

LYONS & NAIRN LEGACY HOLDINGS LTD.

PHASE I ENVIRONMENTAL SITE ASSESSMENT

85 COKATO ROAD, FERNIE, BC

APRIL 27, 2022

CONFIDENTIAL





April 27, 2022

Confidential

Lyons & Nairn Legacy Holdings Ltd.
Suite 302 - 1200 Lynn Valley Road
North Vancouver, BC
V7J 2A2

Attention: Mr. Matthew Cunning

Subject: Phase I Environmental Site Assessment at 85 Cokato Road, Fernie, BC

Dear Sir:

WSP Canada Inc. is pleased to submit a PDF copy of the Phase I Environmental Site Assessment report for the above-referenced property.

We trust that the enclosed report meets your current requirements. If you have any questions regarding this project, the enclosed reports, or our services, please do not hesitate to call the undersigned at (250) 980-5500.

Thank you for utilizing our professional services. We look forward to serving your future environmental and engineering needs.

Kind regards,

A handwritten signature in black ink, appearing to read 'K. Zinz'.

Katelyn Zinz, B.Sc., P.Ag.
Group Lead, Earth & Environment, BC & Yukon

Encl. Phase I Environmental Site Assessment

WSP ref.: 221-03946-00

Landmark 6, Suite 700
1631 Dickson Avenue
Kelowna, BC
Canada V1Y 0B5

T: +1 250 980-5500
F: +1 250-980-5511
wsp.com



SIGNATURES

PREPARED BY

Alex Markus, B.Sc., GIT
Environmental Scientist

REVIEWED BY

Jason Newington, M.Sc., PMP, P.Ag., EP
Senior Environmental Scientist



No environmental site assessment or investigation can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a site. Performance of a standardized environmental site assessment protocol is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with the Site, given reasonable limits of time and cost.

This report was prepared by WSP Canada Inc. (WSP) for Lyons & Nairn Legacy Holdings Ltd. for due diligence purposes. The disclosure of any information contained in this report is the sole responsibility of the intended recipient. The material in it reflects WSP's best judgement in light of the information available to it at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. WSP accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report. This limitations statement is considered part of this report.

The original of the technology-based document sent herewith has been authenticated and will be retained by WSP for a minimum of ten years. Since the file transmitted is now out of WSP's control and its integrity can no longer be ensured, no guarantee may be given with regards to any modifications made to this document.



EXECUTIVE SUMMARY

Mr. Matthew Cunning of Lyons & Nairn Legacy Holdings Ltd. (the “Client”) retained WSP Canada Inc. (WSP) to conduct a Phase I Environmental Site Assessment (ESA) for the property located at 85 Cokato Road in Fernie, British Columbia (henceforth referred to as the “Site”). WSP understands that the Phase I ESA is required by the Client for due diligence purposes for financing and re-development. This report has not been completed with the intention to submit to the BC Ministry of Environment & Climate Change Strategy (ENV) at this time.

This Phase I ESA report has been prepared in general accordance with the Canadian Mortgage Housing Corporation (CMHC) and Canadian Standards Association (CSA) guidelines and general requirements of the BC *Environmental Management Act* (EMA), Contaminated Sites Regulation (CSR) and associated protocols, procedures and guidelines.

SITE LOCATION

The Site is comprised of one legally titled lot located west of the intersection of Cokato Road and Castle Mountain Road and east of the CP railroad. The Site is currently vacant though an excavator was present and grading as apparent. The Site is generally grass covered with tree cover along the eastern border and sparse tree cover in the west. The property has an irregular shape encompassing approximately 1.62 hectares. It is bounded to the north and east by residential properties, to the south by a creek followed by Mt McLean Drive, and to the west by the CP railroad then forested land. The Site is currently zoned for high-density residential land use.

CONCLUSIONS

From information gathered from this assessment, WSP concludes the following:

- A review of the historical aerial photographs indicates that the Site was undeveloped circa 1945 to 1949 when a small building was observed in the northeast corner. Circa 1952 another small shed was added in the southwest corner, as well as a dirt road leading to the shed and then to the railroad. It is inferred that this shed was used for temporary storage of railroad materials. By circa 1962 the shed in the southwest was removed and only the small building in the northeast corner remained. By circa 1979 the Site was completely vacant, and few changes were observed to 2004 except for some grading activities. By 2021 the Site was undeveloped and vegetated except for the utility boxes along Cokato Road.
- A review of the historical aerial photographs indicates that the surrounding properties to the north, east, south, and west were undeveloped and forested circa 1945 except for a part of Cokato Road, sparse rural residences, and industrial buildings further northeast. During this time, the railroad ran immediately west of the Site. Throughout the years residential developments advanced to the north, east, and west, and by circa 2021 the properties were fully developed for residential purposes, or for public institutional and residential purposes in the west. Cokato Road expanded to the south, though the land remained predominantly forested and undeveloped. The railroad tracks remain in use.
- Based on our historical records review, interview information and Site reconnaissance, no on-Site or off-Site areas of potential environmental concern were identified.

RECOMMENDATIONS

Based on the reviewed information and current Site conditions, a sub-surface investigation in the form of a Phase II Environmental Site Assessment is not recommended at the Site at this time. WSP does recommend the following:



- General housekeeping around the Site should be carried out, including the removal and proper disposal of the cracked battery and concrete rubble.
- If any environmentally suspect fill material is encountered onsite during any future redevelopment activities, such fill should be characterized prior to disposal offsite or at a permitted facility.
- In the future, if any abandoned USTs are encountered at the Site, such USTs should be decommissioned in accordance with the requirements of the BC Fire Code. A qualified environmental consultant should be retained to document any UST removal activities along with the characterization and disposal of any environmentally suspect material.
- If any hidden source(s) of contamination or any suspected/odorous soils are discovered, WSP should be contacted immediately prior to the source removal and to initiate further soil characterization.

This executive summary is intended to be read in conjunction with, and is subject to the same limitations as the remainder of the report.



TABLE OF CONTENTS

1	INTRODUCTION	1
2	PHASE I ESA PROCEDURE	1
2.1	Objective	1
2.2	Legal Requirements.....	1
2.3	Scope of Work.....	1
2.4	Regulatory Framework	2
2.5	Methodology	2
3	SITE DESCRIPTION AND SETTING	3
3.1	Location and Description	3
3.2	Topography.....	3
3.3	Geology	3
3.4	Surface Drainage and Hydrogeology	4
3.5	Aquifers	4
3.6	Flood Zone Potential	4
3.7	Precipitation Records	4
4	HISTORICAL RECORDS REVIEW	4
4.1	City Directories.....	5
4.2	Aerial Photographs	5
4.3	Fire Insurance Plans.....	7
4.4	Fortis BC Records (Formerly Terasen Gas).....	7
4.5	Government Records.....	7
4.5.1	City of Fernie Zoning and Land Use	7
4.5.2	Historical Land Titles.....	7
4.6	Federal Contaminated Sites Inventory.....	7
4.7	Ministry of Environment.....	8
4.7.1	BC Aquifer and Water Well Database	8
4.7.2	BC Online Site Registry Search.....	8
5	SITE RECONNAISSANCE	8
5.1	Subject Site	9
5.1.1	Hazardous Building Materials and Substances	10
5.2	Surrounding Properties	11



6	INTERVIEWS.....	11
7	APPLICABLE STANDARDS	12
8	CONCLUSIONS	13
9	RECOMMENDATIONS	13
10	PROFESSIONAL STATEMENT	14

TABLES

TABLE 2-1	SOURCES OF HISTORICAL RECORDS.....	2
TABLE 3-1	SUMMARY OF SITE INFORMATION	3
TABLE 5-2	SUMMARY OF REVIEWED AERIAL PHOTOGRAPHS.....	5
TABLE 5-3	SUMMARY OF SITE REGISTRY RESULTS	8
TABLE 7-1	APPLICABLE REGULATORY STANDARDS	12

FIGURES

FIGURE 1	SITE LOCATION AND SITE PLAN
FIGURE 2	SURROUNDING LAND USE PLAN
FIGURE 3	SITE AND SURROUNDING TOPOGRAPHY
FIGURE 4	WATER WELL SEARCH RESULTS
FIGURE 5	SITE REGISTRY SEARCH



Appendices

A	FIGURES
B	PHOTOGRAPHS
C	CITY DOCUMENTS
D	LAND TITLES
E	BC ENV DOCUMENTS
F	REGULATORY FRAMEWORK
G	STANDARD LIMITATIONS

1 INTRODUCTION

Mr. Matthew Cunning of Lyons & Nairn Legacy Holdings Ltd. (the “Client”) retained WSP Canada Inc. (WSP) to conduct a Phase I Environmental Site Assessment (ESA) for the property located at 85 Cokato Road in Fernie, British Columbia (henceforth referred to as the “Site”). WSP understands that the Phase I ESA is required by the Client for due diligence purposes for financing and re-development. This report has not been completed with the intention to submit to the BC Ministry of Environment & Climate Change Strategy (ENV) at this time. A Site location map is provided on Figure 1 - Appendix A.

This Phase I ESA report has been prepared in general accordance with the Canadian Mortgage Housing Corporation (CMHC) and Canadian Standards Association (CSA) guidelines and general requirements of the BC *Environmental Management Act* (EMA), Contaminated Sites Regulation (CSR) and associated protocols, procedures and guidelines.

2 PHASE I ESA PROCEDURE

2.1 OBJECTIVE

A Phase I ESA consists of evaluating and reporting the existing and historical information collected through a historical records search and review, a Site reconnaissance and interviews with individuals knowledgeable about the Site. A Phase I ESA may assist in reducing uncertainty about the likelihood of potential environmental liability and may provide a basis for further investigation of the Site.

The purpose of the Phase I ESA was to complete a review of the historical and current activities (as per the scope stated in the Section 2.3), conditions of the Site and to provide the client with an evaluation of known and potential areas of environmental concern (APEC) at the Site as well as identify potential contaminants of concern (PCOCs) at any identified APECs.

2.2 LEGAL REQUIREMENTS

To WSP’s knowledge, at the time of preparation of this report, there was no outstanding request or order from the BC ENV for the submission of a Site Profile or for investigation or remediation reports regarding the Site. Also, to the best of our knowledge there were no outstanding court orders or administrative requirements from the City of Fernie with respect to historical or current on-Site activities.

2.3 SCOPE OF WORK

WSP’s Phase I ESA scope of work included the following:

- Review available historical reports for the Site;
- Conduct historical records search and review, which included: reviewing fire insurance plans (if available), aerial photographs, criss-cross or city directories, historical and current land titles, municipal records, BC Assessment Authority and BC ENV records with respect to environmental concerns associated with the Site and surrounding properties that could potentially affect the environmental condition of the Site;
- Complete a Site and surrounding area reconnaissance and interviewing persons knowledgeable about past and present activities on the Site and surrounding properties. Items addressed included: chemical storage

and handling, underground and aboveground storage tanks (USTs and ASTs), non-hazardous and hazardous wastes, air and water discharges, and dumping/landfilling activities;

- Identify potential source(s) of environmental impacts due to historical and current land uses, activities, events or practices at the Site and surrounding properties; and
- Prepare a report outlining the findings of the investigation and providing conclusions and recommendations.

Note: A Phase I ESA does not include sampling or analysis of air, soil, groundwater, surface water or sediment/biota or a hazardous building materials survey.

2.4 REGULATORY FRAMEWORK

In British Columbia, a Phase I ESA is conducted to meet the requirements of the currently applicable provincial EMA and the CSR. Detailed background information regarding the EMA and the CSR is included in Appendix F.

2.5 METHODOLOGY

The following table provides a summary of the sources of historical records that were accessed during this investigation.

Table 2-1 Sources of Historical Records

ITEM	SOURCE	YEARS /REMARKS
Current Land Title	Abstract Registry Services Ltd.	1990 to current
City Directories	Vancouver Public Library	1914
Environmental Site Registry	BC ENV Online Environmental Site Registry	2022
Federal Contaminated Sites	Treasury Board of Canada Secretariat	2022
Water Well & Aquifer Search	BC ENV Online Water Resources Atlas Database	2022
Aerial Photographs	University of British Columbia Archives	1945, 1949, 1952, 1962, 1972, 1979, 1981, 1988, 1994, 2000, and 2004
	Google Earth™ Images	2021
Topography, Zoning and Utility Maps and Building Permits/Drawings	City of Fernie, Water Resources Atlas BC, Regional District of East Kootenay	2022
Surficial Geology	Geological Survey of Canada Department of Mines and Technical Surveys – Soils of the East Kootenay Map Area Soil Survey Report No. 20	1976

Ms. Alex Markus, B.Sc., GIT, of WSP completed a Site visit on April 11, 2022. Select photographs taken during the Site visit are presented in Appendix B.

3 SITE DESCRIPTION AND SETTING

As required by the BC ENV, the information for the Site is provided in the following table:

Table 3-1 Summary of Site Information

ITEM	INFORMATION
Common Name	None
Municipal Addresses	85 Cokato Road, Fernie, British Columbia
Legal Descriptions	Lot A Plan NEP60850 District Lot 4589 Land District 26
P.I.D.	023-992-981
Size	4.0 acres
Latitude/Longitude ¹	49°29'25.85"N / 115° 4'0.96"W

3.1 LOCATION AND DESCRIPTION

The Site is comprised of one legally titled lot located west of the intersection of Cokato Road and Castle Mountain Road and east of the CP railroad. The Site is currently vacant though an excavator was present and grading was apparent. The Site is generally grass covered with tree cover along the eastern border and sparse tree cover in the west. The property has an irregular shape encompassing approximately 1.62 hectares. It is bounded to the north and east by residential properties, to the south by a creek followed by Mt McLean Drive, and to the west by the CP railroad then forested land. The Site is currently zoned for high-density residential land use (Figure 2, Appendix A).

3.2 TOPOGRAPHY

Based on the surface elevation data obtained from the Water Resource Atlas of British Columbia, the Site and immediate surrounding properties to the east and south generally slope down towards the east where the Elk River resides. The western and southern portions of the Site have steeper slopes leading down toward the railroad to the west and the creek to the south. There is also a steeper slope in the eastern portion of the Site from Cokato Road leading into the Site (Figure 3, Appendix A). The Site is predominantly vacant and vegetated with trees and grass.

The nearest aquatic receptor to the Site is a creek located 25m to the south. No marine receptors were identified within 500 m of the Site. For the purposes of this Phase I ESA, shallow groundwater at the Site is inferred to be generally consistent with the overall surface topography and will infiltrate into the vegetated and gravel areas across the Site and eventually water will flow in a southwesterly direction. Further hydrogeological studies would be required to confirm actual groundwater flow direction.

3.3 GEOLOGY

Surficial geology in the vicinity of the Site, as identified by the Geological Survey of Canada – Soils of the East Kootenay Map Area, British Columbia, is inferred to consist of often dark-colored fluvio-glacial terraces and fans typically associated with dry interior vegetation and interior Rocky Mountain Douglas-fir zones and Lodgepole pine subzones. This includes fine sandy loam to gravelly sandy loam and the soil subgroups are characterized as shallow lithic Orthic/Eutric Brunisols.

¹ Obtained from Google Earth™

3.4 SURFACE DRAINAGE AND HYDROGEOLOGY

At the time of the Site visit, almost all of the ground surface was completely covered with gravel, grass or trees and 100% of the Site was uncovered. Surface runoff from the Site is expected to infiltrate into the soil or runoff down-gradient to the south and west and eventually towards the Elk River.

Shallow local groundwater can be influenced by many factors such as underground utilities, building foundations, topography, and fill material/soil type. Based on the general Site and surrounding topography, WSP infers that the overall shallow local groundwater flows towards the southwest.

3.5 AQUIFERS

The Site is located within two mapped aquifers, one that is considered to have low vulnerability and moderate productivity and demand (0532) and the other that has low productivity and moderate vulnerability/demand².

NO.	DESCRIPTION/ LOCATION	MATERIALS	LITHOSTRATI- GRAPHIC UNIT	SUBTYPE	SIZE	WATER USE
532	Elk River	Sand and Gravel	N/A	Confined sand and gravel - glacial	20.8 km ²	Multiple
1053	2 km south of Fernie	Bedrock	N/A	Fractured sedimentary rock	7.8 km ²	Wells

3.6 FLOOD ZONE POTENTIAL

According to BC ENV's "Floodplain Maps by Region" for the Elk River at Fernie (Drawing No. A5196-4) the Site is not located within the 20 year or 200-year mapped floodplain for the Elk River, therefore, there is a low potential for flooding from major off-site waterbodies.

3.7 PRECIPITATION RECORDS

The nearest climate station to the Site is known as "Fernie" at (N 49°29'19.400"/ W115°04'23.900") located 0.5 km from the Site. According to Environment Canada Canadian Climate Normals³, the mean-average annual precipitation for this area is 1,227.1 millimeters. The greatest amount of precipitation occurs during the months of November and January, while the driest months are July and August.

4 HISTORICAL RECORDS REVIEW

The results of the historical search and records review are summarized in the following sections.

² BC ENV web site, "BC Water Resources Atlas" aquifer data search. April 19, 2022

³ Environment Canada. *Canadian Climate Normals 1981-2010*.

4.1 CITY DIRECTORIES

City directories were reviewed to identify commercial and industrial purposes or activities likely to cause contamination (CSR Schedule 2 Activity). City directories were provided by the Vancouver Public Library. City directories for the year 1914 were reviewed for the Site and the surrounding properties, within an approximate 300m radius of the Site. Records for the year 1914 are the only ones available for the Fernie area. Because records are only available for the year 1914, more recently constructed residential neighborhoods were not included. None of the streets searched were listed in the 1914 directories.

4.2 AERIAL PHOTOGRAPHS

Aerial photographs relevant to the Site and surrounding area dating from 1945, 1949, 1952, 1962, 1972, 1979, 1981, 1988, 1994, 2000, and 2004 were reviewed from the UBC's Geographic Information Centre, and aerial imaging was reviewed for the year 2021 from Google Earth™. Features observed at the Site and the surrounding areas in the aerial photographs are summarized in the following table:

Table 5-1 Summary of Reviewed Aerial Photographs

YEAR	SUBJECT SITE	NORTH	SOUTH	EAST	WEST
1945	The Site is vacant and undeveloped with grass and sparse tree cover.	Land to the north is vacant and undeveloped around the railroad.	Land is predominantly undeveloped except for a rural residence further SE.	A partial dirt road, inferred Cokato Rd, is visible. Land is undeveloped. Industrial buildings are apparent 300 m NE.	The railroad is present followed by predominantly undeveloped land.
1949	There is a dirt road running through the Site to the railroad and a small building is apparent in the NE corner, inferred for utilities.	Properties remain undeveloped except for the industrial buildings 300 m NE and down-gradient.	Land is still undeveloped and vegetated around the railroad and Cokato Rd.	Cokato Rd is fully formed with another dirt road branching off leading to rural residential or commercial buildings.	Land is undeveloped around the railroad, followed by a dirt track and sparse storage buildings.
1952	There is another small building in the SW corner with a dirt road leading to the railroad, possibly for railroad supply storage purposes.	Generally similar to the previous photographs. The commercial buildings further east have been removed, the rural residential to the southeast remains.			
1962	The small building in the SW is no longer visible. The one in the NE remains.	The land is still undeveloped and vacant except for the railroad, Cokato Rd, and industrial property (30/50 Cokato Rd).	Land is forested and vacant around Cokato Rd.	Properties appear to be undeveloped except for two rural residential properties.	Excavations are apparent along the railroad and further west, inferred to be for renovations and development.

YEAR	SUBJECT SITE	NORTH	SOUTH	EAST	WEST
1972	The Site is still vacant except for the small building in the NE portion.	Land remains vacant, though a neighborhood has been developed to the NW.	A road is visible to the S of the Site crossing the railroad and Cokato Rd has expanded.	A mobile home park has been constructed across Cokato Rd, followed by forest then a long road further east.	Residential properties are expanding towards the railroad to the NW.
1979	The Site appears to be fully vacant.	Immediately north land is vacant, but residential to the NE and NW.	Land remains predominantly undeveloped and forested.	Castle Mtn Rd is forming followed by undeveloped land, except for a shed or barn 220 m E.	There is a school to the SW, but residential land to the W and NW.
1981	Generally similar to the previous photograph.	No significant changes were observed.			
1988	Excavation is apparent, potentially for grading purposes.	The residential apartment building has been built immediately north.	Another road is apparent further SW though land is still vacant.	Land is forested to the SE, but the mobile home park remains to the NE.	Across the railroad land is vacant followed by the school fields.
1994	The Site is vacant with an inferred dirt mound from previous grading.	Land is mostly residential immediately N, NE, and NW.	Land is still forested and undeveloped around the roads.	The mobile home park remains, though land around Castle Mtn Rd is mostly forested.	Residential developments continue to advance further west.
2000	A dirt mound remains in the north portion.	Generally similar to the previous photographs.			
2004	The Site remains vacant, undeveloped, and grass vegetated.	More residential structures have been constructed.	Commercial developments are apparent further SW; land is vacant to the SE.	Residences and roads are being developed.	The railroad remains followed by forest, a school, then neighborhoods.
2021	The Site is vacant, undeveloped, and vegetated except for the utility boxes.	Land is residential or forested.	Land is mostly forested around the roads.	Residential developments and roads continue to advance.	The railroad remains followed by the school and more residences.

SITE

A review of the historical aerial photographs indicates that the Site was undeveloped circa 1945 to 1949 when a small building was observed in the northeast corner. Circa 1952 another small shed was added in the southwest corner, as well as a dirt road leading to the shed and then to the railroad. It is inferred that this shed was used for temporary storage of railroad materials. By circa 1962 the shed in the southwest was removed and only the small building in the northeast corner remained. By circa 1979 the Site was completely vacant, and few changes were observed to 2004 except for some grading activities. By 2021 the Site was undeveloped and vegetated except for the utility boxes along Cokato Road.

SURROUNDING PROPERTIES

A review of the historical aerial photographs indicates that the surrounding properties to the north, east, south, and west were undeveloped and forested circa 1945 except for a part of Cokato Road, sparse rural residences, and

industrial buildings further northeast. During this time, the railroad ran immediately west of the Site. Throughout the years residential developments advanced to the north, east, and west, and by circa 2021 the properties were fully developed for residential purposes, or for public institutional and residential purposes in the west. Cokato Road expanded to the south, though the land remained predominantly forested and undeveloped. The railroad tracks remain in use.

4.3 FIRE INSURANCE PLANS

Fire Insurance Plans (FIPs) for the City of Fernie area are kept at the University of British Columbia. Fire Insurance Plans were not reviewed as part of this investigation as they are generally concentrated to the downtown core of Fernie, and the Site is inferred to not be shown on the Plans for the City of Fernie.

4.4 FORTIS BC RECORDS (FORMERLY TERASEN GAS)

Effective 1 April 2006, Fortis BC no longer provides connection and disconnection dates for gas services⁴.

The Site was vacant and was therefore not connected to natural gas services.

4.5 GOVERNMENT RECORDS

4.5.1 CITY OF FERNIE ZONING AND LAND USE

WSP staff reviewed the City of Fernie current Zoning Map. According to the City of Fernie, the Site is currently zoned as “Multiple Family Residential (High Density) (R4)”. According to the City of Fernie Zoning Bylaw (No 1750) the purpose of this zoning district is to provide for higher density, larger structures in the form of apartments and stacked townhouse dwelling units. A description of the zoning is provided in Appendix C.

4.5.2 HISTORICAL LAND TITLES

Current land title information for the Site was obtained through the Abstract Registry Services Ltd. on April 22, 2022. The land title indicated that the Site was once separated into various lots. The current landowner, Lyons & Nairn Legacy Holdings Ltd., has owned the Site since July 2021. Circa 1990 the Site title was owned by the City of Fernie until 1994 when it was acquired by an individual. Various individuals held the title between 1994 and 1998, until it was acquired by Sunridge Village Inc. in January 1998. Shortly after the title was owned by an individual from 2004 to 2005 when 698443 B.C. Ltd. acquired it. They held the title until 2012 when Galway Capital Corp. bought it, and they remained the title holders until the Site was acquired by its current owner.

Copies of the current title and the results of a historical land title search are included in Appendix D.

4.6 FEDERAL CONTAMINATED SITES INVENTORY

The Treasury Board of Canada Secretariat maintains an inventory of all known contaminated sites held by various federal departments and agencies. This inventory does not include properties owned by Crown corporations but

⁴ Fortis BC letter: Titled “Environmental Inquiries Relating to Gas Service Installation Dates” (1 March 2006). Fortis BC was formerly known as BC Gas in 2006.

does contain non-federal sites for which the Government of Canada has accepted some or all financial responsibility. All sites have been classified through a system developed by the Canadian Council of Ministers of the Environment (CCME).

A search of the Federal Contaminated Sites Inventory was conducted on April 19, 2022; no records were found within 500 m of the Site.

4.7 MINISTRY OF ENVIRONMENT

4.7.1 BC AQUIFER AND WATER WELL DATABASE

The existence and location of groundwater wells near the Site was searched on the BC ENV Water Resources Atlas database. The online database of the Water Management Division of BC ENV indicated that there is one (1) water well located within 500m of the Site and no wells on-Site. The well is identified as private domestic purposes. No livestock or irrigation wells were observed within 500m of the Site.

The results of the BC ENV water well search is included in Figure 4, Appendix A.

4.7.2 BC ONLINE SITE REGISTRY SEARCH

A search of the online BC ENV Environmental Site Registry for the Site and surrounding properties within a radius of 0.5 km from the Site was conducted on April 22, 2022. According to the BC ENV Online Site Registry, there are Two (2) records from the Site Registry that fall within 500m of the site. The listed properties are summarized below.

Table 5-2 Summary of Site Registry Results

SITE ID	Address	APPROXIMATE DISTANCE AND DIRECTION FROM THE SITE	DIRECTION FROM THE SITE WITH REGARDS TO THE INFERRED GROUNDWATER FLOW DIRECTION	SITE REGISTRY STATUS	POTENTIAL TO AFFECT THE ENVIRONMENTAL CONDITION OF THE SITE
9695	30 Cokato Road	325 m NE	Down-gradient	Report not obtained	Low
10552	40 Cokato Road	400 m NE	Down-gradient	Report not obtained	Low

The above-listed registered properties are considered to pose a low environmental concern to the Site based on their distances from the Site and/or locations with respect to the inferred groundwater flow direction. The BC Online Site Registry search results are presented in Appendix F and the location of the registered properties is presented in Figure 5, Appendix A.

5 SITE RECONNAISSANCE

Ms. Alex Markus of WSP completed a Site and surrounding area reconnaissance on April 11, 2022. The Site reconnaissance consisted of a walk-through to observe conditions at accessible areas on-Site.

During the Site visit, WSP completed a Site Visit checklist to cover standard items involved in a Phase I ESA. Selected photographs taken during the Site visit are presented in Appendix B. The Site plan is provided in Figure 1,

Appendix A. Observations and on-Site conditions recorded during the Site visit are discussed in the following sections.

5.1 SUBJECT SITE

SITE DESCRIPTION

- The Site is located immediately west of Cokato Road and is accessible from Cokato Road.
- The Site is undeveloped and vegetated, mostly with grass near the center and trees along the perimeters.
- The Site topography is generally sloped down towards the west, with steeper slopes in the north and east leading into the Site and along the west portion leading down towards the railroad tracks.
- There was a dirt road leading into the Site branching off from Cokato Road. This road was blocked with concrete barricades and a sign, and an excavator was parked at the top.
- Concrete rubble was observed below the dirt road near the central east portion of the Site, inferred to be from a former on-Site structure.

SURROUNDING PROPERTIES

- There is an apartment complex and paved parking immediately north of the Site.
- Railroad tracks border the western portion of the Site, followed by forested, undeveloped land.
- The properties to the southeast, east, and northeast are residential across Cokato Road.
- A BC Hydro, powerline, and other utilities were observed to the east of the Site along Cokato Road.

UNCOVERED AREAS

- The entire Site is uncovered and undeveloped, therefore all water is inferred to infiltrate into underlying soils and flow in a southwesterly direction towards the neighboring creek and then eventually the Elk River.
- There is evidence of former buildings, including piles of concrete rubble and rebar.

ABOVEGROUND AND UNDERGROUND STORAGE TANKS (ASTS / USTS)

- At the time of the Site visit, WSP's staff did not observe conditions typically associated with an AST or UST, such as fill or vent pipes that would indicate a UST being present on the Site.
- An AST was observed connected to an off-Site shed building at the playground across Cokato Road to the northeast of the Site, though no staining or stressed vegetation was observed.
- In the future, if any active or abandoned USTs are encountered at the Site, such USTs should be decommissioned in accordance with the requirements of the BC Fire Code. A qualified environmental consultant should be retained to document any UST removal activities along with the characterization and disposal of any environmentally suspect material. Additional information on abandoned heating oil USTs is provided at the following link: <http://www2.gov.bc.ca/assets/gov/environment/air-land-water/site-remediation/docs/fact-sheets/fs32.pdf>

AIR AND WATER DISCHARGES

- At the time of the Site visit, WSP's staff did not observe conditions typically associated with on-site septic systems or water wells; however, a manhole was identified, and it was surrounded by dried white foam, a substance that WSP was unable to identify.

NON- HAZARDOUS WASTE GENERATION, STORAGE AND DISPOSAL

- There was various plastic, wood, and metal items strewn throughout the Site, but mostly had been collected one pile at the base of the dirt road in the southeast corner of the Site. A cracked battery was observed within the pile. The waste appeared to be relatively benign (i.e. not related to landfilling activities) and likely associated with general public refuse from unauthorized use of the Site.
- The concrete and rebar piles were observed in the central east portion of the Site at the base of the dirt road.

HAZARDOUS WASTE GENERATION, STORAGE, HANDLING AND DISPOSAL

- Aside from the cracked battery, no hazardous waste was observed to be stored, handled, or disposed of at the Site. WSP recommends performing general housekeeping at the Site, including the removal and proper disposal of the cracked battery and other debris.

CHEMICAL STORAGE AND HANDLING

- WSP did not observe any chemicals or solvents being used or stored at the Site.

SPILL AND STAIN AREAS

- Due to recent snowfall and snowmelt, the Site appeared to be generally wet throughout, but there did not appear to be any major surficial stains or spills at the Site.

SOILS AND FILLS

- There appeared to be a pile of gravel in the northeast corner of the Site near the neighboring parking area for the apartment complex. The Site also appeared to have been graded or excavated at some point, inferred to be for future developments.

RADON GAS

- The Ministry of Health has completed a regional study of radon in homes in British Columbia (2012). The results of the study were published in a document entitled Cross-Canada Survey of Radon Concentrations in Homes - Final Report. According to the report, the average percentage of homes with elevated radon levels in Canada was near 7%. In BC, the proportion of homes with elevated radon levels in the Lower Mainland and Vancouver Island were significantly below the national average while the interior of BC had some of the highest elevated radon levels in Canada. For example, the East Kootenay region had 19% of homes with elevated radon levels while Kootenay Boundary had 19.3% and the Okanagan had 17.4% of homes with elevated radon levels.
- According to the Radon Potential Map of British Columbia, the Site located in Fernie, BC, is considered as Zone 3 - Guarded for Radon Potential. It is recommended to test all dwellings for radon and implement radon controls during new construction projects even if they are in a Zone 3 area.

METHANE GAS

- WSP did not observe any areas of organic landfilling on-Site during the Site visit. Therefore, there is a low potential that methane gas is an environmental issue at the Site.

5.1.1 HAZARDOUS BUILDING MATERIALS AND SUBSTANCES

Detailed background information of the hazardous building materials is included in Appendix F. Based on information gathered during this investigation, the Site is currently undeveloped though it historically contained two small buildings. The hazardous building materials and substances are discussed as follows.

Asbestos Containing Building Materials (ACMs)

It is unlikely that friable ACMs are present within the building rubble at the Site.

Ozone Depleting Substances

No refrigerators, freezers, or air conditioning units were present at the Site (manufactured prior to the mid-1990s), though they can be a potential source of chlorofluorocarbons (CFCs), an ozone depleting substance.

Polychlorinated Biphenyls

It is possible that PCBs are present in original fluorescent lighting ballasts; however, none were observed at the Site.

Lead-based Paints

No paint was observed on the concrete rubble, therefore paints used for indoor and outdoor purposes that are suspected to contain lead are unlikely to be present.

5.2 SURROUNDING PROPERTIES

During the April 11, 2022, Site visit, WSP conducted a reconnaissance of the surrounding area. WSP observed and photographed the surrounding properties from either the Site or from areas accessible to the public. The Site Photographs in Appendix C show various features of the surrounding area as of April 11, 2022.

Cokato Road borders the Site to the east, followed by residential developments to the northeast, east, and southeast, with some forested area. High-density residential apartments occupy the land to the north, along with an apartment parking area. Land to the west is occupied by the railroad followed by undeveloped land while land to the south is undeveloped and forested and a creek runs 20 m south of the Site.

6 INTERVIEWS

Mr. Matthew Cunning, current owner of the Site, was interviewed as part of this Assessment. He has been familiar with the Site for around two years and provided the following information:

- He was not aware of any previous industrial uses of the Site.
- He was not aware of any previous landfilling activities at the Site.
- He was aware not aware of any fill material on-Site but noted that there are remnants of old structures or remnants from illegal dumping activities (e.g., the piles of concrete).
- He was not aware of any underground or aboveground storage tanks being historically used on-Site.
- He was not aware of any environmental issues around the Site and was not aware of any spills or stains on-Site.
- He was not aware of any previous or current environmental issues on-Site or at the surrounding properties.
- He was not aware of a hazardous materials survey every being conducted for the Site.
- He was not aware of any previous industrial land uses at the Site.
- He noted that the future use of the land is intended to be residential.
- He was not aware of any fill material being brought to the surrounding properties and was not aware of any third-party notification letters issued by owners of surrounding properties.

- He noted that natural gas and sewer utilities are located at the property line.
- He was not aware of any water wells on-Site.
- He added that to his understanding the concrete rubble piles came from an old structure or from unauthorized/illegal dumping.
- He noted that to his understanding the Site was never used by the railroad.

7 APPLICABLE STANDARDS

WSP staff reviewed the City of Fernie Zoning Map. According to the City, the Site is currently zoned as “R4-Multiple Family Residential (High Density)”. According to the City of Fernie Zoning Bylaw No. 1750, the purpose of this zoning district is to accommodate residential land uses. As such, the BC CSR soil standards for residential land use (RL) would currently apply. For groundwater, the BC CSR drinking water (DW) and freshwater aquatic life (AW-f) standards apply. For soil-vapour, the CSR soil vapour remediation standards for RL would currently apply. Should the Site use change in the future, more stringent standards may be considered applicable.

For soil classification/disposal purposes, the BC Hazardous Waste Regulation (HWR) standards/criteria also apply to the Site. Site-specific factors that apply at the Site are outlined in the following table.

Table 7-1 Applicable Regulatory Standards

SITE SPECIFIC FACTORS	APPLICABILITY	RATIONALE
Intake of contaminated soil	Yes	Applicable at all sites.
Toxicity to soil invertebrates and plants	Yes	Applicable at all sites.
Groundwater used for drinking water (DW)	Yes	The drinking water standards are applicable at all sites unless the underlying aquifers' hydraulic conductivity, quality and/or yield proves that it is not capable of being a drinking water source.
Groundwater flow to surface water used by freshwater (AW-f)	Yes	There is a creek 20 m south of the Site and cross-gradient, leading into the Elk River.
Groundwater used for livestock watering (LW) or irrigation (IW)	No*	No agricultural land within 500m of the Site and no livestock watering or irrigation wells within 500m of the Site.

* Further investigations are required to confirm if these standards do not apply and that wells listed as “unknown” are not for irrigation or livestock

Therefore, the following standards apply to the Site:

SOIL

- CSR RL standards

Site Specific factors include:

- Intake of contaminated soil;
- Toxicity to soil invertebrates and plants;
- Groundwater used for drinking water; and,
- Groundwater flow to surface water used by freshwater.

GROUNDWATER

- CSR Drinking Water (DW);
- CSR Freshwater Aquatic Life (AW-f).

SOIL VAPOUR

- CSR RL standards

8 CONCLUSIONS

From information gathered from this assessment, WSP concludes the following:

- A review of the historical aerial photographs indicates that the Site was undeveloped circa 1945 to 1949 when a small building was observed in the northeast corner. Circa 1952 another small shed was added in the southwest corner, as well as a dirt road leading to the shed and then to the railroad. It is inferred that this shed was used for temporary storage of railroad materials. By circa 1962 the shed in the southwest was removed and only the small building in the northeast corner remained. By circa 1979 the Site was completely vacant, and few changes were observed to 2004 except for some grading activities. By 2021 the Site was undeveloped and vegetated except for the utility boxes along Cokato Road.
- A review of the historical aerial photographs indicates that the surrounding properties to the north, east, south, and west were undeveloped and forested circa 1945 except for a part of Cokato Road, sparse rural residences, and industrial buildings further northeast. During this time, the railroad ran immediately west of the Site. Throughout the years residential developments advanced to the north, east, and west, and by circa 2021 the properties were fully developed for residential purposes, or for public institutional and residential purposes in the west. Cokato Road expanded to the south, though the land remained predominantly forested and undeveloped. The railroad tracks remain in use.
- Based on our historical records review, interview information and Site reconnaissance, no on-Site or off-Site areas of potential environmental concern were identified.

9 RECOMMENDATIONS

Based on the reviewed information and current Site conditions, a sub-surface investigation in the form of a Phase II Environmental Site Assessment is not recommended at the Site at this time. WSP does recommend the following:

- General housekeeping around the Site should be carried out, including the removal and proper disposal of the cracked battery and concrete rubble.
- If any environmentally suspect fill material is encountered onsite during any future redevelopment activities, such fill should be characterized prior to disposal offsite or at a permitted facility.
- In the future, if any abandoned USTs are encountered at the Site, such USTs should be decommissioned in accordance with the requirements of the BC Fire Code. A qualified environmental consultant should be retained to document any UST removal activities along with the characterization and disposal of any environmentally suspect material.
- If any hidden source(s) of contamination or any suspected/odorous soils are discovered, WSP should be contacted immediately prior to the source removal and to initiate further soil characterization.

10 PROFESSIONAL STATEMENT

As required under Part 16, Section 63 of the “*Environmental Management Act*”, Contaminated Sites Regulations (CSR, BC Reg. 375/96 including amendments up to B.C. Reg. 64/2021 July 07, 2021), WSP confirms that:


- 1** The Environmental Site Assessment report has been prepared in accordance with requirements of the Act and its regulations, policies, procedures and protocols; and
- 2** The person(s) signing this report has (have) demonstrable experience in conducting investigations of this type and are familiar with the investigation completed at the Site.

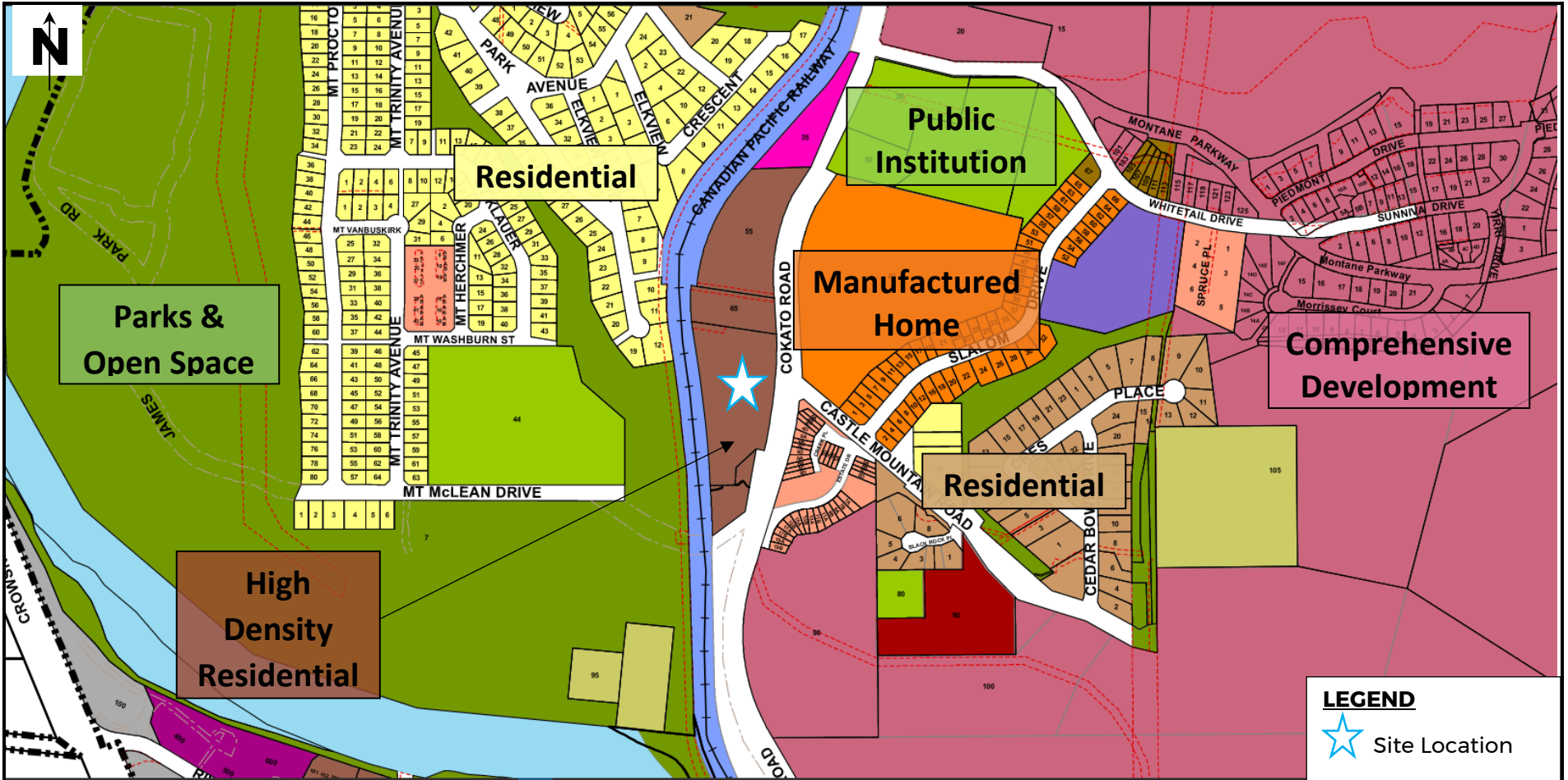
APPENDIX


A FIGURES

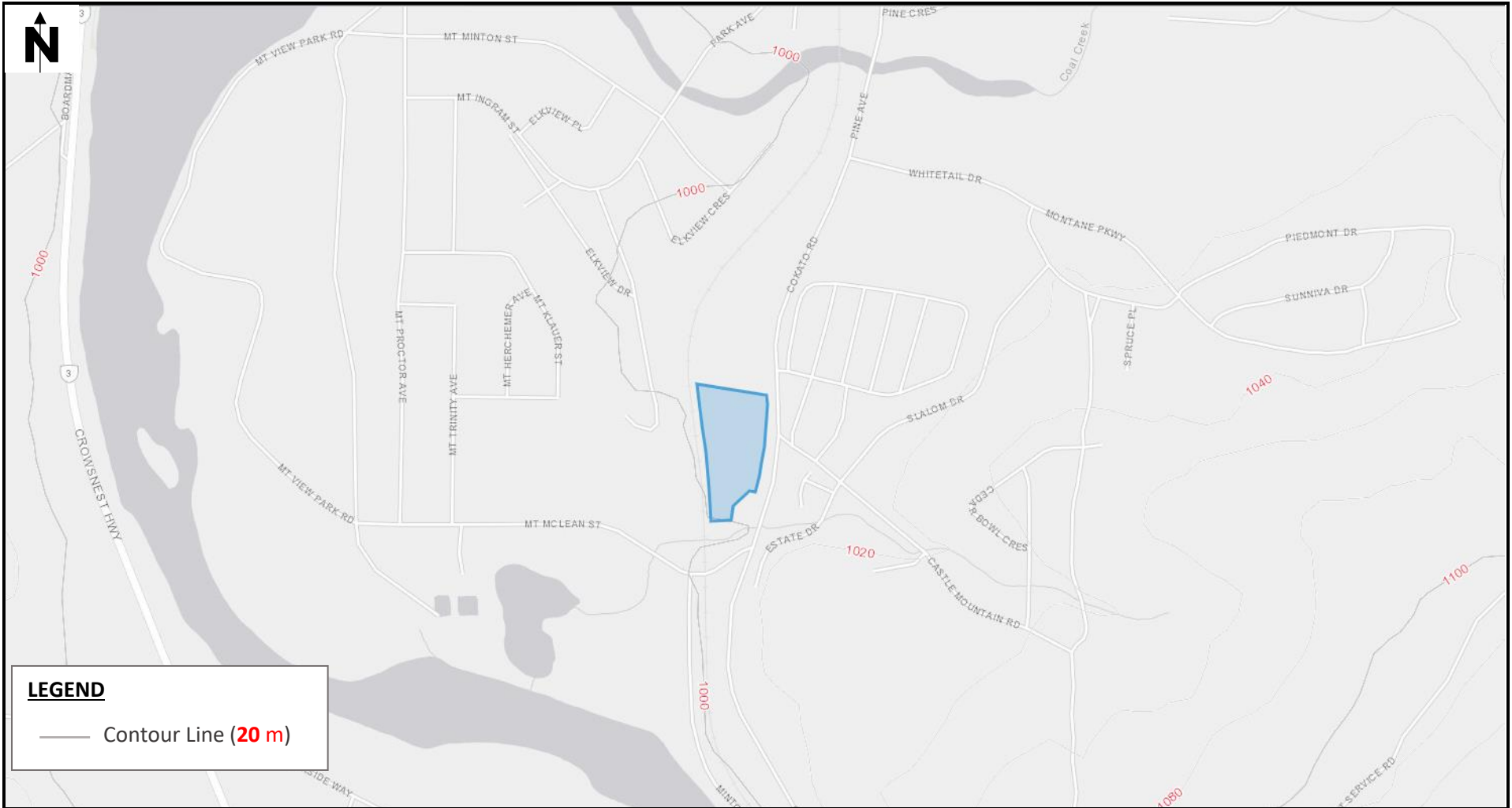





	PROJECT: PHASE I ENVIRONMENTAL SITE ASSESSMENT 85 COKATO ROAD, FERNIE, BC				
	TITLE: SITE PLAN				
	CLIENT: LYONS & NAIRN LEGACY HOLDINGS LTD.				
FIGURE NO.: 1	DATE: APRIL 2022	FILE NO.: 221-03946-00	SCALE: NTS	DRAWN BY: AM	REV NO.: 1

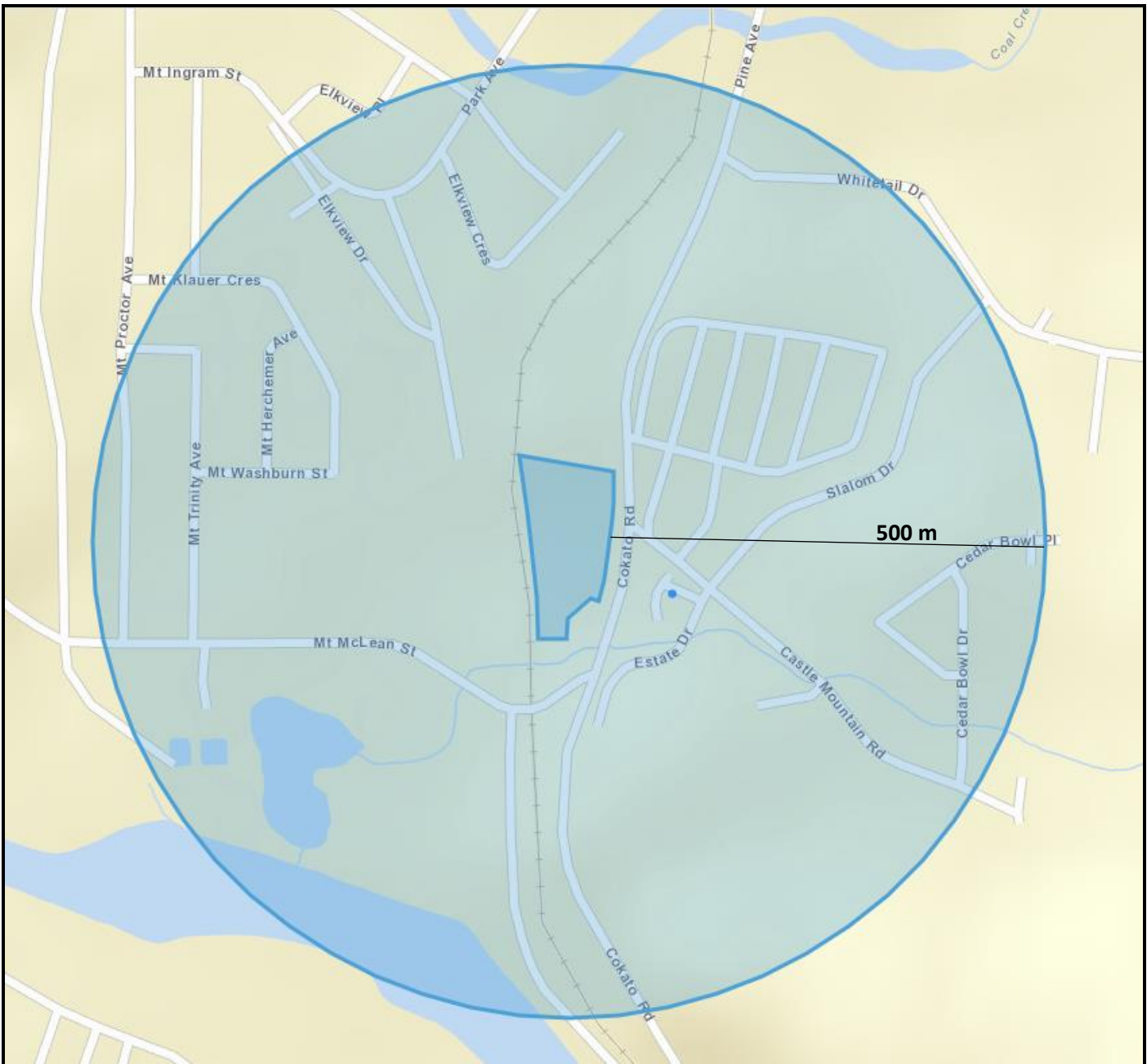


	PROJECT: PHASE I ENVIRONMENTAL SITE ASSESSMENT 85 COKATO ROAD, FERNIE, BC				
	TITLE: ZONING & SURROUNDING LAND USE				
	CLIENT: LYONS & NAIRN LEGACY HOLDINGS LTD.				
FIGURE NO.: 2	DATE: APRIL 2022	FILE NO.: 221-03946-00	SCALE: NTS	DRAWN BY: AM	REV NO.: 1



LEGEND
 — Contour Line (20 m)

	PROJECT: PHASE I ENVIRONMENTAL SITE ASSESSMENT 85 COKATO ROAD, FERNIE, BC				
	TITLE: TOPOGRAPHIC PLAN				
	CLIENT: LYONS & NAIRN LEGACY HOLDINGS LTD.				
FIGURE NO.: 3	DATE: APRIL 2022	FILE NO.: 221-03946-00	SCALE: NTS	DRAWN BY: AM	REV NO.: 1



LEGEND

- Site Location
- Water Well

	PROJECT: PHASE I ENVIRONMENTAL SITE ASSESSMENT 85 COKATO ROAD, FERNIE, BC				
	TITLE: WATER WELL SEARCH RESULTS				
	CLIENT: LYONS & NAIRN LEGACY HOLDINGS LTD.				
FIGURE NO.: 4	DATE: APRIL 2022	FILE NO.: 221-03946-00	SCALE: NTS	DRAWN BY: AM	REV NO.: 1

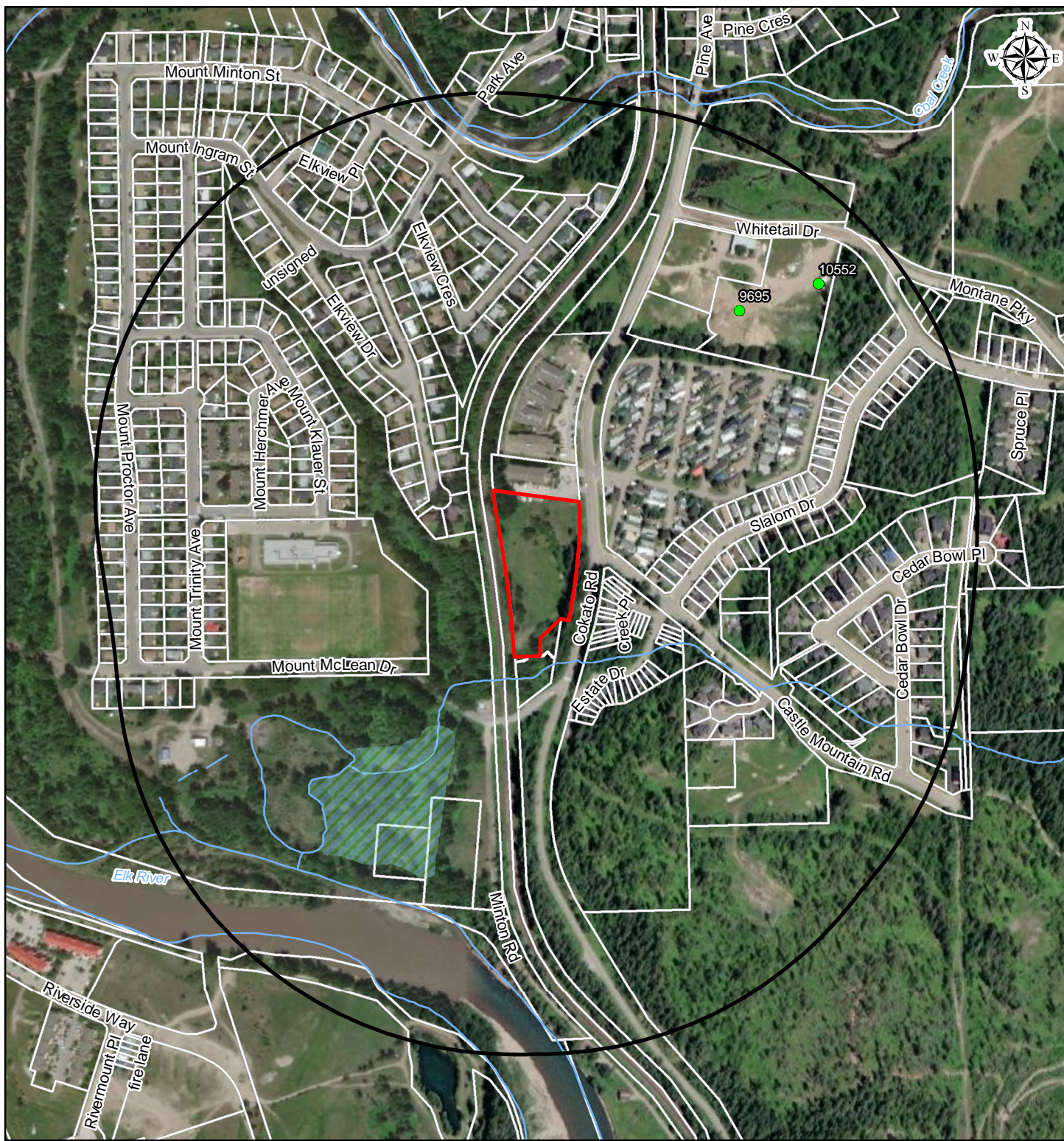
639500

640000

640500

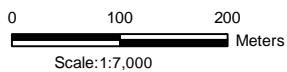
5484000

5483500



Legend

- Registered Sites
- Watercourse
- Waterbody
- Project Boundary
- Project Buffer 500m
- Parcel



References:
 Data BC - BC Catalogue
 Open Government License
 (<http://www.data.gov.bc.ca/>)
 NRCAN Geogratis
 Open Government License
 (<http://geogratis.cgdi.gc.ca/>)

CLIENT:			
PROJECT:		Phase I ESA 85 Cokato Road, Fernie, BC	
TITLE:		Site Registry Search Results	
DATE:	PROJECT NO:	Figure 5	
April 24, 2022	221-03946-00		
GIS FILE:		01-01-001_Cokato_Road_Site_Registry.mxd	
COORDINATE SYSTEM:		ANALYST:	REVIEWED:
NAD 1983 UTM Zone 11N		MY	AM



APPENDIX

B

PHOTOGRAPHS





Photo 1: An overview of the Site looking southwest from Cokato Road.



Photo 2: A view of the entrance to the Site and the excavator parked behind the sale sign.



Photo 3: The graded road entry onto the Site from Cokato Road.



Photo 4: A view of the outwash carried into the Site from Cokato Road, looking east.



Photo 5: An overview of the dirt road leading into the Site, looking north.



Photo 6: Typical waste items observed on-Site, including a cracked battery.



Photo 7: Overview of the southwest corner of the Site.



Photo 8: Overview of the Site from the south portion.



Photo 9: A drain observed on-Site with dry foam material surrounding it.



Photo 10: Overview of the west portion of the Site.



Photo 11: A view of the northwest portion of the Site.



Photo 12: Overview of the north portion of the Site.



Photo 13: An overview of the south portion of the Site.



Photo 14: Rill erosion observed near the center of the Site.



Photo 15: A view of the concrete and metal rubble observed on-Site, inferred to be from a former building.



Photo 16: A final view of the Site.



Photo 17: Utility boxes observed along Cokato Road east of the Site.



Photo 18: A gravel pile and overview of the north border of the Site.



Photo 19: A view of the BC Hydro box observed east of the Site near the other utility boxes.



Photo 20: A view of the neighboring high-density residential complex to the north of the Site.



Photo 21: A view of the neighboring Castle Mountain Road and residential properties east of the Site across Cokato Road.



Photo 22: An AST observed east of the Site across Cokato Road.



Photo 23: A view of the creek and forested area located just south of the Site.



Photo 24: General view of the neighboring railroad to the west of the Site running along the western border of the Site.

APPENDIX

C CITY DOCUMENTS





The Corporation of the City of Fernie
**CONSOLIDATED ZONING
 BYLAW NO. 1750**

Consolidated to Bylaws:

1786, Amend # 1	1974, Amend # 51	2125, Amend # 103	2216, Amend # 148	2328, Amend #190
1794, Amend # 3	1981, Amend # 54	2126, Amend # 104	2217, Amend # 149	2329, Amend #191
1796, Amend # 4	1987, Amend # 56	2127, Amend # 105	2219, Amend # 150	2330, Amend #192
1801, Amend # 5	2001, Amend # 60	2128, Amend # 106	2225, Amend # 152	2334, Amend #194
1804, Amend # 6	2007, Amend # 63	2131, Amend # 107	2227, Amend # 153	2339, Amend #197
1808, Amend # 7	2019, Amend # 69	2132, Amend # 108	2229, Amend # 154	2340, Amend #198
1810, Amend # 8	2023, Amend # 70	2133, Amend # 109	2232, Amend # 156	2341, Amend #199
1817, Amend # 9	2031, Amend # 72	2135, Amend # 111	2237, Amend # 158	2345, Amend #200
1818, Amend # 10	2033, Amend # 73	2140, Amend # 110	2239, Amend # 159	2353, Amend #201
1822, Amend # 12	2043, Amend # 74	2141, Amend # 112	2240, Amend # 160	2354, Amend #202
1827, Amend # 13	2046, Amend # 75	2142, Amend # 113	2241, Amend # 161	2356, Amend #203
1828, Amend # 14	2049, Amend # 76	2144, Amend # 114	2243, Amend # 163	2357, Amend #204
1829, Amend # 15	2058, Amend # 78	2150, Amend # 119	2244, Amend # 164	2359, Amend #205
1831, Amend # 16	2061, Amend #79	2151, Amend # 120	2245, Amend # 165	2360, Amend #206
1835, Amend # 17	2064, Amend # 80	2152, Amend # 121	2248, Amend # 166	2364, Amend #208
1857, Amend # 19	2068, Amend # 82	2153, Amend # 122	2249, Amend # 167	2365, Amend #209
1859, Amend # 20	2074, Amend # 83	2156, Amend # 123	2252, Amend # 168	2374, Amend #210
1861, Amend # 22	2078, Amend # 85	2157, Amend # 124	2258, Amend # 169	2377, Amend #211
1789, Amend # 24	2080, Amend # 86	2159, Amend # 125	2262, Amend # 170	2378, Amend #212
1873, Amend # 25	2083, Amend # 87	2166, Amend # 126	2264, Amend # 172	2380, Amend #213
1874, Amend # 26	2085, Amend # 88	2168, Amend # 128	2271, Amend # 174	2381, Amend #214
1881, Amend # 28	2086, Amend # 89	2180, Amend # 131	2275, Amend # 176	2382, Amend #215
1886, Amend # 30	2088, Amend # 90	2186, Amend # 132	2281, Amend # 177	2384, Amend #216
1894, Amend # 31	2090, Amend # 91	2187, Amend # 133	2282, Amend # 178	2387, Amend #217
1908, Amend # 36	2098, Amend # 92	2189, Amend # 135	2292, Amend # 179	2391, Amend #220
1913, Amend # 38	2100, Amend # 93	2192, Amend # 136	2293, Amend # 180	2398, Amend #223
1945, Amend # 41	2107, Amend # 94	2194, Amend # 137	2301, Amend # 182	
1947, Amend # 42	2108, Amend # 95	2196, Amend # 138	2302, Amend # 183	
1948, Amend # 43	2109, Amend # 96	2202, Amend # 139	2303, Amend # 184	
1951, Amend # 45	2110, Amend # 97	2204, Amend # 140	2306, Amend # 185	
1958, Amend # 46	2116, Amend # 99	2205, Amend # 141	2322 Amend # 186	
1968, Amend # 48	2117, Amend# 100	2206, Amend # 142	2323 Amend # 187	
1969, Amend # 49	2118, Amend # 101	2210, Amend # 145	2324, Amend #188	
1972, Amend # 50	2121, Amend # 102	2214, Amend # 146	2327, Amend #189	

Amended 2020-05-26

All persons making use of this consolidated version of the City of Fernie Bylaw No.1750 are advised that has no legislative sanction; that the amendments have been embodied for convenience of reference only and that the original bylaws must be consulted for all purposes of interpreting and applying the Bylaw. Subsections or sections of the original bylaw and or amendments which have been repealed have not been included in this consolidation.

Certified copies of all City bylaws are available from the City Clerk.

4.2.8 R4 - MULTIPLE FAMILY RESIDENTIAL (HIGH DENSITY) ZONE

.1 Purpose

The purpose of the R4 zone is to provide for higher density, larger structures in the form of apartments and stacked townhouse dwelling units.

.2 Permitted Uses

The following uses, and no other, are permitted in the R4 zone:

- .1 *multi family dwellings;*
- .2 *rest homes;*
- .3 *uses permitted under section 3.3 of this Bylaw;*

.3 Accessory Uses

- .1 *home occupation;*
- .2 *other uses, buildings and structures accessory to a permitted use.*

.4 Regulations

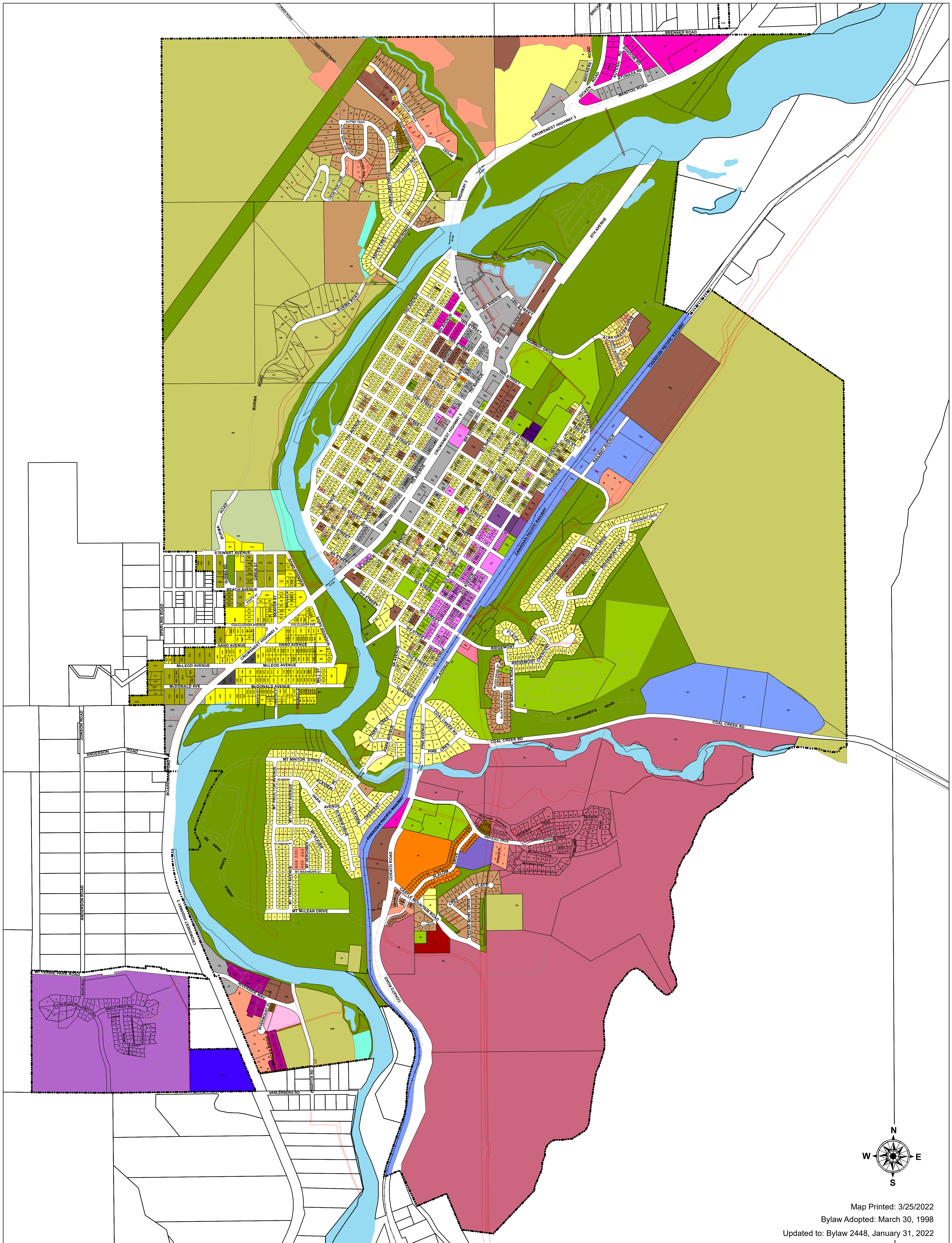
- .1 On a parcel located in an area designated as R4, no building or structure shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out below in which Column 1 sets out the matter to be regulated and Column 2 sets out the regulations.

COLUMN 1	COLUMN 2
.1 Minimum Parcel Area	1,115 sq. m (12,000 sq. ft.)
.2 Minimum Frontage	20 m (65.6 ft.)
.3 Minimum Setback	
a) Principal Building	
• front yard	7.5 m (24.6 ft.)
• rear yard	9 m (29.5 ft.)
• side yard	4.5 m (14.8 ft.)

b) Accessory Building	
<ul style="list-style-type: none"> • front yard • rear yard • rear yard adjacent to a highway right-of-way other than a lane • side yard • side yard where adjacent to a highway right-of-way other than a lane 	<p>7.5 m (24.6 ft.)</p> <p>2.1 m (6.9 ft.)</p> <p>4.5 m (14.8 ft.)</p> <p>2.0 m (6.6 ft.)</p> <p>4.5 m (14.8 ft.)</p>
c) All structures	22 m (72.2 ft.) from the centre line of Hwy 3
.4 Maximum Parcel Coverage	40%
.5 Maximum Density	74 dwelling units per gross hectare (30 dwelling units per gross acre)
.6 Maximum Building Height	
<ul style="list-style-type: none"> • Principal Building • Accessory Building 	<p>12 m (39.4 ft.)</p> <p>5 m (16.4 ft.)</p>
.7 Minimum Amenity Space per dwelling unit	4.5 sq. m (48 sq. ft.) in either a balcony, terrace or patio
.8 Parking	See Part 5

.5 Special Regulations






























- .1 In buildings containing more than 10 dwelling units, indoor amenity space in the amount of not less than 1.4 sq. meters (15 sq. ft.) per dwelling unit shall be provided.
- .2 All development and redevelopment shall be guided by the regulations of the multi-family development permit area and a development permit shall be required.
- .3 Decks and balconies may encroach into the rear and front yards, and on corner lots, into the side yard, providing that they do not interfere with pedestrian traffic on a sidewalk and do not block sight distance for traffic turning movements.



Map Printed: 3/25/2022
 Bylaw Adopted: March 30, 1998
 Updated to: Bylaw 2448, January 31, 2022

Zoning Bylaw 1750 - Schedule A

Zone Designation

 R1 Single Family Residential	 R3 Medium Density Residential	 R3-R Medium Density Residential - Riverside	 C-WF West Fernie Mixed Use	 CD1 Comprehensive Development
 R1B Single Detached Plus Residential	 R4 High Density Residential	 R2-RS Duplex Residential - Riverside	 A1 Agricultural Zone	 CD2 Comprehensive Development
 R1SL Single Family Residential Small Lot	 R5-R Multi Family Residential Rental	 C1 Retail Commercial	 M1 Light Industrial	 CD3 Comprehensive Development
 R-WF Low Density Residential West Fernie	 RMH Manufactured Home	 C2 Neighborhood Commercial	 P1 Public Institutional	 CD4 Comprehensive Development
 R-WF1 Low Density Residential West Fernie Steep Slope	 RR Rural Residential	 CS1 Service Commercial	 P2 Parks and Open Spaces	 Comprehensive Development Zone 5
 R2 Duplex Residential	 RR4 **Rural Residential (Hobby Farm)	 CHWY Highway Commercial	 PP Private Park	

APPENDIX

D LAND TITLES



ABSTRACT REGISTRY SERVICES LTD.
 975 Victoria Street, Kamloops, BC V2C 2C1
 Phone: (250) 372-0746 Fax: (250) 828-0191
 E-mail: john@arsl.ca

Date: April 21st, 2022
 Client: WSP Canada Inc.
 Attention: Alexandra Markus

File: 221-03946-00

HISTORICAL SEARCH REPORT

Civic Address (if given): 85 Cokato Road, Fernie, BC

LTO: Nelson

Legal Description: Lot A District Lot 4589 Kootenay District Plan NEP60850

PID: 023-992-981

Title No:	Registered Owner:	Date Title Registered :	Legal Description (Current and Parent):	Leases & Right to Purchase
CA9238127	LYONS & NAIRN LEGACY HOLDINGS LTD.	2021-07-30	As above	N/A
CA5824852	GALWAY CAPITAL CORP.	2017-02-17	As above	N/A
CA2379780	GALWAY CAPITAL CORP. as to an undivided 60/100 interest CONCENTRA TRUST as to an undivided 40/100 interest	2012-02-03	As above	N/A
LB97564	698443 B.C. LTD.	2007-08-15	As above	N/A
KX121513	698443 B.C. LTD.	2005-08-31	As above	N/A
KW51425	MARTIN DOLEMO, as to an undivided ½ interest BRUCE ABUGOV, as to an undivided ¼ interest RICHARD THOMPSON, as to an undivided ¼ interest	2004-04-30	As above	N/A
KM160085	SUNRIDGE VILLAGE INC.	1998-01-07	As above	N/A
KL140570	DAVE BARRATT CLAYTON, BRIAN WARD DAVIES	1997-12-22	As above Deposit Plan NEP60850 Parts Former: Closed Road on Plan NEP59512 Lot 2 DL4589 KD Plan 14544 Lot 1 DL4589 KD Plan 9393 Lot 2 DL4589 KD Plan 9393	N/A
KL140569	DAVE BARRATT CLAYTON, BRIAN WARD DAVIES	1997-12-22	Lot 2 DL4589 KD Plan 14544	N/A
XJ30279	DAVE BARRATT CLAYTON, BRIAN WARD DAVIES	1995-10-31	Lot 2 DL4589 KD Plan 9393	N/A

XJ30278	DAVE BARRATT CLAYTON, BRIAN WARD DAVIES	1995-10-31	Lot 1 DL4589 KD Plan 9393	N/A
XH18371	MARTY LANE HERRICK	1994-06-28	Lot 2 DL4589 KD Plan 9393	N/A
XH18370	MARTY LANE HERRICK	1994-06-28	Lot 1 DL4589 KD Plan 9393	N/A
XD35604	CITY OF FERNIE	1990-10-29	Lot 2 DL4589 KD Plan 14544	N/A

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$875000

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District

NELSON

Land Title Office

NELSON

Title Number

CA9238127

From Title Number

CA5824852

Application Received

2021-07-30

Application Entered

2021-08-12

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

LYONS & NAIRN LEGACY HOLDINGS LTD., INC.NO. BC1204916
#302 - 1200 LYNN VALLEY ROAD
NORTH VANCOUVER, BC
V7J 2A2

Taxation Authority

Fernie, The Corporation of the City of

Description of Land

Parcel Identifier:

023-992-981

Legal Description:

LOT A DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN NEP60850

Legal Notations

NOTICE OF INTEREST, BUILDERS LIEN ACT (S.3(2)), SEE CA9238128
FILED 2021-07-30

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL
ACT, SEE KM53727

Charges, Liens and Interests

Nature:

UNDERSURFACE RIGHTS

Registration Number:

C1127

Registration Date and Time:

1969-06-12 09:54

Registered Owner:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA

Remarks:

SEE C1126

MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT
PART FORMERLY PART LOTS A AND B PLAN 1063

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$875000

Nature:	EASEMENT
Registration Number:	XC13408
Registration Date and Time:	1989-06-16 14:20
Remarks:	PART PLAN 18417 APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$360000

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District NELSON
Land Title Office NELSON

Title Number CA5824852
From Title Number CA2379780

Application Received 2017-02-17

Application Entered 2017-02-28

Title Cancelled **2021-08-12**

Registered Owner in Fee Simple
Registered Owner/Mailing Address: GALWAY CAPITAL CORP., INC.NO. BC0536192
6820 GAMBA DRIVE
RICHMOND, BC
V7C 2G5

Taxation Authority Fernie, The Corporation of the City of

Description of Land
Parcel Identifier: 023-992-981
Legal Description:
LOT A DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN NEP60850

Legal Notations
THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL ACT, SEE KM53727

Charges, Liens and Interests
Nature: UNDERSURFACE RIGHTS
Registration Number: C1127
Registration Date and Time: 1969-06-12 09:54
Registered Owner: HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks: SEE C1126
MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A AND B PLAN 1063

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$360000

Nature:	EASEMENT
Registration Number:	XC13408
Registration Date and Time:	1989-06-16 14:20
Remarks:	PART PLAN 18417 APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers

Registration Date:	2021-08-12
Description:	ALL CA9238127

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$ 1152000

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District NELSON
Land Title Office NELSON

Title Number CA2379780
From Title Number LB97564

Application Received 2012-02-03

Application Entered 2012-02-09

Title Cancelled **2017-02-28**

Registered Owner in Fee Simple

Registered Owner/Mailing Address: GALWAY CAPITAL CORP., INC.NO. BC0536192
6820 GAMBA DRIVE
RICHMOND, BC
V7C 2G5
AS TO AN UNDIVIDED 60/100 INTEREST

Registered Owner/Mailing Address: CONCENTRA TRUST, INC.NO. A0063908
13569 - 76TH AVENUE, SUITE 209
SURREY, BC
V3W 2W3
AS TO AN UNDIVIDED 40/100 INTEREST

Taxation Authority Fernie, The Corporation of the City of

Description of Land

Parcel Identifier: 023-992-981
Legal Description:
LOT A DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN NEP60850

Legal Notations

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL ACT, SEE KM53727

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$ 1152000

Charges, Liens and Interests

Nature:	UNDERSURFACE RIGHTS
Registration Number:	C1127
Registration Date and Time:	1969-06-12 09:54
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	SEE C1126 MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A AND B PLAN 1063 INTER ALIA

Nature:	EASEMENT
Registration Number:	XC13408
Registration Date and Time:	1989-06-16 14:20
Remarks:	PART PLAN 18417 APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Duplicate Infeasible Title NONE OUTSTANDING

Transfers

Registration Date:	2017-02-28
Description:	ALL CA5824852

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District NELSON
Land Title Office NELSON

Title Number LB97564
From Title Number KX121513

Application Received 2007-08-15

Application Entered 2007-08-17

Title Cancelled **2012-02-09**

Registered Owner in Fee Simple
Registered Owner/Mailing Address: 698443 B.C. LTD., INC.NO. BC0698443
374 LEBLEU STREET
COQUITLAM, BC
V3K 5V5

Taxation Authority Fernie, The Corporation of the City of

Description of Land
Parcel Identifier: 023-992-981
Legal Description:
LOT A DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN NEP60850

Legal Notations
THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL ACT, SEE KM53727

Charges, Liens and Interests
Nature: UNDERSURFACE RIGHTS
Registration Number: C1127
Registration Date and Time: 1969-06-12 09:54
Registered Owner: HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks: SEE C1126
MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A AND B PLAN 1063
INTER ALIA

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

Nature:	EASEMENT
Registration Number:	XC13408
Registration Date and Time:	1989-06-16 14:20
Remarks:	PART PLAN 18417 APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Duplicate Infeasible Title NONE OUTSTANDING

Transfers

Registration Date:	2012-02-09
Description:	ALL CA2379780

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$ 1800000

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District

NELSON

Land Title Office

NELSON

Title Number

KX121513

From Title Number

KW51425

Application Received

2005-08-31

Application Entered

2005-09-12

Title Cancelled

2007-08-17

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

698443 B.C. LTD., INC.NO. BC0698443
1700-1185 WEST GEORGIA STREET
VANCOUVER, BC
V6E 4E6

Taxation Authority

Fernie, The Corporation of the City of

Description of Land

Parcel Identifier:

023-992-981

Legal Description:

LOT A DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN NEP60850

Legal Notations

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL ACT, SEE KM53727

Charges, Liens and Interests

Nature:

UNDERSURFACE RIGHTS

Registration Number:

C1127

Registration Date and Time:

1969-06-12 09:54

Registered Owner:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA

Remarks:

SEE C1126

MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A AND B PLAN 1063 INTER ALIA

TITLE SEARCH PRINT

2022-04-21, 15:04:42

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$ 1800000

Nature:	EASEMENT
Registration Number:	XC13408
Registration Date and Time:	1989-06-16 14:20
Remarks:	PART PLAN 18417 APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Nature:	MORTGAGE
Registration Number:	KX121516
Registration Date and Time:	2005-08-31 14:03
Registered Owner:	GREGORY PETER VAN POPTA IN TRUST SEE KX121516

Nature:	MORTGAGE
Registration Number:	LB18528
Registration Date and Time:	2007-02-16 10:51
Registered Owner:	GALWAY CAPITAL CORP. INCORPORATION NO. BC0536192 AS TO AN UNDIVIDED 60/100 INTEREST
Registered Owner:	CONCENTRA TRUCT INCORPORATION NO. A63908 AS TO AN UNDIVIDED 40/100 INTEREST

Nature:	PRIORITY AGREEMENT
Registration Number:	LB18529
Registration Date and Time:	2007-02-16 10:52
Remarks:	GRANTING LB18528 PRIORITY OVER KX121516

Duplicate Infeasible Title	NONE OUTSTANDING
-----------------------------------	------------------

Transfers

Registration Date:	2007-08-17
Description:	ALL LB97564

TITLE SEARCH PRINT

2022-04-21, 15:04:43

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$ 340000

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District

NELSON

Land Title Office

NELSON

Title Number

KW51425

From Title Number

KM160085

Application Received

2004-04-30

Application Entered

2004-05-11

Title Cancelled

2005-09-12

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

MARTIN DOLEMO, BUSINESSMAN

760, 1015 - 4TH ST. SW

CALGARY, AB

T2R 1J4

AS TO AN UNDIVIDED 1/2 INTEREST

Registered Owner/Mailing Address:

BRUCE ABUGOV, ARCHITECT

200, 422 - 11TH AVE. SE

CALGARY, AB

T2G 0Y4

AS TO AN UNDIVIDED 1/4 INTEREST

Registered Owner/Mailing Address:

RICHARD THOMPSON, PRESIDENT

4023 - 14A ST SW

CALGARY, AB

T2T 3Y3

AS TO AN UNDIVIDED 1/4 INTEREST

Taxation Authority

Fernie, The Corporation of the City of

Description of Land

Parcel Identifier:

023-992-981

Legal Description:

LOT A DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN NEP60850

Legal Notations

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL

ACT, SEE KM53727

TITLE SEARCH PRINT

2022-04-21, 15:04:43

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$ 340000

NOTICE OF INTEREST, BUILDERS LIEN ACT (S.3(2)), SEE KW172433
FILED 2004-12-06

Charges, Liens and Interests

Nature:	UNDERSURFACE RIGHTS
Registration Number:	C1127
Registration Date and Time:	1969-06-12 09:54
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	SEE C1126 MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A AND B PLAN 1063 INTER ALIA

Nature:	EASEMENT
Registration Number:	XC13408
Registration Date and Time:	1989-06-16 14:20
Remarks:	PART PLAN 18417 APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Nature:	MORTGAGE
Registration Number:	KW71368
Registration Date and Time:	2004-06-07 09:28
Registered Owner:	CANADIAN IMPERIAL BANK OF COMMERCE

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers

Registration Date:	2005-09-12
Description:	ALL KX121513

TITLE SEARCH PRINT

2022-04-21, 15:04:43

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$ 102500

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District

NELSON

Land Title Office

NELSON

Title Number

KM160085

From Title Number

KL140570

Application Received

1998-01-07

Application Entered

1998-01-08

Title Cancelled

2004-05-11

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

SUNRIDGE VILLAGE INC., 528986
BOX 547
FERNIE, BC
V0B 1M0

Taxation Authority

Fernie, The Corporation of the City of

Description of Land

Parcel Identifier:

023-992-981

Legal Description:

LOT A DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN NEP60850

Legal Notations

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL ACT, SEE KM53727

Charges, Liens and Interests

Nature:

UNDERSURFACE RIGHTS

Registration Number:

C1127

Registration Date and Time:

1969-06-12 09:54

Registered Owner:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA

Remarks:

SEE C1126
MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT
PART FORMERLY PART LOTS A AND B PLAN 1063
INTER ALIA

TITLE SEARCH PRINT

2022-04-21, 15:04:43

File Reference: 221-03946-00

Requestor: Abstract Registry

Declared Value \$ 102500

Nature:	EASEMENT
Registration Number:	XC13408
Registration Date and Time:	1989-06-16 14:20
Remarks:	PART PLAN 18417 APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Nature:	MORTGAGE
Registration Number:	KT135491
Registration Date and Time:	2002-12-09 09:51
Registered Owner:	THE CORPORATION OF THE CITY OF FERNIE

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers

Registration Date:	2004-05-11
Description:	ALL KW51425

TITLE SEARCH PRINT

2022-04-21, 15:04:43

File Reference: 221-03946-00

Requestor: Abstract Registry

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District	NELSON
Land Title Office	NELSON
Title Number	KL140570
From Title Number	KL140568
	KL140569
	XJ30278
	XJ30279
Application Received	1997-12-22
Application Entered	1997-12-29
Title Cancelled	1998-01-08
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	DAVE BARRATT CLAYTON, BUSINESSMAN BRIAN WARD DAVIES, BUSINESSMAN C/O 910 DAVIES STREET NELSON, BC V1L 3T9
Taxation Authority	Fernie, The Corporation of the City of
Description of Land	
Parcel Identifier:	023-992-981
Legal Description:	LOT A DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN NEP60850
Legal Notations	NONE
Charges, Liens and Interests	
Nature:	UNDERSURFACE RIGHTS
Registration Number:	C1127
Registration Date and Time:	1969-06-12 09:54
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	SEE C1126 MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A AND B PLAN 1063 INTER ALIA

TITLE SEARCH PRINT

2022-04-21, 15:04:43

File Reference: 221-03946-00

Requestor: Abstract Registry

Nature:	EASEMENT
Registration Number:	XC13408
Registration Date and Time:	1989-06-16 14:20
Remarks:	PART PLAN 18417 APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Duplicate Infeasible Title	NONE OUTSTANDING
-----------------------------------	------------------

Transfers

Registration Date:	1998-01-08
Description:	ALL KM160085

TITLE SEARCH PRINT

File Reference: 221-0946-00

Declared Value \$ 30000

2022-04-21, 15:56:55

Requestor: Abstract Registry

****CURRENT AND CANCELLED INFORMATION SHOWN******Land Title District**

Land Title Office

NELSON

NELSON

Title Number

From Title Number

KL140569

XD35604

Application Received

1997-12-22

Application Entered

1997-12-29

Title Cancelled**1997-12-29****Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

DAVE BARRATT CLAYTON, BUSINESSMAN
BRIAN WARD DAVIES, BUSINESSMAN
C/O 910 DAVIES STREET
NELSON, BC
V1L 3T9**Taxation Authority**

Fernie, The Corporation of the City of

Description of Land

Parcel Identifier:

008-839-956

Legal Description:

LOT 2 DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN 14544

Legal Notations

NONE

Charges, Liens and Interests

Nature:

EASEMENT

Registration Number:

XC13408

Registration Date and Time:

1989-06-16 14:20

Remarks:

PART PLAN 18417

APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Duplicate Indefeasible Title

NONE OUTSTANDING

Transfers

Registration Date:

1997-12-29

Description:

SUBD BY PLAN NEP60850 KL140570

TITLE SEARCH PRINT

File Reference: 221-0946-00

Declared Value \$ 30000

2022-04-21, 15:56:55

Requestor: Abstract Registry

Corrections

NONE

TITLE SEARCH PRINT

2022-04-21, 15:55:58

File Reference: 221-0946-00

Requestor: Abstract Registry

Declared Value \$ 37500

****CURRENT AND CANCELLED INFORMATION SHOWN****

Land Title District

NELSON

Land Title Office

NELSON

Title Number

XJ30279

From Title Number

XH18371

Application Received

1995-10-31

Application Entered

1995-11-08

Title Cancelled

1997-12-29

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

DAVE BARRATT CLAYTON, BUSINESSMAN
BRIAN WARD DAVIES, BUSINESSMAN
C/O 910 DAVIES STREET
NELSON, BC
V1L 3T9

Taxation Authority

Fernie, The Corporation of the City of

Description of Land

Parcel Identifier:

012-512-575

Legal Description:

LOT 2 DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN 9393

Legal Notations

NONE

Charges, Liens and Interests

Nature:

UNDERSURFACE RIGHTS

Registration Number:

C1127

Registration Date and Time:

1969-06-12 09:54

Registered Owner:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA

Remarks:

SEE C1126
MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT
PART FORMERLY PART LOTS A AND B PLAN 1063
INTER ALIA

Duplicate Infeasible Title

NONE OUTSTANDING

TITLE SEARCH PRINT

File Reference: 221-0946-00

Declared Value \$ 37500

2022-04-21, 15:55:58

Requestor: Abstract Registry

Transfers

Registration Date:

1997-12-29

Description:

SUBD BY PLAN NEP60850 KL140570

Corrections

NONE

TITLE SEARCH PRINT

2022-04-21, 15:53:24

File Reference:

Requestor: Abstract Registry

Declared Value \$ 37500

****CURRENT AND CANCELLED INFORMATION SHOWN****

Land Title District	NELSON
Land Title Office	NELSON
Title Number	XJ30278
From Title Number	XH18370
Application Received	1995-10-31
Application Entered	1995-11-08
Title Cancelled	1997-12-29
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	DAVE BARRATT CLAYTON, BUSINESSMAN BRIAN WARD DAVIES, BUSINESSMAN C/O 910 DAVIES STREET NELSON, BC V1L 3T9
Taxation Authority	Fernie, The Corporation of the City of
Description of Land	
Parcel Identifier:	012-512-541
Legal Description:	LOT 1 DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN 9393
Legal Notations	NONE
Charges, Liens and Interests	
Nature:	UNDERSURFACE RIGHTS
Registration Number:	C1127
Registration Date and Time:	1969-06-12 09:54
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	SEE C1126 MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A AND B PLAN 1063 INTER ALIA
Duplicate Infeasible Title	NONE OUTSTANDING

TITLE SEARCH PRINT

2022-04-21, 15:53:24

File Reference:

Requestor: Abstract Registry

Declared Value \$ 37500

Transfers

Registration Date:

1997-12-29

Description:

SUBD BY PLAN NEP60850 KL140570

Corrections

NONE

TITLE SEARCH PRINT

2022-04-21, 15:53:24

File Reference:

Requestor: Abstract Registry

Declared Value \$ 37500

****CURRENT AND CANCELLED INFORMATION SHOWN****

Land Title District	NELSON
Land Title Office	NELSON
Title Number	XJ30278
From Title Number	XH18370
Application Received	1995-10-31
Application Entered	1995-11-08
Title Cancelled	1997-12-29
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	DAVE BARRATT CLAYTON, BUSINESSMAN BRIAN WARD DAVIES, BUSINESSMAN C/O 910 DAVIES STREET NELSON, BC V1L 3T9
Taxation Authority	Fernie, The Corporation of the City of
Description of Land	
Parcel Identifier:	012-512-541
Legal Description:	LOT 1 DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN 9393
Legal Notations	NONE
Charges, Liens and Interests	
Nature:	UNDERSURFACE RIGHTS
Registration Number:	C1127
Registration Date and Time:	1969-06-12 09:54
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	SEE C1126 MINERALS NOT RESERVED IN THE ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A AND B PLAN 1063 INTER ALIA
Duplicate Infeasible Title	NONE OUTSTANDING

TITLE SEARCH PRINT

2022-04-21, 15:53:24

File Reference:

Requestor: Abstract Registry

Declared Value \$ 37500

Transfers

Registration Date:

1997-12-29

Description:

SUBD BY PLAN NEP60850 KL140570

Corrections

NONE

TITLE SEARCH PRINT

File Reference: 221-0946-00

Declared Value \$10,500

2022-04-21, 16:02:16

Requestor: Abstract Registry

****CURRENT AND CANCELLED INFORMATION SHOWN****

Land Title District	NELSON
Land Title Office	NELSON
Title Number	XH18371
From Title Number	U22861
Application Received	1994-06-28
Application Entered	1994-06-28
Title Cancelled	1995-11-08
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	MARTY LANE HERRICK, COMPUTER PROGRAMMER PO BOX 2107 FERNIE, BC V0B 1M0
Taxation Authority	Fernie, The Corporation of the City of
Description of Land	
Parcel Identifier:	012-512-575
Legal Description:	LOT 2 DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN 9393
Legal Notations	NONE
Charges, Liens and Interests	
Nature:	RESERVATION
Registration Number:	V18723
Registered Owner:	CROW'S NEST PASS COAL CO. LTD.
Remarks:	SEE DD 2384 AND 17240
Cancelled By:	XJ2587
Cancelled Date:	1995-02-01

TITLE SEARCH PRINT

2022-04-21, 16:02:16

File Reference: 221-0946-00

Requestor: Abstract Registry

Declared Value \$10,500

Nature: UNDERSURFACE RIGHTS
 Registration Number: C1127
 Registration Date and Time: 1969-06-12 09:54
 Registered Owner: HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
 Remarks: SEE C1126 MINERALS NOT RESERVED IN ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A & B, PLAN 1063 INTER ALIA

Nature: MORTGAGE
 Registration Number: T24849
 Registration Date and Time: 1984-11-05 10:32
 Registered Owner: ORMSKIRK INVESTMENTS LTD. INCORPORATION NO. 22564
 Remarks: ASSIGNMENT OF Q27218 REC'D 30/09/1981 @ 11:00 R22867 REC'D 01/11/1982 @ 08:56 AND R22868 REC'D 01/11/1982 @ 08:57 INTER ALIA
Cancelled By: XH23286
Cancelled Date: 1994-08-09

Nature: MORTGAGE
 Registration Number: T24850
 Registration Date and Time: 1984-11-05 10:33
 Registered Owner: BANK OF BRITISH COLUMBIA
 Remarks: MORTGAGE OF T24849 INTER ALIA
Cancelled By: XH23287
Cancelled Date: 1994-08-09

Nature: MORTGAGE
 Registration Number: V17832
 Registration Date and Time: 1986-07-25 15:01
 Registered Owner: BANK OF BRITISH COLUMBIA
 Remarks: SUPPLEMENTAL TO T24850 INTER ALIA
Cancelled By: XH23288
Cancelled Date: 1994-08-09

Nature: MORTGAGE
 Registration Number: W24570
 Registration Date and Time: 1987-11-24 11:20
 Registered Owner: HONGKONG BANK OF CANADA
 Remarks: SUPPLEMENTAL TO T24850 INTER ALIA MODIFIED BY XC16727
Cancelled By: XH23289
Cancelled Date: 1994-08-09

TITLE SEARCH PRINT

2022-04-21, 16:02:16

File Reference: 221-0946-00

Requestor: Abstract Registry

Declared Value \$10,500

Nature:	MORTGAGE
Registration Number:	XC16727
Registration Date and Time:	1989-07-27 12:57
Remarks:	MODIFICATION OF W24570 INTER ALIA
Cancelled By:	XH23290
Cancelled Date:	1994-08-09

Duplicate Infeasible Title

To:	ISSUED 1994-09-06 RON BENTLEY BOX 2038 FERNIE, BC V0B 1M0,
Application Number:	XH26247
Surrendered:	1995-10-31

Transfers

Registration Date:	1995-11-08
Description:	ALL XJ30279

Corrections

NONE

TITLE SEARCH PRINT

File Reference: 221-0946-00

Declared Value \$10,500

2022-04-21, 16:03:17

Requestor: Abstract Registry

****CURRENT AND CANCELLED INFORMATION SHOWN****

Land Title District	NELSON
Land Title Office	NELSON
Title Number	XH18370
From Title Number	U22860
Application Received	1994-06-28
Application Entered	1994-06-28
Title Cancelled	1995-11-08
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	MARTY LANE HERRICK, COMPUTER PROGRAMMER PO BOX 2107 FERNIE, BC V0B 1M0
Taxation Authority	Fernie, The Corporation of the City of
Description of Land	
Parcel Identifier:	012-512-541
Legal Description:	LOT 1 DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN 9393
Legal Notations	NONE
Charges, Liens and Interests	
Nature:	RESERVATION
Registration Number:	V18723
Registered Owner:	CROW'S NEST PASS COAL CO. LTD.
Remarks:	SEE DD 2384 AND 17240
Cancelled By:	XJ2587
Cancelled Date:	1995-02-01

TITLE SEARCH PRINT

2022-04-21, 16:03:17

File Reference: 221-0946-00

Requestor: Abstract Registry

Declared Value \$10,500

Nature: UNDERSURFACE RIGHTS
Registration Number: C1127
Registration Date and Time: 1969-06-12 09:54
Registered Owner: HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks: SEE C1126 MINERALS NOT RESERVED IN ORIGINAL CROWN GRANT PART FORMERLY PART LOTS A & B, PLAN 1063 INTER ALIA

Nature: MORTGAGE
Registration Number: T24849
Registration Date and Time: 1984-11-05 10:32
Registered Owner: ORMSKIRK INVESTMENTS LTD.
INCORPORATION NO. 22564
Remarks: ASSIGNMENT OF Q27218 REC'D 30/09/1981 @ 11:00 R22867 REC'D 01/11/1982 @ 08:56 AND R22868 REC'D 01/11/1982 @ 08:57 INTER ALIA
Cancelled By: XH23281
Cancelled Date: 1994-08-09

Nature: MORTGAGE
Registration Number: T24850
Registration Date and Time: 1984-11-05 10:33
Registered Owner: BANK OF BRITISH COLUMBIA
Remarks: MORTGAGE OF T24849 INTER ALIA
Cancelled By: XH23282
Cancelled Date: 1994-08-09

Nature: MORTGAGE
Registration Number: V17832
Registration Date and Time: 1986-07-25 15:01
Registered Owner: BANK OF BRITISH COLUMBIA
Remarks: SUPPLEMENTAL TO T24850 INTER ALIA
Cancelled By: XH23283
Cancelled Date: 1994-08-09

Nature: MORTGAGE
Registration Number: W24570
Registration Date and Time: 1987-11-24 11:20
Registered Owner: HONGKONG BANK OF CANADA
Remarks: SUPPLEMENTAL TO T24850 INTER ALIA MODIFIED BY XC16727
Cancelled By: XH23284
Cancelled Date: 1994-08-09

TITLE SEARCH PRINT

2022-04-21, 16:03:17

File Reference: 221-0946-00

Requestor: Abstract Registry

Declared Value \$10,500

Nature:	MORTGAGE
Registration Number:	XC16727
Registration Date and Time:	1989-07-27 12:57
Remarks:	MODIFICATION OF W24570 INTER ALIA
Cancelled By:	XH23285
Cancelled Date:	1994-08-09

Duplicate Indefeasible Title

To:	ISSUED 1994-09-06 RON BENTLEY BOX 2038 FERNIE, BC V0B 1M0,
Application Number:	XH26246
Surrendered:	1995-10-31

Transfers

Registration Date:	1995-11-08
Description:	ALL XJ30278

Corrections

NONE

TITLE SEARCH PRINT

File Reference: 221-0946-00

Declared Value \$1,048.23

2022-04-21, 16:00:16

Requestor: Abstract Registry

****CURRENT AND CANCELLED INFORMATION SHOWN******Land Title District**

Land Title Office

NELSON

NELSON

Title Number

From Title Number

XD35604

XC10521

Application Received

1990-10-29

Application Entered

1990-10-30

Title Cancelled**1997-12-29****Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

CITY OF FERNIE

BOX 190

FERNIE, BC

B0B 1M0

Taxation Authority

Fernie, The Corporation of the City of

Description of Land

Parcel Identifier:

008-839-956

Legal Description:

LOT 2 DISTRICT LOT 4589 KOOTENAY DISTRICT PLAN 14544

Legal Notations

NONE

Charges, Liens and Interests

Nature:

EASEMENT

Registration Number:

XC13408

Registration Date and Time:

1989-06-16 14:20

Remarks:

PART PLAN 18417

APPURTENANT TO STRATA LOTS 1 - 34 STRATA PLAN N62

Duplicate Infeasible Title

NONE OUTSTANDING

Transfers

Registration Date:

1997-12-29

Description:

ALL KL140569

TITLE SEARCH PRINT

File Reference: 221-0946-00

Declared Value \$1,048.23

2022-04-21, 16:00:16

Requestor: Abstract Registry

Corrections

NONE

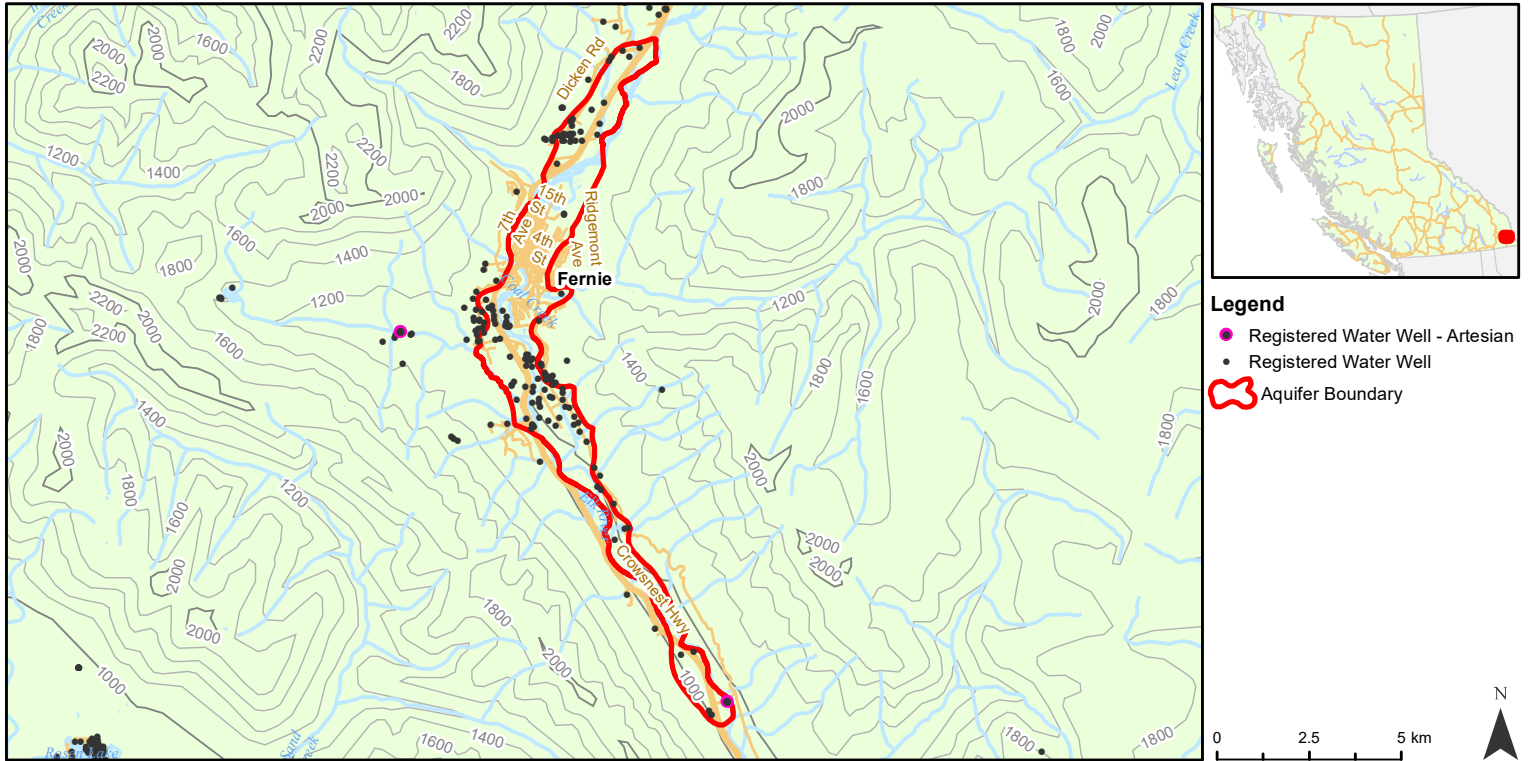
APPENDIX

E BC ENV DOCUMENTS



Site Registry Results

ENV_RMDTN_SITES_ID	SITE_ID	GENERAL_DESCRIPTION	VICTORIA_FILE_NO	REGIONAL_FILE_NO	COMMON_NAME	ADDRESS	LATITUDE	LONGITUDE	OBJECTID	fme_feature_type	OBJECTID *
49021795	10552	LAT AND LONG FROM (2007-08-03) NOTICE OF INDEPENDENT REMEDIATION	26250-20/10552	<Null>	40 COKATO ROAD, FERNIE BC	40 COKATO ROAD, FERNIE	49° 29' 37.00"	115° 3' 43.00"	26217137	WHSE_WASTE.SITE_ENV_RMDTN_SITES_SVW	13033
49022033	9695	LOCATION CONFIRMED USING ICIS FEBRUARY 2, 2012	26250-20/9695	<Null>	30 COKATO ROAD	30 COKATO ROAD, FERNIE	49° 29' 36.00"	115° 3' 48.00"	26217375	WHSE_WASTE.SITE_ENV_RMDTN_SITES_SVW	13271



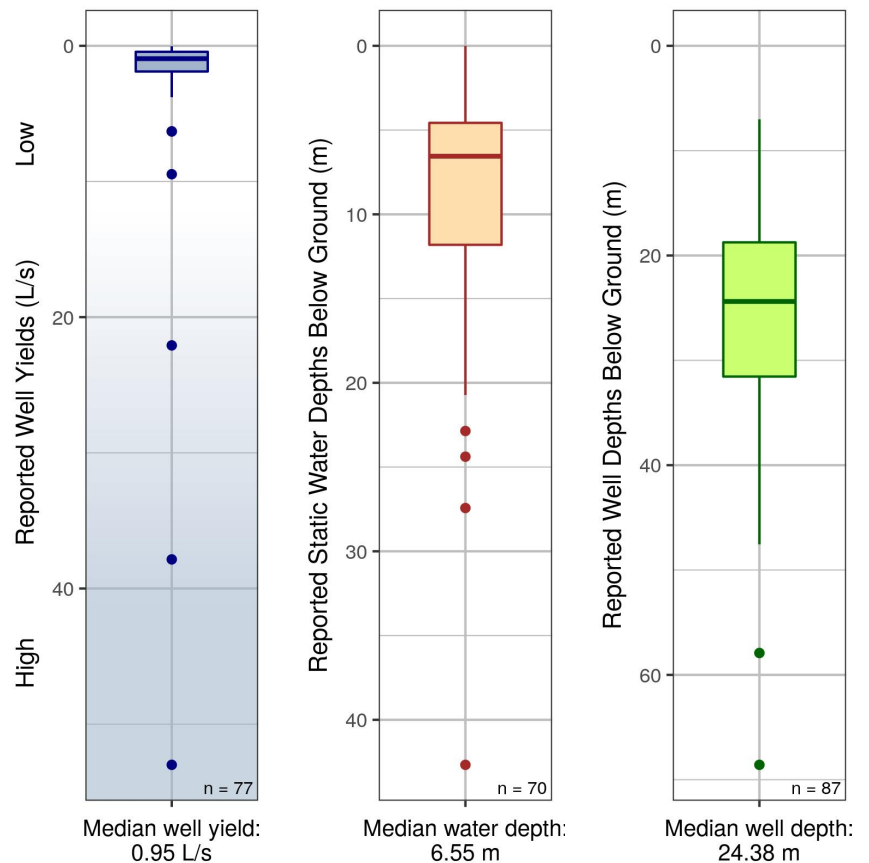
Aquifer Description (Mapping Report - 2002):

Confined Glacio-fluvial sand and gravel aquifers underneath till, in between till layers, or underlying glacio-lacustrine deposits (subtype = 4b).

Aquifer Details

Region	Kootenay
Water District	Fernie
Aquifer Area	20.8 km ²
No. Wells Correlated to Aquifer	89
Vulnerability to Contamination	Low
Productivity	Moderate
Aquifer Classification	IIC
Hydraulic Connectivity ¹	Not Likely
Aquifer Stress Index	Method not applicable - confined aquifer
No. Water Licences Issued to Wells	1
Observation Wells (Active , Inactive)	None

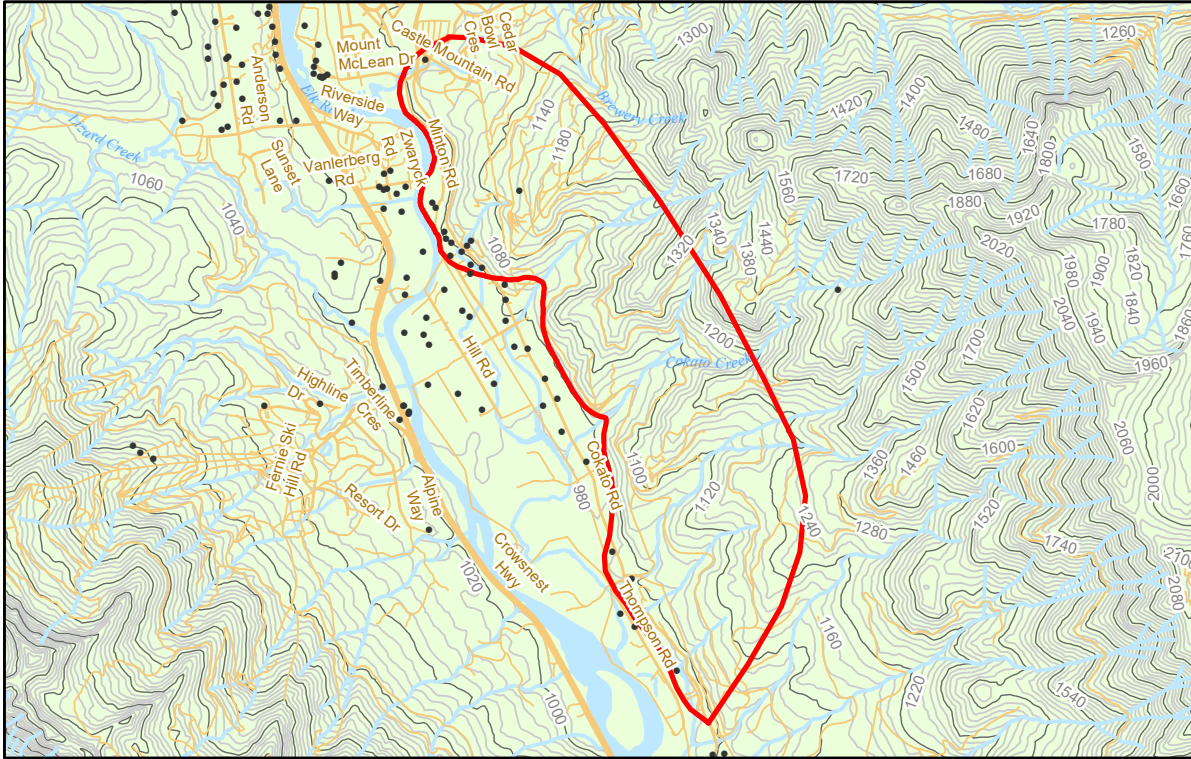
¹ Based on broad regional assessment




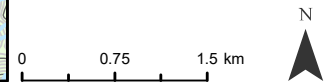
Disclaimer: Use of information from Aquifer factsheets (accessed by BC government website) is subject to limitation of liability provisions (further described on that website). That information is provided by the BC government as a public service on an “as is” basis, without warranty of any kind, whether express or implied, and its use is at your own risk. Under no circumstances will the BC government, or its staff, agents and contractors, be responsible or liable to any person or business entity, for any direct, indirect, special, incidental, consequential or any other loss or damages to any person or business entity based on this factsheet or any use of information from it.

Detailed methods for all figures are described in the companion document ([Aquifer Factsheet - Companion Document.pdf](#)).

Factsheet generated: 2020-08-06. Aquifers online: <https://apps.nrs.gov.bc.ca/gwells/aquifers>.


Legend

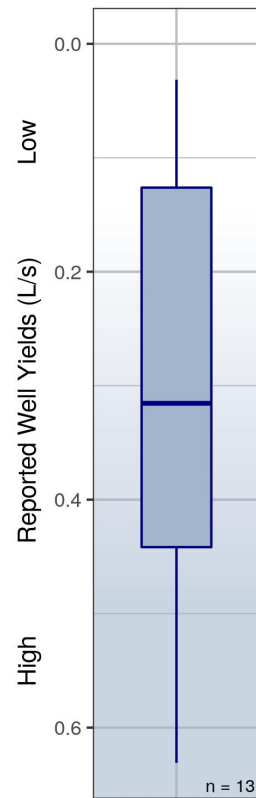
- Registered Water Well
-  Aquifer Boundary



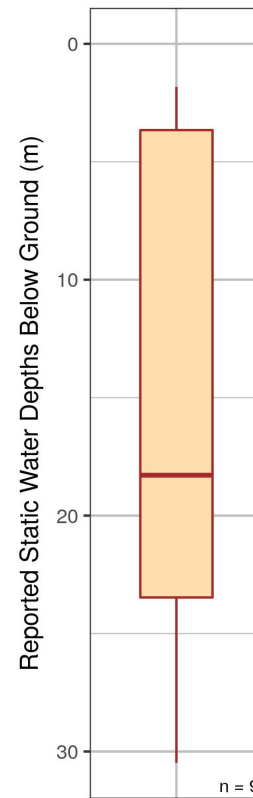
Aquifer Description (Mapping Report - 2015): NA (subtype = NA).

Aquifer Details	
Region	Kootenay
Water District	Fernie
Aquifer Area	7.8 km ²
No. Wells Correlated to Aquifer	13
Vulnerability to Contamination	Moderate
Productivity	Low
Aquifer Classification	IIB
Hydraulic Connectivity ¹	Unknown
Aquifer Stress Index	Method not applicable - confined aquifer
No. Water Licences Issued to Wells	Unknown
Observation Wells (Active, Inactive)	None

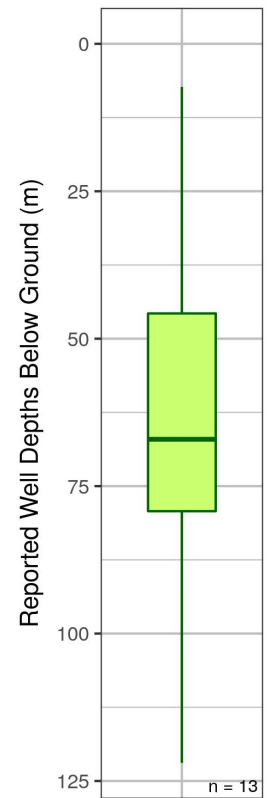
¹ Based on broad regional assessment



Median well yield:
0.32 L/s



Median water depth:
18.29 m



Median well depth:
67.06 m

Disclaimer: Use of information from Aquifer factsheets (accessed by BC government website) is subject to limitation of liability provisions (further described on that website). That information is provided by the BC government as a public service on an "as is" basis, without warranty of any kind, whether express or implied, and its use is at your own risk. Under no circumstances will the BC government, or its staff, agents and contractors, be responsible or liable to any person or business entity, for any direct, indirect, special, incidental, consequential or any other loss or damages to any person or business entity based on this factsheet or any use of information from it.

Detailed methods for all figures are described in the companion document ([Aquifer Factsheet - Companion Document.pdf](#)).

Factsheet generated: 2020-08-06. Aquifers online: <https://apps.nrs.gov.bc.ca/gwells/aquifers>.

APPENDIX

F

REGULATORY
FRAMEWORK



BACKGROUND INFORMATION OF EMA AND CSR

The *Waste Management Act* (WMA) addressed contaminated sites in British Columbia since 1988. The *Waste Management Amendment Act, 1993* (WMAA, also known as Bill 26) was passed in June 1993. The MOE added provisions, which specifically addressed contaminated sites, and promulgated the Contaminated Sites Regulation¹ (CSR), which came into effect on 1 April 1997. The first, second and third stage amendments to the CSR were made on 19 July 1999, 4 February 2002 and 20 November 2003, respectively. In July 2004, the WMA was repealed and replaced by the *Environmental Management Act* (EMA), and the CSR was amended. A revised CSR with 10 Schedules was promulgated at this time. The fifth, sixth, seventh, eighth, ninth and tenth stage amendments were made to the CSR in 2007, 2008, 2011, 2013, 2014 and 2016 respectively. The CSR is currently in effect under the EMA. The eleventh stage amendments came in to effect in November 2017. The CSR has staged investigations as follows:

- Stage 1 PSI comprises of a historical search and records review, and a walk-through site visit.
- Stage 2 PSI comprises of selective sampling and analyses of environmental media at identified APECs to determine the presence or absence of potential contaminants of concern (PCOCs) exceeding the applicable standards.
- Detailed Site Investigation (DSI) comprises of evaluation of the lateral and vertical extents of contaminants of environmental concern (COCs) in different media at areas of environmental concern (AECs) identified during the Stage 2 PSI.

Canadian Standards Association² (CSA) refers to Stage 1 and Stage 2 PSIs as Phase I and Phase II Environmental Site Assessments (ESAs), respectively. The DSI is considered a part of the Phase II ESA if contamination is identified. A Phase III ESA consists of remediation or risk assessment.

¹ Contaminated Sites Regulation (CSR, BC Reg. 375/96 including amendments up to BC Reg. 116/2018, June 14, 2018; Victoria, British Columbia); Effective April 1, 1997; Ministry of Environment; Victoria, British Columbia.

² Canadian Standards Association (CSA); Phase I Environmental Site Assessment (CSAZ768-01 (R2012)); Rexdale, Ontario.



BACKGROUND INFORMATION OF HAZARDOUS BUILDING MATERIALS

ASBESTOS CONTAINING MATERIALS (ACMS):

Asbestos is a naturally occurring fibrous material that has been commonly used in construction from the early 1900s until the 1990s. It was used extensively because it is an insulator, has good fire protection properties, has tensile strength, and is resistant to chemical erosion. Some of the common uses of asbestos in buildings include spray applied fireproofing, mechanical insulation, linoleum, floor tiles, dry wall taping compound, vermiculite, asbestos cement board and tiles, asbestos cement pipes, and textured decorative coating.

The use of friable asbestos containing materials (ACMs) in buildings was gradually reduced in Canada through the 1970s and 1980s. WorkSafe BC requires that all buildings constructed before 1990 should be tested for asbestos before any demolition or renovation work. Any building which is a workplace must have an inventory prepared of all asbestos containing materials and an Asbestos Management Plan must be developed and maintained until all ACMs have been removed from the building.

OZONE DEPLETING SUBSTANCES:

An ozone-depleting substance ("ODS") refers to any substance containing chlorofluorocarbon ("CFC"), hydrochlorofluorocarbon ("HCFC"), halon or any other material capable of destroying ozone in the atmosphere. ODSs have been used in rigid polyurethane foam and insulation, laminates, aerosols, air conditioners, fire extinguishers, cleaning solvents and the sterilization of medical equipment.

Federal regulations introduced in 1995 required the elimination of production and import of CFCs by 1 January 1996 (subject to certain essential uses) and a freeze on the production and import of HCFC-22 by 1 January 1996. These regulations also require the complete elimination of HCFC-22 by the year 2020. The provincial/territorial governments manage the use and handling of ODS. The B.C. Government passed the Ozone Depleting Substances Regulation in 1993 to control ODS stored in products and equipment, and encourage consumers and industry to use more environmentally safe alternatives.

WSP expects a low potential for environmental concern with respect to ODSs at the Site as long as any ODS containing items are maintained properly. Prior to demolition or disposal, equipment which contains ozone depleting substances should be degassed by a certified / licensed contractor as required by British Columbia's Ozone Depleting Substances Regulation.

POLYCHLORINATED BIPHENYLS:

In Canada, polychlorinated biphenyls ("PCBs") were prohibited from being used in products, fluorescent light ballasts, equipment, machinery, electrical transformers and capacitors, which were manufactured or imported into the country after July 1, 1980. However, older equipment in use after this date may still contain PCBs if the equipment's fluid has not been changed, or if there was sufficient inventory of such equipment.

If a building is to be demolished all light ballasts and dielectric fluid containing equipment should be checked for PCB content prior to disposal. PCB ballasts should be recycled when removed from service. The Light Recycle website provides a list of recycling facilities which accept PCB ballasts at <http://www.lightrecycle.ca/>.



LEAD-BASED PAINTS:

Many older properties in Canada may have surfaces that are painted with lead-based paint. Removing or disturbing this paint when you are renovating could expose people within the building to serious health risks. Buildings built and painted before 1960 probably contain lead-based paint. Buildings built and painted between 1960 and 1990 may have small amounts of lead in some of the painted indoor surfaces. Highest amounts of lead were used in exterior paints. There is little concern about lead-based paint in buildings built and painted in 1991 or later, because most consumer paints produced in Canada and the U.S. since that time contain no more than background levels of lead. However, some specialty coatings (such as artists' paints and metal touch-up coatings) can contain higher levels of lead.

The lead content of consumer paints sold, imported or advertised in Canada is regulated under the Surface Coating Materials Regulations. In October 2010, the Government amended the *Surface Coating Materials Regulations* to significantly lower the level of total lead allowed in paints and other surface coating materials from 600mg/kg to 90 mg/kg - which is equivalent to a lead concentration of 0.009%.

Lead-based paint in good condition presents a relatively low risk if left undisturbed. If paint is in a flaking condition, it is advisable to have the paint chips tested for lead content. Any lead abatement should only be conducted by a qualified contractor following WorkSafe BC guidelines. Lead painted surfaces must be tested for leachability before disposal at a landfill site.

MERCURY:

Mercury switches were commonly used in thermostats both in residential and commercial/industrial buildings. Mercury is a poisonous heavy metal and devices containing mercury once out of use are to be treated as hazardous waste. These switches therefore have to be disposed appropriately. Mercury is also present in fluorescent light tubes, compact fluorescent lamps and halide lamps.

Mercury thermostats can be disposed of under the "Switch the 'Stat" program which is a thermostat replacement and collection program delivered in partnership with the Heating Refrigeration and Air Conditioning Institute of Canada (HRAI) in British Columbia. Drop of locations can be found at <http://switchthestat.ca/eng/index.php>. Fluorescent light tubes and compact fluorescent lamps can be disposed of under the Light Recycle program <http://www.lightrecycle.ca/>.

RADON GAS:

Radon is a colourless, odourless radioactive gas that occurs naturally from the breakdown of uranium. Radon can be found where soils and rocks contain uranium mineral. It is a radioactive gas that is produced by the decay of uranium. Radon is naturally occurring, and emanates from soil and rocks. It percolates up through soil into buildings, and if it is not evacuated there can be much higher exposure levels indoors than outdoors. In open air or in areas with high air circulation, radon is not considered a health problem. Fortunately, high radon levels can be easily tested for, allowing for mitigation. Health Canada's guideline for the acceptable level of indoor radon in a normal living area is 200 Bq/m³. Radon is a known carcinogen, and is estimated to cause up to 10% of all lung cancers in Canada.

In March 2012, Health Canada undertook a large scale study of radon levels in homes across Canada and the results of the study were published in a document entitled *Cross-Canada Survey of Radon Concentrations in Homes - Final Report*. According to the report, the average percentage of homes with elevated radon levels in Canada was near 7%. In BC, the proportion of homes with elevated radon levels in the Lower Mainland and Vancouver Island were significantly below the national average while the interior of BC had some of the highest elevated radon levels in Canada. For example, the East Kootenay region had 19% of homes with elevated radon levels while Kootenay Boundary had 19.3% and the Okanagan had 17.4% of homes with elevated radon levels.

However, according to Health Canada's *Reducing Radon Levels in Existing Homes: A Canadian Guide for Professional Contractors*, there is such a high variability in housing construction that even adjacent homes can have significantly different concentrations of radon. Only through radon testing can the radon levels in a home be determined with certainty.

APPENDIX

G STANDARD LIMITATIONS

STANDARD LIMITATIONS

WSP CANADA INC. CONDUCTED A PHASE I ENVIRONMENTAL SITE ASSESSMENT (THE “Project”) AT 85 COKATO ROAD IN FERNIE, BC, AS REQUESTED BY LYONS & NAIRN LEGACY HOLDINGS LTD. (THE “Client”) AND AGREED UPON IN THE PROPOSAL DATED APRIL 4TH, 2022 (THE “Proposal”). THE FINDINGS AND CONCLUSIONS ARE DOCUMENTED IN THIS REPORT (THE “Report”). SUCH USE AND RELIANCE BY Client IN THIS Report IS SUBJECT TO THE TERMS, CONDITIONS AND LIMITATIONS SET OUT IN WSP’S TERMS OF ENGAGEMENT FOR THE Project.

1. The findings and conclusions documented in this Report have been prepared for specific application to this Project and have been developed in a manner consistent with that level of care normally exercised by environmental professionals currently practicing under similar conditions in the area.
2. The findings of this Report are based solely on data collected on Site during this investigation and pertain only to the locations that have been investigated and on the conditions of the Site during the completion of the work and services. WSP Canada Inc. has relied on good faith on information provided by individuals and sources noted in the Report. No other warranty, expressed or implied, is made.
3. If new information is developed in future work that affects the conclusions of this Report, WSP Canada Inc. should be contacted to re-evaluate the conclusions of this Report and provide amendments as required.
4. The service provided by WSP Canada Inc. in completing this Report is intended to assist the Client in a business decision. The liability of the Site is not transferred to WSP Canada Inc. as a result of such work and services, and WSP Canada Inc. does not make recommendation regarding the purchase, sale, or investment in the property.
5. This document is intended for the exclusive use of Lyons & Nairn Legacy Holdings Ltd. for whom it has been prepared. WSP does not accept responsibility to any third party for the use of information presented in this Report, or decisions made, or actions taken based on its content.
6. The information presented in this Report is based on, and limited by, the circumstances and conditions acknowledged herein, and on information available at the time of its preparation. WSP has exercised reasonable skill, care, and diligence to assess the information acquired during the preparation of this Report but cannot guarantee or warrant the accuracy or completeness of the information. Information provided by others, whether represented or otherwise utilized, is believed to be accurate but cannot be guaranteed.

