

ATTACHMENT A

PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

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

1. *Section 6.5.1 Projections Into Yards* – to reduce the minimum front yard setback requirement for an underground parking structure from 1.8m to 0.0m.
2. *Section 9.7.1 Size of Buildings* – to increase the maximum allowable height for the proposed building at 3801 Shenton Road from 18.00m to 20.15m.

CONDITIONS OF PERMIT

1. The subject properties are developed in accordance with the Site and Parking Plans prepared by dHK Architects, dated 2021-DEC-01, as shown on Attachment D.
2. The development is in substantial compliance with the Building Elevations and Materials prepared by dHK Architects, dated 2021-DEC-01, as shown on Attachment E.
3. The subject properties are in substantial compliance with the Landscape Plan and Details prepared by Victoria Drakeford Landscape Architect, dated 2021-DEC-01, as shown on Attachment H.
4. A Section 219 covenant with easement is registered on both properties for off-site parking in accordance with the “City of Nanaimo Off-Street Parking Bylaw 2018 No. 7266” section 2.1, to secure access for 3801 Shenton Road to the parking stalls partially located on 3789 Shenton Road identified on Attachment D, to be registered prior to any building permit issuance.
5. An access agreement is registered on the property title of 3767 Shenton Road to secure and grant functional vehicular access to 3789 Shenton Road, prior to any building permit issuance.