



DEVELOPMENT PERMIT NO. DP001011

**JASON KWONG CHI LEE
NICOLE BAUR**
Name of Owner(s) of Land (Permittee)

3394 STEPHENSON POINT 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 2, DISTRICT LOT 29, WELLINGTON DISTRICT, PLAN 15766

PID No. 004-569-695

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 Development Permit Conditions
Schedule B Location Plan
Schedule C Site Survey
Schedule D Environmental Summary
Schedule E Landscape Plan

- 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 is 15m. The watercourse setback is 13.6m, a variance of 1.4m.

AUTHORIZING RESOLUTION PASSED BY COUNCIL
THE 7th DAY OF **NOVEMBER, 2016.**


Corporate Officer

**Jane Armstrong
Corporate Officer
City of Nanaimo**


Date

TR/jc/ln

Prospero attachment: DP001011

Development Permit DP001011
3394 Stephenson Point Road

Schedule A

DEVELOPMENT PERMIT CONDITIONS

DEVELOPMENT PERMIT CONDITIONS

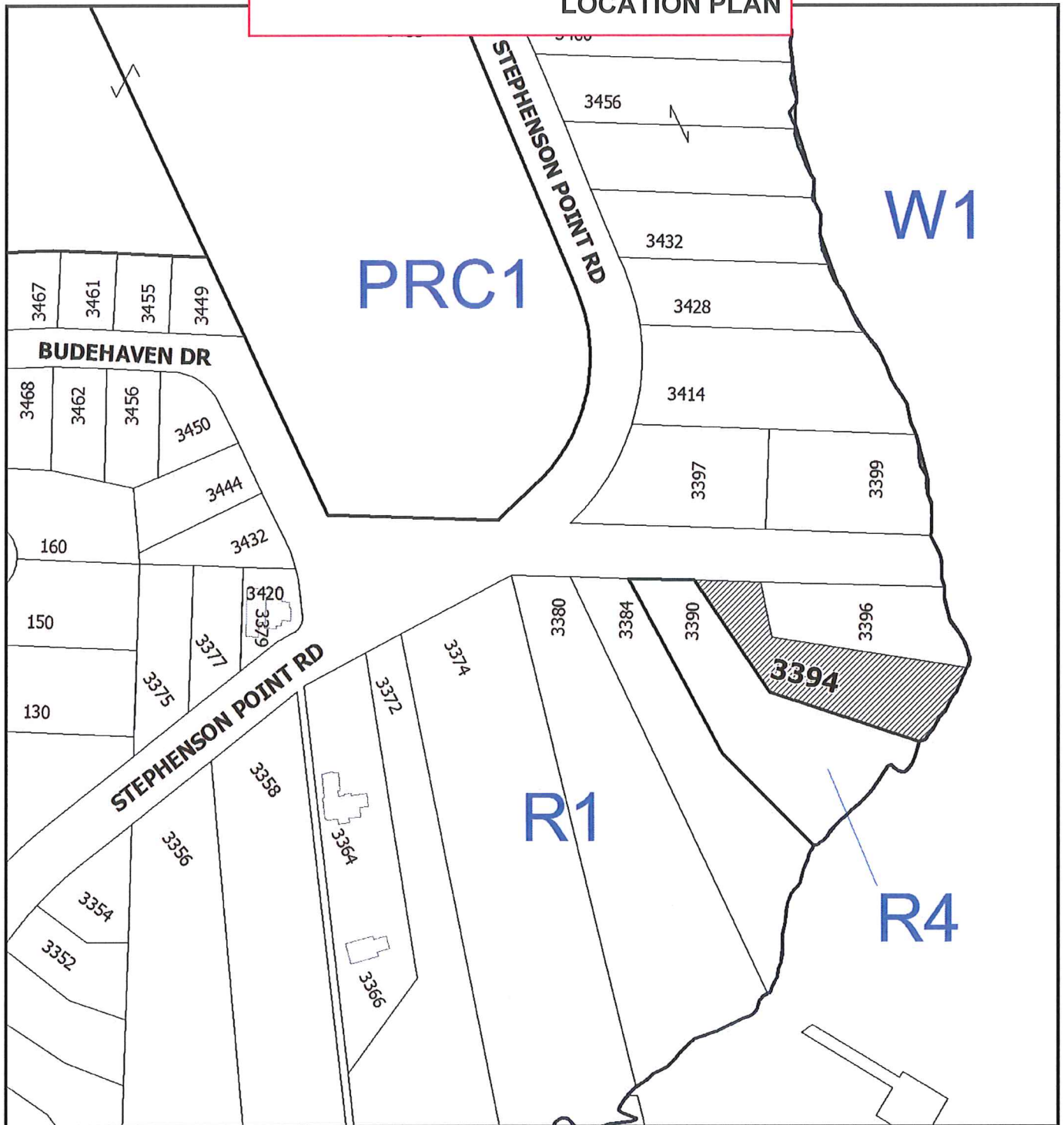
DP001011 – 3394 Stephenson Point Road

1. The subject property shall be developed generally in accordance with the site survey plan prepared by Williamson & Associates Professional Surveyors dated 2016-OCT-04 attached as Schedule B.
2. The landscaping improvements shall be completed in substantial compliance with the landscape plan prepared by Topographics Landscape Architecture dated 2016-OCT-14 attached as Schedule D.

Development Permit DP001011
3394 Stephenson Point Road

Schedule B

LOCATION PLAN



DEVELOPMENT PERMIT NO. DP001011

LOCATION PLAN

Civic: 3394 Stephenson Point Road
Lot 2, District Lot 29,
Wellington District, Plan 15766



 Subject Property

Development Permit DP001011
3394 Stephenson Point Road

Schedule C

SITE SURVEY

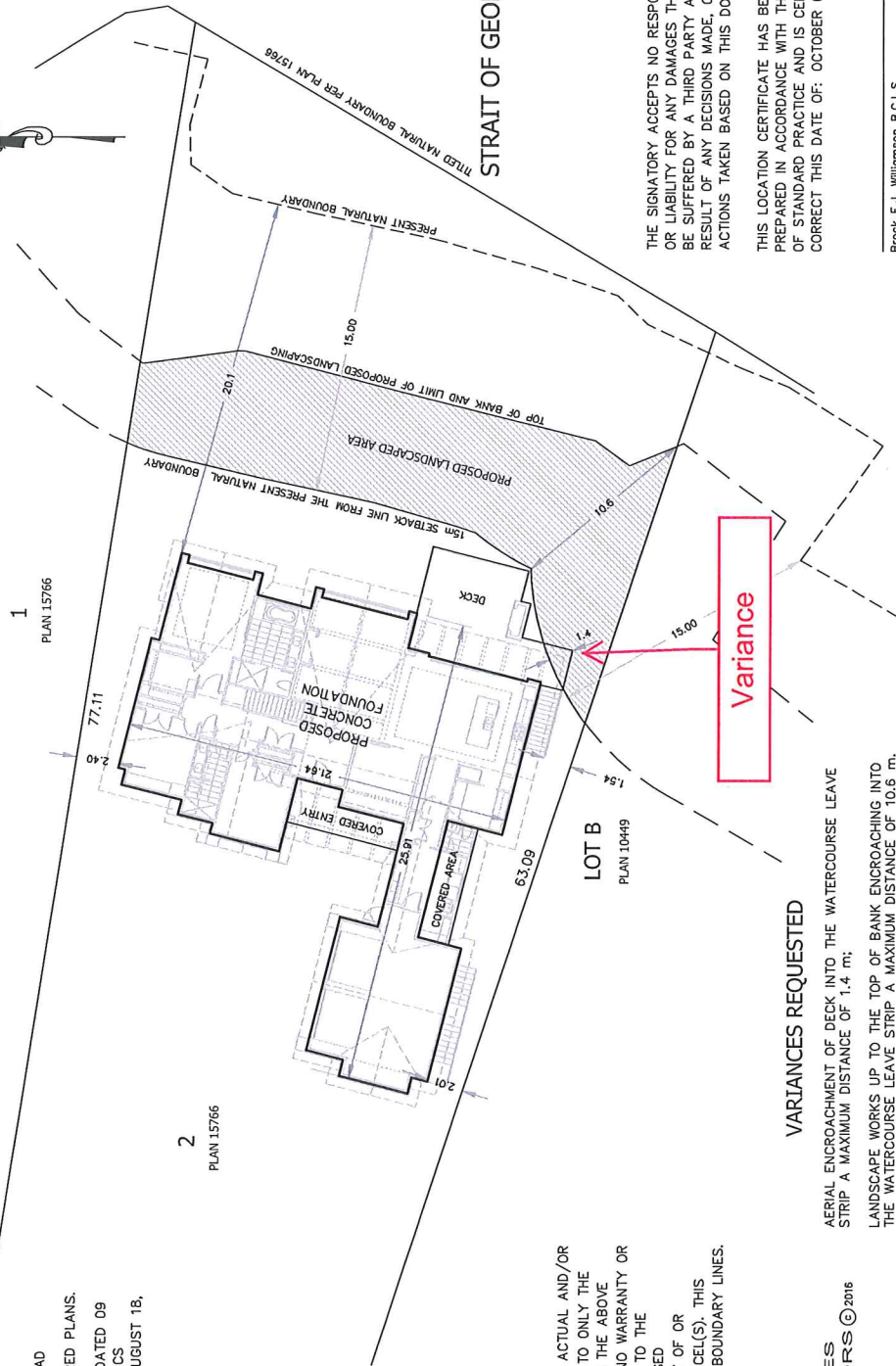


SCALE 1:250



NOTES:

CIVIC ADDRESS: 3394 STEPHENSON POINT ROAD
 LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS.
 HOUSE DESIGN FROM C.A. DESIGN DRAWINGS DATED 09
 22 16, LANDSCAPE DESIGN FROM TOPOGRAPHICS
 LANDSCAPE ARCHITECTURE DRAWING DATED AUGUST 18,
 2016. SEPTEMBER 27, 2016.



THIS PLAN PURPORTS TO POSITION ONLY THE ACTUAL AND/OR
 PROPOSED IMPROVEMENT(S) SHOWN RELATIVE TO ONLY THE
 BOUNDARIES SHOWN OF OR APPURTENANT TO THE ABOVE
 DESCRIBED PARCEL(S). THIS PLAN PROVIDES NO WARRANTY OR
 REPRESENTATION WHATSOEVER WITH RESPECT TO THE
 LOCATION OF ANY OTHER ACTUAL OR PROPOSED
 IMPROVEMENT(S) RELATIVE TO ANY BOUNDARY OF OR
 APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S). THIS
 PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.

WILLIAMSON & ASSOCIATES
PROFESSIONAL SURVEYORS ©2016
 5018 BURNS BLVD. UNIT 405
 VANCOUVER, B.C. V6N 1A5
 PHONE: 250-756-7723 FAX: 250-756-7724
 EMAIL: WAPS@TELUS.NET
 FILE: 13131-3 VARIANCE PLAN (BASE PLAN 13131)

VARIANCES REQUESTED

AERIAL ENCROACHMENT OF DECK INTO THE WATERCOURSE LEAVE
 STRIP A MAXIMUM DISTANCE OF 1.4 m,
 LANDSCAPE WORKS UP TO THE TOP OF BANK ENCRACHING INTO
 THE WATERCOURSE LEAVE STRIP A MAXIMUM DISTANCE OF 10.6 m.

Variance

THE SIGNATORY ACCEPTS NO RESPONSIBILITY
 OR LIABILITY FOR ANY DAMAGES THAT MAY
 BE SUFFERED BY A THIRD PARTY AS A
 RESULT OF ANY DECISIONS MADE, OR
 ACTIONS TAKEN BASED ON THIS DOCUMENT.

THIS LOCATION CERTIFICATE HAS BEEN
 PREPARED IN ACCORDANCE WITH THE MANUAL
 OF STANDARD PRACTICE AND IS CERTIFIED
 CORRECT THIS DATE OF: OCTOBER 04, 2016.

Brook E.J. Williamson B.C.L.S.
 THE SOCIETY OF PROFESSIONAL SURVEYORS

B.C. LAND SURVEYOR'S CERTIFICATE OF PROPOSED HOUSE AND LANDSCAPING WORKS LOCATED ON:
LOT 2, PLAN 15766, DISTRICT LOT 29, WELLINGTON DISTRICT.

ENVIRONMENTAL SUMMARY

**Toth and Associates Environmental Services**

6821 Harwood Drive, Lantzville, B.C. V0R 2H0

Tel: (250) 390-7602 Fax: (250) 390-7603

E-mail: stoth@shaw.ca

August 8, 2016

Murray Briggs,
Dogwood Mountain Homes Ltd.,
3478 Santa Fe Place,
Nanaimo, B.C. V9T 0A6

Re: Assessment of proposed redevelopment of 3394 Stephenson Point Road, Nanaimo (PID# 004-569-695).

I, Steve Toth, ASCT, R.P.Bio. (Toth and Associates Environmental Services) conducted an assessment of potential environmental impacts and constraints associated with the proposed redevelopment of the 0.64 acre property located at 3394 Stephenson Point Road on July 1, 2016. The proposed redevelopment of the property includes demolition of the existing older residence (Photograph 1) and construction of a new house on approximately the same building envelope (Figure 1).

Section 6.3.1.2. of the City of Nanaimo's Zoning Bylaw (No. 4500, 2015) indicates that "the leave strip adjacent to the sea shall include that area between the water's edge and a perpendicular line inland 15 m from the natural boundary". The existing residence is located outside the 15 m setback with a swimming pool and deck (Photographs 2 and 3) extending into the 15m setback (Figure 1).

The development proposal includes removal of the swimming pool and replacement with landscaping and vegetation. A formal plan for the landscaping will be developed by Topographics Landscape Architecture (Murray Cameron, BCSLA), once the pool has been removed and conditions within the area covered by the pool can be assessed. Removal of the pool will result in a significant reduction in the area of intrusion within the 15m setback.

Current conditions within the 15m Ocean setback include the in-ground concrete pool and deck extending to within approximately 8m of the present natural boundary. On the north side of the pool a wooden walkway and elevated wooden deck extend to within approximately 6m of the natural boundary. The area between the north side of the wooden deck and the property boundary is vegetated with mature nursery variety shrub species, fruit trees and perennials. The steep slope between the outer wall of the pool and the natural boundary is vegetated with dense ground cover including various ivies and periwinkle (Photographs 4 and 5). There are no trees growing on the slope between the pool and natural boundary.

The property provides relatively low overall wildlife habitat values. Raptor, heron or other bird nests were not found during the field survey. Evidence of river otter use was noted near the ocean.

DP1011

AUG 11 2016

CITY OF NANAIMO

PLANNING DEPARTMENT

Based on the design plans it is my understanding that the new house will not result in any new intrusion into the 15m Ocean setback and that the removal of the pool and pool deck area will remediate the intrusion created by the previous development.

It is my understanding that the new owners have young children. It is therefore appropriate that the plans include installation of fencing along the top of the steep slope above the natural boundary of the ocean. During demolition and construction temporary fencing should be installed along the base of the concrete pool wall to prevent any debris from rolling down the slope and onto the beach.

Any tree removal undertaken as part of the development will likely require a Tree Removal Permit from the City of Nanaimo. Exemptions include hazardous trees as assessed by a certified Landscape Horticulturist or certified Arborist. Written approval from the City is required prior to any removal or pruning. Normally removal of up to 4 trees per year (excluding Significant Trees) is permitted outside development permit area boundaries, however this exemption is void where a subdivision or other development permit has been applied for.

As part of the redevelopment of the property I recommend that all disturbed areas be re-vegetated according to a landscape plan that is to be implemented upon completion of demolition activities and prior to the stage of construction activities where it will no longer be possible to get machine access to the rear yard area. I recommend that the landscape plan include a significant proportion of native plant species. Preferable species are indicated in Table 1, below.

Table 1. Recommended re-vegetation species for 3394 Stephenson Point Road

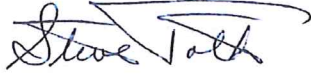
Garry Oak	<i>Quercus garryana</i>
Saskatoon	<i>Amelanchier alnifolia</i>
Red Flowering Currant	<i>Ribes sanguineum</i>
Common snowberry	<i>Symphoricarpos albus</i>
Tall Oregon-grape	<i>Mahonia aquifolium</i>
Nootka rose	<i>Rosa nutkana</i>
Evergreen huckleberry	<i>Vaccinium ovatum</i>
Ocean spray	<i>Holodiscus discolor</i>
Indian plum	<i>Oemleria cerasiformis</i>
Black hawthorn	<i>Crataegus douglasii</i>

No vegetation removal should occur below the top of bank above the ocean unless supported by a geotechnical assessment. This area is currently vegetated with heavy groundcover consisting primarily of invasive English ivy (*Hedera helix*). While an introduced invasive species, English ivy has the ability to hold fragile slopes together through its tendency to have repetitive runner / rooting sites. It also provides significant thermal and escape cover for songbirds and small mammals, and provides a heavy mast of blooms and berries.

It is our understanding that the City of Nanaimo will allow a single personal, non-vehicular use beach access trail with a pervious surface, maximum width of 1.5 m and which will not require removal of native trees. Where sections of the trail are greater than 10% grade, the trail is to be designed to prevent erosion.

Please contact us if you require any additional information.

Sincerely,
Steve Toth, AScT, R.P.Bio.



Toth and Associates Environmental Services

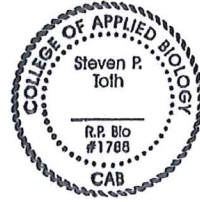
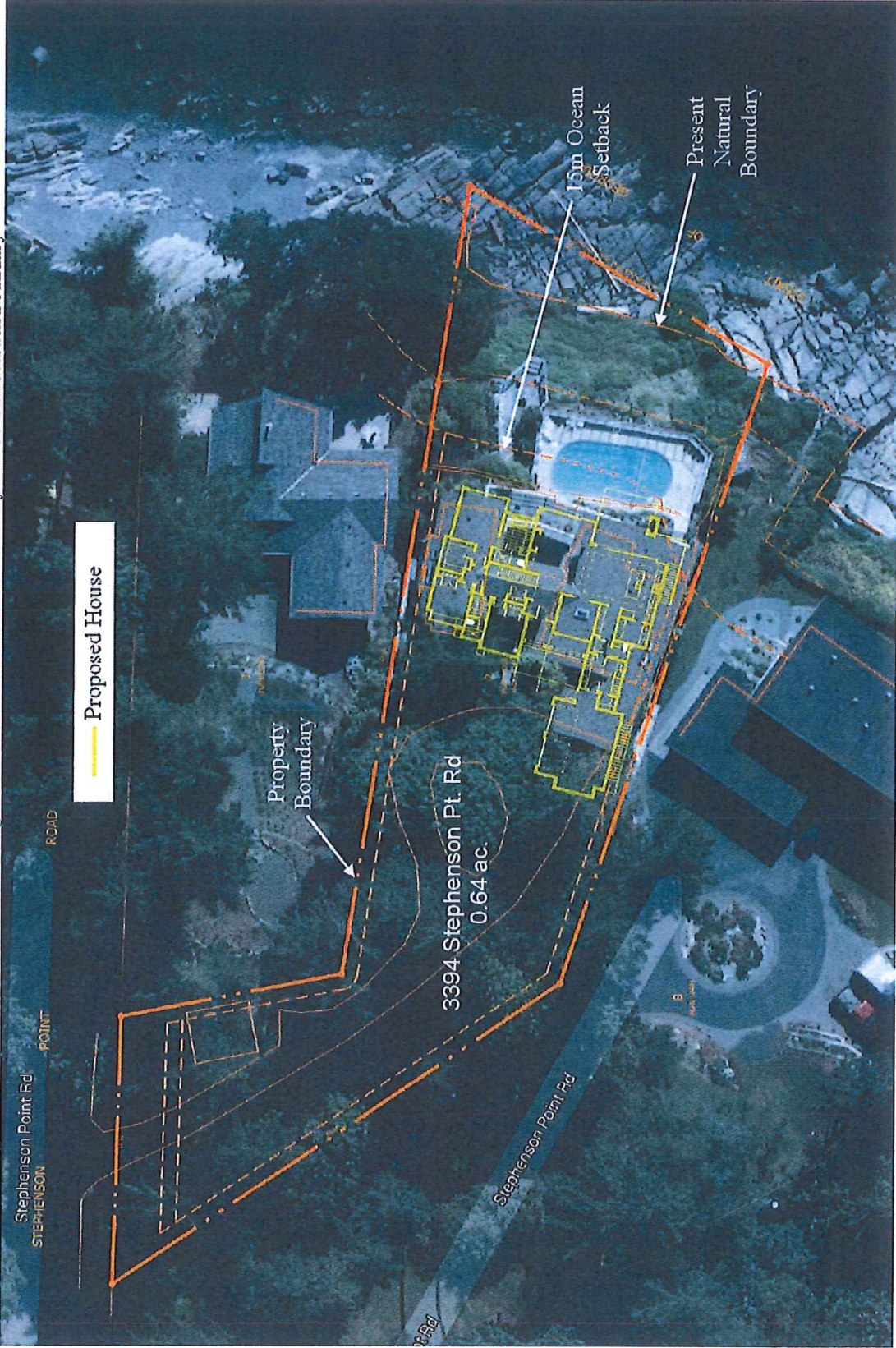


Figure 1. C.A. Design's Development Plan overlaid on Google Earth with Present Natural Boundary and Coastal Setback Boundary





Photograph 1. View of front side of existing residence



Photograph 2. View south through pool with red line approximating 15m setback boundary.



Photograph 3. View north through pool with red line approximating 15m setback boundary.



Photograph 4. View south to slope between natural boundary and pool wall.



Photograph 5. View from elevated wooden deck to natural boundary.



Toth and Associates Environmental Services

6821 Harwood Drive, Lantzville, B.C. V0R 2H0

Tel: (250) 390-7602 Fax: (250) 390-7603

E-mail: stoth@shaw.ca

September 30, 2016

John Larson

C.A. Design

184 C West 2nd Avenue

Qualicum Beach, B.C., V9K 2T5

Review of proposed landscaping plan for the 15 m Ocean setback on 3394 Stephenson Point Road, Nanaimo (PID# 004-569-695).

I have reviewed the proposed Landscape Plan prepared by Topographics Landscape Architecture for the proposed redevelopment of 3394 Stephenson Point Road and consider the plan to represent a significant improvement over current conditions within the 15 m Ocean setback. The redevelopment plan includes removal of an existing concrete swimming pool and concrete pool deck currently occupying approximately 98 m² within the 15 m Ocean setback. The Landscape Plan proposes re-vegetation of approximately 208 m² of the Ocean setback with 75% native plants, lawn, permeable trails and landscape stone. The Landscape Plan is in keeping with the direction provided by the City of Nanaimo in previous meetings held on site and at the City.

Recent referral comments provided by the City's planning department included requests that the Landscape Plan be amended to include 100% native plant species, the proposed lawn area be reduced by one-third, and that the proposed trails be reduced to allow a greater area for re-vegetation.

I agree that based on my experience some of the proposed plant species may not be appropriate for the site, however I would disagree that the plantings should only include native species. Many of our native species are not conducive to residential development either because they grow too large (e.g. most native tree species), have a tendency to spread to the entire garden (e.g. salal) or do not provide the habitat that some non-native plants provide.

While I would agree that reduction in the looping trails at the north and south end of the re-vegetation area would provide a greater area for re-planting, the proposed trails provide a means of accessing the re-vegetation area for regular maintenance, as well as a modicum of safety, as it is my understanding that the landowners have young children.

The proposed oval shaped lawn area measures approximately 15 m L x 5 m W, and is in my opinion not too large for a family with small children.

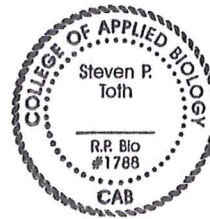
It is my general suggestion that the Landscape Plan be modified slightly to include less mass plantings and more specimen plantings, and perhaps include tall Oregon-grape (*Mahonia aquifolium*), dunegrass (*Leymus mollis*), Nootka rose (*Rosa nutkana*), and common snowberry (*Symphoricarpos albus*) along with some low growing / dwarf evergreen cultivars such as scotch pine, juniper, or yew to provide shelter habitat for wildlife during winter.

Please contact us if you require any additional information.

Sincerely,
Steve Toth, ASCT, R.P.Bio.



Toth and Associates Environmental Services



LANDSCAPE PLAN

LEE GARDEN
East Planting Plan
Scale 1/8"=1'-0"

TOPOGRAPHICS
LANDSCAPE ARCHITECTURE
250-547-9710

LAI

Notes

- Architecture: Please refer to Drawings by CA Design
- Environment: Please refer to report by Toth & Associates
- Geology: Please refer to report by Lenkovich Engineering

Legend

- A Existing Stone Pathway
- B Existing Buffer Planting
- C Viewpoint
- D Railing / Enclosure
- E Garden Pathway
- F Meadow
- G Covered Terrace



October 16, 2016 / Revised
October 12, 2016 / Revised
August 18, 2016 / Final Planting Plan
August 22, 2016 / Conceptual Plan

3394 Stephenson Point Road, Nimitz RD

Symbol	Qty	Botanical Name	Common Name	Size	Note
	2	TREES <i>Arbutus menziesii</i>	Arbutus	6' H	coastal native
	1	<i>Cornus ovata</i>	Pacific Dogwood	6' H	coastal native
	1	<i>Manis hirsuta</i>	Pacific Crabapple	6' H	coastal native
	2	<i>Pinus contorta conorta</i>	Shore Pine	6' H	coastal native
	1	<i>Quercus garryana</i>	Garry Oak	6' H	coastal native
	4	SHRUBS <i>Amelanchier alnifolia</i>	Saskatoon	7' 1/2	coastal native
	9	<i>Arctostaphylos columbiana</i>	Manzanilla	#1	coastal native
	6	<i>Cornus canadensis</i>	Rubus Dogwood	#2	coastal native
	16	<i>Gaultheria hibernica</i>	Salt	#2	coastal native
	7	<i>Hibiscus diversicolor</i>	Oregon Grape	#2	coastal native
	2	<i>Quercus tarraformis</i>	Indian Plum	#1	coastal native
	7	<i>Mahoeia apiculata</i>	Oregon Grape	#2	coastal native
	22	<i>Polystichum munitum</i>	Sweet Fern	#2	coastal native
	3	<i>Ribes sanguinatum</i>	Rubus	#1	coastal native
	17	<i>Rosa nutkana</i>	Nootka Rose	#2	coastal native
	5	<i>Vaccinium oxycocum</i>	Evergreen Huckleberry	#1	coastal native
	5	<i>Vaccinium parvifolium</i>	Rud Huckleberry	#1	coastal native
	24	PERENNIALS <i>Aspidistra formosa</i>	Columbine	#1	coastal native
	24	<i>Castilleja hispida</i>	Pink Penstemon	#1	coastal native
	24	<i>Fragaria virginiana</i>	Kiwifruit	#1	coastal native
	24	<i>Arctostaphylos uva-ursi</i>	Coastal Strawberry	#1	coastal native
	60	GRASSES <i>Elymus mollis</i>	Drum Grass	#1	coastal native
	24	BULBS <i>Allium crinum</i>	Common Onion	bulb	coastal native
	24	<i>Nolana chinensis</i>	Nodding Onion	bulb	coastal native

All Plants to meet BCSLA / BCNTA Standards

RECEIVED

By Current Planning at 9:15 am, Oct 18, 2016

