

DEVELOPMENT PERMIT NO. DP001080

MAO SHUJING Name of Owner(s) of Land (Permittee)

3062 HAMMOND BAY 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, SECTION 9, WELLINGTON DISTRICT, PLAN 13866

PID No. 004-428-102

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 Landscape Plan

Schedule C 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.

PERMIT TERM

The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is varied as follows:

1. Section 6.3.1.2 – to reduce the watercourse setback as measured from the natural boundary of the sea from 15m to 7.1m.

CONDITIONS OF PERMIT

- 1. The riparian area improvements shall be completed in substantial compliance with the Landscape Plan prepared by Pheasant Hill Homes Ltd., received 2017-NOV-30 as shown on Schedule B.
- 2. A permanent fence shall be installed as per the landscape plan prepared by Pheasant Hill Homes Ltd. received 2017-NOV-30 as shown on Schedule B.
- 3. A landscape bond is required for 100% of the landscape estimate prepared by Pheasant Hill Homes Ltd., and contained in the Landscape Plan dated 2017-DEC-04 as shown on Schedule B.
- 4. The subject property shall be developed generally in accordance with the environmental assessment prepared by Toth and Associates Environmental Services dated 2017-NOV-30 as shown on Schedule C.
- A five-year maintenance period with two assessments per year is required. A
 certified letter of completion is required from the Qualified Environmental
 Professional at the end of the five-year maintenance period.
- 6. The applicant is to obtain the necessary provincial approvals for any improvements that are located within the foreshore area.

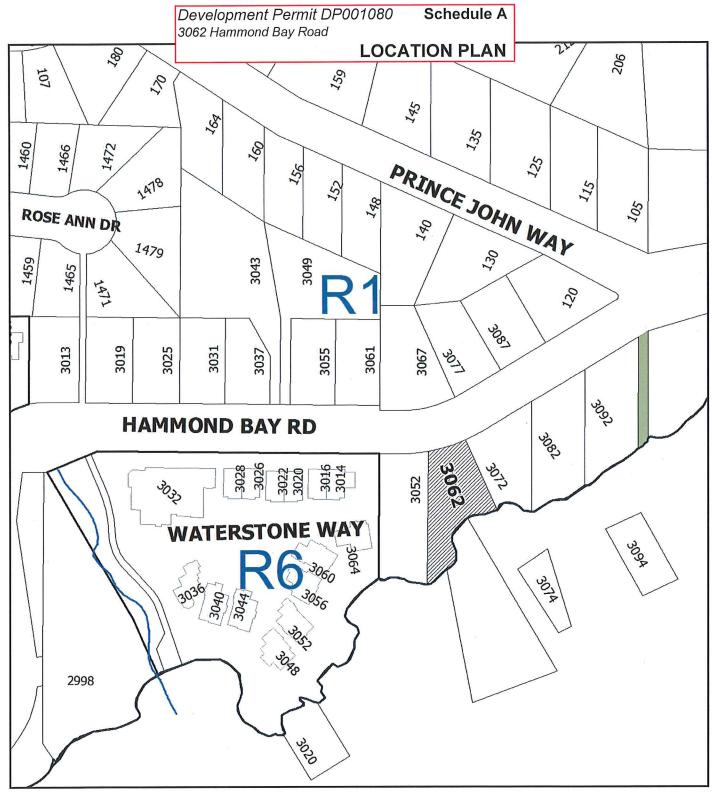
AUTHORIZING RESOLUTION PASSED BY COUNCIL THE **18TH** DAY OF **DECEMBER**, **2017**.

Sky Anolanue	December 21, 2017
Of Corporate Officer	Date

Sky Snelgrove

DS/In Deputy Corporate Officer

Prospero attachment: DPOMMS Nanaimo



DEVELOPMENT PERMIT NO. DP001080



LOCATION PLAN

Civic: 3062 Hammond Bay Road Lot 2, Section 9, Wellington District, Plan 13866



Schedule B

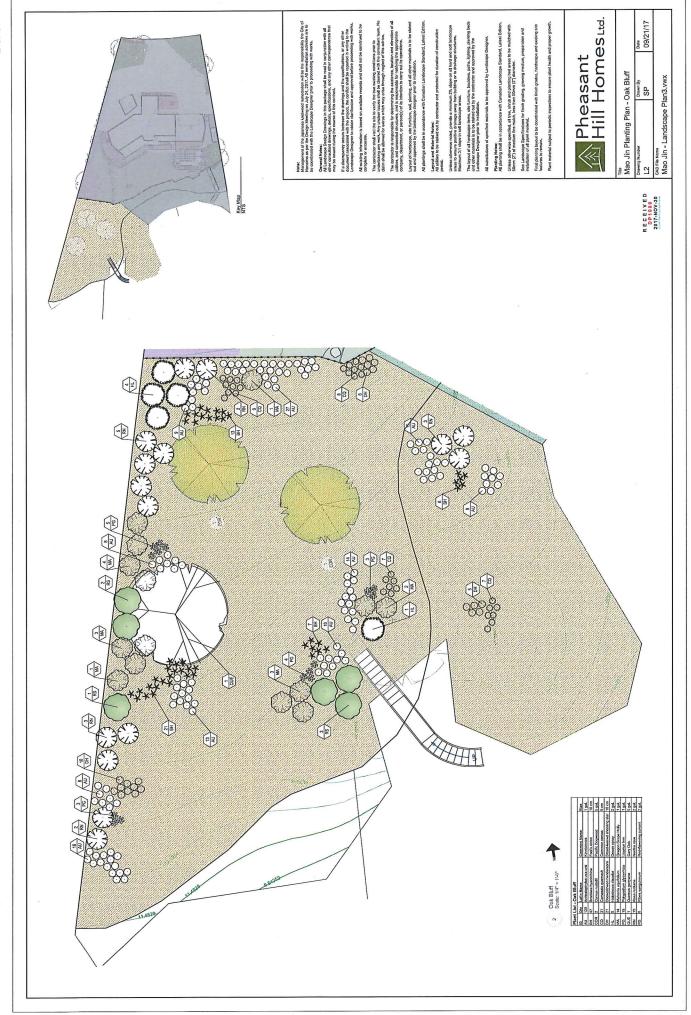
Development Permit DP001080

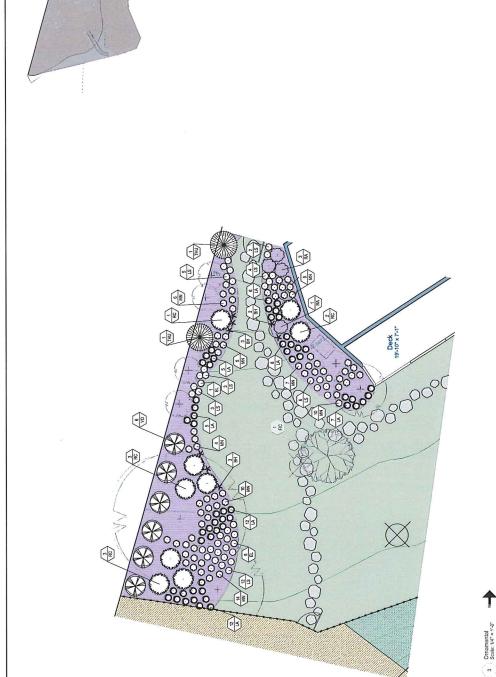
3062 Hammond Bay Road

Pheasant Hill Homes_{Ltd.} Dute 09/21/17 Stepping Stones (K2-Ocean Pearl) TING Mao Jin Landscape Overview Plan CAD File Name
Mao Jin - Landscape Plan3.vwx Drawn By SP \boxtimes RECEIVED DP1080 2017-NOV-30 LANDSCAPE PLAN Ø Fx, concrote path Install gravel between Jean & house Ex, ahed to remain Ex, ahed to be removed & Install gravel Ex, stairs, fence & gain Ex, stairs, fence & gain Proposed fence location Ex, stains with new metal handrall

New rock retaining wall

Ex, multi-stem laurols
to be pruned Ø Proposed outdoor kitchen and patio 1 Landscape Plan N Scalo: 1/8" = 1*-0* Ex. stairs resurfaced & with new metal handrall





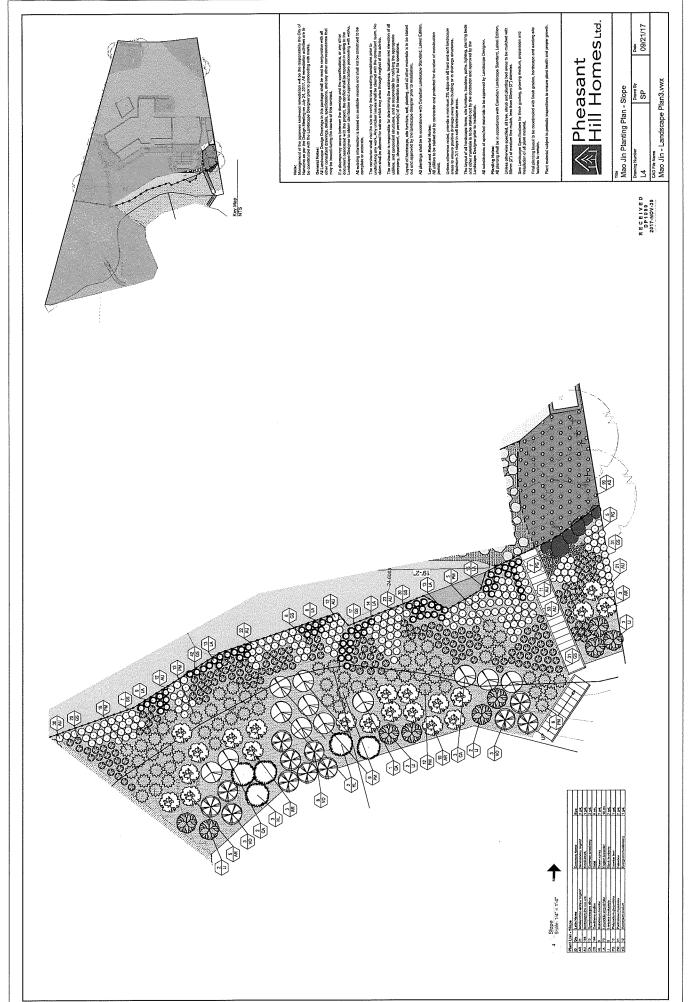


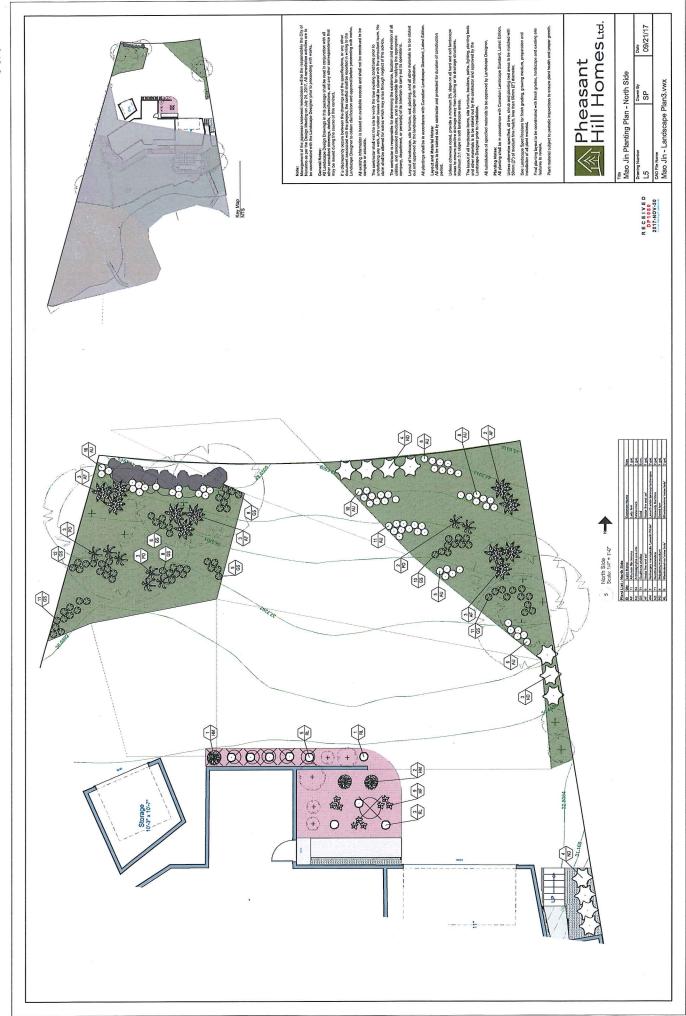
Pheasant Hill Homes_{Ltd}.

L3
cuo File Name
Mao Jin - Landscape Plan3.vwx

Date 09/21/17 ™ao Jin Planting Plan - Ornamental Drawn By SP

RECEIVED DP1080 2017-NOV-30







Mao Jin Landscape Estimate

12/4/2017

Project: Mao Jin Landscape						
Description	Details	Code		Estimate		
Demolition	Remove invasive plants and trees from aquatic set-back. Remove fence.	1250	\$	15,000		
Fence	New chain-link fence along south and west property lines.	2360	\$	9,000		
Landscaping	Supply and install plants, topsoil, mulch and pathways as specified in detailed landscape plan.	2350	\$	16,000		
Sub-total:			\$	40,000		
GST:			\$	2,000.00		
Total:			\$	42,000.00		

NOTE: This budget is offered for work to be performed on a "Cost-plus" basis, where builder mark-up and GST will be added to all actual costs. While every effort has been made to offer pricing that includes contingencies and adequate allowances, a few variables still exist which may affect final costs. Pheasant Hill Homes Ltd. will reduce costs where possible and improve finishes and update costs where desired by clients.



Development Permit DP001080 3062 Hammond Bay Road



ENVIRONMENTAL ASSESSMENT



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

Tel: (250) 390-7602 E-mail: stoth@shaw.ca

November 30, 2017

Sarah Plamondon

Pheasant Hill Homes Ltd. #101 - 5170 Dunster Road, Suite 524 Nanaimo, BC V9T 6M4

Re: Environmental review of proposed redevelopment within the 15 m Coast Setback on 3062 Hammond Bay Road, Nanaimo (PID# 004-428-102).

Introduction

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 0.30 acre oceanfront property located at 3062 Hammond Bay Road (Figure 1) on January 17, 2017. A meeting with City staff was held on April 25, 2017 and a site meeting was held with City staff and the landowners on May 2, 2017. This report was revised on September 25, 2017 to reflect changes as a result of those meetings.

The current development proposal includes renovation of the existing older residence (Photograph 1) and modifications to the existing yard and landscaping. 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 intrudes approximately 2.0 m within the 15 m Ocean setback at the southeast corner of the building with a total intrusion area calculated at 30 m² (Figure 2). All of the rear yard area is within the Coast setback.

Biophysical Setting

The subject property is moderately steep with approximately 17% grade between Hammond Bay Road and the south edge of the rear yard, and a nearly vertical slope approximately 6 m in height between the southeast edge of the rear yard (Photograph 2) and present natural boundary (PNB) of the ocean (Photograph 3), transitioning to 3-4 m in the southwest corner of the property. The steep slope between the PNB of the ocean and the fence along the top of slope is heavily vegetated with Pacific ninebark (Physocarpus capitatus), Nootka rose (Rosa nutkana), and invasive species including Himalayan blackberry (Rubus discolor), Japanese knotweed (Fallopia japonica), and common periwinkle (Vinca minor).

Currently the property is treed with mixed age native Douglas-fir (Pseudotsuga menziesii), arbutus (Arbutus menzeisii) and Garry oak (Quercus garryanus) trees as well as several non-native trees including plum, apple and magnolia (likely Liriodendron tulipifera).

The southwest corner of the property contains a small area of Coastal Bluff ecosystem including mature Garry oak trees (Photograph 4), common snowberry (*Symphoricarpos albus*) and tall Oregongrape (*Mahonia aquifolium*). The Coastal Bluff area also has a heavy infestation of introduced invasive plants (Photograph 5) including St. John's wort (*Hypericum perforatum*), Himalayan blackberry and spurge laurel (*Daphne laureola*).

Development Proposal

As part of the renovations, the landowners would like to undertake several projects within the 15 m Coast setback including:

- 1. repair two existing beach access stair cases and install new handrails;
- 2. replace the existing fence along the west property line with a new chain link fence;
- 3. replace the existing fence along the top of steep slope in the rear yard with a new chain link fence;
- 4. construct a new patio that will include an outdoor kitchen and foot wash area in the rear yard;
- 5. install a new rock retaining wall along the top of steep slope at the east side of the property to replace the failing one; and,
- 6. implement an extensive landscaping plan for the rear yard area including invasive plant species removal and revegetation according to the plan prepared by Pheasant Hill Homes Ltd.

The rear yard area (Photographs 1, 2 and 6) where the proposed outdoor kitchen / patio would be situated is currently composed of lawn. The area of the outdoor kitchen / patio is approximately 23 m² (Figure 2). The patio would not require the removal of any native vegetation and would be constructed from pervious pavers and gravel.

The City of Nanaimo's Management and Protection of Trees Bylaw 2013 (No. 7126) allows a landowner to remove a tree, other than a significant tree from that owner's parcel of land, to a maximum total of four (4) trees in a calendar year. This exemption is void where a subdivision or other development permit has been applied for. It is my understanding that the proposed works will include removal of 3 small trees from the Coast setback area including two over-mature, non-producing fruit trees, and an introduced invasive black locust.

Invasive Plant Removal

To compensate for the intrusion into the 15 m Coast setback caused by the outdoor kitchen / patio and achieve a "no net loss" of habitat the owners intend to remove invasive plant species within the Coast setback on the property, including the Coastal Bluff area in the southwest corner of the property and re-vegetate these areas with native species.

At the Design Review Meeting held with the City of Nanaimo on July 24, 2017, the City committed to undertaking or covering the cost of the removal of invasive plants located on the steep slope between the existing lawn and PNB. Special consideration to personal safety, handling and disposal is required when conducting invasive plant removal. The City of Nanaimo has produced an excellent publication on controlling invasive plants (including disposal) available at: http://www.nanaimo.ca/assets/Departments/Parks~Rec~Culture/Parks/invasive_plants.pdf

Revegetation

Pheasant Hill Homes Ltd. has provided a professional Landscape Plan for the property (Figure 3). The Landscape Plan includes a wide variety of native and non-native plant species suitable for Coastal Bluff ecosystems including 1,054 plants comprised of 27species (8 herbaceous species, 16 shrub species and 3 tree species). The list of plant species and quantities is indicated in Table 1.

Table 1. Proposed Revegetation Plant Species List and Quantities

Plant List -	Oak Bluf				
ID	Qty	Latin Name	Common Name	Size	
AU	129	Arctostaphylos uva ursi	Kinnikinnick	1 gal.	
BH	47	Brodiaea hyacinthina	Fool's onion	10 cm	
COR	2	Cornus nuttallii	Pacific Dogwood	5 gal.	
CQ	31	Camassia quamash	Common camas	9 cm	
DH	21	Dodecatheon hendersonii	Broad-leaved shooting star	10 cm	
HL	5	Holodiscus discolor	Ocean spray	2 gal.	
MA	14	Mahonia aquifolium	Oregon Grape Holly	1 gal.	
PG	15	Polypodium glycyrrhiza	Licorice fern	1 gal.	
QUE	1	Quercus garryana	Garry Oak	5 gal.	
RN	15	Rosa nutkana	Nootka rose	2 gal.	
RS	6	Ribes sanguineum	Red-flowering currant	2 gal.	
Plant List -	Ornamei				
ID	Qty	Latin Name	Common Name	Size	
	Seed	Trifolium repens	Clover	1670 sq'	
THU	2	Thuja occidentalis 'pyramidalis'	Pyramid cedar	5 gal.	
RC	9	Rhododendron 'catawbiense album'	White catawba rhododendron	2 gal.	
RA	7	Rhododendron 'alena'	Rhododendron 'alena'	1 gal.	
MN	65	Mahonia nervosa	Dull Oregon-grape	1 gal.	
LA	55	Lavandula angustifolia	English lavender	10 cm	
LS	35	Leucanthemum × superbum	Shasta daisy	10 cm	
ВН	8	Brodiaea hyacinthina	Fool's onion	10 cm	
EL	7	Eriophyllum lanatum	Woolly sunflower	9 cm	
FIC	1	Ficus carica 'Desert King'	'Desert king' fig	5 gal.	
VO	6	Vaccinium ovatum	Evergreen huckleberry	1 gal.	
Plant List -	Slope			yesidele iku	
ID	Qty	Latin Name	Common Name	Size	
AR	21	Amelanchier alnfolia 'regent'	Serviceberry 'regent'	2 gal.	
AU	184	Arctostaphylos uva ursi	Kinnikinnick	1 gal.	
CA	12	Symphoricarpos albus	Common snowberry	2 gal.	
GS	184	Gaultheria shallon	Salal	9 cm	
HL	5	Holodiscus discolor	Ocean spray	2 gal.	
LA	73	Lavandula angustifolia	English lavender	10 cm	
LI	9	Lonicera involucrata	Black twinberry	2 gal.	
PG	12	Polypodium glycyrrhiza	Licorice fern	1 gal.	
PM	61	Pachistima myrsinites	Falsebox	2 gal.	
VO	12	Vaccinium ovatum	Evergreen huckleberry	1 gal.	

The number of plants indicated in the Landscape Plan should be considered preliminary. Currently the high density of invasive species present within the treatment area make it difficult to ascertain how many native plants may be present, and therefore how many additional native plants will be required.

Recommendations

I recommend that an assessment of the treatment area be conducted immediately following removal of invasive plants to determine an accurate number of new plantings required.

Vegetation maintenance will be as detailed in Pheasant Hill Homes Ltd's Landscape Plan Project Specifications, and includes initial maintenance of exterior landscape work to be completed on a regular basis by a Contractor for a period of one (1) year followed by preventative maintenance on a bi-annual basis for an additional minimum of four (4) years.

Conclusions

The problems with the existing vegetation cover relate to historic planting / colonization of invasive species and a lack of recent maintenance (i.e. pruning, thinning, shaping and removal of over mature specimens and invasive species). The removal of invasive species (i.e. Japanese knotweed, Himalayan blackberry, St. John's wort, periwinkle, spurge laurel and others) should begin with an aggressive campaign to significantly reduce the occurrence of these species on the property. However, it is acknowledged that due to the presence of infestations on adjacent properties and the high densities of invasive species on the subject property, total eradication of these invasive species is not likely to be achieved in a single growing season, and therefore invasive species removal must form part of an ongoing vegetation maintenance program for the property.

Repairs to the two existing beach access stair cases are required primarily to provide safe access to the beach and will not represent new development footprints or additional environmental impacts within the Coast setback.

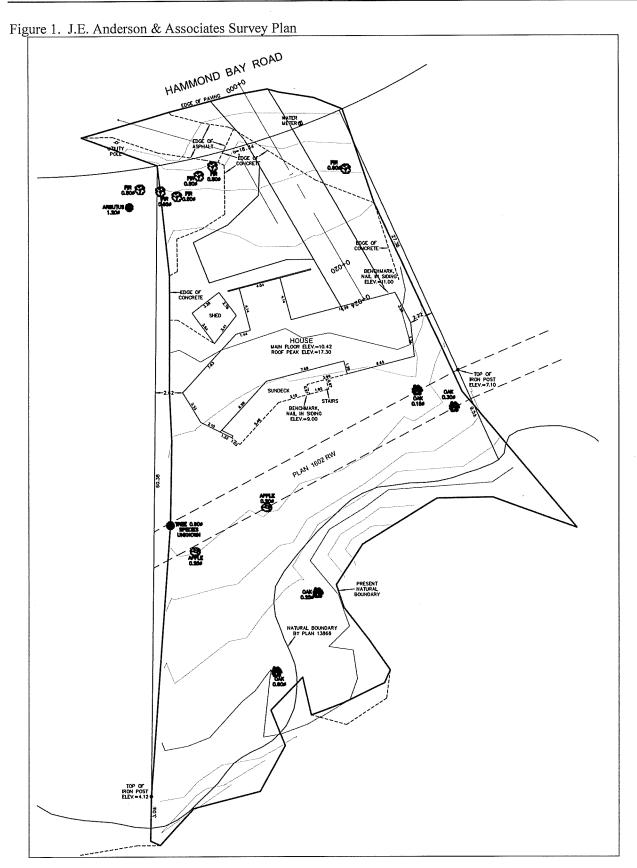
Based on my assessment of the current conditions within the Coast setback on the property and review of the proposed works within the Coast setback under the current development plan, it is my conclusion that the proposed Landscape Plan will result in significant improvements in the ecological function / vegetation conditions within the Coast setback. I would consider these improvements to be more than adequate compensation for the small area of footprint / disturbance associated with the proposed outdoor kitchen and rock retaining wall replacement.

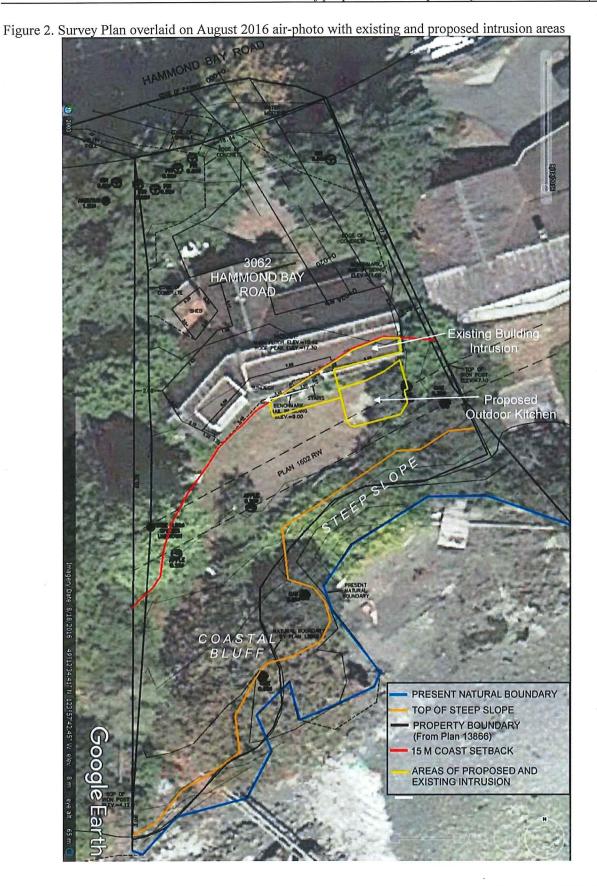
Please contact us if you require any additional information.

Sincerely,

Steve Toth, AScT, R.P.Bio.

Toth and Associates Environmental Services





Landscape Plan Scale: 1/16" = 1'-0" 9/15/2017 Existing trees to remain Existing trees to remain Date Existing trees to remain Drawn By Mao Jin Landscape Overview Plan Mao Jin - Landscape Plan.vwx Existing wood fence & gate to remain Drawing Number CAD File Name 00 New cedars to infill privacy screen Ø **F-1** Title Remove ex. plants (new plants by owners) Cuar Diff Ex. stairs, fence & gate to remain Ex. shed to be removed & install gravel Ex. shed to remain New chain-link fence New rock retaining wall -Ex. stairs with new metal handrail -Ex. multi-stem laurels to be pruned Existing Tree/ Shrub to be Removed Stepping Stones (K2 - Ocean Pearl) New Deciduous
Tree Existing Tree/ Shrub to Remain Rock Retaining Wall New Coniferous Tree 00 Ø Concrete Pavers (Abbotsford Venetian Cobble -Granite & Sandalwood) Remove Invasives & Replace with New Oak Bluff Plantings Remove Invasives & Replace with New Slope Plantings (BY CITY OF NANAIMO) Existing Planting Bed Remove Lawn & Replace with Clover New Ornamental Plantings New Groundcover Ex. stairs resurfaced & with new metal handrail Gravel (Bluechip) New wood bridge Foreshore Lease Line to Remain Legend

Figure 3. Proposed Landscape Plan by Pheasant Hill Homes Ltd.



Photograph 1. View west through the rear yard area.



Photograph 2. View west through rear yard showing existing fence along the top of steep slope.



Photograph 3. View of dense shrub plant community growing on steep slope along the PNB.



Photograph 4. View west from beach to mature Garry oak on Coastal Bluff.



Photograph 5. View of infestation of St. John's wort in Coastal Bluff area.



Photograph 6. View east through rear yard to proposed outdoor kitchen area.

LO	CAL GOVERNMENT FILING FORM PAGE 1 OF 1 PAGES
	By incorporating your electronic signature into this form you are certifying: (a) that the requirements established by the Director in Director's Requirements for the Authorized Subscriber Register 01- 13 are met, (b) that the information contained in each notation, endorsement, statement or certification made by you and set out in this form is correct, and (c) that a true copy or copy of the true copy of the electronic instrument is in your possession. A true copy means a legible paper copy containing every material provision and particular contained in this original. Each term used in this representation and certification is to be given the meaning ascribed to it in section 1 and part 10.1 of the Land Title Act.
1.	APPLICATION: (Name, address and phone number of the applicant, applicant's solicitor or agent)
1.	CITY OF NANAIMO
	COMMUNITY DEVELOPMENT (CURRENT PLANNING) ATT: MS. LAURIE NIELSEN
	455 WALLACE STREET
	NANAIMO BC V9R 5J6 DP1080 - 3062 HAMMOND BAY ROAD
2.	PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND: [PID] [LEGAL DESCRIPTION]
	004-428-102 LOT 2, SECTION 9, WELLINGTON DISTRICT, PLAN 13866
	STC? YES
3.	NATURE OF INTEREST: Notice of Permit
	Affected Legal Notation or Charge Number:
4.	NAME OF LOCAL GOVERNMENT: CITY OF NANAIMO
	Additional Information:
5.	NOTICE DETAILS:
	TAKE NOTICE that the land described above is subject to a Permit.
	(a) Type of Notice: Development Permit(b) Statutory authority: Local Government Act, Section 490
	(b) Statutory dutilonty. Local Government / loc
	Issue Date: 2017-12-18
	Further particulars of the permit may be obtained from the issuing authority.
	AND FURTHER TAKE NOTICE that in the case of a Temporary Commercial or Industrial Permit, the Registrar is hereby authorized to cancel the notation of the filing of this notice against the title to the land affected by it on or after the expiry date specified above without further application from us and we consent to a cancellation of the notation on the basis of effluxion of time.
	Alay Shelepine
4	Authorized Signatory: (If Applicable)
	CORPORATE OFFICER Sky Snelgrove Deputy Corporate Office
	City of Nanaimo