



Victoria File: 26250-20/6587
Site ID: 6587

Date: April 21, 2023

Arash Tavakoli
JAM (3304 Kingsway) Holdings Inc.
1600 – 925 West Georgia Street
Vancouver, BC V6C 3L2
arash@dicatagroup.com

Dear Arash Tavakoli:

Re: Approval in Principle – 3304 Kingsway, 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 Colleen.Delaney@gov.bc.ca (toll free via Enquiry BC at 1-800-663-7867).

Yours truly,



Colleen Delaney, P. Ag.
Senior Professional Reliance Officer

Enclosure

cc: City of Vancouver, Contaminated.Sites@vancouver.ca

BCMP Mortgage Investment Corp.
(BY MAIL) 1210 - 1030 West Georgia Street, Vancouver, BC V6E 2Y3 (by mail)

David Mitchell, Approved Professional, Active Earth Engineering Ltd.
201 – 3989 Henning Drive, Burnaby, BC V5C 6P8
(BY EMAIL) David.mitchell@activeearth.ca

Anna Popova, CSAP Society
744 W Hastings Street, Vancouver, BC V6C 1A5
(BY EMAIL) apopova@csapsociety.bc.ca

Client Information Officer, ENV, Victoria csp_cio@victoria1.gov.bc.ca



APPROVAL IN PRINCIPLE

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

THIS IS TO CERTIFY that the remediation plan described herein submitted by JAM (3304 Kingsway) Holdings Inc. 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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Colleen Delaney
For Director, *Environmental Management Act*

Schedule A

The site covered by this Approval in Principle is located at 3304 Kingsway, Vancouver, British Columbia which is more particularly known and described as:

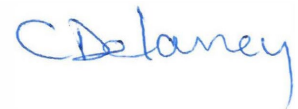
LOT A, EXCEPT PORTIONS IN REFERENCE PLANS 2447 AND 8858, BLOCK 36
DISTRICT LOT 37 PLAN 6270
PID: 010-929-193

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

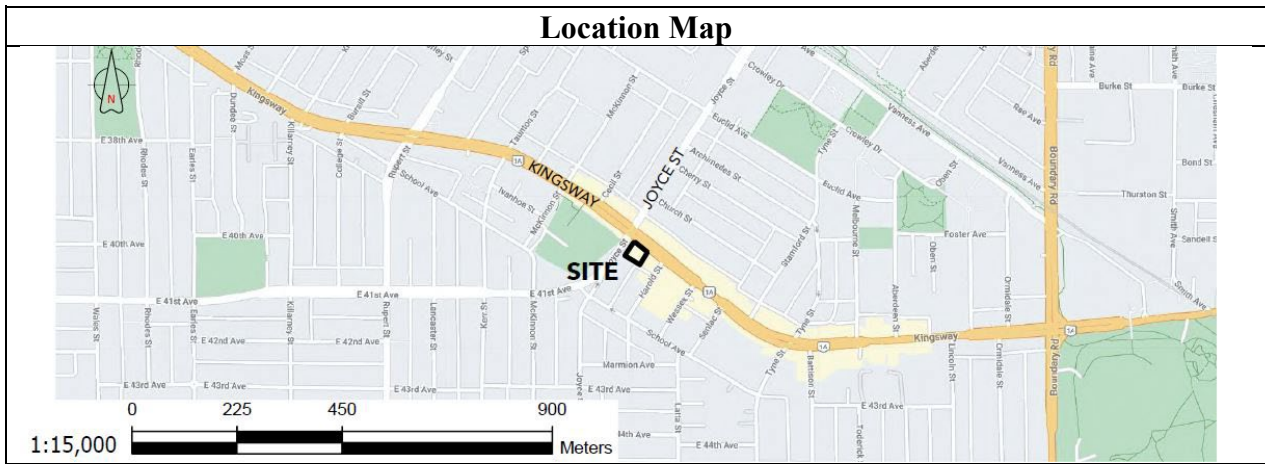
Latitude: 49° 14' 01.5"
Longitude: 123° 02' 08.9"

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CDelaney

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Schedule B

Requirements and Conditions

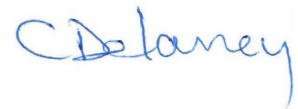
1. Remediation, including monitoring, inspections and maintenance of any works, must be undertaken by the responsible person in the manner and schedule specified in the plan listed in Schedule D or as specified in a modification of the plan approved by the Director.
2. Any substantial modifications to 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. 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;

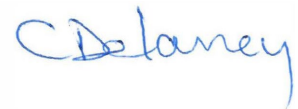
7. The documents listed in Schedule D indicate that vapour attenuation factors were applied to meet a Contaminated Sites Regulation numerical standard at the site. These vapour attenuation factors were selected based on assumptions about the structures, locations and depths of buildings existing or expected at the site. These assumptions include the following:

(a) *“The proposed development for the Site will include a high-density mixed use commercial and residential building with at least two levels for underground parking”.*

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 Approval in Principle may be necessary.

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Schedule C

Substances and Uses

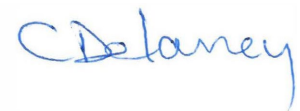
Substances to be remediated in soil for commercial land soil use:

To meet numerical remediation standards:

LEPHs	NA
naphthalene	91-20-3
VPHs	NA
xylenes	1330-20-7

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Schedule D

Documents

Summary of Site Condition, 3304 Kingsway, Vancouver, BC, prepared by Active Earth Engineering Ltd., dated October 2022;

Remediation Plan, 3304 Kingsway, Vancouver, BC, prepared by Active Earth Engineering Ltd., dated October 2022;

Application for Director's Preapproval under Protocol 6 – Request for Approval to Submit AiP Application to CSAP Society for a High Risk Site, 3304 Kingsway, Vancouver, BC, prepared by BC ENV, dated July 18, 2022;

Protocol 6 Preapproval Request – Potential High Risk Condition After Rezoning 3304 Kingsway, Vancouver, BC, prepared by Active Earth Engineering Ltd., dated November 30, 2021;

Preliminary and Detailed Site Investigation, 3304 Kingsway Avenue, Vancouver, BC, prepared by Active Earth Engineering Ltd., dated March 2021.

Stage 1 Preliminary Site Investigation, 3304 Kingsway Avenue, Vancouver, BC, prepared by Active Earth Engineering Ltd., dated January 2021;

Report of Findings - Supplementary Site Investigation 2, 3304 Kingsway Avenue, Vancouver, BC, prepared by Active Earth Engineering Ltd., dated September 24, 2020;

Report of Findings - Supplementary Site Investigation 2, 3304 Kingsway Avenue, Vancouver, BC, prepared by Active Earth Engineering Ltd., dated April 1, 2020;

Report of Findings - Supplementary Site Investigation, 3304 Kingsway Avenue, Vancouver, BC, prepared by Active Earth Engineering Ltd., dated February 13, 2020;

February 2019 Groundwater Monitoring and Soil Vapour Sampling Report, 3304 Kingsway, Vancouver, BC, Location No. 301537, prepared by Parsons Inc., dated April 5, 2019;

Subsurface Investigation 3304 Kingsway, Vancouver, BC, SAP Location No. 301537/ Project No. JF 00203, prepared by Parsons Inc., dated December 19, 2018;

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2017 Groundwater Monitoring and Sampling Report 3304 Kingsway, Vancouver, BC, Location No. J00203/301537, prepared by Parsons Inc., dated September 19, 2017;

Stage 1 and 2 PSI, and UST Decommissioning Report for 3304 Kingsway, Vancouver, BC, prepared by SLR Consulting, dated March 11, 2009;

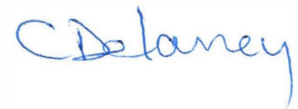
Groundwater Monitoring/Sampling and Remedial Recommendation for Kingsway & Joyce ESSO Station No. 990854, 3304 Kingsway Avenue, Vancouver, BC, prepared by Seacor Environmental Inc., dated December 10, 2004;

Tank Upgrade, 3304 Kingsway, Vancouver, BC, prepared by O'Conner Associates Environmental Inc., dated July 7, 1994;

Site Investigation 3304 Kingsway, Vancouver, BC, prepared by O'Conner Associates Environmental Inc., dated January 21, 1993.

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