

# ATTACHMENT A

## PERMIT TERMS AND CONDITIONS

### TERMS OF PERMIT

“City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

- *Section 6.3.1.2 Location and Siting of Buildings and Structures to Watercourses* – to reduce the minimum required watercourse leave strip as measured from the natural boundary of the sea from 15.0m to 6.4m for a single residential dwelling, and from 15.0m to 0.0m for above-ground servicing.

City of Nanaimo “Off-Street Parking Regulations Bylaw 2018 No. 7266” is varied as follows:

- *Section 7.2 All Other Uses Parking Table* – to reduce the minimum number of required off-street parking spaces from 2 to 0 spaces.

### CONDITIONS OF PERMIT

1. The subject property is developed in accordance with the proposed Site Survey prepared by McElhanney Associates Land Surveying Ltd., dated 2021-OCT-22, as shown on Attachment D.
2. The subject property is developed in accordance with the proposed Site Servicing Plan and Sections prepared by McElhanney, dated 2021-OCT-27, as shown on Attachment E.
3. A legal plan for the subject property is registered with the Surveyor General prior to building permit issuance in accordance with the proposed Site Survey prepared by McElhanney Associates Land Surveying Ltd., dated 2021-OCT-22, as shown on Attachment D.
4. The subject property is developed and maintained in substantial compliance with the Vegetation Management Plan prepared by Aquaparian Environmental Consulting Ltd., dated 2021-AUG-10.
5. Security is to be submitted prior to building permit issuance and held for three years from the date of completion, to ensure the lot is developed in accordance with the Vegetation Management Plan.
6. A no-build and no-disturbance Section 219 Covenant is to be registered on title prior to building permit issuance to protect the natural habitat in the area marked “Covenant Area” on the Site Survey prepared by McElhanney Associates Land Surveying Ltd., dated 2021-OCT-13, as shown on Attachment D.
7. Permanent fencing and signage built to the City of Nanaimo aquatic setback fence standards or to a standard accepted by the Director of Development Approvals, to be installed prior to building permit issuance and located at the southern edge of the “Covenant Area” as shown on Attachment D.

8. The subject property is developed in accordance with the following recommendations by Aquaparian Environmental Consulting Ltd. as outlined in the Environmental Investigation date 2021-JAN-10:

- A rare plant survey is to be conducted on the property and submitted to the City in late spring or early summer, prior to issuance of a building permit, to confirm the absence or presence of rare plants.
- Any staging area on-site for construction materials, including pre-fabricated building materials for the cabin and boardwalk and servicing pipes, is to be identified and agreed upon by a Qualified Environmental Professional prior to start of construction.
- No trees are to be removed on the property.
- All existing anthropogenic materials (e.g. tents, tarps, carpets, planter pots) are to be removed from site prior to building permit issuance.
- Transport of building materials is to be completed by a landing craft during high tide.
- The amount of soil disturbance (e.g. excavations) is to be limited during the installation of the cabin and supporting structure where possible.
- All concrete works for the development shall include containment of concrete mixing and pouring of concrete, including concrete-laden wastewater. Due to its alkaline toxicity, no concrete wastewater is to drain to the ocean to avoid tidal inundation. All concrete waste shall be properly disposed off-site. Development will avoid any exposure of uncured concrete to tidal inundation.
- The use of heavy equipment on-site is to be limited, including the use of mini-excavators and front loaders, and all equipment should be free of soil or hydraulic / hydrocarbon leaks.
- Waste materials are to be removed from the site as soon as possible.
- Final foundation works and construction works are to be inspected by a professional biologist.