



DEVELOPMENT PERMIT NO. DP000923

GEORGE PHILLIP BERGEN

MARITA LYNN BERGEN

Name of Owner(s) of Land (Permittee)

3602 PLACE ROAD

Civic Address

1. This development permit is issued subject to compliance with all of the bylaws of the municipality applicable thereto, except as specifically varied or supplemented by this permit.
2. This development permit applies to and only to those lands within the municipality described below, and any and all building structures and other developments thereon:

Legal Description:

LOT 24, DISTRICT LOT 39, WELLINGTON DISTRICT, PLAN 14457

PID No. 004-418-956

3. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this permit and any plans and specifications hereto which shall form a part thereof.

Schedule A Location Plan

Schedule B Site Plan

Schedule C QEP Summary and Report

- a) If the applicant does not substantially commence the development permitted by this permit within two years of the date of this permit, the permit shall lapse.
- 4. This permit is not a building permit nor does it constitute approval of any signage. Separate applications must be made for a building permit and sign permit.
- 5. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is varied as follows:

Watercourse Setback - Section 6.3.1.2

The required watercourse setback from the natural boundary of Pipers Lagoon is 15.0m. A portion of the proposed deck replacement is within the 15.0m setback and the siting of this portion of the deck requires the setback to be reduced to 10.6m, a variance of 4.4m.

AUTHORIZING RESOLUTION PASSED BY COUNCIL
THE 2ND DAY OF MARCH, 2015.



Corporate Officer

Date

GN/lb

Prospero attachment: DP000923

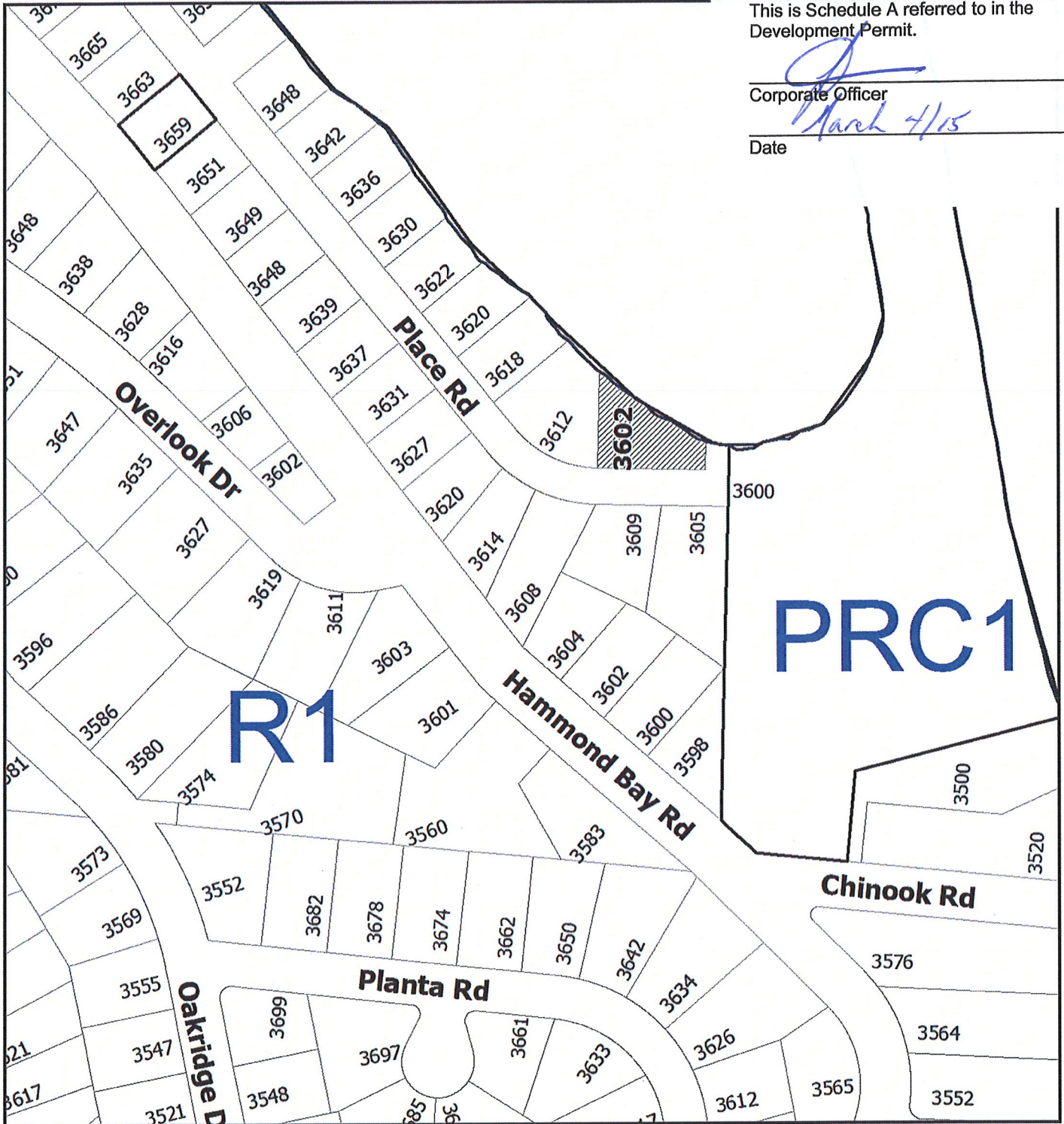
SCHEDULE A

This is Schedule A referred to in the
Development Permit.

Corporate Officer

Date

[Signature]
March 4/15



DEVELOPMENT PERMIT NO. DP000923

LOCATION PLAN

Civic: 3602 Place Road
Lot 24, District Lot 39, Wellington District,
Plan 14457



**Subject
Property**



J.E. ANDERSON
& ASSOCIATES
SURVEYORS - ENGINEERS

TEL: 250-758-4631 FAX: 250-758-4660
NANAIMO - VICTORIA - PARKSVILLE

B.C. LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE

File: 88165

Civic: 3602 Place Road, Nanaimo, B.C.

Legal: Lot 24, District Lot 39, Wellington District, Plan 14457.

Dimensions are in metres and are derived from Plan 14457.

This sketch does not constitute a redefinition of the legal boundaries hereon described and is not to be used in any matter which would assume same.

This building location certificate has been prepared in accordance with the Professional Reference Manual and is certified correct this 19th day of January, 2015.

This document is not valid unless
originally signed and sealed or
digitally signed by BCL

B.C.L.S.

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The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decision made, or actions taken based on this document.

Subject to charges, legal notations, and interests shown on: Title No. CA4030814 (P.I.D. 004-418-956)

Scale 1:250



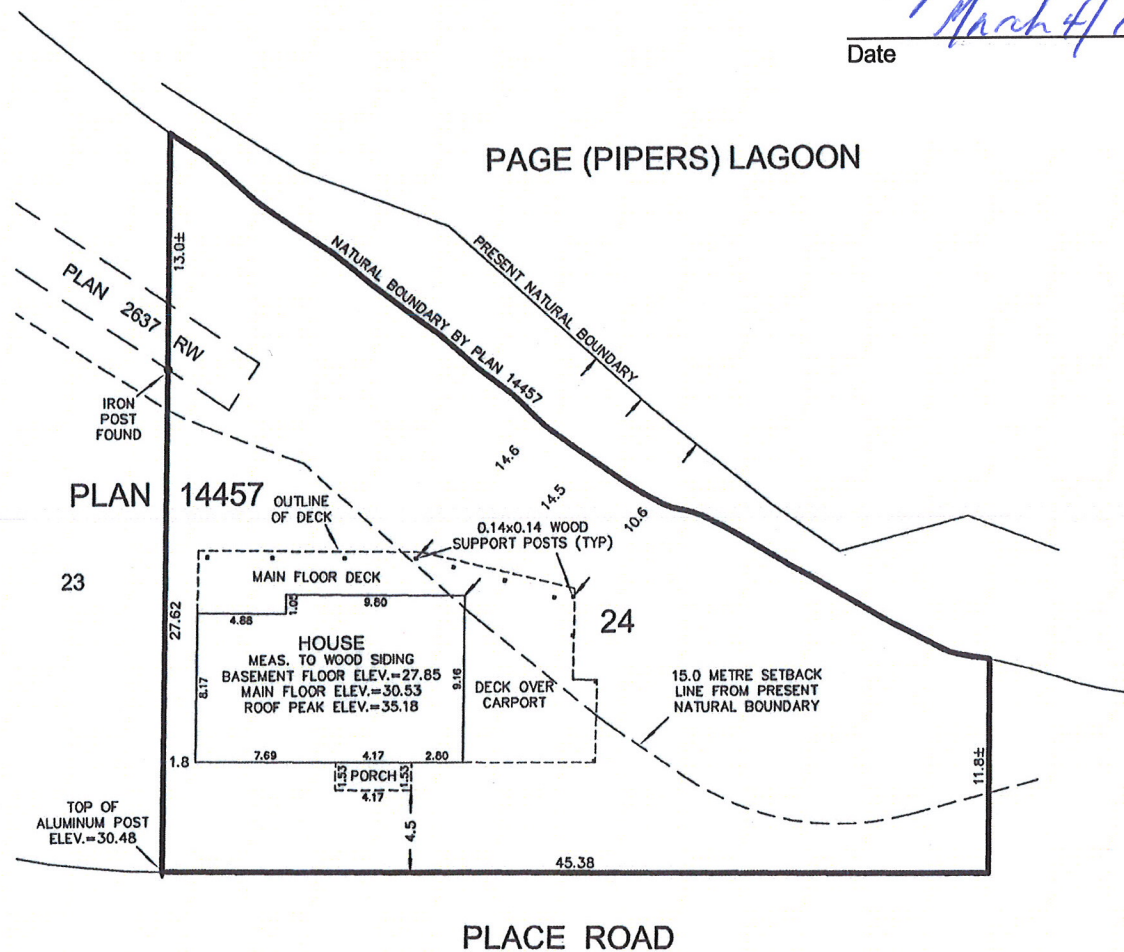
Datum for elevations, in metres, is assumed.



This is Schedule B referred to in the
Development Permit.

Corporate Officer

Date



Development Permit DP000923
3602 Place Road

Schedule B
Site Survey

QEP Summary and Report



AQUAPARIAN
Environmental Consulting Ltd.



February 12, 2015

Darren Cavan
Classic Home Improvements

Via Email: Darren@classichomeimprovements.ca

This is Schedule C, referred to in the
Development Permit.

Corporate Officer

Date

March 4/15

**RE: 3602 PLACE ROAD
ENVIRONMENTAL ASSESSMENT AND RESTORATION PLAN
WATERFRONT DPA VARIANCE APPLICATION**

1.0 BACKGROUND

Aquaparian Environmental Consulting Ltd (Aquaparian) was retained by Classic Home Improvements to complete Environmental Services for the replacement of a sundeck; a portion of which lies within the City of Nanaimo's waterfront Development Permit Area (DPA). The waterfront DPA includes the strip of land starting from the natural boundary of the ocean to a horizontal distance of 15m perpendicular from the shore. The purpose of the DPA is to protect the features, functions and condition of the shoreline. This area is considered environmentally sensitive.

2.0 RESULTS

The subject parcel is located at the end of Place Road fronting onto Piper's Lagoon. A site location map has been included as Figure 1. A site plan showing the DPA boundary has been included as Figure 2. Site photographs have been included as Appendix A.

The property has been developed in its existing state for more than 30 years and was constructed prior to the establishment of the waterfront DPA. The parcel is roughly triangular in shape with a small lawn area close to the house on the north side. The house has a sundeck that wraps around the east and north sides overlooking the lagoon. A portion of the deck off the northeast corner is inside the 15m DPA. The encroachment area of the deck is approximately 18m² in area. The area directly under the deck is gravel. A portion of the grass lawn fronting the house is also in the 15m DPA that is approximately 4m x 15m in area (60m²). Between the edge of the lawn to the lagoon is a slope predominantly vegetated with native species of trees and shrubs including western red cedar (*Thuja plicata*), Pacific dogwood (*Cornus nutallii*), oceanspray (*Holodiscus discolor*), sword fern (*Polystichum munitum*) and salal (*Gaultheria*

shallon). The area of the bank to the north is partially maintained and planted with rhododendrons while the area to the northeast is being taken over by Himalayan blackberry.

The existing structure and garden area are currently "grandfathered" as they were developed prior to current regulations. However, the house requires extensive renovation and the deck needs to be replaced. The new deck will be constructed on the same footprint as the existing deck. No additional impact is anticipated.

Aquaparian understands the deck replacement requires a Development Permit with Variance due to the encroachment. As per the new City procedure for variance applications which require habitat compensation to offset the encroachment, Aquaparian recommends restoring an area of waterfront bank vegetation that is currently dominated by Himalayan blackberry to a natural state. The following section outlines the recommended habitat compensation plan.

3.0 HABITAT COMPENSATION PLAN

3.1 Invasive Species Removal

The proposed compensation area has been overgrown with Himalayan blackberry. Prior to planting, the blackberry will need to be removed.

Himalayan blackberry:	
Regeneration:	Seeds, shoots, roots. Root fragments.
Preferences:	Prefers sunny locations, inhibited by >40% shade.
Safety:	Thick gloves and arm/leg protection. Eye protection and steel toe boots if using bush blade or weed eater.
Removal recommendations:	<p>1) Remove above ground canes either manually or with bush blades or weed-eaters. Best time of year is when the in flower. Remove cut material from site as mulching on site leaves sharp thorns everywhere which may cause injury during planting time.</p> <p>2) Remove root crown and major roots using claw mattock or Pulaski/mattock. Try to remove as much of the roots as possible.</p> <p>3) Replant the area as soon as possible with a fast growing canopy cover species. If large areas of soil have been exposed, spread rye grass seed over area for surface erosion control.</p>

Controlling Himalayan Blackberry in the Pacific Northwest. The Nature Conservancy.
<http://www.invasive.org/gist/moredocs/rubarm01.pdf>

3.2 Planting Plan

The restoration area has an existing tree canopy therefore Aquaparian recommends replacing the understory with native shrubs. As per the City's restoration planting requirements, the planting density is to be a minimum of 1 native species shrub per square meter. The area to be planted is approximately 20m².

Recommended Species, Size and Density:

Common name	Scientific name	Size	Spacing	Number
Nootka rose	<i>Rosa nutkana</i>	1 Gal	1/m ²	5
Snowberry	<i>Symphoricarpos albus</i>	1 Gal	1/m ²	5
Salal	<i>Gaultheria shallon</i>	1 Gal	1/m ²	5
Sword fern	<i>Polystichum munitum</i>	1 Gal	1/m ²	5

Once the site has been prepared with the removal of blackberry, install the new plantings in a random pattern of same species clusters to mimic natural growth. A handful of bone meal should be mixed into each planting hole to reduce transplant shock. Install the plants either in the spring or late fall to increase the chance of survival. Water the planting area as required through the first summer season and monitor for survival. Plants that die should be replaced. The area should be well established and infilling after the first two growing seasons.

4.0 MAINTENANCE

It is expected that there will be a maintenance requirement for 2-3 years to remove regenerating Himalayan blackberry canes as they come up. Ideally, over time the soil seed bank will become exhausted and the native plants will shade out the invasives. If annual monitoring and removal of new shoots is completed, the level of effort will reduce over time.

Sincerely,

AQUAPARIAN ENVIRONMENTAL CONSULTING LTD.



Sarah Bonar, R.P.Bio
Principal

Z:\Projects\Projects\N138 Pipers Lagoon\Place Road Letter Report.docx



503 COMOX ROAD, NANAIMO, BC V9R 3J2

SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

FIGURE 1
SITE LOCATION MAP

FIGURE 1
SITE LOCATION MAP
20 PLACE ROAD, NANAIMO



FIGURE 2
SITE PLAN



**J.E. ANDERSON
& ASSOCIATES**
SURVEYORS - ENGINEERS

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NANAIMO - VICTORIA - PARKSVILLE

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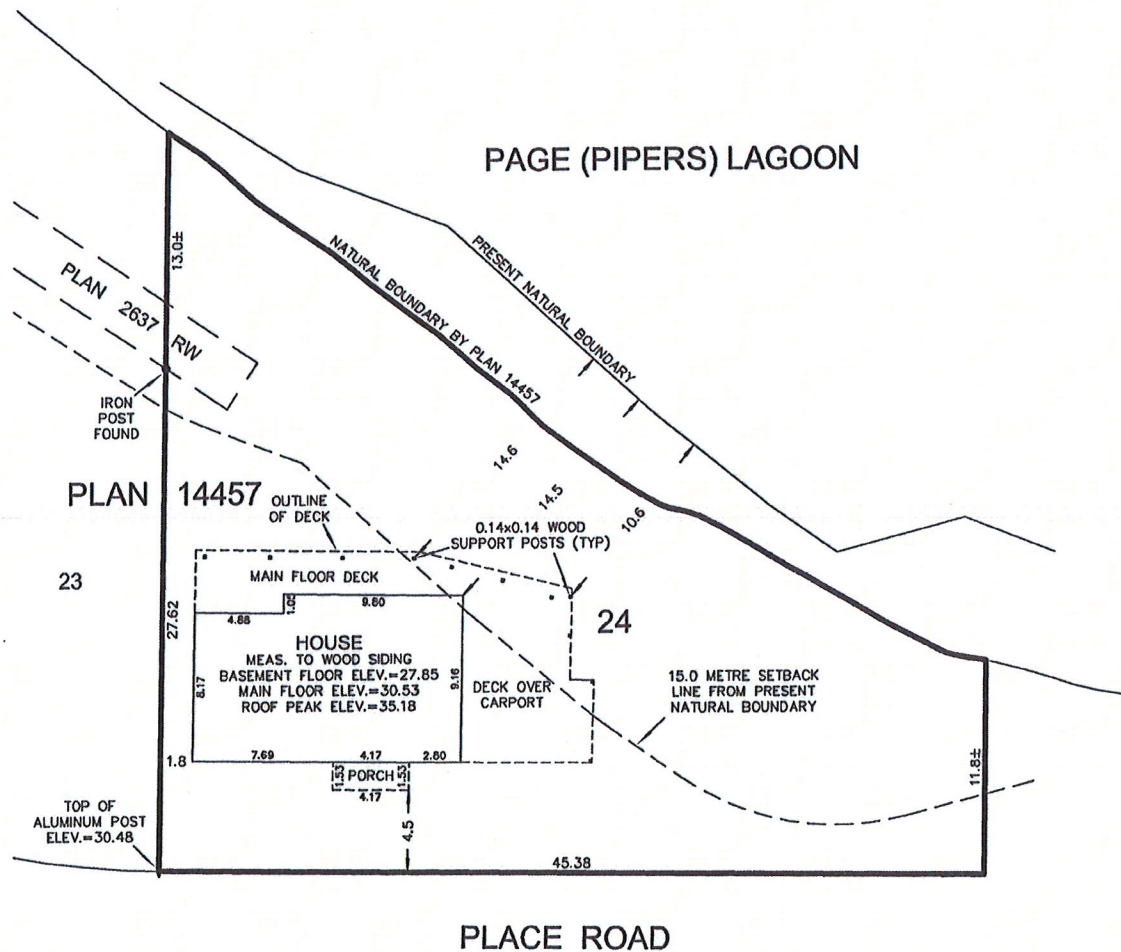
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Subject to charges, legal notations, and interests shown on: Title No. CA4030814 (P.I.D. 004-418-956)

Scale 1:250



Datum for elevations, in metres, is assumed.



APPENDIX A
SITE PHOTOGRAPHS

**20 PLACE ROAD
PHOTO SHEET 1**



Photo 1. Looking toward the corner of the deck encroaching into the 15m waterfront setback.



Photo 2. Showing the proposed habitat compensation area located northeast of the encroachment area.