



**PORT of
vancouver**

Vancouver Fraser
Port Authority

**VANCOUVER FRASER PORT AUTHORITY
PROJECT AND ENVIRONMENTAL REVIEW
REPORT AND PERMIT**

PER No.:	20-140
Tenant:	Saam Towage Canada Inc.
Project:	Marine Operations Facility
Project Location:	2285 Commissioner Street, Vancouver, BC
Vancouver Fraser Port Authority SID No.:	VAN072
Land Use Designation:	Port Terminal
Applicant/Permit Holder:	Saam Towage Canada Inc.
Category of Review:	B
Date of Approval:	December 17, 2020
Date of Expiry:	December 31, 2021

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 20-140: Marine Operations Facility – 2285 Commissioner Street (the Project) proposed by Saam Towage Canada Inc. (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 *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

The Applicant is proposing to construct a marine operations facility to support tug towage activity in Vancouver Harbour. The structure will replace the temporary facility currently being used by Saam Towage.

The proposed works include the installation of a single-storey wood-frame modular building with a footprint of approximately 250 square metres and a paved loading area for delivery trucks. The building will be constructed off-site in modules, trucked to site, then erected by crane onto a timber platform foundation. Shallow sub-grade excavations will be required for the installation of a gravel pad underneath the building foundations, new underground utilities and the new loading bay; these areas will be backfilled with new engineered fill.

Additional site preparation works include vegetation clearing and landscaping. Parking and access will be via the adjacent lot, to the east of the site. A portion of the pedestrian ramp on the eastern side of the building and adjoining access and parking lot are located on property that is within the City of Vancouver's jurisdiction. The works are anticipated to take approximately three months to complete.

The installation and construction of the modular office building are subject to the requirements of the National Building Code 2015 and as such a port authority Building Permit. A review of the structures against the code is underway under BP 20-140.

In this project permit, the Project means the physical activities authorized by the port authority to be carried out pursuant to **PER No. 20-140**, as described below.

2.1 Proposed Works

Excavation

- The Project will require an approximate volume of 200 cubic metres (approximate footprint of 280 square metres) of excavation and replacement of engineered fill.
- Clearing of vegetation (predominantly blackberry) along the west perimeter of the site.

Installation and construction

- Installation and construction of the one-storey modular office building (height of 4.5 metres, width of 14.6 metres, length of 16.5 metres and footprint of approximately 250 square metres).
- Construction of a loading bay or drop off point for supply deliveries relating to tug maintenance and small consumables.
- New storm service connection into existing outfall.
- Installation of new water service meter and backflow preventer.
- New sanitary connection tying into existing sewer.
- Construction staging will take place in the adjacent lot to the east of the project area.

The site will be prepared by a small excavator. Civil works for the facility will involve a single backhoe for trenching. The installation of the modules will require a large capacity crane for 1-2 days and 25-30 dump trucks are expected for the removal of excavated soils off site.

The proposed works are expected to take place during regular port authority working hours (Monday-Saturday between 7 a.m. and 8 p.m., excluding holidays) and it is anticipated that construction would occur over a three-month period, during spring 2021.

Estimated project cost is \$400,000.

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.

Planning

Environmental Programs

Engineering

Public Engagement

Transportation

Engineering and Maintenance have confirmed that they will be attending the Project location prior to utility installation to ensure water service has been shut off (48 hours in advance) before tying into the existing supply line.

4 INDIGENOUS CONSULTATION

The port authority has reviewed the proposed works and determined that adverse impacts to Indigenous or Treaty rights are not expected.

5 EXISTING POLICIES OR GUIDELINES

The Project area is designated as “Port Terminal” in the port authority Land Use Plan (2020). The proposed installation of the marine operations facility is an appropriate use of the site. The Project is therefore compliant with the 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 City of Vancouver on November 16, 2020, notifying them of the proposed Project. No comments were received from the City of Vancouver.

6.2 Adjacent Tenant Notification

The proposed Project was assessed by the port authority to have potential impacts to adjacent tenant interests. A notification letter was sent to British Columbia Hydro and Power Authority (BC Hydro) on November 16 2020, notifying them of the proposed Project.

BC Hydro has no objections to the Project, provided that the location of the building is outside of the adjacent right-of-way area under licence to BC Hydro, and a three-metre setback from the existing guywire is maintained. The Applicant has confirmed that the proposed Project will be located 4.75 metres away from the BC Hydro guywire location.

6.3 Public Engagement

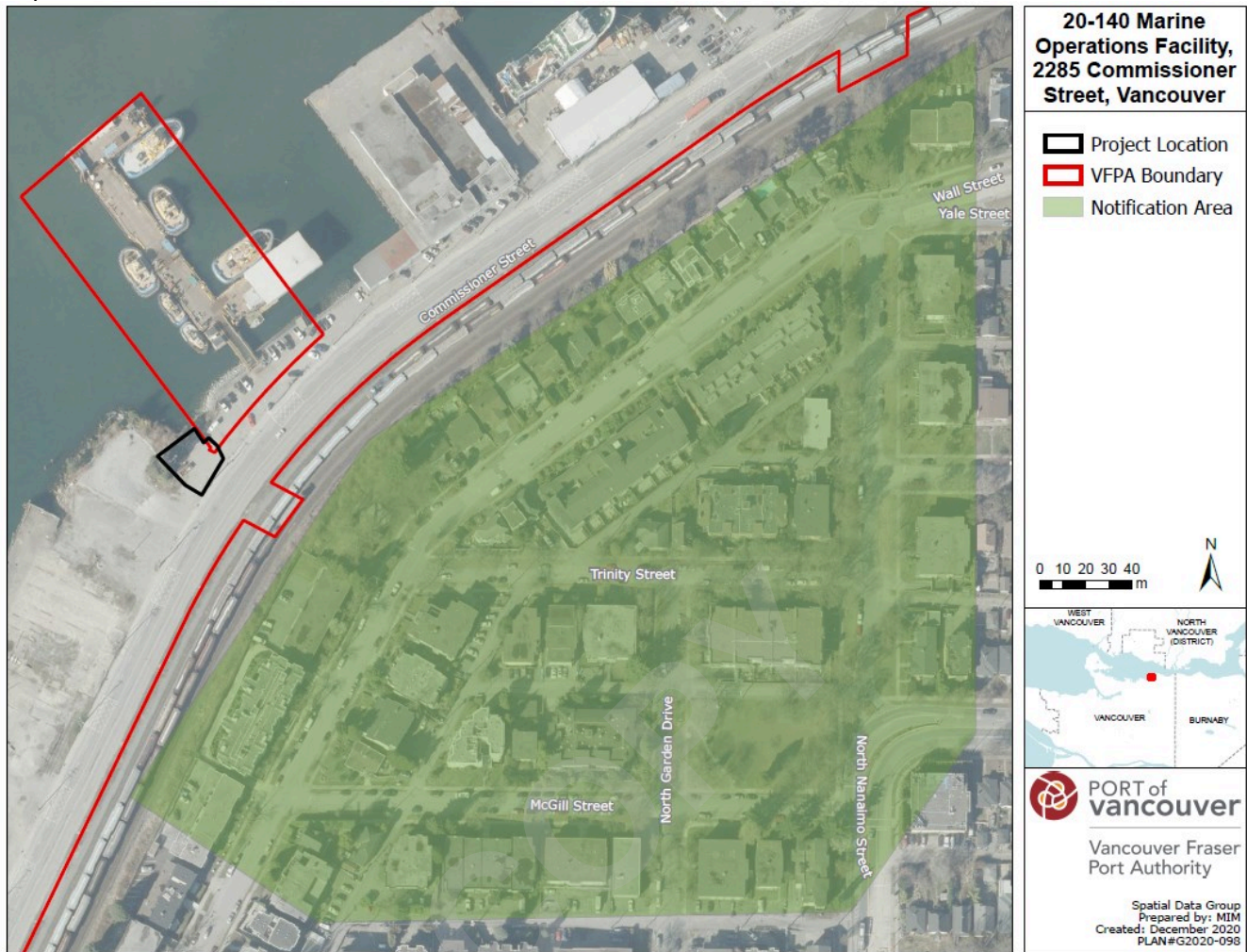
To meet requirements of section 86 of the *Impact Assessment Act*, the port authority posted a description of the Project and notice of public participation to the Canadian Impact Assessment Registry to provide the public 30 calendar days to comment on the project and provide community knowledge. The public comment period ran from October 14 to November 12, 2020. At the close of the 30-calendar day public comment period, no comments were received from the public.

6.4 Summary of Public Engagement

The proposed Project was assessed by the port authority to have potential impacts to community interests during construction. These include potential noise and light impacts relating to construction.

As a result, the Permit Holder is required to send a construction notice to adjacent residents and businesses with view corridors within approximately two blocks of the Project site, as specified on the map below. The construction notice shall be distributed by the Permit Holder at least 10 business days prior to the start of the works. These are conditions No. 15 and 16 in the permit.

Map of notification area



6.5 East Vancouver Port Lands Liaison Committee Notification

The proposed Project is within the East Vancouver Port Lands (EVPL) Area Plan and is considered to be a “yellow” (tug and barge towing operations) and “green” (commercial business serving maritime workforce) development. A designation of “yellow” indicates that the proposed uses have the potential for higher impacts requiring mitigation to be approvable. A designation of “green” indicates that the proposed uses have few impacts and require little or no mitigation in order to be approved.

Given the location and “yellow” designation of the proposed project, an update was provided during the August 11, 2020 EVPL Committee meeting to inform the group of the application. Email notification was sent to the committee on October 14, 2020 once the application was accepted as complete. In addition, the Applicant delivered a presentation to the committee during the November 5, 2020 meeting.

There were four comments or questions raised by the committee on the proposed Project. Below is a table summarizing the comments received and how they were considered as part of the project and environmental review.

Issue	Mitigations and Permit Conditions	Rationale
Noise impacts to residents on Wall St. during operations, and use of noise barriers.	None required.	The Applicant confirms that the new facility will have the same use as the existing buildings, and an increase in noise levels is not expected.
Quality of the construction and possibility of future construction/upgrades.	None required.	The Applicant notes the facility would be constructed to high standards to ensure upgrades/construction are not needed in the short term. Further, any additional construction or upgrade would be subject to review under PER.
Status of the former facility.	None required.	During the meeting, the Applicant indicated that the former facility is not currently occupied. The port authority followed up with the committee by email to confirm the building is currently vacant and will remain unoccupied until a future use is established. The port authority also explained that any future demolition plans would need be reviewed as part of our PER process. The committee had no further questions.
Construction notification to nearby residents.	Conditions 15 and 16 of the Permit require the Permit Holder to provide a draft construction notice and distribute an approved notice to residents and businesses within a specified area, 10 business day prior to the start of works.	The Project is not anticipated to have an impact on neighborhood traffic, noise, dust, lighting or views. The port authority considered the committee's suggestion to notify nearby residents about construction activities on the Project site, and deems this to be reasonable in this case.

6.6 South Shore Community Liaison Committee Notification

The proposed Project is within the South Shore Community (SSC) Liaison Committee boundary, in particular the Grandview-Woodland boundary. An overview of the project was provided during the October 22, 2020 committee meeting. The committee did not provide any feedback on the project.

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 Saam Towage on July 22, 2020.
- All Project correspondence with David Lord from August 13, 2020 to December 11, 2020.
- All plans and drawings labelled PER No. 20-140-A to F
- "Geotechnical Investigation Report", November 10, 2020 prepared by GeoPacific Consultants Ltd.
- Email memo and plan confirming the building's setback from the guy wire, December 3, 2020 from David Lord.

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 the 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

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. 20-140 is approved by:

ORIGINAL COPY SIGNED

CHRIS BISHOP
MANAGER, PLANNING

December 17, 2020

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 Saam Towage Canada Inc. (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.

All port authority Guidelines and Record Drawing Standards referenced in this document can be located at: <https://www.portvancouver.com/development-and-permits/project-and-environmental-reviews/technical-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, including the attached plans and drawings numbered PER No. 20-140-A to F . 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. Accordingly, the Permit Holder shall be familiar with the port authority's compliance and enforcement program: https://www.portvancouver.com/permitting-and-reviews/per/project-and-environment-review-applicant/compliance/
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: per@portvancouver.com and referencing PER No. 20-140 .
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.	
CONDITIONS – PRIOR TO COMMENCING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES		SUBMISSION TIMING (business days)
14.	The Permit Holder shall submit signed and sealed drawings for proposed works approved for construction by a professional engineer licensed to practice in the Province of British Columbia.	5 business days before commencing construction or any physical activities
15.	The Permit Holder shall provide a draft construction notice to the port authority's satisfaction in accordance with the port authority's Public Consultation Guidelines.	20 business days before commencing construction or any physical activities
16.	The Permit Holder shall distribute a construction notice to residents and businesses to a specified area. This shall be completed to the port authority's satisfaction. The Permit Holder shall notify the port authority when such distribution has been completed.	10 business days before commencing construction or any physical activities
17.	The Permit Holder shall submit a construction parking and traffic management plan to the port authority's satisfaction. The Permit Holder shall carry out the Project in accordance with the construction parking and traffic management plan, and any subsequent updates made to the port authority's satisfaction.	20 business days before commencing construction or any physical activities
18.	For buildings, structures and proposed interior changes to buildings that are reviewable under the National Building Code and National Fire Code, the Permit Holder shall apply for a port authority Building Permit.	40 business days before commencing construction or any physical activities
19.	If there is potential to affect birds and/or their active nests and eggs, the Permit Holder shall conduct nest surveys. For any nests identified in surveys, a qualified environmental professional shall confirm that the nest is not occupied by a species protected at that time of year under applicable legislation. To reduce the risk of Project-related harm, the Permit Holder should avoid certain physical activities during the general bird breeding season, which falls between April 1 and July 31, or outside of this time span if occupied nests are present.	Immediately prior to activities with the potential to affect birds and/or their active nests and eggs.
20.	Prior to commencing construction or any physical activities, 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.	10 business days before commencing construction or any physical activities
CONDITIONS – DURING CONSTRUCTION OR ANY PHYSICAL ACTIVITIES		
21.	The Permit Holder shall notify the port authority upon commencement of construction, or any physical activities (e.g., mobilization to the Project site).	

22.	All general construction and physical activities related to the Project shall be conducted from Monday to Saturday between the hours of 7:00 am and 8:00 pm . 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 40 business days prior to the desired start date.
23.	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.
24.	The Permit Holder shall remove all abandoned utilities from the project site, both underground and aboveground. At locations of connection to municipal work (i.e., at property lines), the abandoned utilities shall be capped.
25.	The Permit Holder shall manage invasive plants in a manner that prevents their spread. Invasive plants and potentially affected materials, such as soil, shall be appropriately contained, collected and disposed of.
26.	The Permit Holder shall use reasonable efforts to retain existing native riparian vegetation and native soil. Disturbance or clearing of vegetation shall be staged and strictly limited to that required for the Project.
27.	The Permit Holder shall dispose of any soils excavated from the project site that are not suitable for backfill at appropriate off-site facilities and maintain records of off-site disposal.
28.	Without limiting the generality of permit condition #2, if suspect contaminated materials are encountered, the Permit Holder shall contain, test and dispose of such materials at appropriate licensed off-site facilities and maintain records of off-site disposal. The port authority shall be notified of such activities and provided relevant documentation upon completion.
29.	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 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) 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.
30.	Without limiting the generality of permit condition #2, materials brought onto the project site to be used for backfilling, site preparation, or other uses shall be from sources demonstrated to be clean and free of environmental contamination, invasive species and noxious weeds. The Permit Holder shall maintain records to verify this.
31.	The Permit Holder 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 shall be implemented prior to the start of ground disturbance activities and should meet or surpass the standards outlined in the 1992 Fisheries and Oceans Canada (DFO) "Land Development Guidelines for the Protection of Aquatic Habitat".
32.	Air emissions from vehicle/equipment exhaust, dust and vapours shall be minimized and managed to avoid effects on and off the Project site. More detailed guidance is available in Best Practices for the Reduction of Air Emissions from Construction and Demolition Activities prepared for Environment Canada (Cheminfo Services Inc. March 2005).

33.	All non-road diesel equipment in use within port authority jurisdiction shall be reported as required under the Non-Road Diesel Equipment Program (https://www.portvancouver.com/environment/air-energy-climate-action/terminal-energy-efficiency/nrde/).	
34.	No in-water works or activities below the top of bank shall be conducted as part of the Project.	
35.	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(3) of the Fisheries Act; or (b) adversely affect fish or fish habitat in a manner contrary to Section 35(1) of the Fisheries Act.	
36.	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.	
37.	The Permit Holder shall maintain equipment in good mechanical condition and free of fluid leaks, invasive species, and noxious weeds.	
	CONDITIONS – UPON COMPLETION	SUBMISSION TIMING (Business Days)
38.	The Permit Holder shall notify the port authority upon completion of the Project.	Upon substantial completion
39.	The Permit Holder shall provide record drawings in accordance with the port authority's Record Drawing Standards (available at: https://www.portvancouver.com/wp-content/uploads/2020/01/VFPA-Record-Drawing-Standards-version-2-3.pdf), 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
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.		
LENGTH OF PERMIT VALIDITY		
The Project must be completed no later than December 31, 2021 (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 the port authority for consideration of an amendment to this Permit. 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. 		
Failure to apply for an extension as required may, at the sole discretion of the port authority, result in termination of this Permit.		

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
Website: 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.

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