



**VIA EMAIL**

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

April 3, 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: Preliminary Determination – 3777 Kingsway, Burnaby, BC**

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

1. The Director has made a Preliminary 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 Preliminary 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 Preliminary Determination will restrict or impair the Director's power in this 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.

This is to advise that the Director will consider submissions received within 35 days after delivery of this Preliminary Determination before a Final Determination is made.

If you require clarification of any aspect of this Preliminary Determination, please contact the undersigned at [site@gov.bc.ca](mailto:site@gov.bc.ca).

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)

Mr. Kirk Robinson – PC Urban Properties Corp.  
[krobinson@pcurban.ca](mailto:krobinson@pcurban.ca)

Telus Communications Inc., Manager Real Estate  
[Lori.Gardner@TELUS.com](mailto:Lori.Gardner@TELUS.com)

Sun Life Capital Management  
Moneesha Sharma - Senior Director, Private Fixed Income  
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Michael Geraghty, Approved Professional, Keystone Environmental Ltd.  
[mgeraghty@keystoneenvironmental.ca](mailto:mgeraghty@keystoneenvironmental.ca)

Anna Popova, CSAP Society  
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Client Information Officer, BC Ministry of Environment and Climate Change Strategy, Site Remediation Program  
[csp\\_cio@victoria1.gov.bc.ca](mailto:csp_cio@victoria1.gov.bc.ca)



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

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

This Preliminary 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 Preliminary 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 is to advise that I will consider submissions received 35 days after delivery of this Preliminary Determination before a Final Determination is made.

In accordance with the *Environmental Management Act*, I will notify persons with an interest in the subject site once a Final Determination is made.

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

April 3, 2024  
Date Issued

  
A. Mortensen  
For Director, *Environmental Management Act*

## Schedule A


The site covered by this Preliminary 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

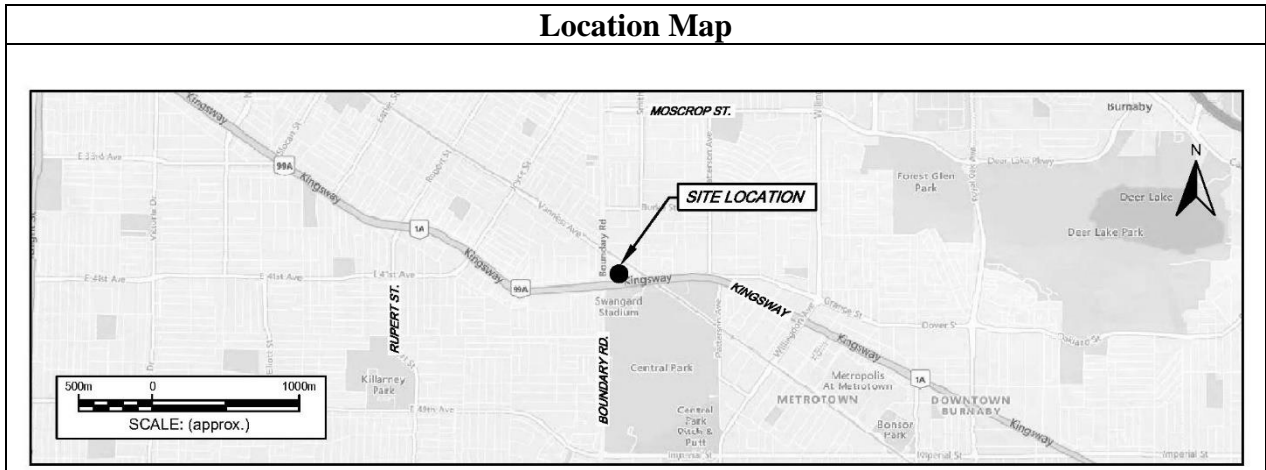
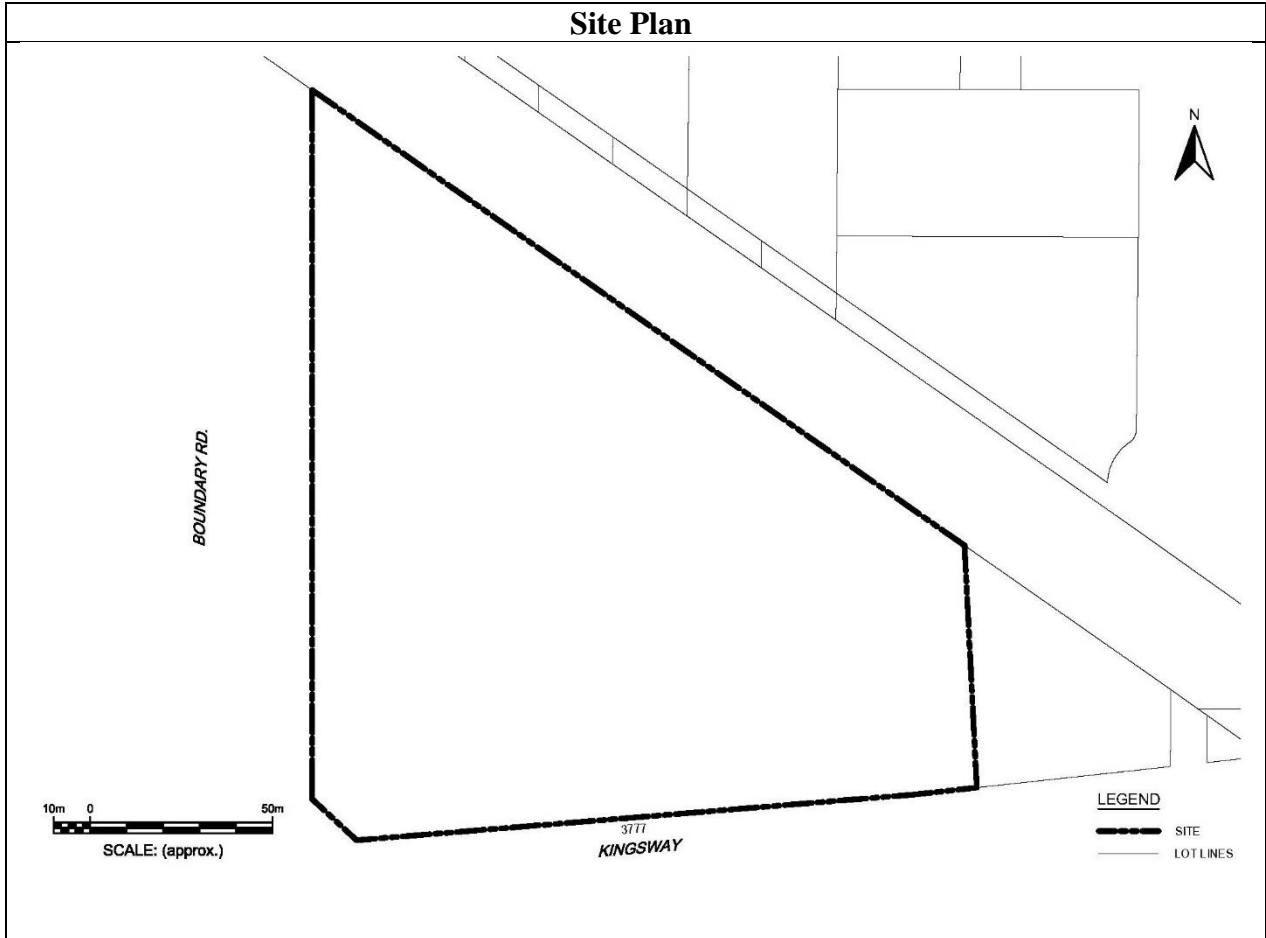
The approximate centre of the site using the NAD (North American Datum) 1983 convention is:

Latitude: 49° 13' 59.00"  
Longitude: 123° 01' 19.00"

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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 standard> 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, 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& 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 [DBCM]	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
EPH <sub>w(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
trichloro-1,2,2-trifluoroethane, 1,1,2-	76-13-1	vanadium	7440-62-2
trichloroethane, 1,1,1-	71-55-6	vinyl chloride	75-01-4
trichloroethane, 1,1,2-	79-00-5	VH <sub>w(6-10)</sub>	N/A
trichloroethylene	79-01-6	xylene, 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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