



**VIA EMAIL**

Victoria File: 26250-20/28558  
Site ID: 28558

Date: June 27, 2024

Mr. Matthew Kingston  
3777 Kingsway Portfolio Inc., Inc.No. A67716  
3625 Dufferin Street, Suite 500  
Toronto, Ontario, M3K 1N4  
mkingston@hr-reit.com

Dear : Mr. Kingston

**Re: Final Determination – 3777 Kingsway, Burnaby, BC**

Please find enclosed a Final Determination respecting the site referenced above and be advised of the following:

1. The Director has made a Final Determination that the site is not contaminated because the numerical standards and criteria of the Contaminated Sites Regulation have been met at the site.
2. Information about the site will be included in the Site Registry established under the *Environmental Management Act*.
3. The provisions of this Final Determination 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 Final Determination will restrict or impair the Director's power in that regard.
4. 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.
5. Groundwater wells that are no longer required must be properly decommissioned in accordance with the *Water Sustainability Act's* Groundwater Protection Regulation.

Issuance of this Final Determination is a decision that may be appealed under Part 8 of the *Environmental Management Act*.

If you require clarification of any aspect of this Final Determination, 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,



Annette Mortensen, Ph.D., P.Eng  
Senior Contaminated Sites Officer

Enclosure

cc: Darseen Pooni, City of Burnaby  
[Darseen.pooni@burnaby.ca](mailto:Darseen.pooni@burnaby.ca)

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**FINAL DETERMINATION**  
(Pursuant to Section 44 of the *Environmental Management Act*)

I have made a Final Determination that the site identified in Schedule A of this document **is not** a contaminated site.


This Final Determination is qualified by the requirements and conditions specified in Schedule B.

The site does not have concentrations of the substances specified in Schedule C that exceed the applicable standards and criteria prescribed in the Contaminated Sites Regulation for determining whether a site is a contaminated site.

I have issued this Final Determination 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.

This Final Determination should not be construed as an assurance that there are no hazards present at the site.

June 27, 2024  
Date Issued

  
A. Mortensen  
For Director, *Environmental Management Act*

## Schedule A

The site covered by this Final Determination is located at 3777 Kingsway, Burnaby, British Columbia which is more particularly known and described as:

Lot "A" (X75108) District Lots 35 and 151 Group 1 New Westminster District Plan 51937  
PID: 000-744-557, civic address: 3777 Kingsway, Burnaby, BC

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

Latitude: 49° 13' 59.00"  
Longitude: 123° 1' 19.00"

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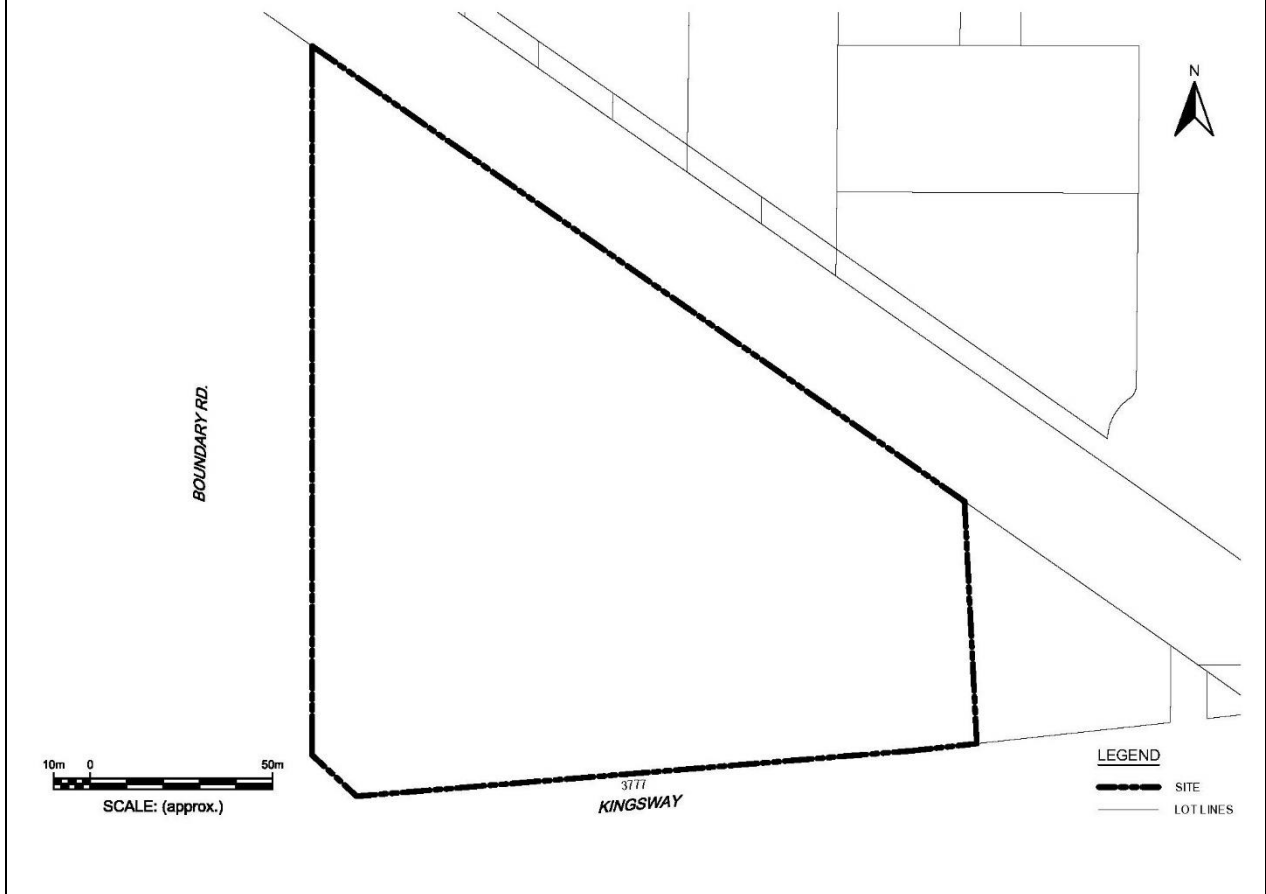
Date Issued



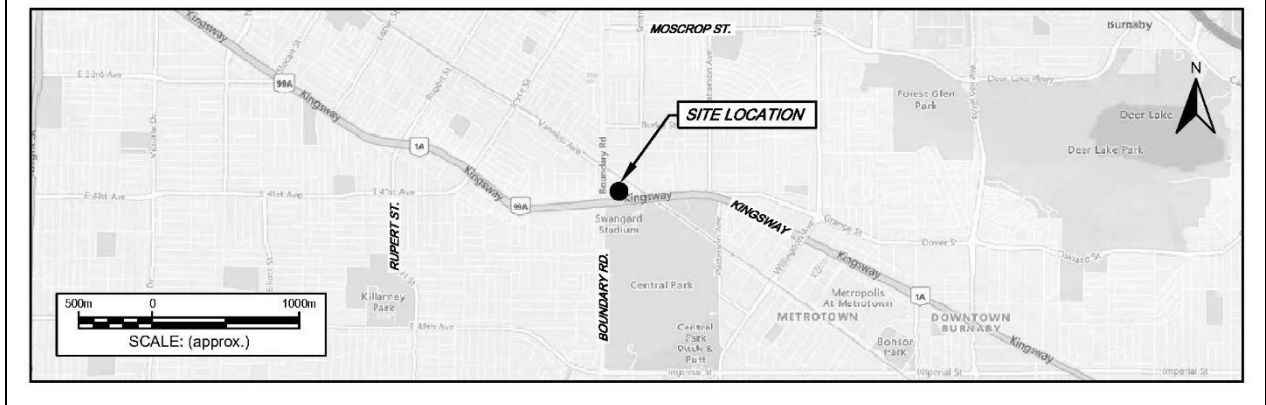
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### Site Plan



### 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 in a written submission to the Director. An application for an amendment or new Determination of Contaminated Site 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 existing or expected at the site. These assumptions include the following:

*(a) The expected buildings on the site will be mixed residential and commercial at grade with an underground parkade of any depth.*

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 person in a written submission to the Director. An application for an amendment or new Determination of Contaminated Site may be necessary.

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## Schedule C

### Substances and Uses

*Substances evaluated in soil for residential high density soil use:*

To meet numerical standards prescribed for defining whether a site is contaminated:

|                             |                     |                                     |           |
|-----------------------------|---------------------|-------------------------------------|-----------|
| acenaphthene                | 83-32-9             | dibenz(a,h)anthracene               | 53-70-3   |
| acetone                     | 67-64-1             | dibromochloromethane [DBCM]         | 124-48-1  |
| aluminum                    | 7429-90-5           | dibromoethane, 1,2-                 | 106-93-4  |
| anthracene                  | 120-12-7            | dichlorobenzene, 1,2-               | 95-50-1   |
| antimony                    | 7440-36-0           | dichlorobenzene, 1,3-               | 541-73-1  |
| arsenic                     | 7440-38-2           | dichlorobenzene, 1,4-               | 106-46-7  |
| barium                      | 7440-39-3           | dichlorodifluoromethane             | 75-71-8   |
| benz(a)anthracene           | 56-55-3             | dichloroethane, 1,1-                | 75-34-3   |
| benzene                     | 71-43-2             | dichloroethane, 1,2-                | 107-06-2  |
| benzo(a)pyrene              | 50-32-8             | dichloroethylene, 1,1-              | 75-35-4   |
| benzo(b+j)fluoranthenes     | 205-99-2 & 205-82-3 | dichloroethylene, 1,2- (cis)        | 156-59-2  |
| benzo(k)fluoranthene        | 207-08-9            | dichloroethylene, 1,2- (trans)      | 156-60-5  |
| beryllium                   | 7440-41-7           | dichloromethane                     | 75-09-2   |
| boron                       | 7440-42-8           | dichloropropane, 1,2-               | 78-87-5   |
| bromobenzene                | 108-86-1            | dichloropropene, 1,3- (cis + trans) | 542-75-6  |
| bromodichloromethane [BDCM] | 75-27-4             | ethylbenzene                        | 100-41-4  |
| bromoform                   | 75-25-2             | ethylene glycol                     | 107-21-1  |
| bromomethane                | 74-83-9             | fluoranthene                        | 206-44-0  |
| butadiene,1,3-              | 106-99-0            | fluorene                            | 86-73-7   |
| butanone,2-                 | 78-92-2             | HEPHs                               | NA        |
| cadmium                     | 7440-43-9           | hexachlorobutadiene                 | 87-68-3   |
| carbon tetrachloride        | 56-23-5             | indeno(1,2,3-cd)pyrene              | 193-39-5  |
| chloroform                  | 67-66-3             | iron                                | 7439-89-6 |
| chromium                    | 7440-47-3           | isopropylbenzene                    | 98-82-8   |
| chrysene                    | 218-01-9            | lead                                | 7439-92-1 |
| cobalt                      | 7440-48-4           | LEPHs                               | NA        |
| copper                      | 7440-50-8           | lithium                             | 7439-93-2 |

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|--------------------------------|-----------|--|------------|
| manganese                      | 7439-96-5 | thallium                                   | 7440-28-0  |
| methylnaphthalene, 1-          | 90-12-0   | tin  | 7440-31-5  |
| methylnaphthalene, 2-          | 91-57-6   | toluene                                    | 108-88-3   |
| mercury                        | 7439-97-6 | trichlorobenzene, 1,2,3-                   | 87-61-6    |
| methyl tert-butyl ether [MTBE] | 1634-04-4 | trichlorobenzene, 1,2,4-                   | 120-82-1   |
| molybdenum                     | 7439-98-7 | trichloro-1,2,2-trifluoroethane,<br>1,1,2- | 76-13-1    |
| naphthalene                    | 91-20-3   | trichloroethane, 1,1,1-                    | 71-55-6    |
| nickel                         | 7440-02-0 | trichloroethane, 1,1,2-                    | 79-00-5    |
| phenanthrene                   | 85-01-8   | trichloroethylene                          | 79-01-06   |
| pyrene                         | 129-00-0  | trichlorofluoromethane                     | 75-69-4    |
| quinoline                      | 91-22-5   | triethylene glycol                         | 112-27-6   |
| selenium                       | 7782-49-2 | trimethylbenzene,1,3,5-                    | 108-67-8   |
| silver                         | 7440-22-4 | tungsten                                   | 74400-33-7 |
| strontium                      | 7440-24-6 | uranium                                    | 7440-61-1  |
| styrene                        | 100-42-5  | vanadium                                   | 7440-62-2  |
| tetrachloroethane,1,1,1,2-     | 630-20-6  | vinyl chloride                             | 75-01-4    |
| tetrachloroethane,1,1,2,2-     | 79-34-5   | VPHs                                       | N/A        |
| tetrachloroethylene            | 127-18-4  | xylenes                                    | 1330-20-7  |
| tetraethyl lead                | 78-00-2   | zinc                                       | 7440-66-6  |

***Substances evaluated in vapour for parkade vapour use:***

**To meet numerical standards prescribed for defining whether a site is contaminated:**

|                             |          |                               |          |
|-----------------------------|----------|-------------------------------|----------|
| acetone                     | 67-64-1  | chloroform                    | 67-66-3  |
| benzene                     | 71-43-2  | chloromethane                 | 74-87-3  |
| bromobenzene                | 108-86-1 | chlorophenol, 2-              | 95-57-8  |
| bromodichloromethane [BDCM] | 75-27-4  | chlorotoluene, 2-             | 95-49-8  |
| bromoform                   | 75-25-2  | dibromo-3-chloropropane, 1,2- | 96-12-8  |
| bromomethane                | 74-83-9  | dibromochloromethane [DBCM]   | 124-48-1 |
| butadiene, 1,3-             | 106-99-0 | dibromoethane, 1,2-           | 106-93-4 |
| carbon tetrachloride        | 56-23-5  | dibromomethane                | 74-95-3  |
| chlorobenzene               | 108-90-7 | dichlorobenzene, 1,2-         | 95-50-1  |
| chloroethane                | 75-00-3  | dichlorobenzene, 1,3-         | 541-73-1 |
| dichlorobenzene, 1,4-       | 106-46-7 | n-decane                      | 124-18-5 |
| dichlorodifluoromethane     | 75-71-8  | n-hexane                      | 110-54-3 |
| dichloroethane, 1,1-        | 75-34-3  | styrene                       | 100-42-5 |

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| dichloroethane, 1,2-              | 107-06-2  | tetrachloroethane, 1,1,1,2- | 630-20-6  |
| dichloroethylene, 1,1-            | 75-35-4   | tetrachloroethane, 1,1,2,2- | 79-34-5   |
| dichloroethylene, 1,2-cis         | 156-59-2  | tetrachloroethylene         | 127-18-4  |
| dichloroethylene, 1,2-trans-      | 156-60-5  | toluene                     | 108-88-3  |
| dichloromethane                   | 75-09-2   | trichlorobenzene, 1,2,4-    | 120-82-1  |
| dichloropropane, 1,2-             | 78-87-5   | trichloroethane, 1,1,1-     | 71-55-6   |
| dichloropropane, 1,3-             | 142-28-9  | trichloroethane, 1,1,2-     | 79-00-5   |
| dichloropropene, 1,3- (cis+trans) | 542-75-6  | trichloroethylene           | 79-01-06  |
| ethyl acetate                     | 141-78-6  | trichlorofluoromethane      | 75-69-4   |
| ethylbenzene                      | 100-41-4  | trichloropropane, 1,2,3-    | 96-18-4   |
| hexachlorobutadiene               | 87-68-3   | trimethylbenzene, 1,2,4-    | 95-63-6   |
| isopropylbenzene                  | 98-82-8   | trimethylbenzene, 1,3,5-    | 108-67-8  |
| methyl tert-butyl ether [MTBE]    | 1634-04-4 | vinyl chloride              | 75-01-4   |
| methylcyclohexane                 | 108-87-2  | VPHv                        | N/A       |
| naphthalene                       | 91-20-3   | xylenes, total              | 1330-20-7 |

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

To meet numerical standards prescribed for defining whether a site is contaminated:

|                             |                       |                             |           |
|-----------------------------|-----------------------|-----------------------------|-----------|
| acenaphthene                | 83-32-9               | boron                       | 7440-42-8 |
| acetone                     | 67-64-1               | bromobenzene                | 108-86-1  |
| aluminum                    | 7429-90-5             | bromodichloromethane [BDCM] | 75-27-4   |
| anthracene                  | 120-12-7              | bromoform                   | 75-25-2   |
| antimony                    | 7440-36-0             | bromomethane                | 74-83-9   |
| arsenic                     | 7440-38-2             | butadiene, 1,3-             | 106-99-0  |
| benzene                     | 71-43-2               | butanone, 2-                | 78-92-2   |
| barium                      | 7440-39-3             | cadmium                     | 7440-43-9 |
| benz(a)anthracene           | 56-55-3               | carbon tetrachloride        | 56-23-5   |
| benzo(a)pyrene              | 50-32-8               | chloroform                  | 67-66-3   |
| benzo(b+j)fluoranthenes     | 205-99-2&<br>205-82-3 | chromium                    | 7440-47-3 |
| beryllium                   | 7440-41-7             | chrysene                    | 218-01-9  |
| cobalt                      | 7440-48-4             | lithium                     | 7439-93-2 |
| copper                      | 7440-50-8             | manganese                   | 7439-96-5 |
| dibenz(a,h)anthracene       | 53-70-3               | methylnaphthalene, 1-       | 90-12-0   |
| dibromochloromethane [BDCM] | 124-48-1              | methylnaphthalene, 2-       | 91-57-6   |

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| dibromoethane, 1,2-                    | 106-93-4 | mercury                        | 7439-97-6 |
| dichlorobenzene, 1,2-                  | 95-50-1  | methyl tert-butyl ether [MTBE] | 1634-04-4 |
| dichlorobenzene, 1,4-                  | 106-46-7 | molybdenum                     | 7439-98-7 |
| dichlorodifluoromethane                | 75-71-8  | naphthalene                    | 91-20-3   |
| dichloroethane, 1,1-                   | 75-34-3  | nickel                         | 7440-02-0 |
| dichloroethane, 1,2-                   | 107-06-2 | propylene glycol, 1,2-         | 57-55-6   |
| dichloroethylene, 1,1-                 | 75-35-4  | pyrene                         | 129-00-0  |
| dichloroethylene, 1,2-cis-             | 156-59-2 | quinoline                      | 91-22-5   |
| dichloroethylene, 1,2-trans-           | 156-60-5 | selenium                       | 7782-49-2 |
| dichloromethane                        | 75-09-2  | silver                         | 7440-22-4 |
| dichloropropane, 1,2-                  | 78-87-5  | strontium                      | 7440-24-6 |
| dichloropropane, 1,3-                  | 142-28-9 | styrene                        | 100-42-5  |
| dichloropropene, 1,3- (cis + trans)    | 542-75-6 | tetrachloroethane,1,1,1,2-     | 630-20-6  |
| EPHW <sub>(10-19)</sub>                | N/A      | tetrachloroethane,1,1,2,2-     | 79-34-5   |
| ethylbenzene                           | 100-41-4 | tetrachloroethylene            | 127-18-4  |
| ethylene glycol                        | 107-21-1 | tetraethyl lead                | 78-00-2   |
| fluoranthene                           | 206-44-0 | tin                            | 7440-31-5 |
| fluorene                               | 86-73-7  | toluene                        | 108-88-3  |
| hexachlorobutadiene                    | 87-68-3  | trichlorobenzene, 1,2,3-       | 87-61-6   |
| isopropylbenzene                       | 98-82-8  | trimethylbenzene, 1,3,5-       | 108-67-8  |
| trichlorobenzene, 1,2,4-               | 120-82-1 | uranium                        | 7440-61-1 |
| tirchloro-1,2,2-tirfluoroethane,1,1,2- | 76-13-1  | vanadium                       | 7440-62-2 |
| tirchloroethane, 1,1,1-                | 71-55-6  | vinyl choride                  | 75-01-4   |
| tirchloroethane, 1,1,2-                | 79-00-5  | VHW <sub>(6-10)</sub>          | N/A       |
| tirchloroethylene                      | 79-01-6  | xylenes, total                 | 1330-20-7 |
| trichlorofluoromethane                 | 75-69-4  | zinc                           | 7440-66-6 |
| triethylene glycol                     | 112-27-6 |                                |           |

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## Schedule D

### Documents

*Summary of Site Condition, 3777 Kingsway, Burnaby, BC, Keystone Environmental Ltd., November 2023;*

*Report of Findings – Stage 1 Preliminary Site Investigation, Detailed Site Investigation, and Remediation Plan, 3777 and 3791 Kingsway, Burnaby, BC, Keystone Environmental Ltd. November 2023;*

*Phase II Environmental Site Assessment, 3777 Kingsway, Burnaby, BC, McIntosh Perry Limited, August 2019;*

*Stage 2 Preliminary Site Investigation, 3777 Kingsway, Burnaby, BC, Pinchin West Ltd., May 2014;*

*Stage 1 Preliminary Site Investigation, 3777 Kingsway, Burnaby, BC, Pinchin West Ltd., April 2014;*

*Peer Review, 3777 Kingsway, Burnaby, BC, Construction Controls Inc., October 2005;*

*Environmental Stage 1 Preliminary Site Investigation Update at 3777 Kingsway, Burnaby, BC, PHH ARC Environmental Ltd., August 2005;*

*Environmental Stage 1 & 2 Preliminary Site Investigation, 3777 Kingsway, Burnaby, BC, PHH Environmental Ltd., July 2002;*

*Report of Findings – Stage 2 Preliminary Site Investigation, 3777 Kingsway, Burnaby, BC, Keystone Environmental Ltd., June 2000; and,*

*Environmental Stage 1 Preliminary Site Investigation, 3777 Kingsway, Burnaby, BC, PHH Environmental Ltd., April 2000.*

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