



June 21, 2024

Abhay Sehgal
Hatch

Dear Abhay Sehgal:

**Re: Vancouver Fraser Port Authority Project Permit No. 21-042-02
Canadian Pacific Kansas City (formerly CP Rail) – Commissioner Street, Vancouver**

On behalf of the Vancouver Fraser Port Authority (the “port authority”), I am pleased to advise that this project permit has been extended. The port authority understands that construction works for this Project will continue until August 31, 2024. Outstanding activities include the encasement of the unprotected Nanaimo Street water line under the newly constructed rail track. On preparation of final record drawings, CP Rail identified that the existing Nanaimo Street waterline pipe is uncased.

The existing potable water line requires encasement, in accordance with Transport Canada TC E-10, Standards Respecting Pipeline Crossings under Railways, and CPKC Specification SP-TS-2.39 Pipeline and Cable Installations with Railway Right of Way.

Work activities would include but not be limited to:

- Track panel removal and replacement
- Asphalt removal, repaving and excavation
- Pipe removal, installation and realignments
- Backfilling and compaction, sub-ballast and ballast placement
- Pressure and bacteriological testing of water line

To complete the works, the affected waterline valves would be shut down to isolate the water line. The valves are located immediately north of Track L31, on Commissioner Street (Shut off Valve 1), which is on port authority lands, and at the intersection of Nanaimo St. and Wall St (Shut off Valve 2), which is located within City of Vancouver jurisdiction. CP Rail have indicated that the City of Vancouver would close Valve 2 and the port authority would close Valve 1.

In addition to the permit extension, CP Rail have also requested to undertake the encasement works outside of regular work hours, between July 1 and August 1, 2024, as portions of the work can only be completed during designated work windows (“track blocks”; when rail traffic is temporarily prohibited from using tracks that are impacted).

The port authority understands that these works are anticipated to generate noise and that mitigations will be in place and adapted as needed/requested by the port authority and as specified in the construction notification

letter, attached. CP Rail has committed to concentrating any activities likely to generate significant noise during daytime hours between the hours of 7:00 a.m. and 8:00 p.m., minimizing potential disturbances to surrounding residents, and addressing complaints promptly should they arise.

The port authority has undertaken and completed a review of the requested amendment in accordance with the *Canada Marine Act*, section 5 of the Port Authorities Operations Regulations, and section 82 of the *Impact Assessment Act*. To meet the requirements of the *Impact Assessment Act*, the port authority posted a description of the requested amendment and notice of public participation to the Canadian Impact Assessment Registry and considered the factors set out in section 84.

The following Indigenous consultation activities were conducted by the port authority:

- Provided notification to Indigenous groups on the amendment request
- No Indigenous groups raised concern over the amendment request

The port authority determined that adverse impacts to Aboriginal or Treaty rights are not expected from extending the project construction works until August 31, 2024.

We concluded that with the implementation of permit conditions included in PER 21-042 and outlined below, the requested amendment is not likely to cause significant adverse environmental effects.

This permit is now valid until August 31, 2024. Failure to complete the works by this date may result in the need to apply for a new project permit. CP Rail is responsible for carrying out the work according to the subject conditions contained in the permit, any other permit amendments, and the following:

- The Permit Holder shall adhere to Condition 1 of the permit and must have a valid lease, licence or access agreement for the Project site prior to accessing the Project site and/or commencing construction or any other physical activities.
- 40 business days upon completion of the works the Permit Holder shall provide record drawings, including a Project site plan that clearly identifies the location of works, in both AutoCAD and PDF format (with an Engineers stamp where applicable) in accordance with the Port Authority's Record Drawing Standards. All drawings 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.
- The water line shall only be returned to service after necessary chlorination, flushing, testing and final tie in work is complete. This shall be documented and signed by a certified professional and submitted to the port authority ten business days upon completion of the works.
- Two business days prior to commencing works the Permit Holder shall notify the Vancouver Fire Rescue Service and the City of Vancouver prior to shutting down the affected water line and commencing construction.
- Two business days prior to works commencing works the Permit Holder shall notify the Port Authority's Maintenance and Canada Place Facilities Department and coordinate the works, including the time and date that Valve 1 needs to be shut off prior to isolating the water line and commencing construction.
- Ten business days prior to works commencing the Permit Holder shall submit an updated 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.

The port authority will allow construction outside regular hours of work between July 1 and August 1, 2024, and as specified in the attached construction schedule, provided the following conditions are met:

- The Permit Holder shall ensure the scope of works undertaken during extended hours is limited to the activities outlined in the attached construction schedule.
- The Permit Holder shall submit to the port authority any updates to the construction schedule as the work schedule emerges and shall post any updated schedules to the project website at the direction of the port authority.
- The Permit Holder shall adhere to the approved construction communication plan submitted in compliance with Condition 17 of the permit, including the commitment to keeping the project website up-to-date with scheduling updates for works outside standard hours and days, as well as the process for enquiries, suggestions and complaints.
- The Permit Holder shall adhere to Condition 27 of the permit for keeping the port authority apprised within two business days of any complaints, enquiries and responses/resolutions from the Permit Holder.
- At the request of the port authority, the Permit Holder shall provide content for the port authority to send to the pertinent liaison committees, outlining scheduling updates for works outside standard hours and days.
- Ten business days prior to commencing works the Permit Holder shall distribute a construction notification to residents and businesses within the notification distribution area attached. The Permit Holder shall notify the port authority when such distribution has been completed.

The port authority reserves the right to cancel or revoke this authorization for extended work hours should noise levels exceed reasonable levels, should the conditions not be met, or should disturbances to surrounding residents persist.

Please ensure that those involved in undertaking the approved works are aware of these conditions and that a copy of the Permit and this amendment letter is maintained on site during the Project. Please submit all documents required to satisfy the conditions listed to our compliance and monitoring portal at <https://eper.portvancouver.com>.

Thank you for your cooperation throughout our review. Should you have any questions regarding this approval, please contact Katherine Huggins at 604.366.6170 or Katherine.Huggins@portvancouver.com.

Yours truly,

ORIGINAL COPY SIGNED

Anita Gill
Director, Security, Compliance and Authorizations
Vancouver Fraser Port Authority

cc Titilayo Fatigun, Project Engineer, Canadian Pacific Kansas City
Chris Bishop, Manager, Project and Environmental Review, Vancouver Fraser Port Authority
Dean Richards, Compliance Monitoring Specialist, Vancouver Fraser Port Authority
Katherine Huggins, Project Lead, Project and Environmental Review, Vancouver Fraser Port Authority
Dan Longmire, Real Estate Specialist, Real Estate, Vancouver Fraser Port Authority

encl (4) Project Permit No. 21-042
Construction schedule
Draft construction notification
Notification distribution area