

2016-JUL-18

Our File: DP001001

via Email: iniamath@shaw.ca

Mr. Ian Niamath
IAN NIAMATH ARCHITECTURE
143 McKinnon Place
Nanaimo BC V9T 1L8

Dear Mr. Niamath:

RE: DEVELOPMENT PERMIT NO. DP001001 - 2589 KENWORTH ROAD - APPROVED DEVELOPMENT PERMIT

Please find attached a copy of the development permit approved by City Council on 2016-JUL-11 for the above-noted property. Please note the following:

- Prior to occupancy, the architect must confirm compliance with the development permit approved drawings. Any changes to the approved design must be submitted to the City for review and re-evaluation. An amendment to the approved development permit may be required if the changes are deemed significant.
- The landscape architect is required to confirm that the development permit
 approved landscape plan has been installed and submit a letter of substantial
 completion. Any change to the landscape plan must be identified by the
 landscape architect and submitted to the City for review. An amendment to the
 approved development permit may be required if changes are deemed
 significant.
- Please be aware that any tree cutting or removal requires a Tree Removal Permit application, which can be obtained from Community Development, 411 Dunsmuir Street. If you have any questions with respect to tree cutting or removal, please contact Alan Kemp, Urban Forestry Coordinator, at (250) 755-4460, local 4357.

As noted above, the City reserves the right to review any change to the site, building, or landscape designs. Please note that an amendment to the approved development permit, if deemed necessary, will require an application fee of \$750, review by the Design Advisory Panel and Council approval.

Please note that the development permit is valid for a two year period. In the event that the works, as described within the permit, are not acted upon within this time frame, the permit will lapse.

For your information, the development permit will be registered at the Victoria Land Titles Office and will appear on your property title as a legal notation indefinitely. If; however, the permit lapses and the works, as described within the approved permit, were not undertaken, please inform the City so the necessary documentation can be prepared to remove the legal notation from your title.

If you have any questions with respect to the development permit, please do not hesitate to contact me at (250) 755-4429.

Yours truly

Gary Noble, RPP
Development Approval Planner
Current Planning
Community Development

GN/In

ATT.

ec:

MAPLEWOOD PROPERTIES LTD, E. sirri@telus.net

CITY OF NANAIMO, T. Weinrich, Manager, Building Inspections Section

CITY OF NANAIMO, B. Corsan, Manager, Real Estate Section CITY OF NANAIMO, S. Ruthven, Supervisor, Building Inspections CITY OF NANAIMO, P. McIntosh, Urban Forestry Coordinator BC Assessment Authority, via email: centralvanisl@bcassessment.ca

\\\PROSPERO\PLANNING\DEVPERMIT\DP001001\Ltr, Fwd Approved Development Permit dp1001.docx



DEVELOPMENT PERMIT NO. DP001001

MAPLEWOOD PROPERTIES LTD. Name of Owner(s) of Land (Permittee)

2589 KENWORTH 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 3, SECTION 20, RANGE 6, MOUNTAIN DISTRICT, PLAN 2815 EXCEPT THAT PART OF SAID LOT LYING TO THE EAST OF THE ROAD AS SHOWN ON SAID PLAN AND EXCEPT THOSE PARTS IN PLANS 25211, 22499 AND 33089

PID No. 006-396-267

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 & Project Data

Schedule C Designated Environmental Zones

Schedule D QEP Executive Summary

Schedule E Landscape Plan

Schedule F Green Roof

Schedule G Coloured Building Elevations

Schedule I Building Elevations
Schedule I Building Sections
Schedule J Building Perspectives

- 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 Leave Strip Setback (Diver Lake):

Part 6.3.1.1 requires a watercourse leave strip for Diver Lake of 15.0m, between the water's edge and a perpendicular line inland 15.0m from the wetland boundary (see Schedule C). The proposed watercourse setback is varied to 5.5m.

Front Yard Setback:

Part 13.4.1 - Siting of Buildings

The required front yard setback for the building siting is 4.5m. The proposed front yard for the building is varied to 0.0m.

Maximum Allowable Building Height:

Part 13.6.1 - Size of Buildings

The maximum allowable building height is 12.0m. The proposed maximum allowable building height is varied to 18.44m.

The City of Nanaimo "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013" is varied as follows:

Loading Spaces:

Part 14.8 - Parking Bylaw

The industrial building gross floor area requires 3 loading spaces. The number of proposed loading spaces is varied to 2 loading spaces.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THE 11TH DAY OF JULY, 2016.

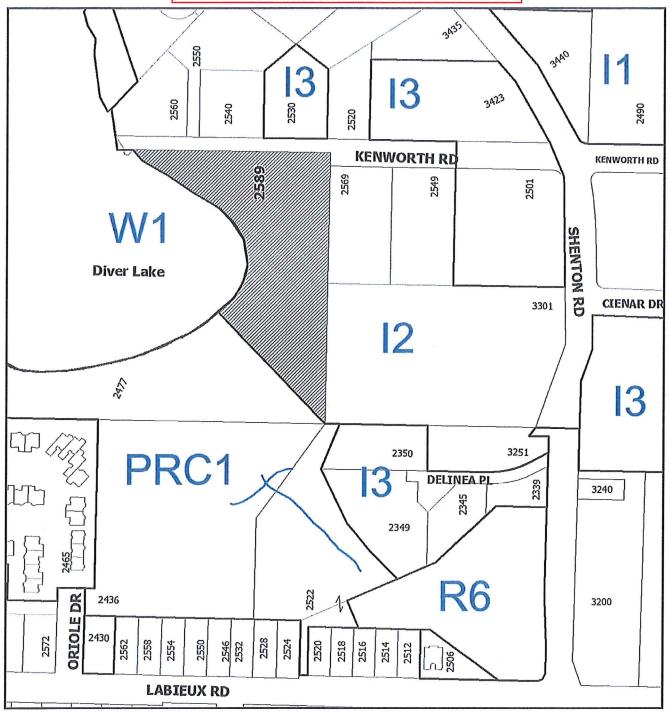
Corporate Officer

Date

GN/ln

Prospero attachment: DP001001

Development Permit DP001001 Schedule A
2589 Kenworth Road
LOCATION PLAN



DEVELOPMENT PERMIT NO. DP001001



LOCATION PLAN

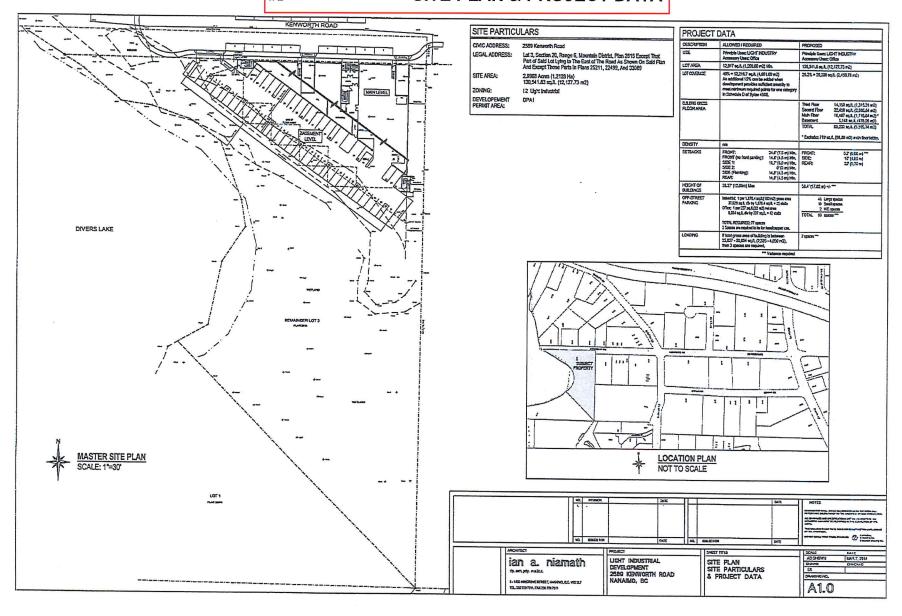
Civic: 2589 Kenworth Road Lot 3, Section 20, Range 6, Mtn District, Plan 2815 Except Part of said Lot lying to the East of the Road as shown on said Plan and Except those parts in Plans 25211, 22499 and 33089



Schedule B

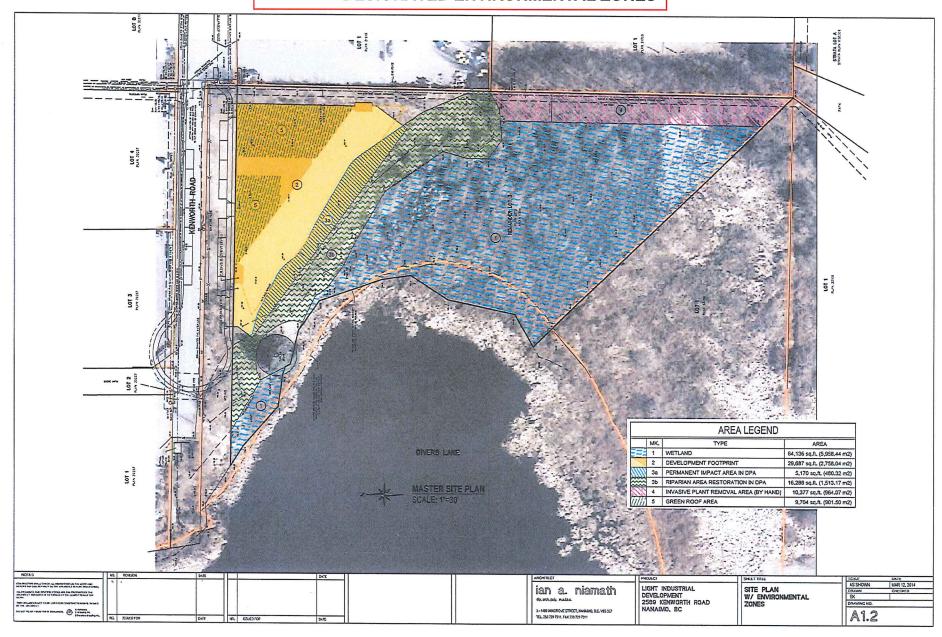
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SITE PLAN & PROJECT DATA



DDOJECT	DATA					
PROJECT	DATA					
DESCRIPTION	ALLOWED / REQUIRED	PROPOSED				
USE	Principle Uses: LIGHT INDUSTRY Accessory Uses: Office	Principle Uses: LIGHT INDUSTRY Accessory Uses: Office				
LOT AREA	12,917 sq.ft. (1,200.00 m2) Min.	130,541.8 sq.ft. (12,127.73 m2)				
LOT COVERAGE	40% = 52,216.7 sq.ft. (4,851.09 m2) An additional 15% can be added when development provides sufficient amenity to meet minimum required points for one category in Schedule D of Bylaw 4500.	20.2% = 26,380 sq.ft. (2,450.78 m2)				
BUILDING GROSS FLOOR AREA		Third Floor 14,158 sq.ft. (1,315.31 m2) Second Floor 22,459 sq.ft. (2,086.54 m2) Main Floor 18,467 sq.ft. (1,715.64 m2) * Basement 5,148 sq.ft. (478.26 m2) TOTAL 60,232 sq.ft. (5,595.74 m2) * Excludes 719 sq.ft. (66.80 m2) main floor lobby.				
DENSITY	n/a					
SETBACKS	FRONT: 24.6' (7.5 m) Min. FRONT (no front parking): 14.8' (4.5 m) Min. SIDE 1: 19.7' (6.0 m) Min. SIDE 2: 0' (0 m) Min. SIDE (Flanking): 14.8' (4.5 m) Min. REAR: 14.8' (4.5 m) Min.	FRONT: 0.2' (0.06 m) *** SIDE: 16' (4.86 m) REAR: 32' (9.76 m)				
HEIGHT OF BUILDINGS	39.37' (12.00m) Max	58.4' (17.82 m) +/- ***				
OFF-STREET PARKING	Industrial: 1 per 1,076.4 sq.ft.(100 m2) gross area 37,629 sq.ft. div by 1,076.4 sq.ft. = 35 stalls Office: 1 per 237 sq.ft.(22 m2) net area 9,934 sq.ft. div by 237 sq.ft. = 42 stalls TOTAL REQUIRED: 77 spaces 2 Spaces are required to be for handicapped use.	48 Large spaces 10 Small spaces 2 H/C spaces TOTAL 60 spaces ***				
LOADING	If total gross area of building is between 25,027 - 50,054 sq.ft. (2,325 - 4,650 m2), then 3 spaces are required.	2 spaces ***				
	*** Variance required					

DESIGNATED ENVIRONMENTAL ZONES



QEP EXECUTIVE SUMMARY



May 12, 2014

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

RE: 2589 KENWORTH ROAD

VARIANCE EXECUTIVE SUMMARY

1.0 BACKGROUND

The Science and Technology Building proposed to be constructed at 2589 Kenworth Road overlooking Diver Lake is designed to be an innovative and unique development for Nanaimo. The purpose of the building is to provide high-end commercial space for a science and technology business; the Nanaimo branch of Inuktun Services Ltd; an international company that designs world class remotely operated systems. As such, the building design is intended to reflect the technical creativity of the business which it will house. The design incorporates development Best Management Practices such as solar panels, a green roof, a rain garden and extensive riparian habitat restoration. Road design has included a turnaround that is reduced in size with a modified shape to avoid encroachment into the lake's setback area.

The site is currently undeveloped and shows evidence of historical impacts including fill placement and invasive plant species. Once the development is complete, the site will be significantly improved over its current degraded condition. Seen from above, the impermeable surface will be restricted to a series of small angular roof sections covered by solar panels and a small portion of the parking area.

2.0 RIPARIAN IMPACT SUMMARY

The property is 1.165ha (2.88 acres) in size located on the east side of Diver Lake surrounded by long established commercial and light industrial developments. The developable area of the site is restricted to a small, triangular upland area covering 24% of the lot as the remainder of the site is comprised of wetland and riparian habitat.

The building covers 2758m² of which 480m² (approx. 6m x 80m) lies within DPA1. In order to offset the impact and exceed the "no net loss" of habitat, 1,513m² of riparian habitat fronting the building will be replanted with native species – it is currently dominated by Himalayan

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

blackberry; 964m² of riparian habitat along the east boundary will have invasive species removed; and a Green Roof covering 901m² will be installed. The total area of habitat restoration/creation is 3378m². The following table summarizes the riparian habitat impact as shown in Figure A1.2 by Ian A. Niamath:

Description	Area	Before	After
3a. Building area in setback	480m ²	Poor value, invasive dominant	Permanent impact area
3b. Riparian restoration area	1513m ²	Marginal value, invasive dominant, few trees	Temporary impact area to remove invasive sp and prep soil. High value, multicanopy multi-species, native trees, shrubs.
4. Invasive removal area	964m²	Moderate value, invasive species in ground cover.	High value, invasive species removed.
5. Green Roof	901m ²	Fill pad dominated by scotch broom, few cottonwood regeneration.	High value, herbaceous dominant.
NET BENEFIT	3378m² re	stored, high quality habitat	

3.0 GREEN ROOF HABITAT CONNECTION

The green roof has been designed to integrate with the ecology of the Diver Lake ecosystem. The design includes a variety of shrub, grass and flowering plants to support birds and insects (bees, spiders, beetles) typical in the Diver Lake riparian area. Summer and fall-flowering herbaceous plants on the roof will extend the insect and bird foraging season and adds to overwintering habitat for beetles, spiders and bees, as well as nesting habitat for solitary bees. In other words, it will add an additional dimension of habitat diversity that would otherwise not exist in a typical riparian tree/shrub dominant zone.

Insects do very well on green roofs and are integral to lake habitats as a food supply and as pollinators. Many insects have aquatic larval or nymph stages and then metamorphose into flying adults (e.g. dragonflies). The lake edge and upland habitats are critical to both. Increasing the diversity of plants supports a wider variety of insects that live on them. Insects are food for fish, birds and bats that live and forage in these edge habitats.

A wide variety of plants creates microhabitats with height diversity and structure of the plants themselves i.e. leaf and flower shapes, stem shape, height etc. Seasonal changes from spring to fall attract a diverse population of insects and birds. Flying insects are food for aerial



insectivores such as swallows and bats flying over the lake in the evening. Fish also eat insects and can be seen surfacing during a larval hatch. The green roof will become more connected with the existing and new riparian vegetation over time as the surrounding trees and shrubs mature and gain in height.

The green roof will also connect to the lake via rainwater which will be captured in the roof garden and will be retained and absorbed by the soils and plants; some will evaporate and the excess will slowly flow off the roof into the rain garden where it will enter the lake. This design avoids typical storm water diversion though pipes and provides clean runoff.

4.0 REGULATORY TRIGGERS

No other regulatory review is triggered by this project. The 15m DPA from the edge of wetland is the same as the Riparian Areas Regulation (RAR) setback for lakes and wetlands. A RAR report was completed and submitted to the Province for this project.

Changes to the *Fisheries Act 2012* are significant and rely on the Professional Reliance Model. The DFO no longer reviews projects if the QEP determines there will be no *Serious Harm to Commercial, Aboriginal or Recreational Fisheries.* As a result, this has created a change to the RAR process for encroachment cases. If the project can be carried out with sufficient protection measures in place to prevent *Serious Harm*, the QEP signs off on the last page of the report as follows: 7a) there will be no Harmful Alteration Disruption or Destruction to the Features Functions or Conditions provided the proponent follows QEP recommendations.

5.0 MONITORING

The construction phase of this project is to be monitored by a suitably qualified Environmental Monitor to ensure that the protection and restoration measures identified in the report are carried out. Under the new *Fisheries Act* there is a *duty to notify* if Serious Harm does occur by accident or intent.

Annual monitoring of the site is to be completed to ensure survival of the plantings and invasive species removal areas. Any areas with more than 10% die-off are to be replanted. After a period of five years the site should be well established. Removal of invasive species over time will be on-going as part of the overall landscape management.

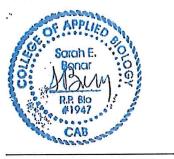


6.0 TRAIL

The developer is agreeable to the idea of a public trail or boardwalk through the property as part of the City Park's future plan of a public trail system to circumnavigate Diver Lake. Interpretive signage would provide educational opportunities for the public to learn about Divers Lake and its ecology.

Sincerely,

AQUAPARIAN ENVIRONMENTAL CONSULTING LTD



Sarah Bonar, R.P.Bio. Principal

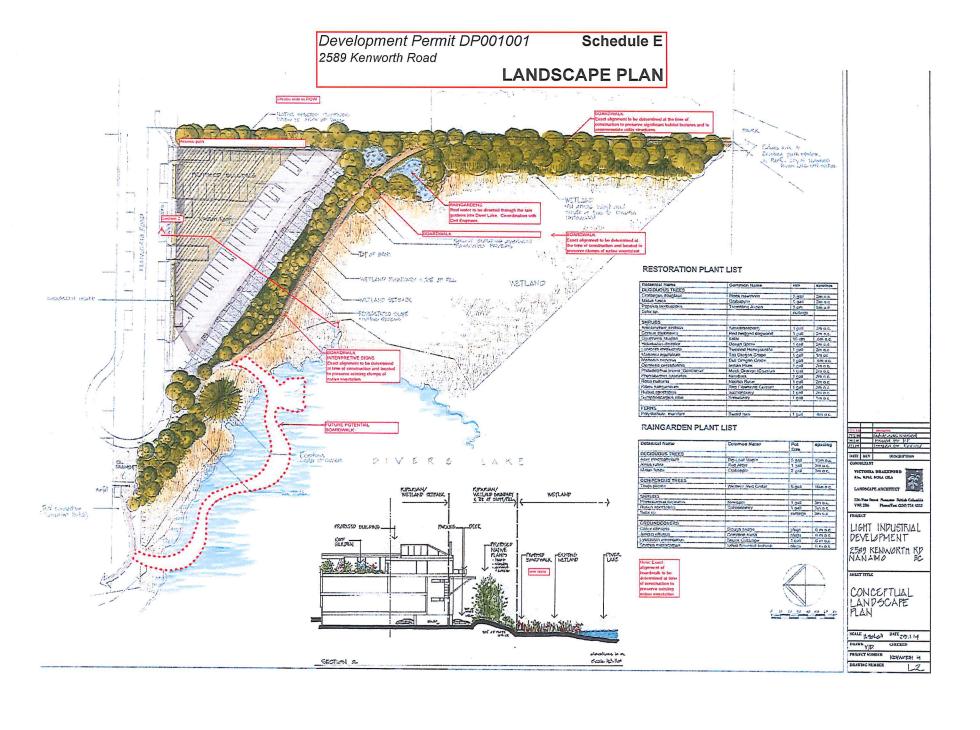
KENWORTH ROAD GREEN ROOF HABITAT CONNECTION:

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Insects do very well on green roofs and are integral to lake habitats as a food supply and as pollinators. Many insects have aquatic larval or nymph stages and then metamorphose into flying adults (e.g. dragonflies). The lake edge and upland habitats are critical to both. Increasing the diversity of plants supports a wider variety of insects that live on them. Insects are food for fish, birds and bats that live and forage in these edge habitats.

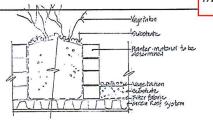
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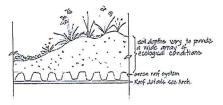


Schedule F

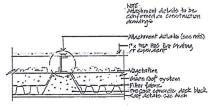
GREEN ROOF



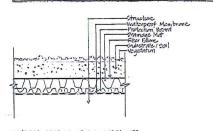
TYPICAL SECTION. 24' DEPTH/PLANTERS NTS



TYPICAL SECTION 4" - 16" SOIL DEPTH NTS



TYPICAL SECTION GRATING/FOSTING NO



TYPICAL SECTION 4" SOIL DEPTH NTG

HABITAT VALUES

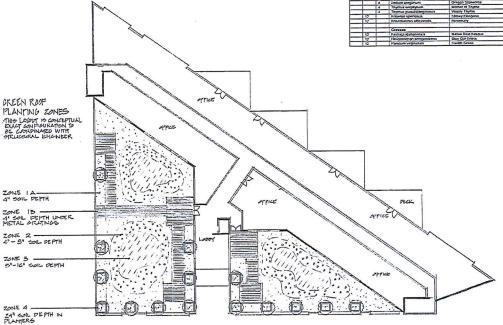
Plants with different prowth habits will be planted to provide a variety of habitats. For example, grasses provide shotts sudjoin and songbirds, insects can over writer in the hollow grass stems.

. Metal gratings have been placed over the green roof in placer, to provide places for people to sit, relax and enjoy the roof These gratings allow light to penetrate to the plants below as well as provide a shady and comparatively sheltered habitat for the plants, thereby resulting in an additional protected habitat.

Soil Depth Red	'a		
(in Inches)	Botanical Name	Common Name	
	Trees		
74	Amalanchier grandingra	Serviceberry	
74	Corytus aireturus	Hazei	
-	Evergreen Shruha(native)		
24	Mahoran dervota	Duli Oregon Grape	
24 24	Vaccinium arahim	Evergreen Huckleberry	
-	Deciduous Shrubs(native)		
24	Ameleochier pintosa	(inskatoon berry	
24	Demlorus curpsiforme	Indian Plum	
74 74 74 74	Philadelphus low-se 'Gordianus'	Mack Drange	
24	Vacconum parviolum	Had Huckleberry	

1 12	T	Actillus moonenine	Yarnw
12		Alchemilia molin	Larty's mante
12		Allum Cerritum	Nodding Onion
12	_	Companyle that waterfall	Ballower
12	_	Contractous rubra	Red Valerian
12	_	Centuma scationa	Granter Knapweed
12		Coreopals finctoria	Ticksood
	4	Diam'nus deligides	Mazon Pink
12	_	Естепьска рыграма	Ecomanna
12		Enghystam	Woolly sunfineer
12		Eughorbin cypanistos	Cypenas Spurge
12		Heatenthernum nommotorium	HOCK IDSA
_	4	Ing reliquista	
	4	Gatum wertum	Lady's Bedulmer
12	_	Geranium species	Harny Cleranium
12		Geranum senguinoum	Hordy Carantin
12		Lavendula angustrossa	Lavander
12		Nepeta dropmore thus	Culrip
_	4	Oreganum vulgare	Oregine
	4	Prior mitualsia	Moss Prior
	4	Potox douglassi	
12	_	Prunetta vulgaria	Sulmont
12	_	Hudbekia golestnim	Black eyed Nosan
12		Calvin nemorosa May Knight	tlage
12		Salvia officienale	Jage
	4	Segum spalmetokum	Groad-kinved Stone-crop
_	4	Sedum pregonum	Oregon Stonecrop
_	14	Thyrnius serphytium	Mother of Thyme
	14	Thernus proudplanginosus	Wasiy Thyma
12		Engeron spendaus	Showy Fleebane
12		Rosemurinus officionetis	Renemary
-	-	Greenen	
12	-	Festiva iduhenensia	Native Rue Fescus
12	-	Heicintriction semperatery	Davi Get Ormsa
12	-	Pancum veginatum	Switch Grass

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STRUCTURAL ENGINEER REPER TO ARCHITEIUM DETAILS 4 SECTIONS.





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SECTIONS.

PLAN

KENWORTH ROAD GREEN ROOF HABITAT CONNECTION:

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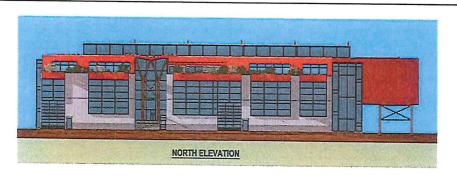
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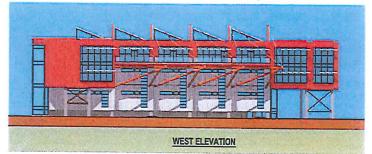
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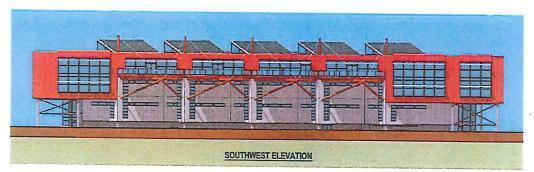
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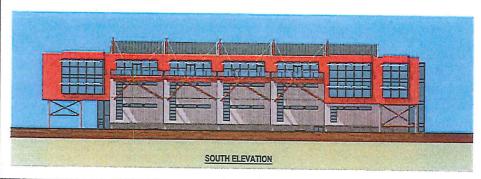
Schedule G

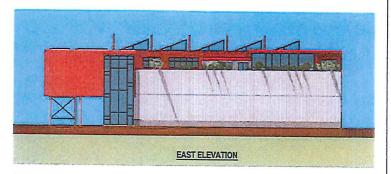
COLOURED BUILDING ELEVATIONS











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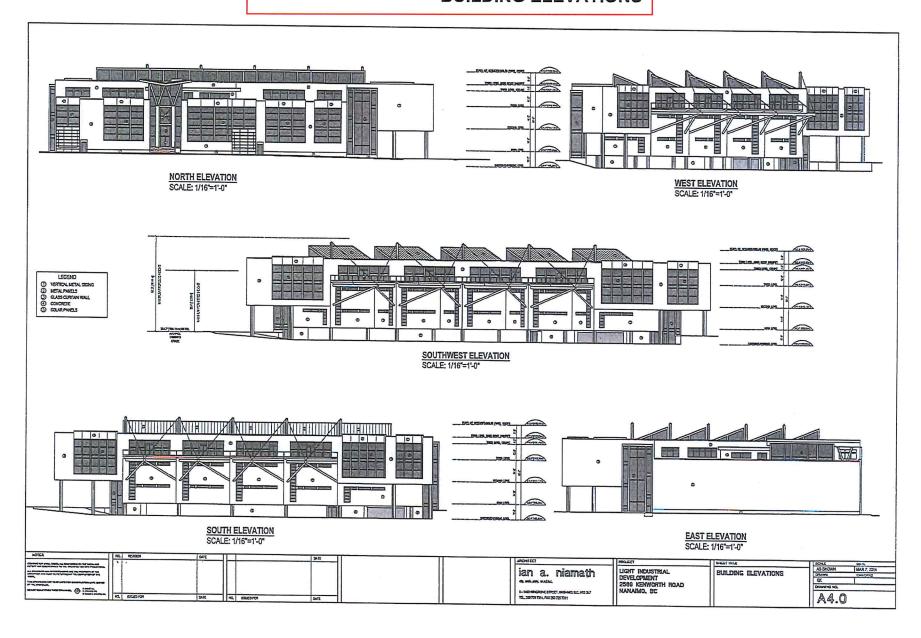
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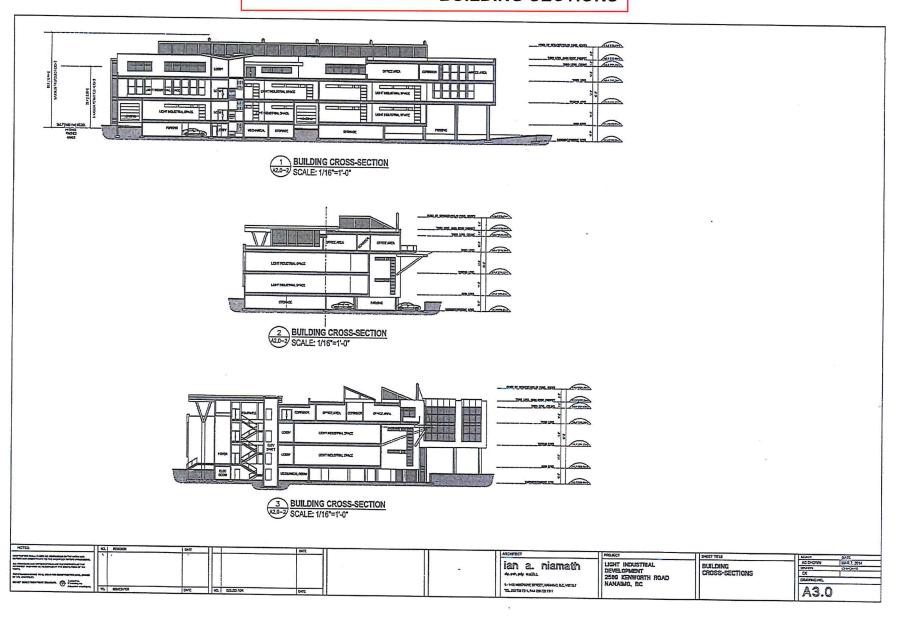
Schedule H

BUILDING ELEVATIONS

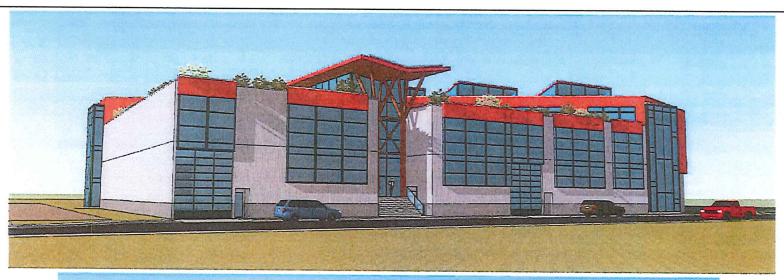


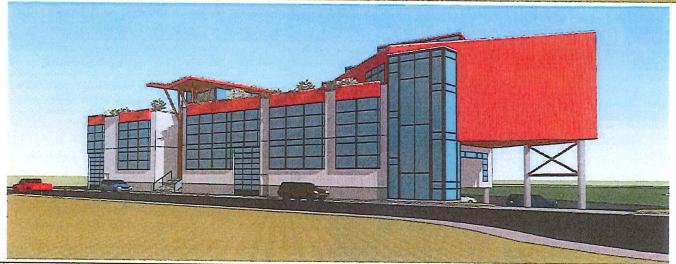
Schedule I

BUILDING SECTIONS



BUILDING PERSPECTIVES





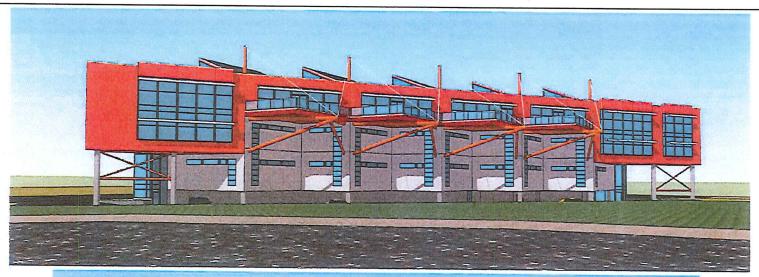
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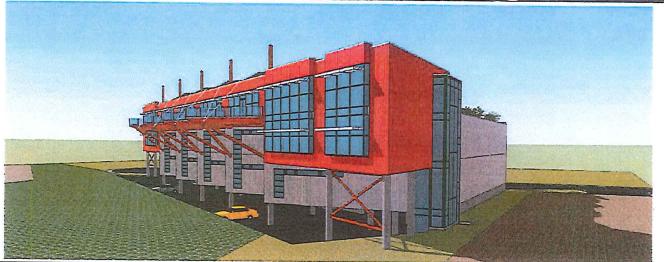
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