



DEVELOPMENT PERMIT NO. DP001308

FITZGERALD DIANNA KATHLEEN
Owner(s) of Land (Permittee)

855 DOUGLAS AVENUE
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 buildings, structures and other developments thereon:

Legal Description:

LOT 1, SECTION 1, PLAN 41511, SEC 13, RGE 12
PID No. 000-711-624

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 Subject Property Map
Schedule B Site Survey
Schedule C Environmental Assessment
Schedule D Proposed Areas of Restoration

4. If the landowner does not substantially start any construction with respect to which this permit was issued within two years after the date it was issued, the permit lapses.
5. 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.
6. This permit prevails over the provisions of the bylaw in the event of conflict.

TERMS OF PERMIT

The "City of Nanaimo Bylaw 2011 No. 4500" is varied as follows:

1. *Section 6.3.1.1 Location and Siting of Buildings and Structures to Watercourses* - to reduce the minimum required watercourse setback from Chase River from 30m to 4.5m to allow a detached secondary suite.

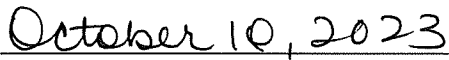
CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the Site Survey prepared by Bennett Land Surveying Ltd, dated 2023-APR-04, as shown on Schedule B.
2. The subject property shall be developed in accordance with Environmental Assessment prepared by Aquaparian Environmental Consulting Ltd., dated 2023-SEP-01, as shown on Schedule C.
3. Site restoration shall be completed in accordance with the Proposed Areas of Restoration Plan, as shown on Schedule D.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THE
25TH DAY OF SEPTEMBER, 2023.



Corporate Officer



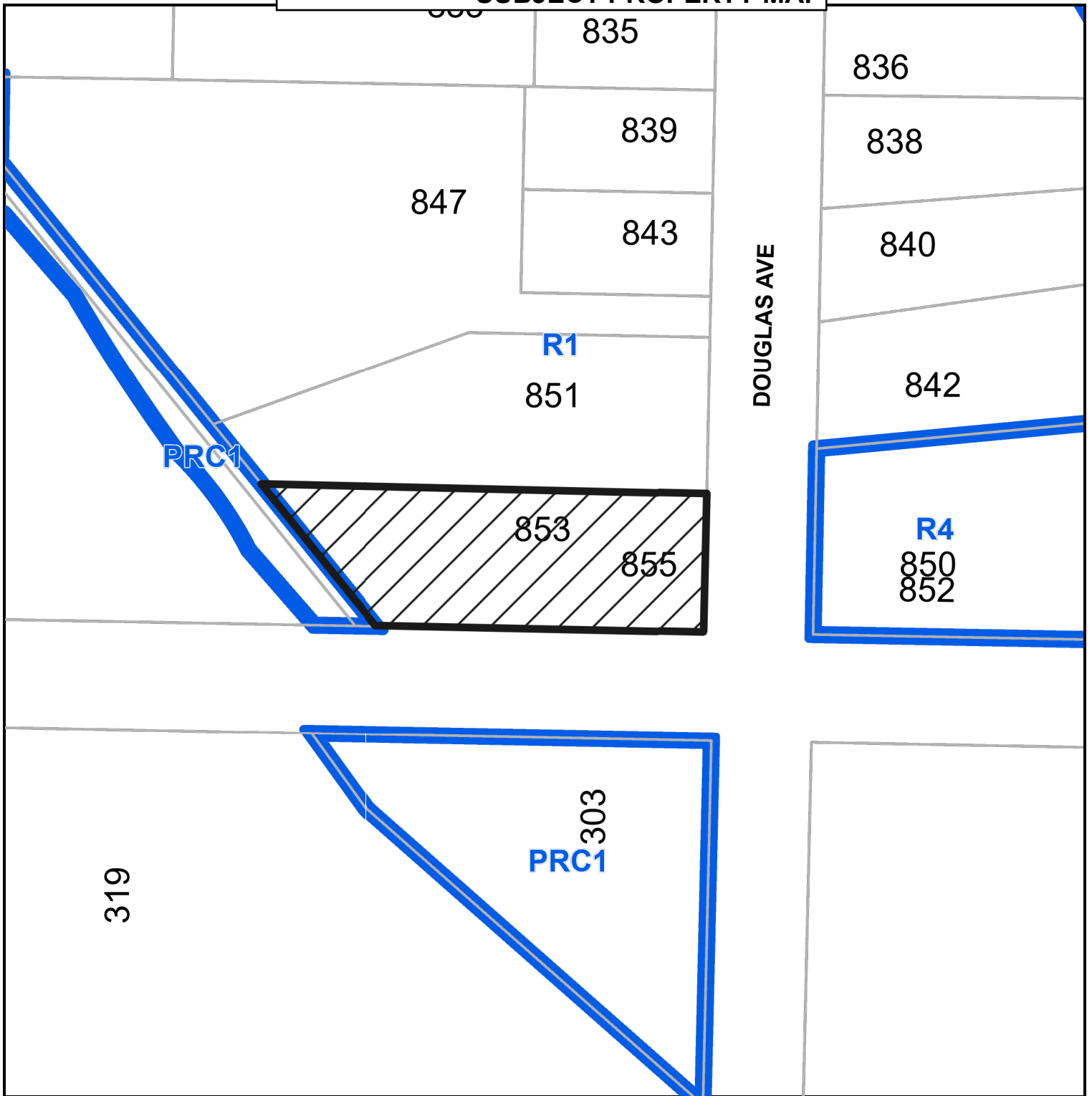
Date

Sheila Gurrie
Corporate Officer
City of Nanaimo

PC/bb

Prospero attachment: DP001308

SUBJECT PROPERTY MAP



 855 Douglas Avenue

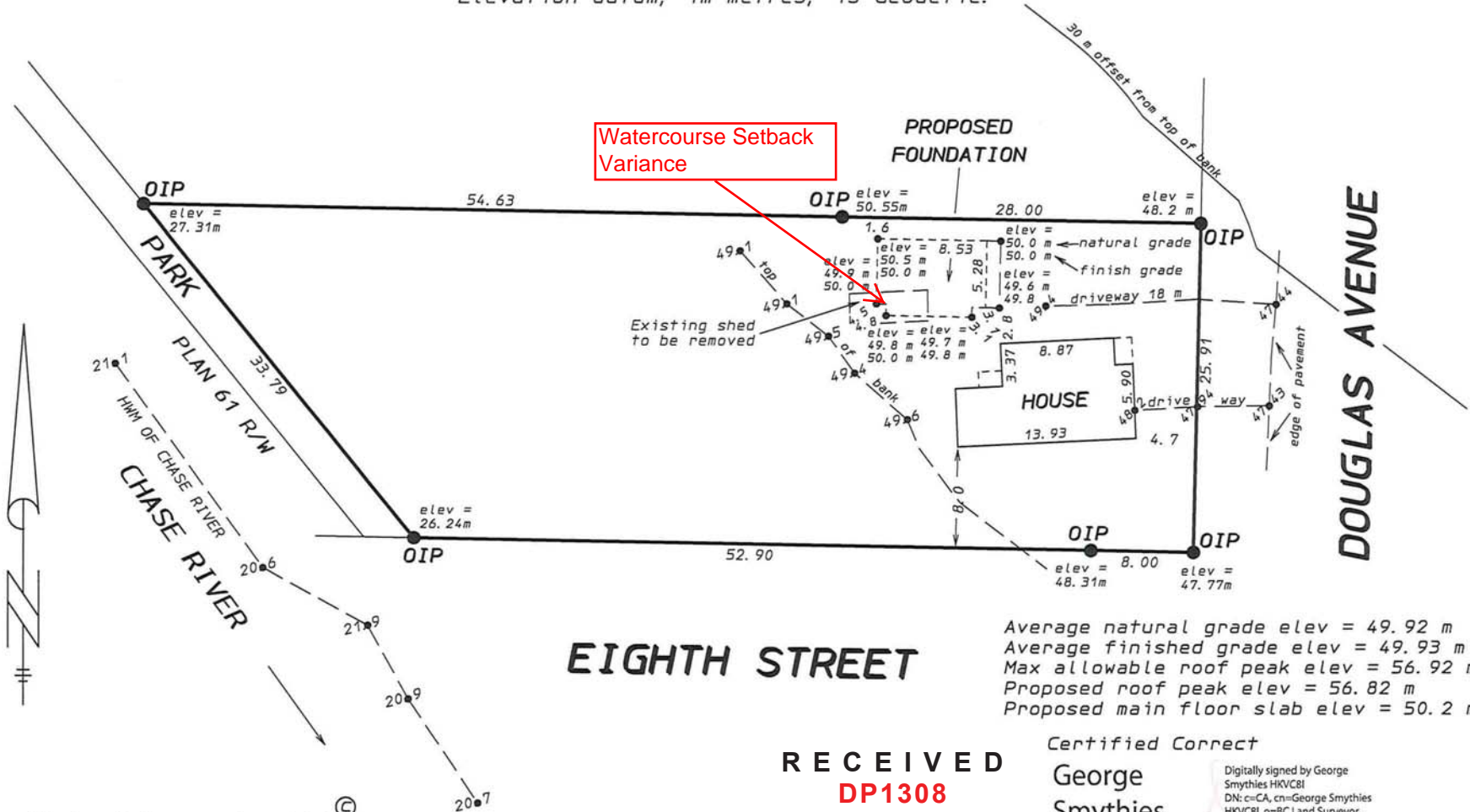
SITE SURVEY

**B. C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF
HOUSE AND PROPOSED CARRIAGE HOUSE ON LOT 1,
PLAN VIP41511, SECTION 1, NANAIMO DISTRICT.**

SCALE = 1: 500

All distances are in metres.

Elevation datum, in metres, is Geodetic.



Average natural grade elev = 49.92 m
Average finished grade elev = 49.93 m
Max allowable roof peak elev = 56.92 m
Proposed roof peak elev = 56.82 m
Proposed main floor slab elev = 50.2 m

Bennett Land Surveying Ltd.

B. C. Land Surveyors & Planners
Nanaimo, B. C.

Date: April 4, 2023.

RECEIVED
DP1308
2023-MAY-15
Current Planning

Certified Correct

George
Smythies
HKVC8I

Digitally signed by George
Smythies HKVC8I
DN: c=CA, cn=George Smythies
HKVC8I, o=BC Land Surveyor,
ou=Verify ID at www.juricert.com/
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Date: 2023.04.06 09:51:20 -07'00'

B. C. L. S.

File: 7-NM-1-5 (110643.001/P1555B3)

This document is not valid unless
originally signed and sealed.



AQUAPARIAN
Environmental Consulting Ltd.



April 14, 2023
Rev Sept 1, 2023

Lindsay Fitzgerald
853 & 855 Douglas Avenue
City of Nanaimo, BC V9R 4M9

Via Email: [REDACTED]

**RE: RATIONALE FOR CONSTRUCTION WITHIN DPA1
853 & 855 DOUGLAS AVE, CITY OF NANAIMO BC**

This document is intended to support an application to the City of Nanaimo (CoN) for a Development Permit to construct a carriage home within 853 & 855 Douglas Avenue. The site is legally described as LOT 1, PLAN VIP41511, SECTION 13, RANGE 12, NANAIMO LAND DISTRICT (PID 000-711-624). The subject parcel is zoned R1-Residential and subject to the City's Development Permit Area (DPA) 1 – Environmentally Sensitive Areas. The parcel is situated on the top of a steep, forested ravine of the Chase River, a major fish-bearing stream. The DPA1 for the Chase River extends perpendicularly from the stream bank to 30m from the top of ravine bank as per Schedule 6 of the City's Official Community Plan (OCP) which encompasses the entire parcel. As such, the intent of this letter report is to provide the rationale for locating a proposed carriage house within DPA1.

Though the Riparian Assessment Area (RAA) as defined by the provincial Riparian Areas Protection Regulation (RAPR) is only 10m from the top of bank for a ravine greater than 60m across, a RAPR assessment is required by the municipal DPA and a RAPR report must be submitted to the province for approval. The Streamside Protection and Enhancement Area (SPEA) determined by the detailed assessment methodology is 30m from the stream boundary of the Chase River which is located mid-slope of the ravine and more than 30m horizontally from the proposed building location. Additionally, a geotechnical setback of 4.5m from the top of the ravine bank has been established by Lewkowich Engineering & Associated Ltd. (February 22, 2023) for the building location. Legal setbacks further restrict the buildable area within the lot.

The subject parcel has a total area of 0.19ha, with 2/3rds of the west side of the parcel comprised of the ravine. The only buildable area is between the top of the ravine bank and the road, an area measuring approximately 570m² (0.057ha). Within this area is an existing single-family dwelling and a small side yard north of the house that has been previously cleared and

planted with lawn many years ago. The footprint of the proposed carriage house is only 50m². The groundworks to prepare the foundation are expected to be minor because the yard is relatively flat, sloping gently (5%) towards the road and away from the top of bank of the ravine. The condition of the DPA will not be degraded by the proposed building over the existing conditions as the small side yard does not contribute any riparian function; it has no wildlife habitat value and no environmentally sensitive features. Additionally, the proposed construction will first require that a dilapidated old shed be removed from the top of bank. Removal of the shed will improve the site conditions, as the shed is currently constructed too close to the ravine. Following its removal, the geotechnical setback will be free of any structures.

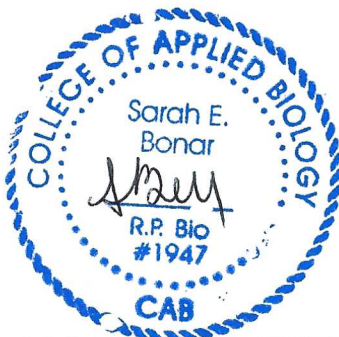
Given that nothing of ecological value will be lost or negatively impacted, and that the large, forested ravine that occupies most of the area of the parcel is to remain intact as a high value riparian habitat providing excellent quality fish and wildlife habitat, habitat compensation is not warranted. However, the owners have a 20-year plan to slowly remove invasive species and replant with reclaimed native species as they become available to increase the natural habitat on the property. Increasing and maintaining native riparian habitat within the parcel is intended to meet the intent of the bylaw.

During a site visit on March 16, 2023, Aquaparian observed the site conditions and determined that the risk of sedimentation or release of deleterious substances into the SPEA, the Chase River or any part of the ravine as a result of construction of the carriage house in the proposed location is very low and easily managed with standard protection measures.

Regards,

AQUAPARIAN ENVIRONMENTAL CONSULTING LTD

Prepared by:



Sarah Bonar, B.Sc, R.P.Bio
Principal/Senior Biologist

R E C E I V E D
DP1308
2023-SEP-08
Current Planning

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203-321 Wallace St, Nanaimo, BC V9R 5B6
SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

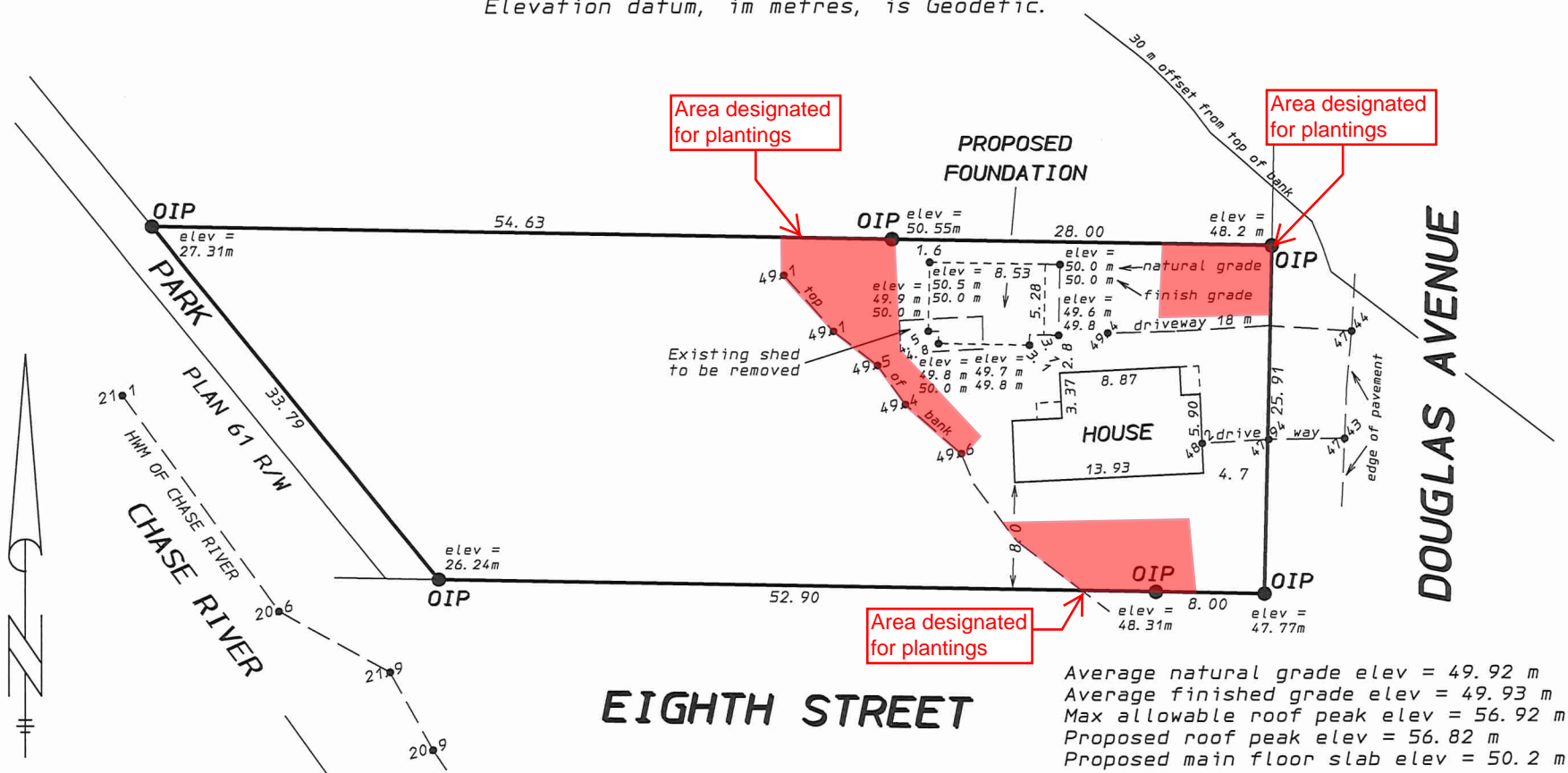
PROPOSED AREAS OF RESTORATION

B. C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF HOUSE AND PROPOSED CARRIAGE HOUSE ON LOT 1, PLAN VIP41511, SECTION 1, NANAIMO DISTRICT.

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