

ATTACHMENT J ENVIRONMENTAL ASSESSMENT - EXECUTIVE SUMMARY

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

January 26, 2023

Bluesun Pacific Properties

c/o Raymond de Beeld Architect Inc.
755 Terminal Ave N,
Nanaimo, BC V9S-4K1

Re: Summary of the environmental assessments conducted for proposed development of 591 Bradley Street (PID# 023-004-169), Nanaimo.

In 2016 Toth and Associates Environmental Services were contracted by G&L Enterprises Ltd (Bradley JV) to conduct a provincial *Riparian Areas Regulation* (RAR) assessment, a raptor and heron nest use assessment, a tree survey and to provide a Tree Removal Permit Application for the proposed development of 591 Bradley Street. The 0.56 ha (1.37 acre) subject property is zoned R8 (Medium Density Residential) and is located within the City of Nanaimo's Development Permit Area (DPA) 1 – Environmentally Sensitive Areas, and DPA 2 – Hazardous Slopes. The development proposed in 2016 included construction of a 67 unit apartment building in the northern half of the property adjacent to Bradley Street. The RAR report (Assessment #5157) was reviewed and accepted by the province. The proposed development was subsequently issued a Development Permit (DP 001070) by the City of Nanaimo, however the development did not proceed and the DP lapsed.

The new proponent (Bluesun Pacific Properties) has re-initiated the DP process with a revised development plan which has reduced the number of apartment units from 67 to 55 and the total footprint of the development from 0.266 ha to 0.218 ha. The revised development plan has increased the proposed watercourse setback area by approximately 575 m² from the previously approved plan.

The subject property consists of a forested, steep, south facing slope with the proposed construction footprint located at the north end of the property on previously disturbed, cut and benched material presumably created during construction of the concrete wall that supports Bradley Street (Photograph 1). The proposed development will require removal of 63 trees (all deciduous), of which only 15 are >30 cm diameter and 8 are introduced invasive species.

No raptor or heron nests were found on the subject property.

The Millstone River runs parallel to the south end of the property (Photograph 2). The Millstone River has historically supported resident populations of cutthroat and rainbow trout, three-spine stickleback, sculpin, lamprey, and crayfish as well as introduced pumpkinseed and smallmouth bass. The construction of a side channel bypassing the natural barriers to fish migration in Bowen Park in 2007 now provides anadromous (sea-run) fish access to the upper Millstone River. A stock assessment program has documented 100-500 adult coho using the fishway through Bowen Park as well as chinook salmon and anadromous cutthroat trout.

The former RAR was repealed and replaced in November 2019 by the *Riparian Areas Protection Regulation* (RAPR). The results of the RAPR Detailed Assessment indicated that the Millstone River would require 15 m Streamside Protection and Enhancement Area (SPEA) setbacks, as measured from the high water mark (stream boundary). However, in consideration of the relative importance of the Millstone River, the Hazardous Slopes DPA designation and adjacent parklands, Toth and Associates recommended that the SPEA setbacks be increased to coincide with the proposed southern limit of the construction footprint. The boundaries of the 15 m SPEA setback required under the RAPR and the proposed watercourse setback are shown on Figure 1.

The City of Nanaimo's Zoning Bylaw No. 4500, Section 6.3.1.4 indicates that "The leave strip on each side of all watercourses identified in Schedule C shall include that area between the centre of the watercourse and a perpendicular line inland from the top of bank to the distance indicated on Schedule C for each watercourse", which in this case includes the bed of the Millstone River and all area within 30 m from top of bank.

The boundary of the City of Nanaimo's 30 m setback from the top of bank of the Millstone River is shown on Figure 1. The City of Nanaimo's watercourse setback encompasses the entire property, effectively sterilizing it from development unless a watercourse setback variance is granted.

The area of the 15 m SPEA setback required by the provincial RAPR on the subject property measures approximately 821 m². The proposed SPEA / watercourse setback measures approximately 3,350 m² (roughly a 409% increase), and extends 31.5 m from the stream boundary along the east side of the property and 77.5 m along the west side of the property.

Please contact us if you require any additional information.

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

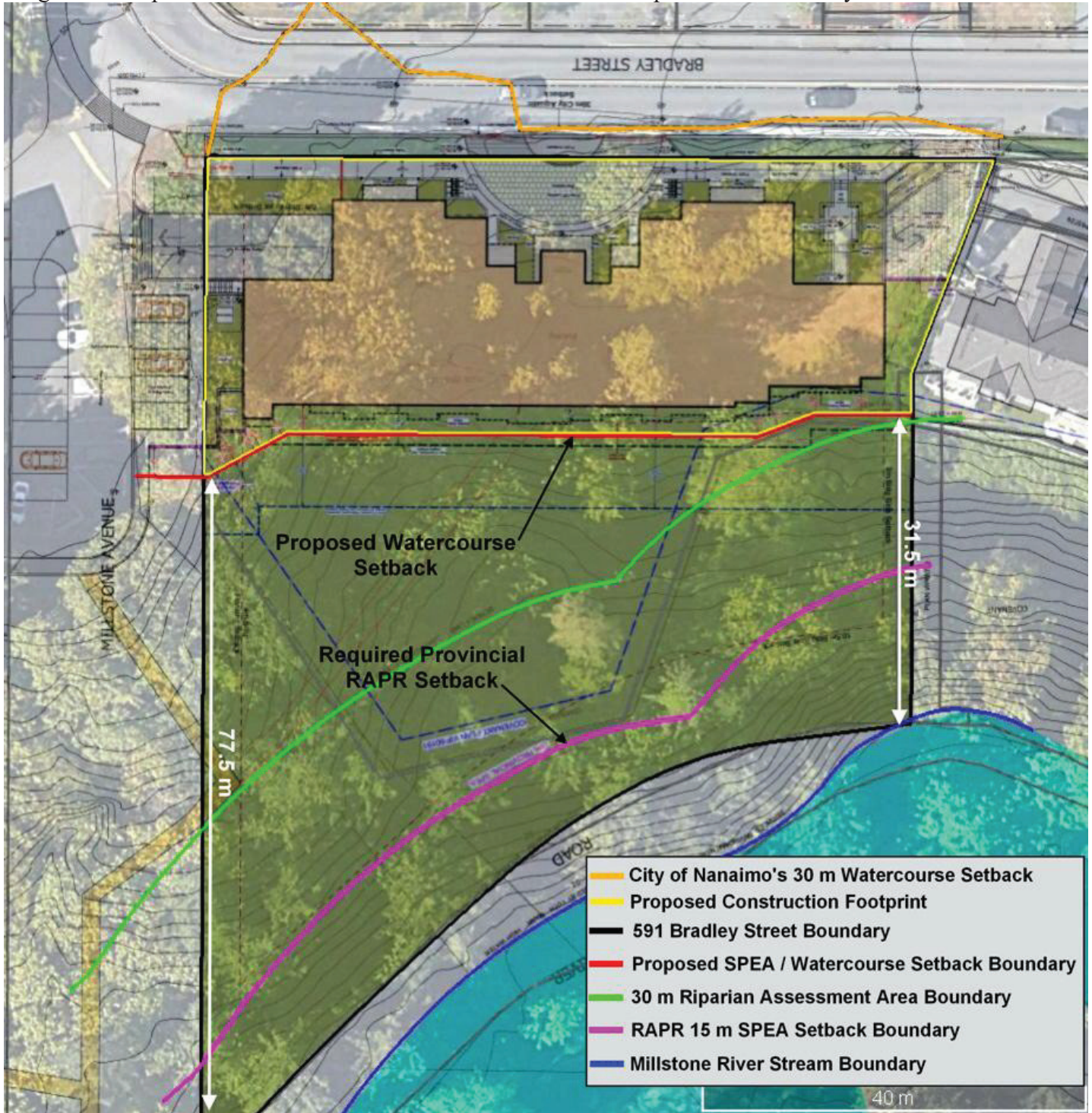


Toth and Associates Environmental Services



RECEIVED
DP1263
2023-FEB-08
Current Planning

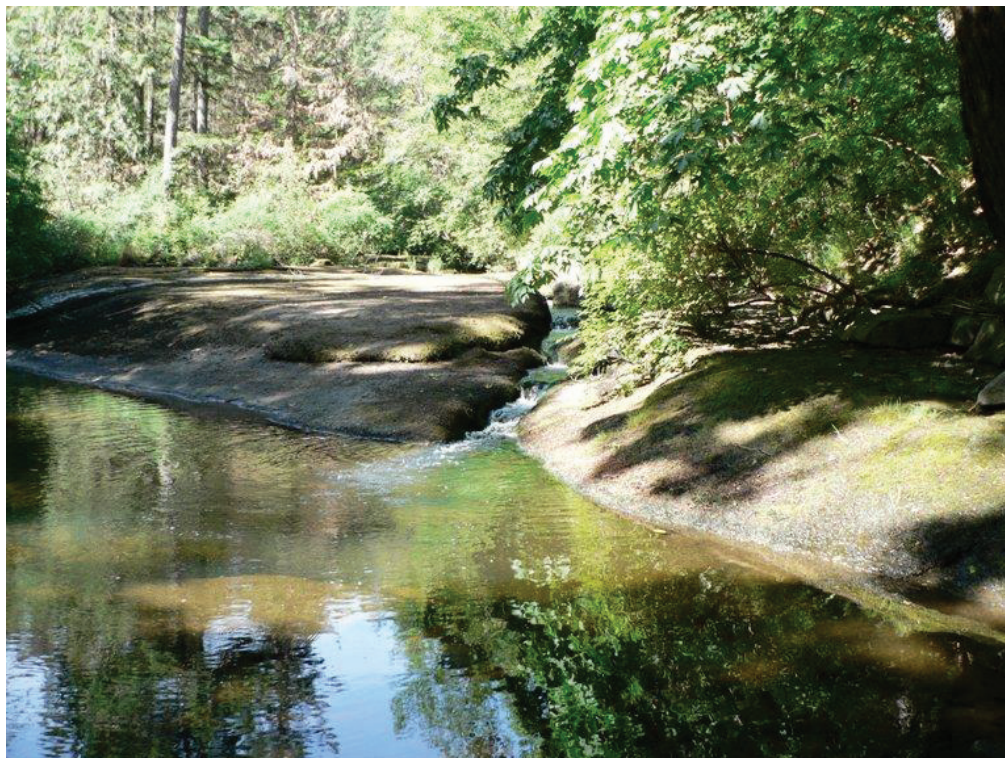
Figure 1. Proposed Watercourse Setbacks and Construction Footprint on 591 Bradley Street



RECEIVED
 DP1263
 2023-FEB-08
 Current Planning



Photograph 1. View east to west through benched area of construction footprint.



Photograph 2. View of the bedrock channel morphology on the Millstone River adjacent to 591 Bradley Street.

R E C E I V E D
DP1263
2023-FEB-08
Current Planning