

South Highlands Commercial and Industrial Contaminated Sites

Property	Zoning	OCP Land Use Designation	Current Use	Site Status	Future Land Use Implications
<p>GFL – 1943 Millstream Road (formerly Tervita)</p>	<ul style="list-style-type: none"> • Eastern half: Highwest Industrial • Western half: Greenbelt 2 (residential) with Temporary Use Permit until Dec 2022 	<ul style="list-style-type: none"> • Commercial-Industrial 	<ul style="list-style-type: none"> • Active landfill • Warehouse, outdoor storage, vehicle and equipment repairs, office 	<p><u>Current</u></p> <ul style="list-style-type: none"> • Operating under an Operational Certificate through Environmental Management Act. • Annual monitoring reports are submitted to the Ministry. • Landfill will be full in 2021. <p><u>Future</u></p> <ul style="list-style-type: none"> • Managed landfill (e.g., closed landfill with capped site to be managed for 25 years after closure as indicated in the closure plan). • Landfill will need to be managed according to the closure plan in the future. • Remainder of site may be redeveloped in the future, but would need a Certificate of Compliance (COC). • Future land use must comply with municipal zoning, OCP or approved development scenarios as discussed in the closure plan. 	<ul style="list-style-type: none"> • Must follow provincial guidance for landfill closure. • Active use of capped area is unlikely in the future, unless the cap is changed to accommodate such a change. • Industrial or commercial activity could occur in areas on the site that are not covered by a landfill. A Certificate of Compliance may be required if a Schedule 2 activity took place. • Remainder of site not used as a landfill could be utilized for a variety of uses, as long as it is done in agreement with zoning. A Certificate of Compliance would not be required if the activity is not a change in land use. • Rezoning or redevelopment for a different site use would require site remediation either by physical excavation, or by risk assessment. While this is not often done for a former landfill, it can be done, if the land value is high enough. • It is conceivable that the eastern part and western part would be addressed separately in the future whereby the western part would be redeveloped, and the eastern part managed as is. • Future restrictions would certainly apply to the maintenance of the landfill integrity and the restrictions on groundwater use. Such restrictions may include limitations on the use of the groundwater, engineered solutions such as the integrity of the cap, treatment of leachate etc. and would form the conditions stipulated by the ministry for the Certificate of Compliance.

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<p>“Millstream Meadows” – 1960 Millstream Road (owned by Capital Regional District)</p>	<ul style="list-style-type: none"> • Greenbelt 2 	<ul style="list-style-type: none"> • Commercial-Industrial 	<ul style="list-style-type: none"> • Site remediation process 	<p><u>Current</u></p> <ul style="list-style-type: none"> • Contaminated <p><u>Future</u></p> <ul style="list-style-type: none"> • Seeking COC for the source site for “Commercial Land Use”. 	<ul style="list-style-type: none"> • Conditions of the COC for the source site will most likely be maintaining the integrity of the cap of clean soil that prohibits exposure to contaminated soil, structures will be limited to slab on grade foundations and future groundwater use will be prohibited. • Conditions of the CoC for the affected properties are expected to be similar. • Affected properties are those which were contaminated by one or more substance(s) migrating onto the property. • Commercial and industrial land use would be permitted under the COC (subject to a rezoning); however, residential or park land would not. • The Contaminated Sites Regulation has standards for “urban park” and “wildland reverted”. Both could apply. Affected properties have a variety of land uses, such as residential, industrial (e.g. municipal roadways) and commercial (i.e. municipal office). • Affected properties will receive a CoC for their applicable land use. The source site will not be eligible for a COC unless the affected sites have received a COC.

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<p>OK-I – 2001 Millstream Road</p>	<ul style="list-style-type: none"> Greenbelt 2 	<ul style="list-style-type: none"> Commercial-Industrial 	<ul style="list-style-type: none"> Gravel quarry 	<p><u>Current</u></p> <ul style="list-style-type: none"> COC for “Urban Park Land” under condition that ground-water sources not be used and that the assumptions made in the risk assessment do not change through land use changes. Another condition of the COC was that any changes to the conditions or circumstances described in the risk assessment could invalidate the assessment. These changes will need to be communicated to the ministry. If the change in land use affects these assumptions, the CoC would be invalid. <p><u>Future</u></p> <ul style="list-style-type: none"> Current COC is invalid and could be rescinded, based on land use change. Reclamation of the quarry site must be conducted under the Mine Act and must follow Mines Permit. Site will need to be assessed, remediated and a COC issued to the applicable 	<ul style="list-style-type: none"> COC is for Urban Park Land Use, which is more stringent than Commercial or Industrial Land Use. At the time of the COC, a Wildlands Land Use category did not exist. Contaminated groundwater, surface water and sediment remain on site, were risk-assessed and deemed to not pose an unacceptable risk. Should assumptions made in the risk assessment change by making changes in land use or other changes, the ministry must be notified and the COC may be rescinded. Cannot use groundwater for consumption – can only use piped or off-site water. Remaining contaminated media must be handled according to current regulations, should they be disturbed, otherwise the COC may be rescinded. Based on the change of land that is now different from what was used in the risk assessment and stipulated in the COC, the COC is no longer valid and a new COC must be applied for should the site be redeveloped. The proposed activities must be consistent with the assumptions used for the COC, and if not, remediation or risk assessment is required for the areas that were previously risk assessed for a different land use scenario. The desired future land use would determine the desired endpoint for future remediation or risk assessment. Potential future land use categories are reverred wild lands, urban park, residential, commercial or industrial. Considering that remediation of a former mine site or large commercial site typically includes a degree of risk assessment, it is reasonable to assume that a future COC for the Site would also include a form of risk assessment. As such, the degree of risk assessment or remediation would unlikely be significantly different for any of the

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				land use should the land use change from a mine.	current BC CSR land use categories, because the risk management approaches would be very similar, which will likely include the exclusion of drinking water use and the placement of a clean soil cap over areas that are contaminated to reduce exposure.
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South Highlands Commercial and Industrial Contaminated Sites

Property	Zoning	OCP Land Use Designation	Current Use	Current "Contaminated Sites Regulation" Status	Future Land Use Implications
Millstream Industrial Park (MIP) – 2015 Millstream Road	<ul style="list-style-type: none"> • Eastern ¾: Medium Industrial • Western ¼: General Industrial 	<ul style="list-style-type: none"> • Commercial-Industrial 	<ul style="list-style-type: none"> • Active industrial park • Quarrying of rock (blasting, crushing) 	<p><u>Current</u></p> <ul style="list-style-type: none"> • Contamination of soil, groundwater and surface water. • Some portions were remediated following spills, but COC was not issued. <p><u>Future</u></p> <ul style="list-style-type: none"> • Likely industrial park operations 	<ul style="list-style-type: none"> • Remediation would be necessary to permit an alternative future land use. • Triggers for site investigations and remediation are: decommissioning, ceasing of operations, sale of property, rezoning, redevelopment, bankruptcy. • Notification in the form of a Site Disclosure Statement will need to be given to the Municipality or the Ministry when a trigger occurs. The development would be frozen until the remediation is complete and a COC issued.

Definitions:

BC Contaminated Sites Regulation defines site uses as follows:

"commercial land use" means the use of land for the primary purpose of buying, selling or trading of merchandise or services including, without limitation, shopping malls, office complexes, restaurants, hotels, motels, grocery stores, automobile service stations, petroleum distribution operations, dry cleaning operations, municipal yards, warehouses, law courts, museums, churches, golf courses, government offices, air and sea terminals, bus and railway stations, and storage associated with these uses;

"industrial land use" means the use of land for the primary purpose of conducting industrial manufacturing and assembling processes and their ancillary uses including, without limitation, factories, metal foundries, wood treatment facilities, mines, refineries, hydroelectric dams, metal smelters, automotive assembly plants, rail car or locomotive maintenance facilities, railyards, non-retail breweries and bakeries, roads and highways, wastewater and sewage treatment plants, electrical transformer stations and salvage yards;

"natural wildlands land use" means a wildlands land use in respect of a protected area, except in respect of a portion of the protected area where there is, or previously has been, an agricultural, commercial, industrial, urban park or residential land use;

"residential land use" means the use of land for the primary purpose of

(a) a residence by persons on a permanent, temporary or seasonal basis, including, without limitation, single family dwellings, cabins, apartments, condominiums or townhouses, or

(b) institutional facilities, including, without limitation, schools, hospitals, daycare operations, prisons, correctional centres and community centres;

"reverted wildlands land use" means a wildlands land use other than a natural wildlands land use; and

"urban park land use" means the use of urban land for the primary purpose of outdoor recreation including, without limitation, municipal parks, fairgrounds, sports fields, rifle ranges, captive wildlife parks, biking and hiking areas, community beaches and picnic areas.