



DEVELOPMENT PERMIT NO. DP001069

1005039 BC LTD

Name of Owner(s) of Land (Permittee)

241 FERNTREE PLACE

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:

STRATA LOT 203, SECTION 5, WELLINGTON DISTRICT, STRATA PLAN 830 (PHASE 3), TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

PID No. 000-273-619

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 Survey

Schedule C Building Elevations

Schedule D Environmental Assessment

- 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.

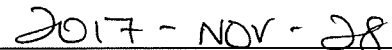
5. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is varied as follows:
 - a) *Section 6.3.1.1* – to reduce the watercourse setback measured from the wetland boundary of Long Lake from 15m to 8.17m.
 - b) *Section 7.5.3* – to reduce the front yard setback for a garage door facing a street from 6m to 2.14m.

CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the Site Survey prepared by Douglas Holme dated 2017-OCT-10, as shown on Schedule B.
2. The development is in general compliance with the Building Elevations prepared by Straight Street Design received 2017-OCT-17, as shown on Schedule C.
3. The subject property shall be developed in accordance with the recommendation in the Environmental Assessment and Restoration Plan prepared by Toth and Associates Environmental Services, dated 2017-NOV-01, as shown on Schedule D.
4. A temporary fence shall be installed along the 10m watercourse setback prior to construction of the single residential dwelling.
5. A landscape bond is required for 100% of the landscape estimate prepared by Toth & Associates Environmental Services in the Environmental Assessment dated 2017-NOV-01, as shown on Schedule D.
6. A 3-year maintenance period scheduled for every 3 months with supplemental watering for the first 2 summers is required as per the Environmental Report prepared by Toth & Associates Environmental Services dated 2017-NOV-01. A certified letter of completion is required from the Qualified Environmental Professional at the end of the 3-year maintenance period.

AUTHORIZING RESOLUTION PASSED BY COUNCIL
THE 20TH DAY OF NOVEMBER, 2017.


Corporate Officer

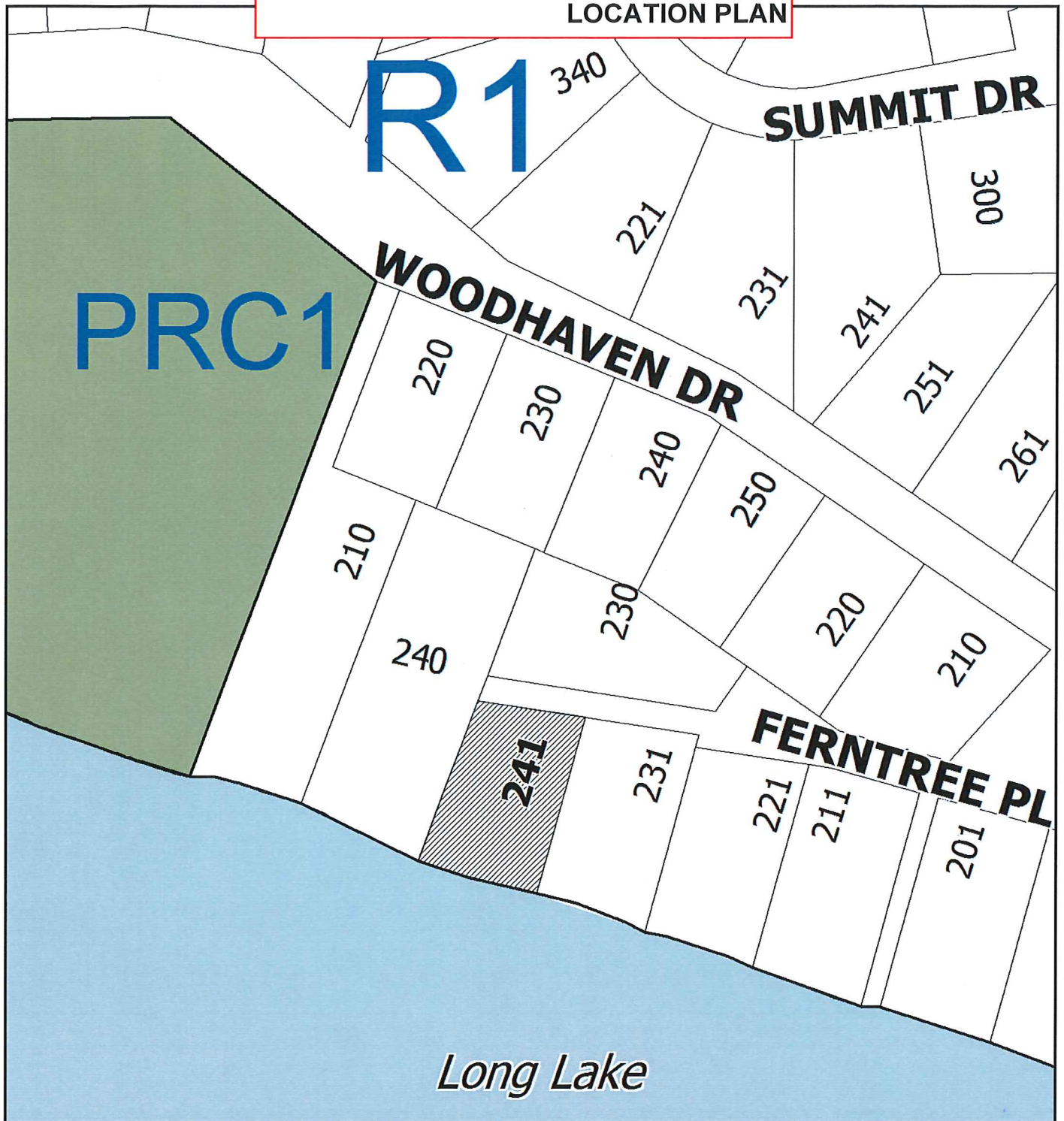

Date

TR/In
Prospero attachment: DP001069

Development Permit DP001069
241 Ferntree Place

Schedule A

LOCATION PLAN



DEVELOPMENT PERMIT NO. DP001069

LOCATION PLAN

 **Subject Property**



Civic: 249 Ferntree Place
Strata Lot 203, Section 5, Wellington District,
Strata Plan 830 (Phase 3), together with an interest
in the common property in proportion to the unit
entitlement of the Strata Lot as shown on form 1

File: 88431

Civic: 241 Ferntree Place, Nanaimo, B.C.

Legal: Strata Lot 203, Section 5, Wellington District, Strata Plan 830, (Phase 5) together with an interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1.

Dimensions are in metres and are derived from Strata Plan 830.

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 sketch plan has been prepared in accordance with the Professional Reference Manual and is certified correct this 10th day of October, 2017.

Douglas Holme VXC3QR Digitally signed by Douglas Holme VXC3QR
Date: 2017.10.10 15:05:55 -0700

This document is not valid unless originally signed and sealed

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. CA3792060 (P.I.D. 000-273-619)

Scale 1:150



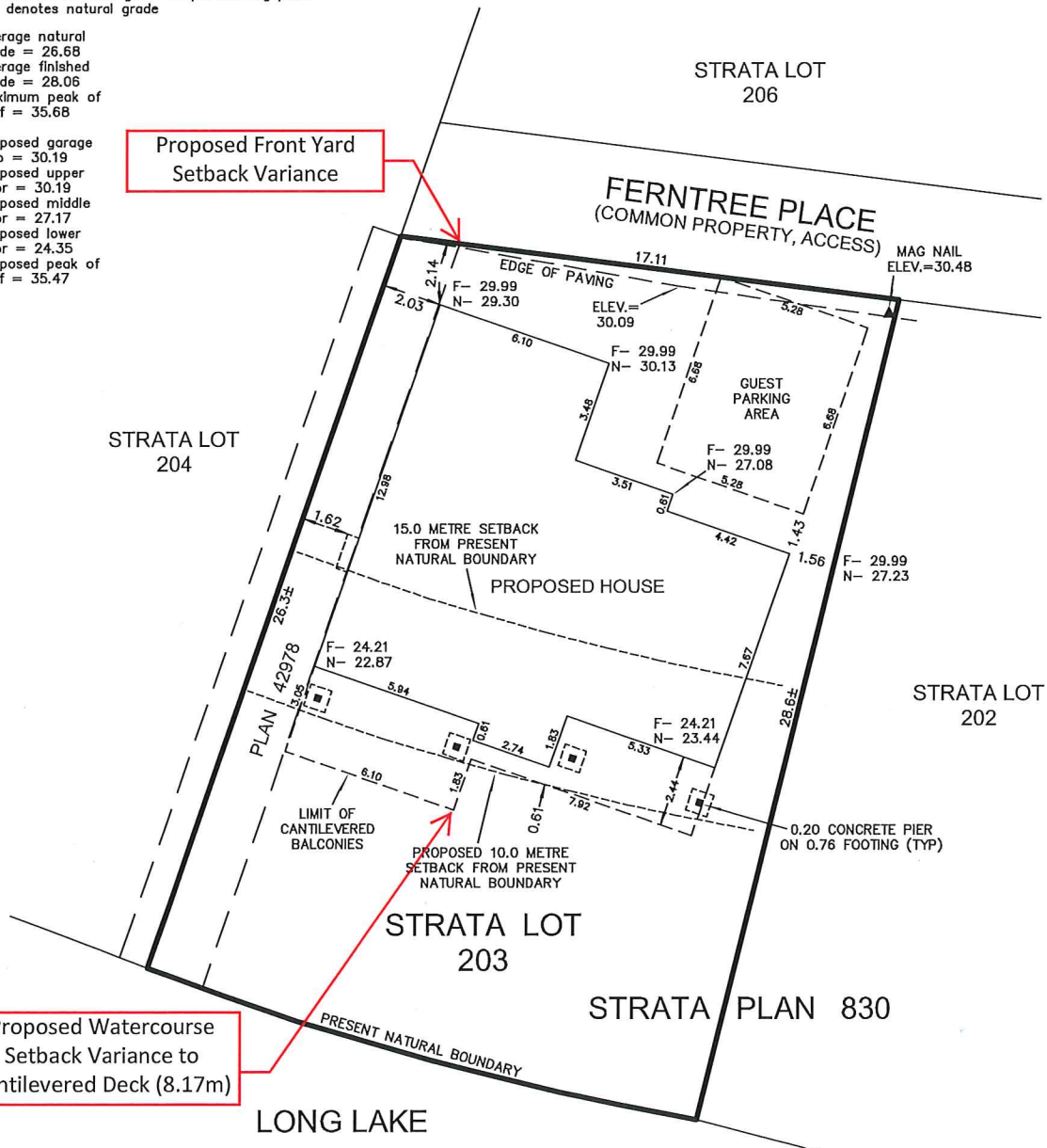
Datum for elevations, in metres, is assumed.

F- denotes finished grade as per building plans
N- denotes natural grade

Average natural grade = 26.68
Average finished grade = 28.06
Maximum peak of roof = 35.68

Proposed garage slab = 30.19
Proposed upper floor = 30.19
Proposed middle floor = 27.17
Proposed lower floor = 24.35
Proposed peak of roof = 35.47

Proposed Front Yard Setback Variance



Proposed Watercourse Setback Variance to Cantilevered Deck (8.17m)

**ENVIRONMENTAL ASSESSMENT**
Toth and Associates Environmental Services

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

Tel: (250) 390-7602

E-mail: stoth@shaw.ca

November 1, 2017

Tom Harris

2203-288 Ungless Way

Port Moody, B.C. V3H 0C9

Re: Summary of results for the Environmental Assessment of 241 Ferntree Place, Nanaimo (PID 000-273-619).

Toth and Associates Environmental Services conducted a detailed *Riparian Areas Regulation* (RAR) assessment of 241 Fern Tree Place on the north side of Long Lake on October 19, 2009. The development proposal includes construction of a single family residence on the property. The subject property is one of the last remaining undeveloped lakefront lots in the area and most of the surrounding waterfront properties have been successfully developed with reduced watercourse setbacks. The lot size is very small at approximately 5,220 square feet, or roughly 27m deep by 18m wide.

Application of the 15 m SPEA setbacks required by the RAR and the City of Nanaimo, in combination with the City of Nanaimo's setbacks from lot boundaries would result in sterilization of the property from development.

The current development plan proposes a reduction in the watercourse setback from Long Lake from 15m to 10m, with a minor area of intrusion (10m²) into the proposed 10m setback for upper storey balconies (Figure 1). The total area of intrusion into the 15m setback proposed under the current development plan is 90m². The City of Nanaimo provided a Letter of Support (City File# CIP2057, December 3, 2009) for reduction of the watercourse setback to 7.5m for the previously proposed development.

There are 11 trees on the subject property including 1 cherry < 30 cm, 5 Douglas-fir and 4 Arbutus > 30 cm, and 1 Significant Douglas-fir > 80 cm diameter. Based on JE Anderson's Topographic Site Plan, the development will require removal of the cherry tree, 3 Douglas-fir and 3 arbutus > 30 cm diameter. No Significant Trees will be removed. The City's Management and Protection of Trees Bylaw 2013 (No. 7126) requires 18 trees to be replaced for the 7 trees to be removed. As there is insufficient space on the subject property for replacement of all the trees, cash-in-lieu for trees not replaced will be paid to the City.

The City of Nanaimo has requested a restoration plan as mitigation for the setback reduction. Understorey vegetation on the property is comprised of dense salal with very little available space for additional native plantings and it is my understanding that the proponent fully intends to preserve as much of the native vegetation as possible within the proposed setback. I have provided a landscape plan (Figure 2) that requires the planting of 90 native plants (1 plant / 1 m² of intrusion) within the proposed watercourse setback including 56 herbs, 30 shrubs and 4 trees (Table 1).

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DP1069
2017-NOV-01
Current Planning & Subdivision

Summary of RAR assessment results for 241 Ferntree Place, Nanaimo

A single pervious soft surface pathway will provide access to water. The trail has been aligned to avoid damage or removal of existing trees and vegetation (Figure 1).

A fence will be installed along the proposed setback boundary prior to the start of construction to prevent intrusion within the setback area.

The City of Nanaimo requires a vegetation maintenance program for the restoration area for a term of three (3) years with maintenance scheduled every 3 months and supplemental watering for the first 2 summers.

It is our professional opinion that the proposed construction of a home on the property involving a 90 m² intrusion inside the 15 m Streamside Protection Enhancement Area (SPEA) setback associated with the Zones of Sensitivity for Large Woody Debris and Bank Stability, and Litter Fall and Insect Drop will not have a significant impact on the riparian function of Long Lake.

Please contact us if you require any additional information.

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



Toth and Associates Environmental Services



Table 1. Recommended native plant species for restoration of the watercourse setback on 241 Ferntree Place

Species	Common Name	Size	\$/each	Quantity	\$ Cost	Sun	Moisture
Trees							
<i>Taxus brevifolia</i>	Western Yew	5 gal	\$28.00	1	\$28.00	Low	Low
<i>Conus nuttallii</i>	Pacific Dogwood	5 gal	\$28.00	1	\$28.00	Mod	Mod
<i>Malus fusca</i>	Pacific Crab Apple	5 gal	\$18.00	2	\$36.00	Mod	High
Shrubs							
<i>Amelanchier alnifolia</i>	Saskatoon	2 gal	\$8.50	3	\$25.50	High	Low
<i>Mahonia nervosa</i>	Dull Oregon Grape	2 gal	\$5.50	12	\$66.00	Mod	Low
<i>Vaccinium ovatum</i>	Evergreen Huckleberry	2 gal	\$6.00	2	\$12.00	Mod	Mod
<i>Holodiscus discolor</i>	Ocean Spray	2 gal	\$8.50	2	\$17.00	High	Low
<i>Ribes sanguineum</i>	Red Flowering Currant	2 gal	\$9.50	2	\$19.00	Mod	Mod
<i>Symphoricarpos albus</i>	Snowberry	2 gal	\$8.50	7	\$59.50	Mod	Mod
<i>Vaccinium parvifolium</i>	Red Huckleberry	1 gal	\$6.00	2	\$12.00	Mod	Mod
Herbs							
<i>Polystichum munitum</i>	Sword Fern	1 gal	\$4.75	25	\$118.75	Mod	Mod
<i>Asarum caudatum</i>	Wild Ginger	1 gal	\$2.75	5	\$13.75	Mod	Low
<i>Aster douglasii</i>	Douglas' Aster	1 gal	\$2.75	5	\$13.75	High	Mod
<i>Dicentra formosa</i>	Bleeding Heart	1 gal	\$2.25	5	\$11.25	Mod	Mod

Summary of RAR assessment results for 241 Ferntree Place, Nanaimo

Species	Common Name	Size	\$/each	Quantity	\$ Cost	Sun	Moisture
<i>Digitalis purpurea</i>	Common Foxglove	1 gal	\$2.25	5	\$11.25	High	Mod
<i>Disporum hookeri</i>	Hooker's Fairybells	1 gal	\$2.75	5	\$13.75	Mod	Mod
<i>Satuieja douglasii</i>	Yerba Buena	1 gal	\$2.75	7	\$19.25	Mod	Low
Total:				90	\$518.50		

Note: Costs are based on wholesale prices indicated on the Streamside Native Plant's website (<http://streamsidenativeplants.com/>)

Table 2. Map symbols used on landscape plan

Species	Common Name	Quantity	Symbol
<i>Taxus brevifolia</i>	Western Yew	1	
<i>Conus nuttallii</i>	Pacific Dogwood	1	
<i>Malus fusca</i>	Pacific Crab Apple	2	
<i>Amelanchier alnifolia</i>	Saskatoon	3	
<i>Mahonia nervosa</i>	Dull Oregon Grape	12	
<i>Vaccinium ovatum</i>	Evergreen Huckleberry	2	
<i>Holodiscus discolor</i>	Ocean Spray	2	
<i>Ribes sanguineum</i>	Red Flowering Currant	2	
<i>Symphoricarpos albus</i>	Snowberry	7	
<i>Vaccinium parvifolium</i>	Red Huckleberry	2	
<i>Polystichum munitum</i>	Sword Fern	25	
<i>Asarum caudatum</i>	Wild Ginger	5	
<i>Aster douglasii</i>	Douglas' Aster	5	
<i>Dicentra formosa</i>	Bleeding Heart	5	
<i>Digitalis purpurea</i>	Common Foxglove	5	
<i>Disporum hookeri</i>	Hooker's Fairybells	5	
<i>Satuieja douglasii</i>	Yerba Buena	7	

Figure 1. Survey plan with proposed 10m setback and intrusion area

