



5 February, 2018

Victoria File: 26250-20/5361
SITE: 5361

VIA EMAIL ONLY: korso@keystoneenvironmental.com and mdepaoli@portmoody.ca

Mosaic Avenue Developments
c/o Keystone Environmental
Suite 320 – 4400 Dominion Street
Burnaby, BC V5G 4G3
Attention: Keree Orso

City of Port Moody
100 Newport Drive
Port Moody, BC V3H 5C3
Attention: Mary De Paoli

Dear Keree Orso and Mary De Paoli:

**Re: Release Request – Demolition, Subdivision, Zoning and Development Applications
3015, 3033 and 3093 Murray Street, Port Moody
PIDs: 006-138-616, 011-179-805 and 007-444-176**

This letter is to acknowledge receipt of the proponent's request for release of the above-referenced demolition, subdivision, zoning and development applications. According to our records, there is an outstanding requirement for a preliminary site investigation for the subject site as outlined in our site profile decision letter dated 17 November, 2018. Investigation of all environmental media must be conducted until the full extent of any contamination is determined at the site and which has migrated from the site. Section 58 and 59 of the Contaminated Sites Regulation describe the requirements for the conduct of preliminary and detailed site investigation and the content of reports based on those investigations.

The ministry has received the following information in support of a release request for the above-referenced application(s):

1. A written opinion from Michael, Geraghty, Approved Professional, dated 25 January, 2018 with the site investigation reports and remediation plan and schedule attached, confirming that:
 - (a) the parcel is not a high risk site;
 - (b) all contamination at and migrating from the proponent's parcel has been delineated on the proponent's parcel and neighbouring parcels;

- (c) remediation of all contamination at the proponent's parcel to applicable standards is achievable prior to issuance of an occupancy permit; and
- (d) once remediation is complete, the proponent's parcel will meet applicable environmental quality standards in the Regulation and will be eligible for a Certificate of Compliance.

2. A commitment in writing from Chris Lee, Mosaic Properties, date 25 September, 2017 indicating that the parcel will be remediated in accordance with the remediation plan.

Based on the information provided, we are prepared to provide the necessary release so that the City of Port Moody may proceed with approval of the demolition, zoning, subdivision and development applications. To that end, please accept this letter as notice pursuant to the *Land Title Act* (section 85.1(2)(e)) and the *Local Government Act* (section 557(2)(e)) that the City or Port Moody may approve the demolition, zoning, subdivision and development applications under this section because the Director has received and accepted a notice of independent remediation with respect to the site.

As a condition of the release and pursuant to section 54(3)(d) of the *Environmental Management Act* (Act), the Director imposes the following requirements on the proponent with respect to the site:

1. Remediation, including monitoring, inspections and maintenance of any works, undertaken on the parcel being developed must be completed in the manner and schedule specified in the remediation plan entitled "Release Request – Scenario 5, development Permit Application, Rezoning and Subdivision, 3015, 3033, 3093 Murray Street, Port Moody" prepared by Keystone Environmental, dated 10 October, 2017 for as long as the project proceeds, or as agreed by the Director in response to an acceptable request for modification.
2. A statement by an Approved Professional must be submitted to the Director annually, within 30 days of the anniversary of the date of issue of this letter. The statement shall include the following:
 - a. A summary of remedial activities undertaken during the reporting period; and
 - b. Assessment of overall remediation progress, including evaluation in comparison to the actions and schedule set out in the plan(s) referenced above.
3. Remediation must be completed within five years of the date of issue of this letter.
4. 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.
5. If the property is to be sold before completion of remediation, the owner must contact the Director for further advice. The Director reserves the right to impose additional requirements as warranted.

Please be advised of the following:

- The ministry recommends that the proponent review all aspects of the government's contaminated sites legislation and supporting guideline documents and protocols to ensure that all required information is collected and documented during investigation and where necessary, remediation of the site;
- Those persons undertaking site investigations and remediation at contaminated sites in British Columbia are required to do so in accordance with the requirements of the Act and its regulations. The ministry considers these persons responsible for identifying and addressing any human health or environmental impacts associated with the contamination;
- In cases of site demolition, we recommend that a survey of building materials and equipment be undertaken to identify any materials that require special management;
- Under the authority of the Act, all applications eligible under Protocol 6 must be submitted by an Approved Professional via the Contaminated Sites Approved Professional Society. For further clarification of application eligibility please see [Protocol 6, "Eligibility of Applications for Review by Approved Professionals"](#);
- This letter provides authorization for local governments to proceed with approval of specific applications for a site. Aside from the specific relief granted above, it does not constitute review or acceptance by the director of any aspect of the submission requirements for application of a contaminated sites legal instrument under the Protocol 6 review process.
- Fees are applicable for the ministry's contaminated sites services, pursuant to section 9 of the Contaminated Sites Regulation. Information on the government's contaminated sites legislation and supporting guideline documents and protocols as well as a Contaminated Sites Services Application Form can be obtained from the ministry's Site Remediation web page located at: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation>; and
- Penalties for noncompliance with the contaminated sites requirements of the Act and Regulation are provided in sections 115 and 120(17) of the Act.

Decisions of a Director may be appealed under Part 8 of the Act.

Please contact the undersigned at 604 582-5377 if you have any questions about this letter.

Yours truly,

A handwritten signature in black ink, appearing to read "Vin Hanemayer". The signature is written in a cursive style with a large initial "V" and a long, sweeping underline.

Vincent Hanemayer
for Director, *Environmental Management Act*

**vch **