

ATTACHMENT E SUMMARY OF CONDITIONS (MASTER DEVELOPMENT AGREEMENT)

2023-OCT-04

Definitions

MoESS – The City of Nanaimo’s Manual of Engineering Standards and Specifications, as amended or replaced from time to time.

GM, Parks – The City of Nanaimo’s General Manager of Parks, Recreation, & Culture Division or any position that may be substituted thereof.

SMP – The Sandstone Master Plan, ‘Appendix F’ to the City of Nanaimo “City Plan Bylaw 2022 No. 6600”

1 Servicing – Water

Referencing the Water Servicing Review, prepared by Koers & Associates Engineering Ltd., dated 2022-MAY-04 (the “Water Review”)

#	Parcel	Condition	Timing
1.1a	All	A water servicing study and system modelling at the property owner’s expense to be required. Pipe network design to avoid “dead-ends”.	At the time of application for any subdivision (or building , if no subdiv) for each DA.
1.1b	3	Additional analysis required to support any water servicing study for DA3 under 1.1a to assess implications of an entirely dead-end pipe network, and propose solutions where necessary.	At the time of application for any subdivision (or building , if no subdiv) for DA3.
1.1c	6	Additional analysis required to support any development of lands 70 metres above mean sea level, with detailed pipe network modelling to be reviewed by the City before considering any connections to the 750Ø Duke Point transmission line in DA6.	Prior to any development of lands above the 70m contour in DA6.
1.2	All	Design and construction of “Reservoir 8b” with a minimum capacity of 6,297m ³ and without emergency storage portion (C) as identified in the Water Review. Reservoir to be built on City lands in accordance with the Water Review. <i>NOTE: Sandstone reservoir capacity requirement is 4,495m³. Reservoir capacity to service lands beyond is 6,297m³. City of Nanaimo to fund additional reservoir capacity required to service lands beyond, as determined by a certified cost estimate prepared by the Owner’s engineer and accepted by the City.</i>	Prior to any development in any DA; notwithstanding up to 46 single residential dwellings <i>or</i> 76 multi-family residential dwelling units on DA6 which may be built and occupied without completion of the reservoir.

#	Parcel	Condition	Timing
1.3a	4	If looping network between the 750Ø Duke Point transmission line and the existing City watermain does not yet exist, water quality analysis may be required and maintenance bonding to the satisfaction of the City.	Prior to any development of DA4.
1.3b	5	No development until water looping network connection between 750Ø Duke Point transmission line and the existing City watermain completed, to the satisfaction of the City. <i>NOTE: Map to be included showing minimum looping network between DA4 and DA5.</i>	Prior to any development of DA5.
1.4	2,4,6	No development to disturb an 11m-wide statutory right-of-way registered under number EB42351 and modified by EW164365 across the entire length of the 750Ø Duke Point transmission line, with street crossings to be considered and accepted through subdivision.	At all times.
1.5	1	Upgrade the existing 150Ø watermain in the Frew Road right-of-way between DA1 and Cedar Road to a 200Ø watermain as per Water Review section 7.1.	Prior to any development of DA1.
1.6	6	Merge pressure zones PZ1 and PZ10, and adjust Pressure Reducing Valve station settings where required as outlined in the Water Review.	Prior to any development on DA6.

2 Servicing – Sanitary Sewer

Referencing the Sewer Collection System Hydraulic Impact Analysis of the Sandstone Development, prepared by GeoAdvice Engineering Inc., dated 2022-APR-22 (the "Sewer System Analysis")

#	Parcel	Condition	Timing
2.1	All	A sanitary servicing study and system design modelling at the property owner's expense to be required, and ownership of pressure systems to be determined. Analysis to include investigation of proposed development's impact against expected 2043 flows, and requirements for any addition pump station construction on individual DAs and connections to City gravity mains (via forcemain or otherwise).	At the time of application for any subdivision (or building , if no subdivision) for each DA.

#	Parcel	Condition	Timing
2.2	All	<p>Upgrade sections of the gravity sewer main identified as the Fielding Road Trunk in Figure 2.5 of the Sewer System Analysis, to the Chase River RDN pump station.</p> <p><i>NOTE: Extent of project limits as shown in 'Schedule 1' of this summary table and described below:</i></p> <ul style="list-style-type: none"> • Manhole 6963 to Manhole 6604, • Manhole 6603 to Manhole 6959, and • Manhole 6959 to Manhole 13558. 	<p>Should any proposed development identified under 2.1 meet or exceed 65% of the expected capacity of the Future 2043 Scenario set out in the Sewer System Analysis flows or should downstream pipe size be found to be deficient.</p>
2.3	1-5	<p>Upgrade of the following as outlined in Sewer System Analysis:</p> <ul style="list-style-type: none"> • sections of the gravity sewer main identified as the Cedar Road Trunk; • upgrade of the Cedar Road force main between the Cedar Road pump station and the Fielding Road Trunk; and • Upgrade of the Cedar Road pump station to a firm capacity of 200 L/s. <p><i>NOTE: As per Figure 2.5 of the Sewer System Analysis, Cedar Road Trunk located along Cedar Road from Manhole 12080 to Cedar Road Pump Station and forcemain from Cedar Road Pump Station to Manhole 6963.</i></p>	<p>Prior to any development on DA1 – DA5, unless any DA sewer system is designed and modelled under 2.1 to avoid connection to this section. Including the option of an additional City owned pump station and force main in Cedar Road that bypasses the existing Cedar Road pump station.</p>
2.4	6	<p>Upgrade of the Richard Lake Trunk as identified in the Sewer System Analysis.</p> <p><i>NOTE: As per Figure 2.5 of the Sewer System Analysis, Richard Lake Trunk located in easements from Manhole 9080 to Manhole 6596.</i></p>	<p>Should any proposed development on DA6 identified under 2.1 meet or exceed 65% of the expected capacity of the Future 2043 Scenario set out in the Sewer System Analysis flows or should downstream pipe size be found to be deficient.</p>

3 Servicing – Stormwater

Referencing the Storm Water Analysis, prepared by Newcastle Engineering Ltd., dated 2022-MAY-05 (the “Stormwater Analysis”)

#	Parcel	Condition	Timing
3.1	Any	Detailed stormwater management and runoff analysis to be provided to confirm compliance with stormwater regulations (the City’s Manual of Engineering Standards and Specifications, and the Storm Sewer Regulation and Fee Bylaw 2022, as amended or replaced from time to time) and required off-site improvements. Strategy for each to DA to follow principles including: a) existing major overland flow paths to be identified and protected; b) no stormwater from any DA shall cause drainage issues on downstream DAs or off-site properties; c) storage to be prioritized in City-owned detention ponds except for industrial, commercial, and institutional sites, with maintenance strategy for all detention ponds.	At the time of application for any subdivision (or building , if no subdivision) for each DA.
3.2	Any	Completion of any required off-site improvements identified through 3.1, with phasing to be permitted, in the Director of Engineering’s sole discretion. Where stormwater retention strategies (e.g. wetlands) cross DA boundaries, all associated works to be completed prior to development of any impacted DA.	Prior to any development for each DA.

4 Parks, Recreation, and Culture

Referencing the Sandstone Parks and Open Space Strategy, prepared by Kinship Design Art Ecology, dated 2023-SEP-08 (the "Parks and Open Space Strategy")

#	Parcel	Condition	Timing
4.1	All	<p>Park dedication with a total approximate area of 88.4 hectares. Of the total approximate area of park dedication, approximately 82% will be Nature Parks, 4% will be City Parks and 14% will be Community Parks with approximate areas as outlined in 'Schedule 2' of this summary table.</p> <p>For clarity: the exact area, location, and allocation of park type to be determined at the time of subdivision subject to acceptance from the GM, Parks and the Approving Officer. The allocation and proportion of park types to be generally in line with the park typology proportions listed above.</p> <p><i>NOTE: park dedication includes statutory 5% park dedication. For clarity – statutory park dedication and lands dedicated as CAC in DA1 and DA6 not eligible for density transfer under R10 zoning</i></p>	<p>Park land to be dedicated or otherwise secured at the time of subdivision or phased subdivision thereof, or prior to building permit issuance if no subdivision, as mutually agreed between the parties, acting reasonably.</p>
4.2	All	<p>Within each Development Area, development of a parks plan for an individual park that, dependent on park typology, generally follows the type of features or amenities identified in the Sandstone Parks + Open Space Strategy, subject to acceptance from the GM, Parks. All parks plans to include a two-year maintenance agreement for upkeep of landscaping and parks improvements. Maintenance obligations shall be secured by cash or a letter of credit provided at time of entering into agreement.</p>	<p>At the time of application for any subdivision, or phase of subdivision, including or adjacent to a park dedicated under 4.1.</p>
4.3	All	<p>Completion of parks works for an individual park with a parks plan accepted under 4.2, with the following principles to be considered:</p> <ul style="list-style-type: none"> • utility connections where necessary for City and Community Parks; • invasive species and tree hazard management where appropriate; • environmental protection fencing along Environmentally Sensitive Area boundaries where necessary, to the MoESS standard drawing CS-36; and • trails to be constructed to trail standards as per the City of Nanaimo Trail Implementation Plan (for surface characteristics) and the 	<p>Within two years of registration of subdivision for any applicable park.</p>

#	Parcel	Condition	Timing
		MoESS Section 8 (for subsurface infrastructure).	
4.4	4,5	<p>Completion of the Fielding Multi-Use Trail improvements, located within the existing City of Nanaimo Road right of way, as identified by the Parks and Open Space Strategy to:</p> <p>-an interim standard as contemplated in the Parks and Open Space strategy (the “Interim Standard”), and to be determined through detailed design to the satisfaction of the Municipal Engineer at the time of initial subdivision of either DA4 or DA5.</p> <p>And</p> <p>-the MoESS ‘Urban Hard Surface Trail’ standard, (the “Final Standard”), as may be amended from time to time. Modification to the standard may be considered in consideration of any steeply sloping areas, subject to review through detailed design. However, no departure from the standard shall be permitted without prior approval of the City Engineer. For clarity, the Final Standard will be constructed solely within the existing City of Nanaimo Road right-of-way.</p> <p>Maintenance would be provided for one year for the Interim Standard improvements and one year for each of the Final Standard improvement phases as they are accepted by the City.</p> <p>Maintenance obligations to be secured by cash or a letter of credit provided at time of completion of interim standard and each phase of final standard.</p>	<p>Detailed designs, including a description of the interim trail standard, to be completed before the first subdivision of either DA4 or DA5.</p> <p>To be completed to the Interim Standard prior to occupancy permit of the initial phase of development within either DA4 or DA5.</p> <p>Completion to the Final Standard to be delivered on a phased basis at the earlier of:</p> <ul style="list-style-type: none"> a) concurrently with the subdivision of adjacent lands, or; b) in a maximum of four phases, as the parallel Sandstone Boulevard is constructed.
4.5	6	<p>The existing trail system located within the leave strip of the Richard’s Marsh Trail System, as generally shown in the Parks and Open Space Strategy (the “Existing Richard’s Marsh Trails”) will be dedicated to the City of Nanaimo. Prior to dedication, a surveyed plan detailing the location of the Existing Richard’s Marsh Trails, and a trail condition assessment will be provided, both of which will be subject to review and acceptance of the GM, Parks, acting reasonably. For clarity, the Existing Richard’s Marsh Trails will be dedicated on an as-is basis.</p>	<p>The Existing Richards Marsh Trails will be dedicated to the City of Nanaimo, or otherwise secured as may be required by the City, acting reasonably, concurrently with the initial subdivision of DA6.</p> <p>The balance of the trail improvements will be</p>

#	Parcel	Condition	Timing
		Completion of the balance of the trail improvements, being any new trails within the Richards Marsh trail system as identified by the Parks and Open Space Strategy.	completed on a phased basis, at the earlier of: <ul style="list-style-type: none"> a) concurrently with the subdivision of adjacent lands, or; b) Prior to occupancy of the 401st residential unit on the DA6 lands
4.6	6	Replacement of park amenities or structures (e.g. fieldhouse) within Elaine Hamilton Park that may be impacted by a road connection through the park, subject to final road alignment and amenity replacement review by the GM, Parks. Facilities impacted, if any, would be replaced on a like size and kind basis.	At the time of any subdivision that requires road construction through Elaine Hamilton Park.

5 Transportation

Referencing the Traffic Impact Assessment, prepared by Watt Consulting Group, dated 2023-SEP-05 (the "TIA")

#	Parcel	Condition	Timing
5.1	All	The installation of transit stops to a standard accepted by the City of Nanaimo and the Regional District of Nanaimo, acting reasonably, generally along major roads fronting, or within Sandstone lands, or on roads subject to Sandstone mitigation, subject to BC Transit standards, up to a maximum of 24 transit stops.	At the time of frontage works through any subdivision or building permit.
5.2	2,4,5	Ensure road network connectivity between DA2, DA4, and DA5, is designed and protected, to the satisfaction of the Approving Officer.	At the time of subdivision of DA2, DA4, or DA5.
5.3	6	No build covenant on 1618 Extension Road until such time as DA6 connector road and round-about concept have been designed to the satisfaction of the City and dedication secured.	Before the earlier of the registration of the 50 th lot, or occupancy of the 50 th unit, or at the discretion of the Approving Officer.
5.4	All	Transportation Mitigation Measures as per the summary table (Attachment E of the Staff Report to Council, dated 2023-OCT-16)	Varies

6 Environmental

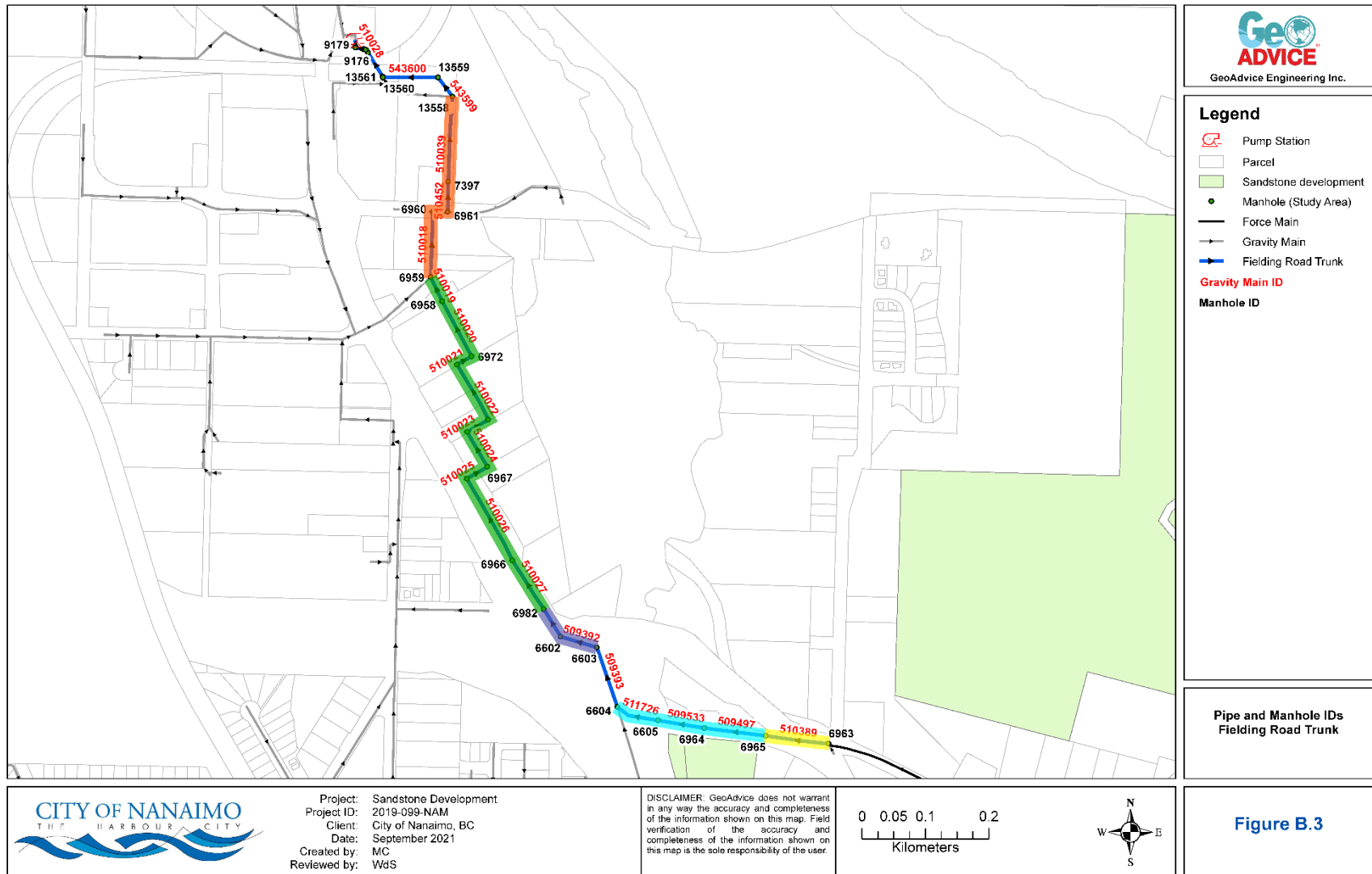
Referencing the Environmental Review of the Sandstone Development, prepared by Environmental Dynamics Inc., dated 2022-APR-25 (the "Environmental Review")

#	Parcel	Condition	Timing
6.1	All	Submittal of a Biophysical Assessment and accompanying reports for any Environmentally Sensitive Area (ESA) identified by Environmental Review following the recommendations as identified in Part 5 of the Environmental Review.	At the time of subdivision of any DA.

7 Additional Amenities

#	Parcel	Condition	Timing
7.1	5	Transfer of lands with an area of approximately 1 hectare to the City of Nanaimo. <i>NOTE: Plan showing approximate location of land dedication within DA5 to be included as part of MDA.</i>	Provided or otherwise secured at the time of subdivision of DA5, as agreed upon by the parties acting reasonably
7.2	6	Transfer of lands with an area of approximately 2 hectares to the Nanaimo – Ladysmith Public Schools (School District No. 68). <i>NOTE: Plan showing approximate location of school site within DA6 to be included as part of MDA.</i>	Provided or otherwise secured at the time of subdivision of DA6, as agreed upon by the parties acting reasonably.

Schedule 1



Schedule 2

Approximate Area of Park Dedication by Development Area

DA	Gross Area (ha)	5% Statutory Park Dedication (ha)	Total Park Dedication (ha)
1	60.8	3.0	22.4
2	32.0	1.6	12.2
3	21.1	1.1	4.5
4	36.3	1.8	6.2
5	21.3	1.1	6.4
6	73.6	3.7	36.7
TOTAL	245.1	12.3	88.3
<i>*Areas are APPROXIMATE only and exclude non-park CAC land dedications</i>			