



PER No.:	15-098
Tenant:	Oxford Properties Industrial Limited Partnership
Project:	Warehouse Development (Phase 3)
Project Location:	501 Boyd Street, New Westminster
VFPA SID No.:	NEW 327
Land Use Designation:	Industrial
Applicant(s):	Beedie Construction Ltd.
Applicant Address:	3030 Gilmore Diversion, Burnaby
Category of Review:	C
Date of Approval:	October 8, 2015
Date of Expiry:	October 31, 2017

PROJECT DESCRIPTION

For the purposes of this project permit "the Permit", the "Project" is understood to include the following works on Vancouver Fraser Port Authority (VFPA) property:

- A 27,814 square metre warehouse
- 218 parking stalls
- 65 trailer stalls
- Installing utility services and connecting to existing services
- Installing fencing
- Paving with asphalt
- Site landscaping

PROJECT AND ENVIRONMENTAL CONDITIONS

The Vancouver Fraser Port Authority (VFPA), a federal port authority doing business as Port Metro Vancouver (VFPA), has undertaken and completed a review of the Project in accordance with the *Canada Marine Act* and Section 5 of the Port Authorities Operations Regulations and, as applicable, Section 67 of the *Canadian Environmental Assessment Act, 2012*

If at any time the Applicant fails to comply with any of the project and environmental conditions set out in the Permit below, or if VFPA determines that the Applicant has provided any incomplete, incorrect or misleading information in relation to the Project, VFPA may, in its sole and absolute discretion, cancel its authorization for the Project or change the project and environmental conditions to which such authorization is subject.

Pursuant to Section 29 of the Port Authorities Operations Regulations, VFPA may also cancel its authorization for the Project, or change the project and environmental conditions to which such authorization is subject, if new information is made available to VFPA at any time in relation to the potential adverse environmental and other effects of the Project.

The following are the project and environmental conditions that must be followed by the Applicant to mitigate potential or foreseeable adverse environmental and other effects.

No.	GENERAL CONDITIONS
1.	This Permit is conditional on a valid tenure agreement with respect to the subject premises being in place. No construction or any other physical activities may commence in the absence of a valid tenure agreement.
2.	This Permit is granted subject to the fulfillment of all other requirements of VFPA, relating to the Project. Furthermore, prior to commencing construction or any other physical activities the Applicant shall ensure that it has complied with all other necessary legal requirements and that all necessary regulatory approvals have been obtained.
3.	This Permit in no way endorses or warrants the design, engineering, or construction of the Project and no person may rely upon this Permit for any purpose other than the fact that VFPA has permitted the construction of the Project, in accordance with the terms and conditions of this Permit.
4.	In consideration of the granting of this Permit by VFPA the Applicant agrees to indemnify and save harmless VFPA against any and all actions, claims, loss, damages or other expenses in any way arising or following from or caused by the granting of this Permit or the construction or operation of the Project as contemplated by this Permit.
5.	The Applicant is responsible for locating all existing site services and utilities including any located underground and to employ best practices and meet applicable code requirements with respect to protection of existing site services and clearance between existing and proposed site services. The Applicant is responsible for repair or replacement of any damage to existing site services and utilities, to the satisfaction of VFPA, that result from construction and operation of the Project.
6.	The Applicant shall undertake and deliver the Project to total completion in a professional, timely and diligent manner in accordance with the Application submitted by the Applicant and the applicable standards and specifications set out in the sections above entitled Project Description and Information Sources, including the attached plans and drawings numbered PER No. 15-098-A1 to N1 . The Applicant shall not carry out any other physical activities unless expressly authorized by VFPA.
7.	The Applicant shall establish a spill prevention, containment and clean-up plan for hydrocarbon products (including fuel, oil and hydraulic fluid) and any other deleterious substances using standards, practices, methods and procedures to a good commercial standard, conforming to applicable law and using that degree of skill and care, diligence, prudence and foresight which would be reasonably and ordinarily expected from a qualified, skilled and experienced person engaged in a similar type of undertaking under the same or similar circumstances. The Applicant shall ensure that appropriate spill containment and clean-up supplies are available on site at all times and that all personnel working on the project are familiar with the spill prevention, containment and clean-up plan.
8.	The Applicant shall have due regard to the potential application of the <i>Migratory Birds Convention Act</i> (Canada) and/or the <i>Wildlife Act</i> (British Columbia). To reduce the risk of Project-related harm to birds and/or their active nests and eggs, the Applicant may wish to avoid certain physical activities during the general bird breeding season, which falls between April 1 and July 31 . If potentially harmful activities must be undertaken during this period, the Applicant shall exercise all due diligence to avoid causing harm to birds and/or their active nests and eggs.

	The Applicant shall also have due regard to nests of those species of birds protected by Applicable Law at all times of the year, regardless of the time of year or whether or not the nests are occupied. The Applicant should, where circumstances warrant, retain the services of qualified environmental professionals to assist in developing and undertaking appropriate bird nest surveys immediately before, during and after the general bird breeding season.	
9.	The Applicant shall cooperate fully with VFPA in respect of any review by VFPA of the Applicant's compliance with these conditions including, without limitation, providing any information or documentation required by VFPA.	
10.	The Applicant shall make a copy of this Permit available to all employees, agents, contractors, licensees and invitees prior to commencing any physical activities. The Applicant shall be solely responsible for ensuring that all such employees, agents, contractors, licensees and invitees comply with these conditions.	
11.	The Applicant shall make available upon request by any regulatory authority (such as a Fishery Officer) a copy of this Permit.	
12.	Unless otherwise noted, the Applicant shall submit all documents required for VFPA approval to email: per@portmetrovancover.com; fax: 1-866-284-4271 and referencing PER No.15-098.	
No.	CONDITIONS - PRIOR TO COMMENCING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES	SUBMISSION TIMING (business days)
13.	The Applicant shall distribute a construction notice to property owners in the area bounded by the following: Highway 91A, McGillivray Place, Ewen Avenue, Furness Street and the north arm of the Fraser River. The Applicant shall send the draft notice to VFPA for review and approval.	15 days before commencing construction or any physical activities
No.	CONDITIONS - DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES	
14.	The Applicant shall notify VFPA upon commencement of construction or any physical activities of the Project.	
15.	All general construction and physical activities related to the Project shall be conducted between Mondays to Saturday between the hours of 7:00am to 8:00pm . No construction and physical activities shall occur during Sundays or holidays. These hours shall not be modified without prior approval from VFPA.	
16.	In the event that evidence of what is suspected to be an archaeological resource is encountered, the Applicant shall: <ul style="list-style-type: none"> a) Immediately stop any activities that might disturb the archaeological resource or the site in which it is contained ("Site"). b) Not move or otherwise disturb the artifacts or other remains present at the Site. c) Stake or flag off the Site to prevent additional disturbances. d) Immediately notify VFPA. 	
17.	The Applicant may place temporary construction trailers on site while this permit remains in effect, provided that the Applicant shall not connect such trailers to any underground utilities	

	without the prior written consent of VFPA which may include, without limitation and at VFPA's discretion, a VFPA Building Permit.
18.	The Applicant shall not, directly or indirectly: (a) deposit or permit the deposit of a deleterious substance of any type in water frequented by fish in a manner contrary to Section 36(3) of the <i>Fisheries Act</i> ; or (b) adversely affect fish or fish habitat in a manner contrary to Section 35(1) of the <i>Fisheries Act</i> .
19.	The Applicant shall ensure that any tree removal should be conducted by a qualified professional.
20.	The Applicant shall conduct all work associated with the Project involving the use of concrete, cement, mortars and other Portland cement or lime-containing construction materials so as to ensure that sediments, debris, concrete (cured or uncured), and concrete fines are not deposited into the aquatic environment, either directly or indirectly. Water that has contacted uncured or partly cured concrete or Portland cement or lime-containing construction materials, such as the water that may be used for exposed aggregate wash-off, wet curing, equipment and truck washing, etc. shall not be permitted to enter the aquatic environment. The Applicant shall provide containment facilities at the site for the wash-down water from concrete delivery trucks, concrete pumping equipment, and other tools and equipment, as required.
21.	The Applicant shall ensure that debris and waste material resulting from the Project are contained, collected, and disposed of at suitable upland locations using standards, practices, methods and procedures to a good commercial standard, conforming to applicable law and using that degree of skill and care, diligence, prudence and foresight which would be reasonably and ordinarily expected from a qualified, skilled and experienced person engaged in a similar type of undertaking under the same or similar circumstances.
22.	The Applicant shall dispose of any soils excavated from the site that are not suitable for backfill at appropriate off-site facilities in accordance with applicable legislation, guidelines and best management practices.
23.	Materials brought onto the property to be used for backfilling, site preparation, or other uses shall be from sources demonstrated to be clean and free of environmental contamination.
24.	The Applicant shall not dewater excavations unless a dewatering plan has been reviewed and accepted by VFPA Environmental Programs.
25.	The Applicant shall ensure that all equipment is in good mechanical condition and maintained free of fluid leaks, invasive species, and noxious weeds.
26.	The Applicant shall not conduct refuelling or maintenance activities within 30 metres of any watercourse, or in an area where there is potential for run-off to reach surface water bodies. Fuel and other hydrocarbon inventories shall not be stored in such areas, temporarily or otherwise.
27.	Invasive plants, including English Ivy, shall be handled in a manner that will prevent their spread and shall be appropriately contained, collected and disposed of.
28.	The direct or indirect release or deposit of sediment or sediment laden water into the aquatic environment shall be minimized during the works. In this regard, reference should be made to

	the water quality criteria described in the British Columbia Water Quality Guidelines (Criteria): January 2010 Edition produced by the BC Ministry of Environment.
29.	The Applicant shall carry out all activities in a manner that prevents the release of sediment, sediment-laden waters, and turbid waters to the aquatic environment. Sediment and erosion control measures should meet or surpass the standards outlined in the Fisheries and Oceans Canada (DFO) "Land Development Guidelines for the Protection of Aquatic Habitat".
30.	The Applicant shall manage stormwater and surface runoff using standards, practices, methods and procedures to a good commercial standard, conforming to Applicable Law and using that degree of skill and care, diligence, prudence and foresight which would be reasonably and ordinarily expected from a qualified, skilled and experienced person engaged in a similar type of undertaking under the same or similar circumstances.
31.	Should contaminated materials be encountered, the Applicant shall ensure that all contaminated materials, including contaminated drill cuttings and equipment wash water, are removed, contained, and disposed of at appropriate off-site facilities using standards, practices, methods and procedures to a good commercial standard, conforming to Applicable Law and using that degree of skill and care, diligence, prudence and foresight which would be reasonably and ordinarily expected from a qualified, skilled and experienced person engaged in a similar type of undertaking under the same or similar circumstances. Suspect materials should be treated as contaminated or stockpiled until their environmental quality has been determined.
32.	Dust, noise and air emissions associated with construction and operation shall be minimized.
33.	Air emissions such as vehicle/equipment exhaust, dust and vapours, associated with Project deconstruction, demolition and/or construction as applicable shall be minimized and managed to avoid adverse health, safety, nuisance and other environmental effects on and off site. In this regard, emission control measures shall be implemented as required and may include but are not limited to the following: <ul style="list-style-type: none"> a) No visible dust or track out beyond the lease boundary; and, b) Onsite speed limit. More detailed guidance is available in <i>Best Practices for the Reduction of Air Emissions from Construction and Demolition Activities</i> prepared for Environment Canada (Cheminfo Services Inc. March 2005).
34.	The Applicant shall also: <ul style="list-style-type: none"> a) Make reasonable efforts to ensure that heavy duty diesel powered road licensed vehicles and engines are model year 2007 or newer; b) Make reasonable efforts to ensure that diesel-powered non-road or off-road equipment is Tier 3 or better, or equivalent for emissions; c) Ensure the use of well-maintained engines and exhaust systems, in good operating order; and, d) Ensure that vehicle and equipment idling are limited to the greatest practical and safe extent.
No.	CONDITIONS – PRIOR TO OPERATION
35.	The Applicant shall submit evidence of agreement with the City of New Westminister regarding any offsite works necessary to support access to the Project from Duncan Street. This should identify any changes to the existing offsite servicing agreement (dated February 15, 2013) required to accommodate the additional traffic generated on Duncan Street as a result of the

	Project. If agreement is unable to be reached access to the Project is to be from the Boyd and Boyne Street driveways only.	
36.	The Applicant shall submit evidence of agreement with Southern Railway of British Columbia and the City of New Westminster that the Boyd Street driveway crossing has been appropriately reconstructed and all necessary intersection improvements have been provided (for example to limit access to right-in/right-out only). This driveway access is to only be used by passenger vehicles.	
No.	CONDITIONS - UPON COMPLETION	SUBMISSION TIMING (Business Days)
37.	The Applicant shall notify VFPA upon completion of the Project.	Within 10 days of completion
38.	The Applicant shall provide as-built drawings, in both AutoCAD and Adobe (PDF) format to VFPA.	Within 40 days of completion
VFPA reserves the right to rescind or revise these conditions at any time that new information warranting this action is made available to VFPA.		
LENGTH OF PERMIT VALIDITY		
The construction of the Project must commence by 31 October 2016 (the "Commencement Date") and be complete no later than 31 October 2017 (the "Expiry Date").		
AMENDMENTS		
<ul style="list-style-type: none"> • Details of any material proposed changes to the Project, including days and hours when construction and any physical activities will be conducted, must be submitted to VFPA for consideration of an amendment to this Permit. • For an extension to the Commencement Date, the Applicant must apply to VFPA in writing no later than 30 days following that date. • For an extension to the Expiry Date, the Applicant must apply in writing to VFPA no later than 30 days prior to that date. <p>Failure to apply for an extension as required may, at the sole discretion of VFPA, result in termination of this Permit.</p>		

PROJECT AND ENVIRONMENTAL REVIEW DECISION

PROJECT PERMIT PER No. 15-098 IS APPROVED BY:

Signed by Greg Yeomans, Director, Planning & Development

October 8, 2015

Greg Yeomans
Director, Planning & Development

DATE OF APPROVAL

CONTACT INFORMATION:

Vancouver Fraser Port Authority (VFPA)
Port Metro Vancouver (VFPA)
100 The Pointe, 999 Canada Place,
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Review History		
Draft	AT	5 Oct
Final		