

<b>PER No.:</b>	<b>20-103</b>
<b>Tenant:</b>	<b>Upland property owner at 4659 Strathcona Road, North Vancouver</b>
<b>Project:</b>	<b>Existing Dock Upgrade for 4659 Strathcona Road</b>
<b>Project Location:</b>	<b>4659 Strathcona Road, North Vancouver</b>
<b>Vancouver Fraser Port Authority SID No.:</b>	<b>DNV113</b>
<b>Land Use Designation:</b>	<b>Port Water</b>
<b>Applicant/Permit Holder:</b>	<b>Kingfisher Docks on behalf of the upland property owner at 4659 Strathcona Road, North Vancouver</b>
<b>Category of Review:</b>	<b>B</b>
<b>Date of Approval:</b>	<b>September 7, 2021</b>
<b>Date of Expiry:</b>	<b>September 30, 2022</b>

## 1 INTRODUCTION

The Vancouver Fraser Port Authority (the “Port Authority”), a federal port authority, manages lands under the purview of the *Canada Marine Act*, which imparts responsibilities for environmental protection. The Port Authority accordingly conducts project and environmental reviews of works and activities undertaken on these lands to ensure that the works and activities will not likely cause significant adverse environmental effects. This project and environmental review report and project permit (the “Permit”) documents the Port Authority’s project and environmental review of PER No. 20-103: Existing Dock Upgrade for 4659 Strathcona Road (the “Project”) proposed by Kingfisher Docks working on behalf of the upland property owner at 4659 Strathcona Road, North Vancouver (the “Applicant”).

This project and environmental review was carried out to address the Port Authority’s responsibilities under the *Canada Marine Act*, and to meet the requirements of the *Impact Assessment Act*, as applicable. The proposed Project is not considered a “designated project” under the *Impact Assessment Act* and an impact assessment as described in the *Impact Assessment Act* is not required. However, Port Authority authorization is required for the proposed Project to proceed and in such circumstances, where applicable, Section 82 of the *Impact Assessment Act* requires federal authorities to assure themselves that projects will not likely cause significant adverse environmental effects. This review provides that assurance. In addition, the Port Authority considers other interests, impacts and mitigations through the project and environmental review.

The project and environmental review considered the application along with supporting studies, assessments and consultations carried out or commissioned by the Applicant, as well as other information provided by the Applicant. In addition, this project and environmental review considered other information available to the Port Authority and other consultations carried out by the Port Authority. A full list of information sources germane to the review is provided in the following pages of this report.

This Permit is the authorizing document allowing the Applicant to proceed with the Project subject to the listed project and environmental conditions.

## 2 PROJECT DESCRIPTION

Kingfisher Docks on behalf of the upland property owner proposes to upgrade an existing recreational dock located in Burrard Inlet at 4659 Strathcona Road, North Vancouver. The upgrade is required as the existing dock is in disrepair and the pier and floats rest on the foreshore and seabed. The entire dock will be relocated to the center of the water lot and is designed to provide adequate float clearance to the seabed and allow public access along the shoreline. The work will involve removing five existing creosote piles using a vibratory hammer. The

existing wooden pier, ramp and creosote piles will be removed and disposed of appropriately offsite. The existing floats will remain on site and be reused as part of the new structure.

Three concrete columns will be installed to support the new aluminum dock structure. Concrete columns will be cast in place inside precast concrete rings. The prefabricated aluminum pier and ramp will be brought to the site by barge and installed using a barge mounted crane. Two additional steel piles will be installed using a vibratory hammer to support the existing floats.

The pier will be secured to the upland using a 600 mm by 1200 mm concrete footing block, set back approximately 1.2 metre from the existing seawall. The existing deck will also be removed and not replaced. The existing deck is located outside Port Authority jurisdiction. No vegetation will be removed as part of the Project.

In this project permit, the Project means the physical activities authorized by the Port Authority to be carried out pursuant to **PER No. 20-103**, as described below.

## 2.1 Proposed Works

The proposed Project works include:

- Removal of five creosote piles
- Removal of existing creosote pier (2.5 m by 10.6 m) and ramp (9.1 m)
- Removal of existing deck
- Repositioning of existing floats
- Installation of three 762 mm (30 in.) diameter concrete columns
- Installation of two 610 mm (24 in.) diameter steel piles
- Installation of 3 prefabricated aluminum pier sections (15.2 m by 1.2 m)
- Installation of an aluminum ramp (12.1 m)
- Installation of a concrete footing (600 mm x 1200 mm)

## 3 VANCOUVER FRASER PORT AUTHORITY INTERNAL REVIEWS

The following Port Authority departments have undertaken and completed a review of these works and confirm that the proposal meets their requirements, subject to the listed project and environmental conditions.

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Planning          | <input checked="" type="checkbox"/> Environmental Programs | <input checked="" type="checkbox"/> Engineering |
| <input checked="" type="checkbox"/> Marine Operations | <input checked="" type="checkbox"/> Project Engagement     |   |

## 4 INDIGENOUS CONSULTATION

The Port Authority has reviewed the proposed works and determined that the Project may have the potential to adversely impact Indigenous or Treaty rights.

The following Indigenous groups were consulted:

- a) Tseil-Waututh Nation

The following consultation activities were conducted:

- Meeting regarding the Project prior to sending request for comments
- Request for comments sent via email with information package provided
- Response table provided to Indigenous groups who provided comment on the Project
- Second response table provided for additional comments received from Indigenous groups

Below is a table summarizing comments received by the Port Authority and how they were considered as part of the project and environmental review.

Issue	Mitigations and Permit Conditions	Rationale
Impact of construction activities on archaeological site in close proximity to project location	Conditions 22 and 23 of the Permit require the Applicant to have an archaeological monitor on site and carry out construction work in accordance with the port authority's Archaeological Chance Find Procedure	To mitigate any encounter with unanticipated archaeological resources, an archaeological monitor will be present during any ground disturbance work into native soils.
Request for Indigenous monitors to be on site	Condition 24 of the Permit requires the Applicant to have Indigenous monitors on site during any ground disturbance into native soils.	Indigenous monitors to be arranged by archaeological monitor, as needed.

Based on the record of consultation, the Port Authority is of the view that the duty to consult has been met.

## 5 EXISTING POLICIES OR GUIDELINES

The Project area is designated as "Port Water" in the Port Authority Land Use Plan (2020). Recreational docks may be permitted in the port water designation; therefore the proposed Project is compliant with the Port Authority's Land Use Plan.

## 6 NOTIFICATIONS

### 6.1 Municipal Notification

The proposed Project was assessed by the Port Authority to have potential impacts to municipal interests. A notification letter was sent to the District of North Vancouver on August 17, 2020, notifying them of the proposed Project. The District of North Vancouver responded by email on August 19, 2020. Below is a table summarizing the District of North Vancouver's comments and how they were considered as part of the project and environmental review.

Issue	Mitigations and Permit Conditions	Rationale
Vegetation removal in regard to headland connection	Condition 36 of the Permit requires that no vegetation shall be removed	The Applicant indicates that the existing decking towards the headland will be removed and that no vegetation will be removed as part of the Project.
Footprint of existing deck being significantly wide.	None required.	The Applicant has confirmed that the existing deck will be removed and not replaced.

### 6.2 Public Engagement

To meet requirements of section 86 of the *Impact Assessment Act*, the Port Authority posted a description of the Project and notice of public participation to the Canadian Impact Assessment Registry to provide the public 30 calendar days to comment on the project and provide community knowledge. The comment period ran from July 23, 2020 to August 21, 2020. At the close of the 30-calendar day public comment period, no comments were received.

The proposed Project was assessed by the Port Authority to have potential impacts to community interests during construction. These include potential noise impacts from the proposed pile driving and other construction activities in a residential area.

As a result, the Permit Holder is required to send a construction notification to adjacent residents. The construction notification shall be distributed by the Permit Holder prior to the start of the works. This condition No. 15 of the permit.

## 7 INFORMATION SOURCES

The Port Authority has relied upon the following sources of information in its review of the Project.

- Application form and materials submitted by the Applicant on June 6, 2020
- Project correspondence from June 6, 2020 to August 12, 2021

## 8 ENVIRONMENTAL REVIEW DECISION

In completing the project and environmental review, the Port Authority has reviewed and taken into account relevant information available on the proposed project and has considered any adverse impact that the Project may have on the rights of Indigenous peoples, Indigenous knowledge, community knowledge, comments received from the public, and measures that would mitigate any significant adverse environmental effects of the Project. We conclude that with the implementation of proposed mitigation measures and conditions described in the project and environmental conditions section below, the Project is not likely to cause significant adverse environmental effects.

ORIGINAL COPY SIGNED

**LISA MCCUAIG**  
MANAGER, ENVIRONMENTAL PROGRAMS

September 7, 2021

**DATE OF DECISION**

## 9 CONCLUSION

In completing the project and environmental review, the Port Authority concludes that with the implementation of proposed mitigation measures and conditions described in the project and environmental conditions section below, the Project has appropriately addressed all identified concerns.

## PROJECT AND ENVIRONMENTAL REVIEW DECISION

Project Permit PER No. 20-103 is approved by:

ORIGINAL COPY SIGNED

**LISA MCCUAIG**  
MANAGER, ENVIRONMENTAL PROGRAMS

September 7, 2021

**DATE OF APPROVAL**

## 10 PROJECT AND ENVIRONMENTAL CONDITIONS

The Port Authority 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 82 of the *Impact Assessment Act*.

If at any time the Kingfisher Docks working on behalf of the upland property owner at 4659 Strathcona Road, North Vancouver (the "Permit Holder") fails to comply with any of the project and environmental conditions set out in the project permit (the "Permit") below, or if the Port Authority determines that the Permit Holder has provided any incomplete, incorrect or misleading information in relation to the Project, the Port Authority 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*, the Port Authority 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 the Port Authority at any time in relation to the potential adverse environmental and other effects of the Project.

**The following are the minimum conditions that must be followed by the Permit Holder to mitigate potential or foreseeable adverse environmental and other effects.**

Port Authority Guidelines and Record Drawing Standards referenced in this document can be located at:

<https://www.portvancouver.com/permitting-and-reviews/per/project-and-environment-review-applicant/guidelines/>.

No.	GENERAL CONDITIONS
1.	The Permit Holder must have a valid lease, licence, or access agreement for the Project site prior to accessing the Project site or commencing construction or any other physical activities on the Project site. This Permit shall in no way limit any of the Permit Holder's obligations, or the Port Authority's rights, under such lease, licence, or access agreement.
2.	The Permit Holder shall at all times and in all respects, comply with and abide by all applicable statutes, laws, regulations and orders from time to time in force and effect, including all applicable environmental, labour and safety laws and regulations.
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 the Port Authority has permitted the construction of the Project, in accordance with the terms and conditions of this Permit.
4.	The Permit Holder shall indemnify and save harmless the Port Authority in respect of all claims, losses, costs, fines, penalties or other liabilities, including legal fees, arising out of: (a) any bodily injury or death, property damage or any loss or damage arising out of or in any way connected with the Project; and (b) any breach by the Permit Holder of its obligations under this Permit.
5.	The Permit Holder is responsible for locating all existing site services and utilities including any located underground. The Permit Holder is responsible for repair or replacement of any damage to existing site services and utilities, to the satisfaction of the port authority, that result from construction and operation of the Project.
6.	The Permit Holder shall undertake and deliver the Project to total completion in a professional, timely and diligent manner in accordance with applicable standards and specifications set out in the sections above entitled Project Description and Information Sources. The Permit Holder shall not carry out any other physical activities unless expressly authorized by the port authority.
7.	The Permit Holder shall cooperate fully with the Port Authority in respect of any review by the Port Authority of the Permit Holder's compliance with this Permit, including providing information and documentation in a timely manner, as required by the Port Authority. The Permit Holder is solely responsible for demonstrating the Permit Holder's compliance with this Permit.
8.	The Permit Holder shall review the Permit with all employees, agents, contractors, licensees and invitees working on the Project site, prior to such parties participating in any construction or other physical activities on the Project site. The Permit Holder shall be solely responsible for ensuring that all such employees, agents, contractors, licensees and invitees comply with this Permit.
9.	The Permit Holder shall make available upon request by any regulatory authority (such as a Fishery Officer) a copy of this Permit.
10.	Unless otherwise specified, the Permit Holder shall provide all plans, documents, and notices required under this Permit to the following email address: <b>per@portvancouver.com</b> and referencing <b>PER No. 20-103</b> .

11.	Unless otherwise specified, all plans, schedules, and other Project-related documentation that the Permit Holder is required to provide under this Permit, and any subsequent updates, must be to the Port Authority's satisfaction.	
12.	The Port Authority shall have unfettered access to environmental compliance documentation and the Project site at all times during construction without notice.	
13.	The Permit Holder must maintain and retain any records associated with, or produced by, actions or activities undertaken to achieve compliance or that indicate non-compliance with project permit conditions. These records must be made available at the request of the Port Authority.	
<b>CONDITIONS – PRIOR TO COMMENCING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES</b>		<b>SUBMISSION TIMING (business days)</b>
14.	The Permit Holder shall submit Issued For Construction Drawings for proposed works in accordance with the Port Authority's Record Drawing Standards. These drawings shall be signed and sealed and approved for construction by a professional engineer licensed to practice in the Province of British Columbia. In addition, these drawings shall be submitted in both AutoCAD and PDF format and shall be named according to the record drawing index numbering system set out at Section 2.10 of the Port Authority's Record Drawing Standards.	5 business days before commencing construction or any physical activities
15.	The Permit Holder shall distribute a construction notification to adjacent residents prior to the start of works.	Prior to commencing construction or any physical activities
16.	At least two days prior to commencing any physical activities, the Permit Holder shall notify the Harbour Master and Environmental Programs, email: <a href="mailto:Harbour_Master@portvancouver.com">Harbour_Master@portvancouver.com</a> <a href="mailto:EnvironmentalPrograms@portvancouver.com">EnvironmentalPrograms@portvancouver.com</a> .	At least 2 business days prior to commencing any physical activity
17.	Prior to the commencement of any vessel-related activities, the Permit Holder shall contact Canadian Coast Guard (CCG) Marine Communications and Traffic Services (MCTS), (email: <a href="mailto:NAVWARN.MCTSPrinceRupert@innav.gc.ca">NAVWARN.MCTSPrinceRupert@innav.gc.ca</a> ; Phone: 250-627-3070) regarding the issuance of a Navigational Warning (NAVWARN) to advise the marine community of potential hazards associated with the Project.	As per Coast Guard requirements
18.	The Permit Holder shall have in place a spill prevention, containment and clean-up plan for hydrocarbon products (including fuel, oil and hydraulic fluid) and any other deleterious substances. Appropriate spill containment and clean-up supplies shall be available on the Project site at all times and all personnel working on the Project shall be trained on the spill prevention, containment and clean-up plan. The Permit Holder shall carry out the Project in accordance with the spill prevention, containment and clean-up plan.	Before commencing construction or any physical activities
<b>CONDITIONS – DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES</b>		
19.	All general construction and physical activities related to the Project shall be conducted from <b>Monday to Saturday</b> between the hours of <b>7:00 a.m. and 8:00 p.m.</b> No construction and physical activities shall take place on Sundays or holidays. These hours shall not be modified without prior approval of the Port Authority. To request permission to conduct activities outside these hours, the Permit Holder must submit a written request no less than 30 business days prior to the desired start date.	
20.	The Permit Holder shall notify the Port Authority within two business days of any complaints received from the community and stakeholders during construction and indicate how the Permit Holder has responded to such complaints.	

21.	The Permit Holder shall ensure that an appropriately qualified archaeological monitor be on the Project site at all times during ground disturbing activities with the potential to intrude into native soils.
22.	The Permit Holder shall carry out the Project in accordance with the port authority's Archaeological Chance Find Procedure (available at: <a href="https://www.portvancouver.com/technical-guidelines/">https://www.portvancouver.com/technical-guidelines/</a> ).
23.	The Permit Holder shall provide opportunities for interested Indigenous groups to monitor and be present on the Project site at all times during ground disturbing activities with the potential to intrude into native soils.
24.	During any vessel-related activities, the Permit Holder shall: <ul style="list-style-type: none"> <li>a) Position vessels and equipment associated with the Project in such a manner so as not to obstruct line of sight to navigational aids or markers</li> <li>b) Exhibit the appropriate lights and day shapes at all times</li> <li>c) Monitor the VHF channel used for MCTS communications in the respective area at all times and participate as necessary</li> <li>d) Be familiar with vessel movements in areas affected by the Project</li> <li>e) Plan and execute the Project in a manner that will not impede navigation or interfere with vessel operations</li> <li>f) During night hours, unless working 24 hours per day, ensure that the rig and associated equipment is moored outside the navigation channel and lit in accordance with all applicable regulations</li> </ul>
25.	There shall be no in-water works during the fisheries sensitive period from March 1 to August 15, inclusive, unless otherwise approved in writing by Fisheries and Oceans Canada (DFO) or the Port Authority. The Port Authority shall be notified of any DFO exemptions allowing works within the fisheries sensitive period.
26.	The Permit Holder shall remove piles completely by extracting the entire length of pile from the seabed. If physical conditions result in the breakage of timber piles, the Permit Holder shall remove the remaining pile stubs with the least amount of disturbance of the seabed as possible. Particular effort shall be made to extract or reduce the height of pile stubs which may pose a hazard to navigation. If pile stubs are left in place, the location shall be surveyed and the location coordinates provided to the Port Authority within five days of Project completion.
27.	The Permit Holder shall contain and collect debris and waste material in the immediate working area within the Project site. The Permit Holder shall dispose of waste material at suitable upland locations and maintain records of off-site disposal.
28.	The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.
29.	Without limiting the generality of permit condition #2, the Permit Holder 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 of the <i>Fisheries Act</i> ; or (b) adversely affect fish or fish habitat in a manner contrary to Section 35 of the <i>Fisheries Act</i> .

30.	<p>The Permit Holder shall not permit sediment, sediment-laden waters, or other deleterious substances to enter the water during the Project. The Permit Holder shall carry out all physical activities in a manner that prevents induced sedimentation of foreshore and near shore areas and induced turbidity of local waters, and the release of sediment, sediment-laden waters, and turbid waters to the aquatic environment. The Permit Holder shall manage turbidity in compliance with the following water quality criteria:</p> <ul style="list-style-type: none"> <li>a) when background is less than or equal to 50 nephelometric turbidity units (NTU), induced turbidity shall not exceed 5 NTU above the background values; and</li> <li>b) when background is greater than 50 NTU, induced turbidity shall not exceed the background values by more than 10% of the background value.</li> </ul> <p>For the purposes of this condition, “background” means the level at an appropriate adjacent reference site (as determined to the satisfaction of the Port Authority) that is affected neither by physical activities at the Project site, nor sediment-laden or turbid waters resulting from physical activities at the Project site.</p>	
31.	Steel piles shall be driven with a vibratory or drop hammer. Piles shall not be installed using an impact hammer or other technology such as drilling without review and authorization by the Port Authority.	
32.	Sediments contained within piles after driving shall be left in place. If it is determined that they must be removed for engineering reasons, the Permit Holder shall consult the Port Authority for review and authorization prior to initiating the proposed physical activities.	
33.	The Permit Holder shall immediately cease work and notify the Port Authority if the Permit Holder has reasonable grounds to believe that the Project has harmed fish or fish habitat, including observation of distressed, injured, or dead fish. The Permit Holder shall not resume work until authorized by the Port Authority.	
34.	The Permit Holder shall not permit barges or other vessels used during the Project to ground on the foreshore or seabed or otherwise disturb the foreshore or seabed (including disturbance as a result of vessel propeller wash), excepting only such disturbance as is reasonably required resulting from the use of barge spuds.	
35.	The Permit Holder shall not disturb the seabed outside the Project site.	
36.	The Permit Holder shall conduct all activities involving the use of concrete, cement, mortars and other Portland cement or lime-containing construction materials in a manner that shall not deposit sediments, debris, concrete (cured or uncured), and concrete fines to 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) shall not be permitted to enter the aquatic environment. The Permit Holder 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.	
37.	The Permit Holder shall cap any exposed hollow pipe piles to prevent wildlife entrapment.	
38.	The Permit Holder shall not remove or disturb any trees or vegetation as part of the Project unless otherwise approved by the Port Authority.	
	<b>CONDITIONS – UPON COMPLETION</b>	<b>SUBMISSION TIMING (Business Days)</b>
39.	The Permit Holder shall notify the Port Authority upon completion of the Project.	Upon substantial completion

40.	The Permit Holder shall provide record drawings in accordance with the port authority's Record Drawing Standards (available at: <a href="https://www.portvancouver.com/technical-guidelines/">https://www.portvancouver.com/technical-guidelines/</a> ) in both AutoCAD and Adobe (PDF) format to the port authority, including a Project site plan that clearly identifies the location of works.	Within 40 business days of completion
41.	The Permit Holder shall confirm that the Project was constructed within the approved area by providing digital photographs of the Project site both before and after construction of the Project.	Within 40 business days of project completion
42.	The Permit Holder shall send record drawings of newly constructed and/or demolished marine works to the Database Information Office of the Canadian Hydrographic Service (250-363-6360 or <a href="mailto:chsdatacentre@dfo-mpo.gc.ca">chsdatacentre@dfo-mpo.gc.ca</a> ) to arrange for the relevant Canadian Hydrographic Service charts to be updated. The Port Authority's Marine Operations department shall be copied on the request ( <a href="mailto:navigation.review@portvancouver.com">navigation.review@portvancouver.com</a> ).	Within 30 business days of completion
<b>The Port Authority reserves the right to rescind or revise these conditions at any time that new information warranting this action is made available to the Port Authority.</b>		
<b>LENGTH OF PERMIT VALIDITY</b>		
The Project must be completed no later than <b>September 30, 2022</b> (the "Expiry Date").		
<b>AMENDMENTS</b>		
<ul style="list-style-type: none"> <li>• 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 the Port Authority for consideration of an amendment to this Permit.</li> <li>• For an extension to the Expiry Date, the Permit Holder must apply in writing to the Port Authority no later than 40 business prior to that date.</li> </ul>		
<b>Failure to apply for an extension as required may, at the sole discretion of the Port Authority, result in termination of this Permit.</b>		

## CONTACT INFORMATION

Vancouver Fraser Port Authority  
100 The Pointe, 999 Canada Place  
Vancouver BC V6C 3T4 Canada

Project & Environmental Review  
Tel.: 604-665-9047  
Fax: 1-866-284-4271  
Email: [PER@portvancouver.com](mailto:PER@portvancouver.com)  
Website: [www.portvancouver.com](http://www.portvancouver.com)

### After normal business hours:

In the event of any land or marine construction incidents or concerns related to works carried out on-site under this permit, please contact the 24/7 Port Operations Centre 604-665-9086. In the event of an emergency requiring 'First Responders', please call 911 first.