

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, JUNE 28, 2016
7:00 PM**

(RDN Board Chambers)

A D D E N D U M

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5.	COMMUNICATION/CORRESPONDENCE
	(All Directors – One Vote)
2	Rachel Hamling, Sims Associates Land Surveying Ltd. and Fern Road Consulting Ltd. re Development Variance Permit Application No. PL2016-091 – Island Highway West, Electoral Area ‘H’.
3-8	John C. Adams, Cook Roberts LLP Lawyers, re 2954 Canyon Road, Nanaimo BC
9-10	BC Registry Services re BC Company Summary for 0904255 B.C. LTD.
11-18	Photographs of Fencing re 2954 Canyon Road, Nanaimo BC
19-20	Neels Duplessis, Sitka Landscaping, re Inn Grounds Clean-up
21-34	Sharat Chande, Kontrol Engineering Ltd., re Cassidy Inn, 2954 Canyon Road, Nanaimo – Structural Review and Structural Engineer Schedule B.
35-37	Eva Kozikowska, re Oracle Interiors, re Cassidy Inn, 2954 Canyon Road, Nanaimo
38	Footprints Security Signed Contract, re Cassidy Inn, 2954 Canyon Road, Nanaimo

From: Rachel Hamling <RHamling@simssurvey.ca>
Date: June 28, 2016 at 3:34:04 PM PDT
To: "Holm, Jeremy" <JHolm@rdn.bc.ca>, "Boogaards, Stephen" <SBoogaards@rdn.bc.ca>
Cc: Helen Sims <hsims@simssurvey.ca>, "jimdeas@shaw.ca" <jimdeas@shaw.ca>
Subject: RDN File: PL2016-091 - 6311 Island Highway West - Client: DEAS

Hi Jeremy and Stephen,

After careful consideration, our client, Jim Deas, has decided to remove the DVP application from the Board agenda tonight. Thank you both for your assistance with this file.

Best regards,

Rachel Hamling
Project Coordinator
Sims Associates Land Surveying Ltd. and
Fern Road Consulting Ltd.
Phone: 250-752-9121
Fax: 250-752-9241



Seventh Floor
1175 Douglas Street
Victoria, British Columbia
CANADA V8W 2E1

Phone: 250-385-1411
Fax: 250-413-3300

RALSTON S. ALEXANDER, QC *
MICHAEL S. GREENE *
KATHRYN A. BERGE, QC*
JOHN C. ADAMS *
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J. ANDRE RACHERT *
KERRY L. SIMMONS, QC
BEATRICE C. McCUTCHEON

LAYLEE ROHANI *
CRAIG D. YOUNG
SHELLEY J. SPRING
RYAN D.C. GREEN
SAMANTHA J. DE WIT
J. ALEXANDER DUTTON
KYLE HAMILTON
JENNIFER CAMERON

* denotes Personal Law Corporation

Reply Attention John Adams
Our File 107222

Email: jadams@cookroberts.bc.ca
Direct Line: 250-413-3308
Assistant Direct Line: 250-413-3326

June 13, 2016

EMAIL

Stewart McDannold Stuart
2nd Floor – 837 Burdett Ave.
Victoria, BC V8W 1B3

Attn: Kathryn Stuart

Dear Madam:

Re: 2954 Canyon Road, Nanaimo, British Columbia

Thank you for your June 10, 2016 letter, received by our office late that afternoon (4:07 pm), regarding the reconsideration of the May 24, 2016 Regional District of Nanaimo (“RDN”) Council resolution in relation to our client’s property and building located at 2954 Canyon Road, Nanaimo (the “Property” and “Building” respectively).

We want to emphasize that our client’s position is that its time and funds, as well as the RDN’s resources and funds, would be better focused on remediating the Property, than in lengthy and protracted litigation disputing the validity of the May 24, 2016 resolution and the resulting legal fees that both sides will have to absorb.

The reconsideration is presently scheduled for the June 14 meeting of the RDN’s Council, with your letter indicating that the reconsideration will proceed on a trial *de novo* basis.

We are instead proposing that either:

(a) the reconsideration be adjourned for 90 days to provide our client time to make substantial progress on the remediation of the Building before the Council deals with matter on the trial *de novo* basis set out in your letter, with our client being provided within 14 days with an itemized list of the RDN’s concerns with respect to the condition of the Property and Building, including references to the applicable Building and Fire Codes and bylaws in question; or,

(b), that the existing resolution be amended to include that the Building may be demolished or brought up to the standards specified by the applicable by-laws within a time-frame that would reasonably permit our client to do the necessary investigations concerning the state of the Building and then complete the work in question. (*Community Charter*, SBC 2003, c 26, section 72(2)(iii)).

Our present letter deals first with our client's ongoing efforts to secure and remediate the Building, as we consider that the condition of the Building is or should be Council's chief concern.

We then address why we do not, with respect, agree with the legal arguments set forth in your letter. However, we are confident that if the RDN's Council accepts our client's proposal that it either adjourn the matter for 90 days or amend the resolution, then the competing legal arguments will not have to be addressed in court. Instead, our client will be able to focus its efforts on remediating the Property and Building to a standard that satisfies the requirements of the applicable bylaws, Building and Fire Codes.

We consider this to be a solution that would clearly and obviously be in the RDN's best interests, as well as our client's best interests.

Condition of the Property and Our Client's Efforts to Secure and Remediate the Building:

Our client wants to re-assure the RDN that it is committed to the restoration of the Property and Building.

Our client became the owner of the Property on September 3, 2015. Between September and May, our client was in contact with D'arcy Jones Architect Inc. about its plans for the Property and the Building.

Since our client was contacted by the RDN's staff on about May 17, 2016, it has taken a number of steps to both secure and remediate the Property and Building. Those steps have continued even after Council passed its May 24 resolution that directed our client to demolish the Building within 14 days, without giving our client any opportunity to remediate the Building as an alternative to demolishing it, and without any supporting professional engineering evidence supporting the staff's view that the Building was structurally unsafe.

Since May 17, our client has:

- 1) had the garbage and debris collected and removed from the Property (invoice enclosed);
- 2) made efforts to initially secure the Property, including
 - a. renting temporary fencing and having it installed around the Property (images enclosed); and,
 - b. arranging for daily private security patrols (the contract is enclosed);

- 3) been in contact with Jeremy Holm of the Planning Department regarding the applicable zoning and Official Community Plan;
- 4) arranged for a structural engineer, Sharat Chande, P. Eng, with Kontrol Engineering Ltd., to attend the Property. Mr. Chande attended the Property and inspected the Building on June 7, 2016. Given the short time frame provided by the RDN to our client, his report is shorter than it might have been otherwise but it still addresses the main points. Mr. Chande's opinion is that the Building's structural integrity is sound and that it requires only nominal structural and repair work. His report bears his professional seal. A copy of the report, images and a Schedule B Subsection 2.2.7, Division C British Columbia Building Code field review are enclosed for your reference;
- 5) arranged for a designer Eva Kozikowska, with Oracle Interiors Ltd., to attend the Property. She attended the Property on June 10, 2016, and took measurements of the Building in order to begin developing sketches and blue prints. She also tried to get copies of the land survey or other plans held by the RDN. She attended the RDN's offices twice and was advised that no such plans or survey exist in the files. This will make erecting a permanent fence around the perimeter more difficult, but erecting that fence remains the owner's next priority. Ms. Kozikowska had been consulted earlier and wrote a letter in support of this project, a copy of which is enclosed for your reference; and,
- 6) arranged for a framing crew to attend the Property on the evening of June 15, 2016, to assess how best to repair or rebuild the stairs and entryways of the Building.

Legal Issues Concerning the May 24 Resolution and the Pending Reconsideration:

As mentioned above, our client would prefer to focus its time and funds on remediating the Property and Building than in a legal dispute with the RDN. However, it may be useful to briefly address our client's legal concerns about the validity's of the May 24 resolution.

In your letter, you suggest that the case of *Vernon (City) v. Sengottai*, 2009 BCSC 70 is an answer to some of the issues raised in our June 7, 2016 letter. With respect, *Vernon* is distinguishable from our client's circumstances.

In *Vernon*, the relevant circumstances were as follows:

- the property had been owned by the same owners throughout the time the City had been concerned about the state of the subject property;
- the City worked with the owner over four years (including issuing a building permit that was valid for two years) to try to support efforts to remediate the site;
- the owners refused to respond to the direction from the City or to the resolution;
- the resolution provided the owner 60 days to demolish the building; and,
- the entire dispute evolved over six years.

In contrast, our client has only owned the Property since September 2015. When its representative Manno Pawar became aware of the April 2016 staff directive, he was

immediately in contact with the RDN's By-law Enforcement Office and its Planning Department and made efforts to bring the Property into compliance.

However, instead of providing our client with a reasonable opportunity to remediate the Building or respond to the Notice of Hearing, the RDN's staff and council proceeded immediately to the stage of seeking and passing a resolution requiring our client to demolish the Building within 14 days.

With respect to the list of the RDN's concerns that was enclosed with your June 10, 2016 letter, throughout the time Mr. Pawar has been in contact with the RDN he has repeatedly requested that it provide him with a list of its concerns. He had repeatedly been told that the RDN was unwilling or unprepared to provide him with an itemized list of its concerns. An itemized list of the RDN's concern should have been provided to our client as part of the April, 2016 staff directive or at the latest with the Notice of Hearing that our client received on May 20, 2016.

In addition, the list attached to your letter still has not provided our client with sufficient details of the RDN's concerns, in a manner that would permit him to remediate the Property and Building in a manner that would satisfy those concerns. For example, the list in your letter does not include references to the applicable Building or Fire Code provisions, or the applicable by-laws, that have allegedly been breached by the various items in the list. This greatly complicates our client's ability to have the appropriate professionals review the list of concerns and determine what steps our client has to take to properly remediate the Property and Building in light of those concerns.

We refer you to the case of *McLaren v. Castlegar (City)*, 2010 BCSC 1629, (aff'd) 2011 BCCA 134, where the council was provided with a comprehensive staff report that detailed the efforts made by the municipality over several years to work with the owners of the subject property to bring it into compliance with local by-laws, Building and Fire Codes. The report also attached memoranda prepared by the Fire Chief which referenced specific provisions of the Fire Code and memoranda prepared by the chief building official. Finally, the report in *Castlegar* set out the assessed cost of the building and the estimated costs to implement the remediation steps sought by the municipality. In contrast, the Staff Report provided to the RDN in our client's case included no such detail and the list enclosed with your letter also does not contain any such detail.

We also refer you to the case of *Madaninejad v. North Vancouver (District)*, 2015 BCSC 895. Similarly, in that case the council had detailed information to rely on in making its determination that the property was unsafe. In *North Vancouver*, the time between the damage to the property and the passing of the resolution requiring its remediation was almost nine years. During that time, a number of reports were completed by the municipality's staff and shared with the owners, the owners were offered financial and other support to comply with North Vancouver's request to remediate the property, and the resolution was adjourned and reconsidered a number of times.

In each of *Vernon*, *Castlegar* and *North Vancouver*, there was a lengthy history in relation to a specific owner of a specific property, with the history including progressive enforcement

steps and repeated efforts having been made to work with the owners in those cases to remedy the problems with the buildings in question. In addition, the councils in those cases had been provided with detailed information about why those properties were allegedly unsafe. Finally, in each case, there was ample evidence that the owner(s) of the subject property had repeatedly failed or refused to address the concerns raised by the respective council.

These factors are in stark contrast to how our client has been dealt with, and indeed are almost the exact opposite compared to how our client has been dealt with.

Many of these same procedural concerns will still apply if the reconsideration proceeds on June 14. Assuming that the reconsideration proceeds on a trial *de novo* basis, our client will have had approximately two business days' notice of the RDN's staff's list of concerns about the condition of the Property and Building, between the receipt of your letter on Friday afternoon and the start of the Council meeting. Furthermore, the details in the list of concerns attached to your letter are, as mentioned above, vague. Even if our client had been given more notice of these concerns, it might not have been able to obtain advice from the appropriate professionals on how to address them, let alone started the actual work to remediate those concerns.

The need for such a detailed list is why our proposal that the reconsideration be adjourned for 90 days includes a requirement that our client would days be provided within 14 with an itemized list of the RDN's concerns with respect to the condition of the Property and Building, with the list including references to the applicable Building and Fire Codes and bylaws in question.

We would also point out that it is very difficult, perhaps impossible, for a party or counsel to properly prepare for any trial matter on two business days' notice.

Delivery of April 14, 2016 Staff Directive:

On a procedural point that is related to the adequacy of the notice to our client before the RDN's Council decided to proceed with the draconian step of directing that our client demolish the Building, you state in your letter that the April 14, 2016 staff directive was delivered to the "registered company's address". That is incorrect. The April 2016 staff directive was not sent to our client's registered corporate office which is 9141 Holmes Street, Burnaby, BC. We refer you to the address at the top of the directive, namely 1460 – East 61st Ave, Vancouver, BC. Had the RDN sent the letter to our client's registered office, perhaps it would have come to our client's attention in a timelier manner. A copy of the company's BC Company Summary is enclosed for your reference.

The staff directive does not provide any indication that the RDN would proceed to the demolition of the Building without first giving our client the opportunity to remediate the Building. As mentioned in our earlier letter, the actual notice of hearing of the May 24 meeting, also failed to give our client proper notice that the RDN would be considering proceeding directly to an order that our client demolish the Building, and in particular without giving our client any opportunity to instead remediate the Building.

June 14, 2016 Agenda

As mentioned above, our client is proposing that the reconsideration be adjourned for a further 90 days or that the existing resolution be amended.

If Council decides to instead proceed tomorrow on the basis that the resolution be reconsidered at the June 14 meeting, and particularly on trial *de novo* basis, however, then we note that the agenda for the June 14 meeting has two items on it and that the total time allotted for both items is 15 minutes. We anticipate our submissions being much longer than 15 minutes and that our submissions will cover not only the items mentioned in our previous letter, but also the issues that arise as a result of your recent correspondence and the present letter. We will also be taking Council through the efforts made by our client in relation to the Property and Building to date.

We also note that our client reserves all of its legal rights and remedies, including but not limited to all of its procedural rights and remedies, in the event that Council decides to proceed with the reconsideration of this matter tomorrow night rather than accepting one of the two alternative proposals set out above.

If possible, we would prefer to hear from you by tomorrow at 3 pm with respect to whether the RDN will be accepting either of the alternative proposals suggested by our client.

Yours truly,

COOK ROBERTS LLP



Per: John C. Adams

JCA/jad
Cc: client
Encls.



BC Company Summary

For
0904255 B.C. LTD.

Date and Time of Search: May 30, 2016 12:27 PM Pacific Time
Currency Date: March 18, 2016

ACTIVE

Incorporation Number: BC0904255
Name of Company: 0904255 B.C. LTD.
Recognition Date and Time: Incorporated on March 01, 2011 08:57 AM Pacific Time In Liquidation: No
Last Annual Report Filed: March 01, 2015 Receiver: No

REGISTERED OFFICE INFORMATION

Mailing Address:
9141-HOLMES STREET
BURNABY BC V3N 4C1
CANADA

Delivery Address:
9141-HOLMES STREET
BURNABY BC V3N 4C1
CANADA

RECORDS OFFICE INFORMATION

Mailing Address:
9141-HOLMES STREET
BURNABY BC V3N 4C1
CANADA

Delivery Address:
9141-HOLMES STREET
BURNABY BC V3N 4C1
CANADA

DIRECTOR INFORMATION

Last Name, First Name, Middle Name:
PANGLI, PAVITTAR

Mailing Address:
1460, EAST-61 AVE.
VANCOUVER BC V5P 2J4
CANADA

Delivery Address:
1460, EAST-61 AVE.
VANCOUVER BC V5P 2J4
CANADA

Last Name, First Name, Middle Name:
POWAR, MANNO

Mailing Address:
#141, 6200-MACKAY AVE.
BURNABY BC V4H 5L7
CANADA

Delivery Address:
#141, 6200-MACKAY AVE.
BURNABY BC V4H 5L7
CANADA

OFFICER INFORMATION AS AT March 01, 2015

Last Name, First Name, Middle Name:

PANGLI, PAVITTAR

Office(s) Held: (President)

Mailing Address:

1460 , EAST-61 AVE
VANCOUVER BC V5P 2J4
CANADA

Delivery Address:

1460 , EAST-61 AVE
VANCOUVER BC V5P 2J4
CANADA

Last Name, First Name, Middle Name:

POWAR, MANNO

Office(s) Held: (Secretary)

Mailing Address:

#141, 6200-MCKAY STREET
BURNABY BC V4H 5L7
CANADA

Delivery Address:

#141, 6200-MCKAY STREET
BURNABY BC V4H 5L7
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From: Neels Duplessis <neelsduplessis@gmail.com>
Date: June 1, 2016 at 11:52:42 PM PDT
To: investbureau@yahoo.com
Subject: Inn grounds clean-up

Hi Nano

Just to confirm: My helper and I worked for about two and a half hours, trimming, mowing, raking and blowing the area. It looks much better, but more work can be done if wanted. I suppose Eric will be able to confirm. I spoke to him, but he was in Vancouver today.

My bill:

<

Sitka
Landscaping GST#806567087/RT0001
420 Drake
St
Nanaimo,
BC

1-Jun-16

Cassidy Inn
2954 Trans
Canada
Highway
Nanaimo,
BC

c/o Nano
Power

Grounds clean-up		300.00
	5% GST	15.00
Amount due		315.00

KONTROL ENGINEERING LTD.

Municipal & Structural

June 9, 2016

The Building Department
Regional District of Nanaimo,
6300 Hammond Bay Road,
Nanaimo B.C.
V9T 6N2

Dear Sirs:

**Cassidy Inn
2954 Canyon Road, Nanaimo
Structural Review**

We inspected the existing building on June 07, 2016.

Our field review notes & observations and recommendations are as follows.

1. It appears that the building was constructed about 80 (+) years ago. There have been several additions to the building. This has been done in several phases.
 - a. There are no archive drawings available.
2. The building has been vacant for a few years.

3. External Finishes and Inspections.

- a. Almost all glass in the window and doors have been broken.
- b. Almost all exterior access stair-cases have weathered and or deteriorated and will have to be replaced.
- c. Exterior wall finishes does not show any cracks. At two locations, the wall finishes has been damaged at the base and the base plate has been exposed to weathering.
 - i. **These will have to fully exposed and we will determine if the base plates will have to be replaced, made good or are o.k. as is.**
- d. The finished grades near the building are only a couple of inches below the top of the foundation. This does not confirm with good building practice. However there has not been any noticeable water penetration through the walls. As the site finishes (paving) may have been topped up several times this is "standard practice" and we do not think that it is necessary to re-grade the site finishes (paving).
- e. The site retaining walls are in good conditions and do not require any modification works.
- f. The roof of the main building appears to be in good condition, however more than half the down pipes have been broken and will have to be made good. Some roof panels in the additions done later will require replacement
- g. The foundation walls were inspected where they were exposed, and they do not show any sign of settlement, nor cracks were observed and **the foundation is good as is.**

1090 Augusta Ave.
Burnaby, B.C.
V5A 2V4

Tel/Fax: 604 291 7434
Cell: 604 723 7534
Email: chande@shaw.ca

KONTROL ENGINEERING LTD.

Municipal & Structural

Cassidy Inn
2954 Canyon Road, Nanaimo
Structural Review

4. Internal Structural Work and Finishes.

- a. The building is “post & beam construction. The framing members have withstood all loads imposed on it during the past 80 (+) years **and the structural framing is O.K. as is.**(For vertical loading)
 - i. **We will carry out structural check of beams & columns to verify its adequacy to support the current design loads as specified by B.C. Building Code.**
- b. External and internal walls have 1x6 or 1x8 wood board as sheathing. Some of the wood boards are diagonal but the majority is horizontal. It appears that the lateral resistance of the building is adequate. The building has been subjected to full design wind loading without any damage and we do not expect that additional works will be required.
 - i. **This will be verified after the drawings for the building are completed.**
- c. The floor joists were not visible for the second floor framing. However some floor joists have been “notched” at plumbing fixtures (which must have been installed at a later date.) Some of these floor joists will have to be replaced or made good by sistering the floor joists or adding gusset plates.
 - i. **The design of remedial works will be done after all floor joists are exposed the drawings for the building are completed.**

5. Conclusion:

- a. The building’s structural integrity is sound and requires only (nominal) structural works (repair) works. We shall issue our field review reports

If you require any additional information, please do not hesitate to call our office.

Yours truly,



.....
Sharat Chande P.Eng.



1090 Augusta Ave.
Burnaby, B.C.
V5A 2V4

Tel/Fax: 604 291 7434
Cell: 604 723 7534
Email: chande@shaw.ca

















BRITISH COLUMBIA BUILDING CODE 2012

SCHEDULE B

Forming Part of Subsection 2.2.7, Div. C of the
British Columbia Building Code

Building Permit No. _____
(for authority having jurisdiction's use)

ASSURANCE OF PROFESSIONAL DESIGN AND COMMITMENT FOR FIELD REVIEW

- Notes: (i) This letter must be submitted prior to the commencement of construction activities of the components identified below. A separate letter must be submitted by each *registered professional of record*.
(ii) This letter is endorsed by: Architectural Institute of B.C., Association of Professional Engineers and Geoscientists of B.C., Building Officials' Association of B.C., and Union of B.C. Municipalities.
(iii) In this letter the words in italics have the same meaning as in the British Columbia Building Code.

To: The *authority having jurisdiction*

Regional District of Nanaimo

Name of Jurisdiction (Print)

Re: Cassidy Inn- Structural Review & Repair works

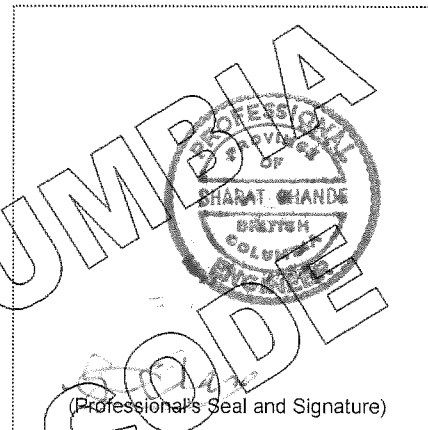
Name of Project (Print)

2954 Canyon Road

Address of Project (Print)

The undersigned hereby gives assurance that the design of the
(Initial those of the items listed below that apply to this *registered professional of record*. All the disciplines will not necessarily be employed on every project.)

- _____ ARCHITECTURAL
- X SL _____ STRUCTURAL
- _____ MECHANICAL
- _____ PLUMBING
- _____ FIRE SUPPRESSION SYSTEMS
- _____ ELECTRICAL
- _____ GEOTECHNICAL — temporary
- _____ GEOTECHNICAL — permanent



(Professional's Seal and Signature)

June 07 2016

Date

components of the plans and supporting documents prepared by this *registered professional of record* in support of the application for the *building* permit as outlined below substantially comply with the B.C. Building Code and other applicable enactments respecting safety except for construction safety aspects.

The undersigned hereby undertakes to be responsible for *field reviews* of the above referenced components during construction, as indicated on the "SUMMARY OF DESIGN AND FIELD REVIEW REQUIREMENTS" below.

CRP's Initials

BRITISH COLUMBIA BUILDING CODE 2012

Schedule B - Continued

Building Permit No.
(for authority having jurisdiction's use)

2954 Canyon Road

Project Address

Structural

Discipline

The undersigned also undertakes to notify the *authority having jurisdiction* in writing as soon as possible if the undersigned's contract for *field review* is terminated at any time during construction.

I certify that I am a *registered professional* as defined in the British Columbia Building Code.

Sharat Chande

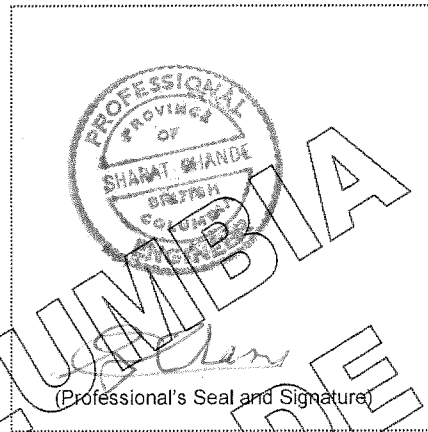
Registered Professional of Record's Name (Print)

1090 Augusta Avenue, Burnaby B.C. V5A 2V4

Address (Print)

604 291 7434 (O), 604 723 7534 (M)

Phone No.



June 07 2016

Date

(If the *Registered Professional of Record* is a member of a firm, complete the following.)

I am a member of the firm Kontrol Engineering

and I sign this letter on behalf of the firm. (Print name of firm)

Note: The above letter must be signed by a *registered professional of record*, who is a *registered professional*. The British Columbia Building Code defines a *registered professional* to mean

- (a) a person who is registered or licensed to practise as an architect under the Architects Act, or
- (b) a person who is registered or licensed to practise as a professional engineer under the Engineers and Geoscientists Act.

CRP's Initials

BRITISH COLUMBIA BUILDING CODE 2012

Schedule B - *Continued*

Building Permit No.
(for authority having jurisdiction's use)

2954 Canyon Road

Project Address

Structural

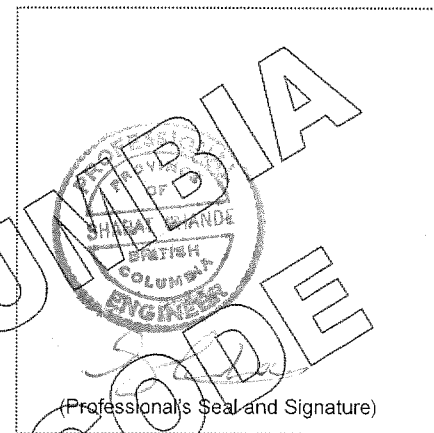
Discipline

SUMMARY OF DESIGN AND FIELD REVIEW REQUIREMENTS

(Initial applicable discipline below and cross out and initial those items not applicable to the project.)

ARCHITECTURAL

- 1.1 Fire resisting assemblies
- 1.2 *Fire separations* and their continuity
- 1.3 *Closures*, including tightness and operation
- 1.4 Egress systems, including *access to exit* within *suites* and *floor areas*
- 1.5 Performance and physical safety features (guardrails, handrails, etc.)
- 1.6 Structural capacity of architectural components, including anchorage and seismic restraint
- 1.7 Sound control
- 1.8 Landscaping, screening and site grading
- 1.9 Provisions for fire fighting access
- 1.10 Access requirements for *persons with disabilities*
- 1.11 Elevating devices
- 1.12 Functional testing of architecturally related fire emergency systems and devices
- 1.13 Development Permit and conditions therein
- 1.14 Interior signage, including acceptable materials, dimensions and locations
- 1.15 Review of all applicable shop drawings
- 1.16 Interior and exterior finishes
- 1.17 Dampproofing and/or waterproofing of walls and slabs below *grade*
- 1.18 Roofing and flashings
- 1.19 Wall cladding systems
- 1.20 Condensation control and cavity ventilation
- 1.21 Exterior glazing
- 1.22 Integration of building envelope components
- 1.23 Environmental separation requirements (Part 5)
- 1.24 Building Envelope, Part 10/ASHRAE or NECB Requirements



June 07 2016

Date

X ~~A~~ STRUCTURAL

- 2.1 Structural capacity of structural components of the *building*, including anchorage and seismic restraint
- 2.2 ~~Structural aspects of *deep foundations*~~ *sl*
- 2.3 Review of all applicable shop drawings
- 2.4 ~~Structural aspects of unbonded post-tensioned concrete design and construction~~ *sl*

MECHANICAL

- 3.1 HVAC systems and devices, including high *building* requirements where applicable
- 3.2 ~~Fire dampers~~ at required *fire separations*
- 3.3 ~~Continuity of *fire separations*~~ at HVAC penetrations
- 3.4 Functional testing of mechanically related fire emergency systems and devices
- 3.5 Maintenance manuals for mechanical systems
- 3.6 Structural capacity of mechanical components, including anchorage and seismic restraint
- 3.7 Review of all applicable shop drawings
- 3.8 Mechanical Systems, Part 10/ASHRAE or NECB Requirements

CRP's Initials

BRITISH COLUMBIA BUILDING CODE 2012

Schedule B - *Continued*

Building Permit No.
(for authority having jurisdiction's use)

2954 Canyon Road

Project Address

Structural

Discipline

PLUMBING

- 4.1 Roof drainage systems
- 4.2 Site and foundation drainage systems
- 4.3 Plumbing systems and devices
- 4.4 Continuity of fire separations at plumbing penetrations
- 4.5 Functional testing of plumbing related fire emergency systems and devices
- 4.6 Maintenance manuals for plumbing systems
- 4.7 Structural capacity of plumbing components, including anchorage and seismic restraint
- 4.8 Review of all applicable shop drawings
- 4.9 Plumbing Systems, Part 10/ASHRAE or NECB Requirements

FIRE SUPPRESSION SYSTEMS

- 5.1 Suppression system classification for type of occupancy
- 5.2 Design coverage, including concealed or special areas
- 5.3 Compatibility and location of electrical supervision, ancillary alarm and control devices
- 5.4 Evaluation of the capacity of city (municipal) water supply versus system demands and domestic demand, including pumping devices where necessary
- 5.5 Qualification of welder, quality of welds and material
- 5.6 Review of all applicable shop drawings
- 5.7 Acceptance testing for "Contractor's Material and Test Certificate" as per NFPA Standards
- 5.8 Maintenance program and manual for suppression systems
- 5.9 Structural capacity of sprinkler components, including anchorage and seismic restraint
- 5.10 For partial systems — confirm sprinklers are installed in all areas where required
- 5.11 Fire Department connections and hydrant locations
- 5.12 Fire hose standpipes
- 5.13 Freeze protection measures for fire suppression systems
- 5.14 Functional testing of fire suppression systems and devices

ELECTRICAL

- 6.1 Electrical systems and devices, including high building requirements where applicable
- 6.2 Continuity of fire separations at electrical penetrations
- 6.3 Functional testing of electrical related fire emergency systems and devices
- 6.4 Electrical systems and devices maintenance manuals
- 6.5 Structural capacity of electrical components, including anchorage and seismic restraint
- 6.6 Clearances from buildings of all electrical utility equipment
- 6.7 Fire protection of wiring for emergency systems
- 6.8 Review of all applicable shop drawings
- 6.9 Electrical Systems, Part 10/ASHRAE or NECB requirements

GEOTECHNICAL — Temporary

- 7.1 Excavation
- 7.2 Shoring
- 7.3 Underpinning
- 7.4 Temporary construction dewatering

GEOTECHNICAL — Permanent

- 8.1 Bearing capacity of the soil
- 8.2 Geotechnical aspects of deep foundations
- 8.3 Compaction of engineered fill
- 8.4 Structural considerations of soil, including slope stability and seismic loading
- 8.5 Backfill
- 8.6 Permanent dewatering
- 8.7 Permanent underpinning



(Professional's Seal and Signature)

June 07 2016

Date

CRP's Initials

From: Eva Kozikowska <evakoz111@gmail.com>
Date: June 2, 2016 at 3:22:56 PM PDT
To: investbureau@icloud.com
Subject: Letter

Hi Manno,
Please see attached letter for Mr. Adams;
Thank you;
Eva

Att.: John Adams
Cook Roberts LLP;
7th Floor-1175 Douglas Street;
Victoria, BC V8W 2E1

June 02/ 2016

Dear Mr. Adams,

My name is Eva Kozikowska and I am the owner of Oracle Interiors located at 1703 West 4th Avenue in Vancouver. Mr. Manno Pawar, the owner of Cassidy Inn Hotel, informed me about the decision of the Regional District of Nanaimo to order the owner to demolish the property by June 8th, 2016. I recommend keeping the frame of the building rather than demolish it for the following reasons; the building is structurally fine and sound with the exception of codes and standards not being met due to the age of the building. We are fully prepared to restore the building in accordance with zoning and by laws to bring this building to code as if it were completely a new building.

Rejuvenating its presence in keeping the heritage while bringing a very unique architectural design would only attract many tourists. The economic and social benefits are in the employment it will generate in the trades while bringing European creativity to the local culture. In my experience living in Europe and raised with high standards of quality in architectural design we look at the building according to it's potential for a long life span.

What I consider more valuable to the community and the young generation is to appreciate the heritage and history of the building taking into account it was built around 1910 and used as a landmark for filmmakers such as the movie Iron Man. This to me is what the city should be considering when making decisions to demolish buildings in the city of Nanaimo. Mr. Pawar presented me with a business proposition to work with him in having this project move forward in restoring the building as a hotel responsible for designing all the units working very close with him.

Most cities have an old heritage aspect to them with plenty of old buildings, they then usually pay more attention to preserve them, restore them, transform them and make them "alive" again. The Cassidy hotel can be transformed as a piece of art visually attracting many tourists to enjoy. What attracts people to the island is its heritage and maintaining this would only increase tourism. Exactly a year ago a similar situation happened in Port Moody where my client purchased a beautiful property over a 100 years old at 100 Water Street. The house was "pronounced" unliveable and to be torn down. Based on my working experience most of those old houses have a better structure than those built during the 1990's/ 2000. My clients decided to proceed with the full renovation. Today, one year later, my clients live in a unique, beautiful loft style house.

Mr. Pawar and I discussed the option to transform the Cassidy Hotel into a desirable hotel for tourists. I would like to bring to the city of Nanaimo my European expertise in design while keeping the heritage and history of Nanaimo for all residents and tourist to enjoy.

Sincerely;
Eva Kozikowska

Oracle Interiors
1703 West 4th Ave,
Vancouver, BC V6J 1M2
Ph.: 604-781-2267

