

DATE OF MEETING April 3, 2017

AUTHORED BY TAMERA ROGERS, PLANNER, CURRENT PLANNING AND SUBDIVISION

SUBJECT DEVELOPMENT PERMIT NO. DP1031 – 3200 SINGLETON ROAD

OVERVIEW

Purpose of Report

To present for Council's consideration a development permit application to vary the watercourse setback at 3200 Singleton Road to legalize the siting of an existing house and deck.

Recommendation

That Council issue Development Permit No. DP1031 at 3200 Singleton Road with the following variance:

- reduce the watercourse setback from the top of bank from 15m to 10m.

BACKGROUND

A development permit application, DP1031, was received from Aquaparian Environmental Consulting Ltd., on behalf of 1085479 BC Ltd., to reduce the watercourse setback from the top of bank of Keighley Creek to legalize the siting of the existing house and deck.

Subject Property

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located one property south of the Granite Park/Singleton Road intersection
<i>Total Area</i>	1,755m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use Plans – Neighbourhood Map 3 – Development Permit Area No. 1 – Watercourses

The subject property is located in a Single Dwelling Residential (R1) subdivision. Keighley Creek, an approximately 1.4m wide fish-bearing watercourse, bisects the southwest corner of the property.

There is an active subdivision application (SUB01230) for the subject property to create two lots: Lot A (1,258m²), which includes the existing dwelling and deck, and Lot B (502m²) with frontage on Granite Park Road.

DISCUSSION

Proposed Development

The applicant proposes to subdivide the property into two single dwelling residential lots. As a condition of subdivision approval, development permit approval is required to reduce the watercourse setback and legalize the non-conforming siting of the existing house and deck to be retained within the subdivision. The development permit would also authorize restoration improvements of the riparian area with proposed Lot A.

Currently, the watercourse setback area is comprised primarily of lawn with the top of bank located approximately 11.5m from the corner of the house. The proposed variance would reduce the watercourse setback from 15m to 10m, which corresponds with the 10m Streamside Protection and Enhancement Area (SPEA) as determined by the Qualified Environmental Professional (QEP).

An objective of Development Permit Area No. 1 – Watercourses is to restore and enhance watercourses and riparian areas for wildlife movement and the natural features, functions and conditions that support fish and wildlife processes. The QEP assessed the subject property and provided an Executive Summary (Attachment D) and a Riparian Management and Restoration Plan (Attachment E). As compensation for the reduced watercourse setback, the plan includes invasive species removal and a total of 180m² riparian restoration area to be replanted adjacent to the watercourse with native shrubs and tree species. Additionally, the 10m watercourse setback will be designated a no-disturbance area through a covenant registered on title through the subdivision application and will be demarcated with permanent fencing along the 10m boundary as a condition of subdivision approval.

The QEP concluded that the proposed restoration will create a direct improvement to the riparian area and fish habitat conditions along the section of Keighley Creek within the property.

PROPOSED VARIANCES

Required Watercourse Setback

The required watercourse setback is 15m measured from the top of bank. The proposed watercourse setback is 10m, a proposed variance of 5m.

Staff supports the proposed variance and restoration plan, which would achieve a net benefit to the current riparian area conditions. The variance would also legalize the siting of the existing house and deck, which are located outside of the SPEA, and give the home owner long-term certainty regarding the building siting.


SUMMARY POINTS

- Development Permit No. DP1031 requests the watercourse setback be reduced from 15m to 10m to legalize the siting of the existing house and deck.
- The proposed restoration plan meets the development permit area guidelines and will result in a net benefit to the riparian area of Keighley Creek.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Survey
ATTACHMENT D: Executive Summary
ATTACHMENT E: Aerial Photo

Submitted by:



L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:



D. Lindsay
Director, Community Development

ATTACHMENT A PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

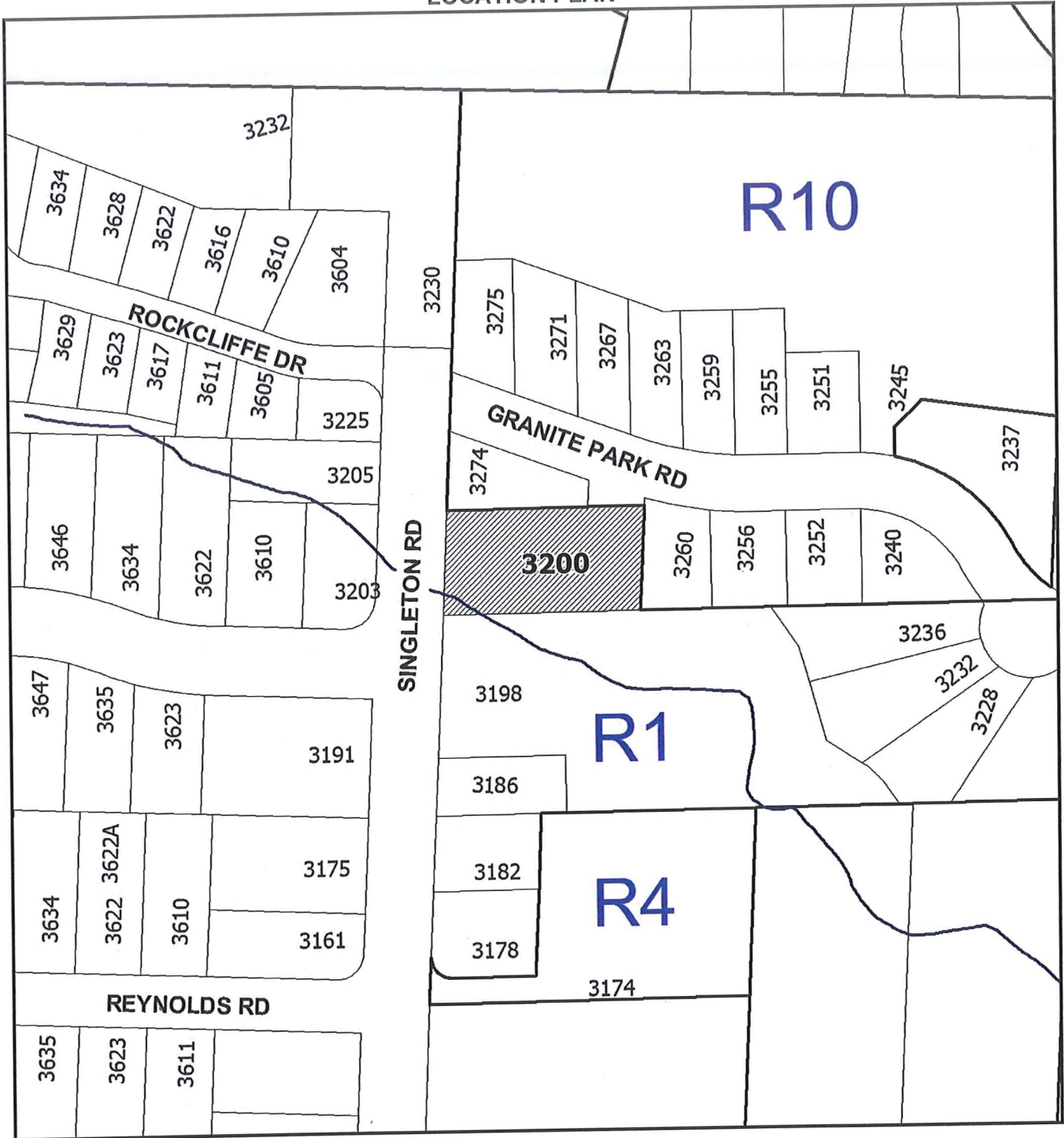
The "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500" is varied as follows:

1. *Section 6.3.1.5* – to reduce the watercourse setback measured from top of bank from 15m to 10m.

CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the Site Survey prepared by Turner Land Surveying dated 2016-NOV-03.
2. The subject property shall be developed generally in accordance with the Executive Summary prepared by Aquaparian Environmental Consulting Ltd. dated 2017-MAR-08.
3. The riparian area improvements shall be completed in substantial compliance with the Riparian Management & Restoration Plan prepared by Aquaparian Environmental Consulting Ltd. dated 2016-AUG-20.
4. A permanent fence shall be installed along the 10m watercourse setback boundary as identified on the Site Survey prepared by Turner Land Surveying dated 2016-NOV-03.
5. A landscape bond is required for 100% of the landscape estimate prepared by Aquaparian Environmental Consulting Ltd., and contained in the Riparian Management and Restoration Plan dated 2016-AUG-20.
6. A two year maintenance period is required as per the Riparian Management & Restoration Plan prepared by Aquaparian Environmental Consulting Ltd. dated 2016-AUG-20. A certified letter of completion is required from the Qualified Environmental Professional at the end of the two year maintenance period.

ATTACHMENT B
LOCATION PLAN



DEVELOPMENT PERMIT NO. DP001031



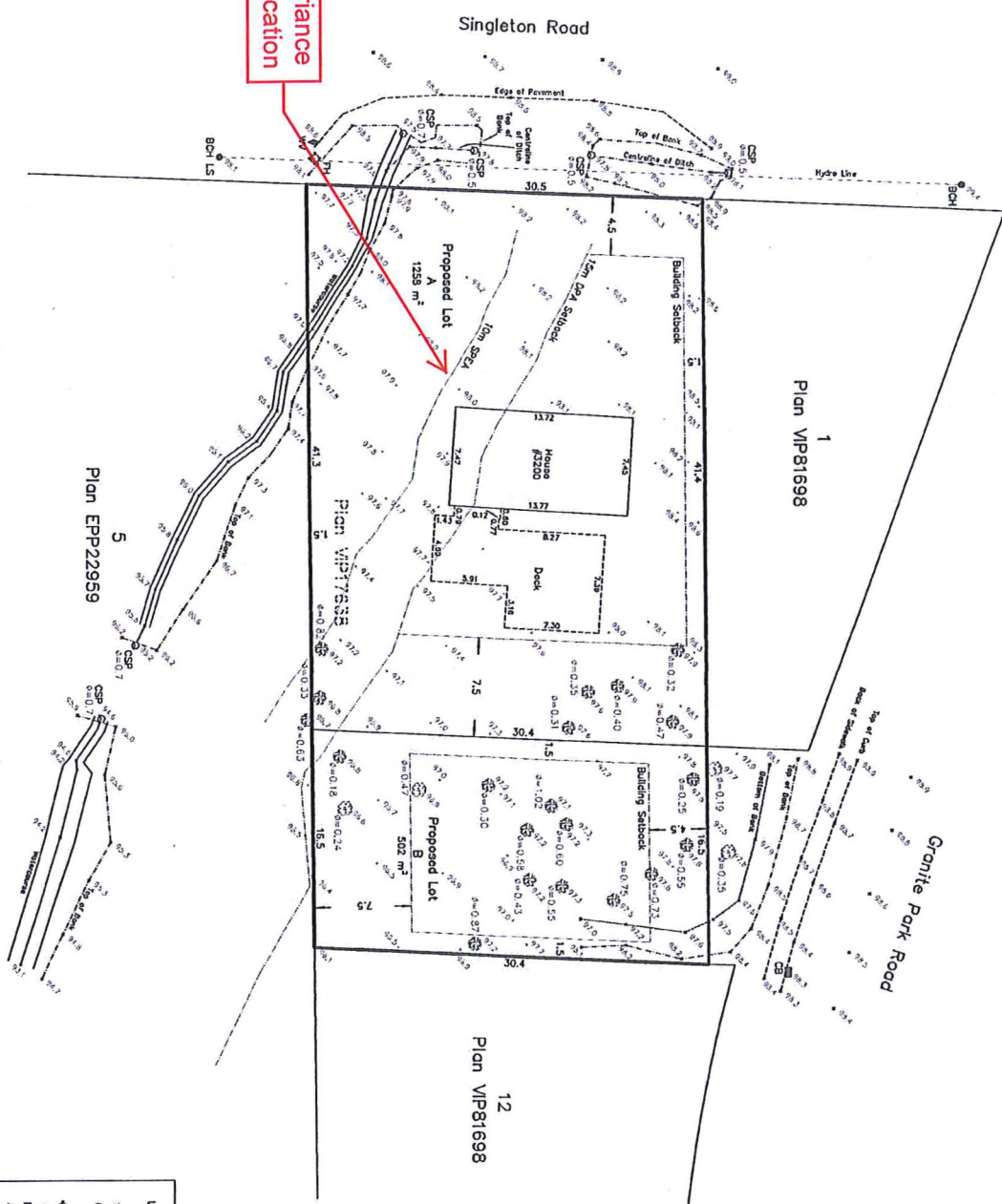
LOCATION PLAN

Civic: 3200 Singleton Road
Lot 1, Section 5, Wellington District,
Plan 17638

 **Subject Property**

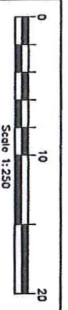
ATTACHMENT C SITE SURVEY

Proposed Variance
and Fence Location



Topographic Site Plan showing proposed subdivision of:
 Lot 1, Section 5,
 Wellington District, Plan 17658.

Client: Deteklan Holdings
 Scale: 1:250
 Date: November 2nd, 2016
 Drawn by: DMW



Notes:
 This property is affected by
 the following registered documents:
 U76501 & U76502.

Certified correct this 3rd day of November, 2016.
 Digitally signed by Matthew
 Schunruh KAHIN6 Date:2016.11.16 08:21 -0700
 B.C.L.S.
 (This document is not valid unless originally signed and sealed.)

Legend	
	Denotes Spot Elevation
	Denotes BC Hydro Pole
	Denotes Lamp Standard
	Denotes Fire Hydrant
	Denotes Water Valve
	Denotes Catch Basin
	Denotes Culvert
	Denotes Diameter
	Denotes Corrugated Steel Pipe
	Denotes Coniferous Tree
	Denotes Deciduous Tree
	Denotes Tree Trunk Diameter

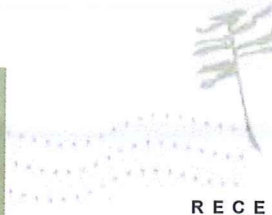
Turner & Land surveying -
 250,753,8778
 605 Cornow Road
 Nanaimo, BC V9R 1J4

ATTACHMENT D
EXECUTIVE SUMMARY

1 of 2



AQUAPARIAN
Environmental Consulting Ltd.



RECEIVED
DP001031
2017-MAR-08
Current Planning & Subdivision

March 8, 2017

City of Nanaimo
411 Dunsmuir Street
Nanaimo, BC, V9R 0E4.

Attn: Brian Zuek
Subdivision Planner

Re: 3200 Singleton Road, Nanaimo, BC
Executive Summary Watercourse Development Permit and
Application Addendum

1.0 SUMMARY BACKGROUND

Aquaparian Environmental Consulting Ltd. (Aquaparian) was retained by Jay Deleskie to complete a Development Permit submission 3200 Singleton Road in Nanaimo. Mr. Deleskie is the owner of the property and would like to subdivide the lot. The property presently has a single family residence (approximately 30 years old) and Mr. Deleski would like to construct an additional single family residence towards the back of the property. The subject property is a 1765m² lot that is 30m wide and 58m long and zoned RI Single Dwelling Residential within the City of Nanaimo. The house within the property is within a Development Permit Area (DPA1); a 15m riparian setback from Keighley Creek. Presently, the house is surrounded by lawn right to the edge of the stream within the property. The house is considered Legal – Non-conforming.

Keighley Creek is small, only 1.4m wide and flows under Singleton Road through a 0.7m diameter culvert and then through the corner of the subject property for only 14m. The stream cuts across the front southwest corner of the subject property and its Top of Bank is approximately 11.5m from the corner of the house.

The existing 30 year-old house on the property is located near the front of the lot towards Singleton Road including a garage and driveway leading from Singleton Road and a small narrow (~1.0m wide) concrete sidewalk that wraps around the house to a backyard patio deck. The proposed development plan includes leaving the existing house and patio (Identified as Lot A), subdividing the back of the lot (Identified as Lot B) and constructing a new house and driveway entrance leading into the lot from Granite Park Road. The subdivided lot (Lot B) would be approximately 502m² in size.

Aquaparian completed a Riparian Areas Assessment (dated August 28, 2017) as part of the development permit requirement. Results from the watercourse assessment identified the 15m

503 COMOX ROAD NANAIMO, BC V9R 3J2, 250-591-2258
CELL SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

3200 SINGLETON
WATERCOURSE DEVELOPMENT PERMIT EXECUTIVE SUMMARY
JANUARY 2017

2

DPA to extend 3m into the existing garage (Lot A). The proposed subdivision of Lot B would be outside the 15m watercourse DPA. The riparian assessment determined the Streamside Protection Enhancement Area (SPEA) to be 10m starting from the creek's High Water Mark. The location of the 10m SPEA would not impact the garage or sidewalk of the residence.

The new 10m SPEA is to be considered a no-disturbance area. The 10m SPEA is to be clearly demarcated with fencing; either 4ft chain link or a wooden rail fence (split rail to be also allowed). The lawn within the SPEA is to be removed and replaced with native plantings to restore the stream's riparian habitat. The riparian restoration plan is included in the Aquaparian Report titled Environmental Services – Development Permit Area Riparian Restoration Keighley Creek and dated August 20, 2016.

By reducing the 15m DPA on Keighley Creek to 10m, it would bring the existing house into compliance with the City. It would also allow for improvements to the riparian community and created a direct improvement to fish habitat conditions from present riparian habitat conditions along the section of stream within the property.

If you have any questions regarding the results of the RAR assessment, or the above recommendations, please contact the undersigned.

Sincerely,

AQUAPARIAN ENVIRONMENTAL CONSULTING LTD.



Chris Zamora, R.P.Bio
Senior Biologist / Principal

\\AQUAPARIAN\Documents\Projects\Projects\N237 3200 Singleton Rd\3200 Singleton Rd DP Cover Letter.docx



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ATTACHMENT E
AERIAL PHOTO



DEVELOPMENT PERMIT NO. DP001031

