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, 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 [Site@gov.bc.ca](mailto:Site@gov.bc.ca) (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Lavinia Zanini, P.Geo  
Senior Contaminated Sites Officer

Enclosure

cc: Dr. Susanne Rühle, City of Vancouver, [susanne.ruhle@vancouver.ca](mailto:susanne.ruhle@vancouver.ca)  
Zayed Mohamed, PGL Environmental Consultants, [zmohamed@pggroup.com](mailto:zmohamed@pggroup.com)  
Melissa LaBar, PGL Environmental Consultants, [mlabar@pggroup.com](mailto:mlabar@pggroup.com)  
CSAP Society, [submissions@csapsociety.bc.ca](mailto:submissions@csapsociety.bc.ca)  
Client Information Officer, ENV, [csp\\_cio@victoria1.gov.bc.ca](mailto:csp_cio@victoria1.gov.bc.ca)  
Vik Binning, Atelier Phoenix Limited Partnership, [vik.binning@atelier-capital.com](mailto:vik.binning@atelier-capital.com)  
Alec Hou, Director, RBC, [aalec.hou@rbc.com](mailto:aalec.hou@rbc.com)



## APPROVAL IN PRINCIPLE

(Pursuant to Section 53 of the *Environmental Management Act*)

**THIS IS TO CERTIFY** that the remediation plan described herein submitted by Atelier Phoenix Limited Partnership 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.

September 10, 2024

Date Issued

Lavinia Zanni

For Director, *Environmental Management Act*

## Schedule A

The site covered by this Approval in Principle is located at 43, 65 and 95 East 3<sup>rd</sup> Avenue, Vancouver, British Columbia which is more particularly known and described as:

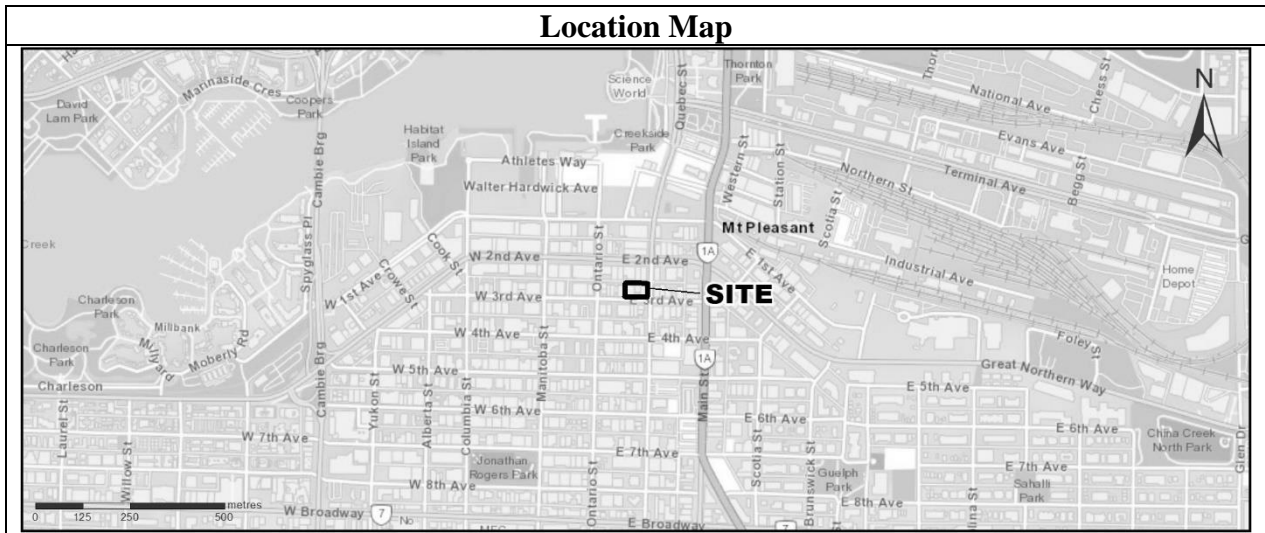
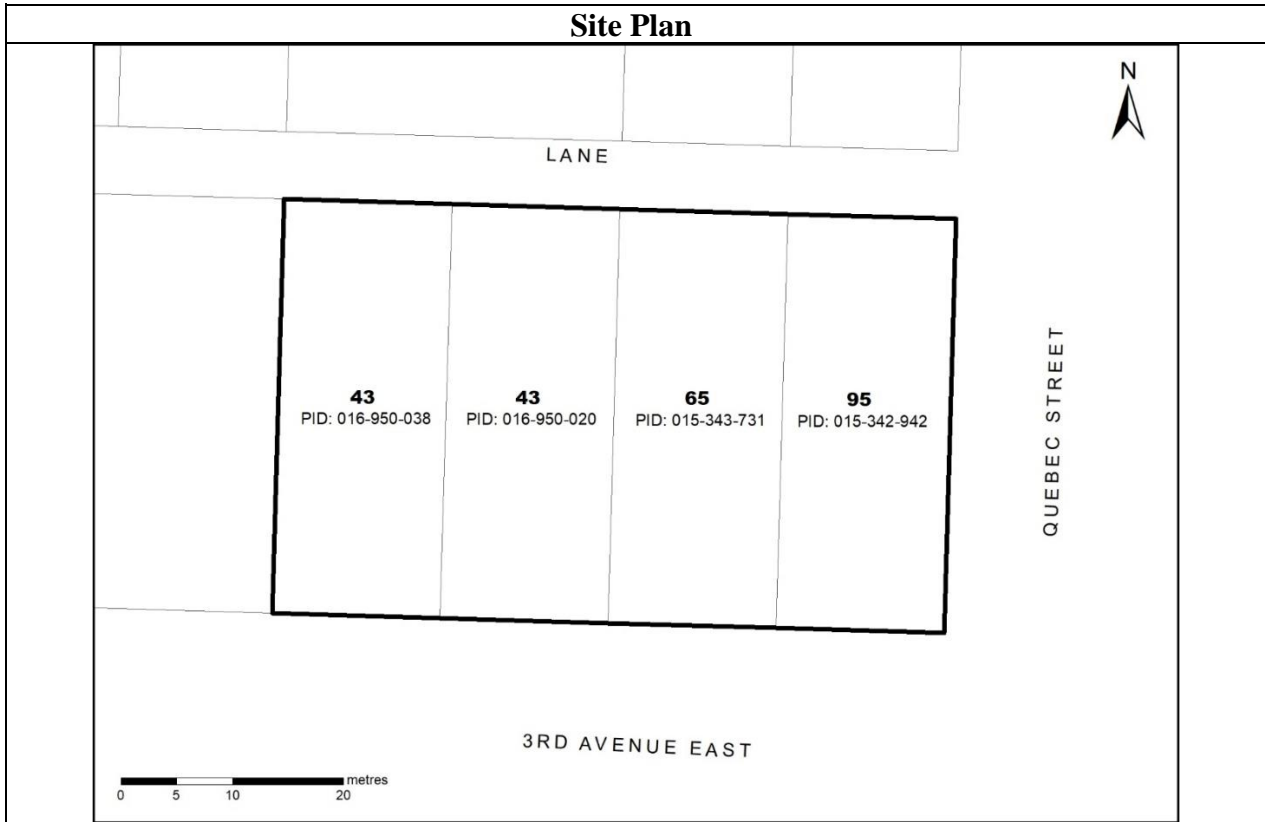
- Lot 12 Block 13 District Lot 200A Plan 197 and Lot 11 Block 13 District Lot 200A Plan 197; PID: 016-950-038 and 016-950-020
- Lot 10 Block 13 District Lot 200A Plan 197; PID: 015-343-731
- Lot 9 Block 13 District Lot 200A Plan 197; PID: 015-342-492

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

Latitude: 49° 16' 6.5"  
Longitude: 123° 06' 12.0"

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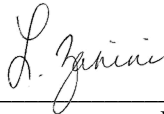
  
 Lavinia Zanini  
 For Director, Environmental Management Act

## 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 2 above if remedial progress differs substantially from the schedule set out in the approved plan.
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; and

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(c) 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 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) *Buildings will be underlain by a concrete slab; and,*
- (b) *Any 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 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 commercial land soil use:*

To meet numerical remediation standards:

lead	7439-93-1
zinc	7440-66-6

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For Director, *Environmental Management Act*

## Schedule D

### Documents

*Summary of Site condition*, prepared by Zayed Mohamed / PGL Environmental Consultants, June 18, 2024

*Stage 2 Preliminary and Detailed Site Investigation and Remediation Plan*, prepared by PGL Environmental Consultants, April 2024

*Stage 1 Preliminary Site Investigation*, prepared by PGL Environmental Consultants April 2024

*Application for Preapproval under Protocol 6 Request for Relief from Delineation, 43-95 East 3<sup>rd</sup> Avenue, Vancouver, British Columbia (Site 27183)*, BC ENV, January 30, 2024

*Addendum to Protocol 6 Preapproval Application Not To Delineate Area-wide Fill Contamination - 43-95 East 3<sup>rd</sup> Avenue, Vancouver, BC*, prepared by PGL Environmental Consultants, November 10, 2023

*Protocol 6 Preapproval Application Not To Delineate Area-wide Fill Contamination - 43-95 East 3<sup>rd</sup> Avenue, Vancouver, BC*, prepared by PGL Environmental Consultants, March 13, 2023

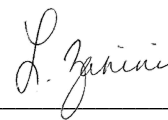
*Report of Findings, Phase I Environmental Site Assessment, 65/95 East 3<sup>rd</sup> Avenue, Vancouver, BC*, prepared by Keystone Environmental, July 2021

*Report of Findings, Phase I Environmental Site Assessment, 43 East 3<sup>rd</sup> Avenue, Vancouver, BC*, prepared by Keystone Environmental, July 2021

*Environmental Report for Underground Storage Tank Removal and Environmental Soil Sampling at 43 East 3<sup>rd</sup> Avenue, Vancouver, BC*, prepared by Ambleside Consulting, October 23, 2012

*Updated Phase I and Phase II Environmental Site Assessment, 43 East 3<sup>rd</sup> Avenue, Vancouver, BC*, prepared by Franz Environmental Inc, June 2012

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For Director, *Environmental Management Act*