



25 February, 2015

Victoria File: 26250-20/17623  
SITE: 17623

**VIA FAX ONLY: 250 642-4882 and 250 361-0386**

Wittich Environmental Services Ltd.  
5715 Sooke Road  
Sooke, BC V9Z 0C4  
**Attention: Amelia Porter**

City of Victoria  
#1 Centennial Square  
Victoria, BC V8W 1P6  
**Attention: Brian Sikstrom**

Dear Amelia Porter and Brian Sikstrom:

**Re: Site Profile Submission – Zoning Application**  
**2121 Douglas Street, Victoria**  
**PID: 000-085-529 and 000-085-588**

This letter is to acknowledge receipt of a satisfactorily completed site profile pertaining to the above-referenced site.

Based on the information provided by the applicant, the ministry is prepared to provide the necessary release so that the City of Victoria may proceed with approval of the zoning applications. To that end, please accept this letter as notice pursuant to the *Local Government Act* (section 946.2(2)(b)) that the City of Victoria may approve the zoning application under this section because the Director does not require site investigation prior to approval of the zoning application. This decision is for the limited purpose of the zoning application.

In accordance with section 7(1) of the Contaminated Sites Regulation (Regulation), the Director requires a detailed site investigation for the subject site following completion of the zoning application. Investigation of all environmental media must be conducted until the full extent of 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.

Pursuant to the *Local Government Act* (section 946.2), or the *Land Title Act* (section 85.1) in the case of subdivision, this decision will suspend approval of future applications for the site identified in section 40 of the Act, until:

- the proponent has applied for, and obtained one of the following instruments, as applicable: a Determination that the site is not a contaminated site, a Voluntary Remediation Agreement, an Approval in Principle of a remediation plan or a Certificate of Compliance confirming the satisfactory remediation of the site. A copy of the legal instrument must be provided to the approving authority; or
- the approving authority has received notice from the ministry that it may approve a specific application because a) in the opinion of the Director, the site would not present a significant threat or risk if the specified application were approved; b) the Director has received and accepted a Notification of Independent Remediation with respect to the site; or c) the Director has indicated that a site investigation is not required prior to the approval of the specified application.

For more information regarding the freeze and release provisions of the site profile process, refer to Fact Sheet 37, "Site Profile Freeze and Release Provisions" and Administrative Guidance 6, "Site Profile Decisions and Requesting Release Where Local Government Approvals are Required" available on the Land Remediation Section Website at <http://www.env.gov.bc.ca/epd/remediation/>.

Please be advised of the following:

- The absence of a requirement to undertake a site investigation does not necessarily mean that the site is not a contaminated site. It is recommended that the proponent retain a qualified environmental consultant to identify and characterize any soil and/or groundwater of suspect environmental quality encountered during any subsurface work at the subject 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; and
- Penalties for noncompliance with the contaminated sites requirements of the Act and Regulation are provided in section 120(17) of the Act.

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