



TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 *Local Government Act*)

FILE NO: 3060-20-10

DATE: June 16, 2020

Name of Owner(s) of Land (Permittee): Sharon Christine Alsop, Donald Rodney Alsop,
Aisha Michelle Alsop.

Applicant: Steven Cross (X Architecture)

Subject Property (Civic Address): 204 Dogwood Drive

1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.
2. This Permit applies to and only to those lands within the Town of Ladysmith described below, and any and all buildings structures and other development thereon:

**PARCEL A (BEING A CONSOLIDATION OF LOTS 2, 3 AND 4, SEE CA8021936)
SUBURBAN LOT 9 OYSTER DISTRICT PLAN 1009
PID: 031-032-419**
(referred to as the "Land")

3. This Permit has the effect of authorizing the issuance of a building permit for the construction of a building or structure on the Land, the alteration of the Land, and the alteration of a building on land designated in the Official Community Plan pursuant to section 488(1)(d) of the *Local Government Act*, in accordance with the plans and specifications attached to this Permit, subject to all applicable laws except as varied by this Permit, and subject to the conditions, requirements and standards imposed and agreed to in section 5 and 6 of this Permit.
4. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860.
5. The Permittee, as a condition of the issuance of this Permit, agrees:

(a) To develop the Land strictly in accordance with the following Schedules:

- i. **Schedule A: Site Plan**
- ii. **Schedule B: Roof Plan**
- iii. **Schedule C: South & West Elevation Plan**
- iv. **Schedule D: North & East Elevation Plan**
- v. **Schedule E: Landscape Plan**
- vi. **Schedule F: Façade Renderings & Colour Scheme**

(b) That the Town of Ladysmith Zoning Bylaw 2014, No. 1860 is hereby varied as follows:

- i. Section 7.2.2 “Landscape Buffers” is varied such that three existing trees and proposed wooden fence adjacent to the pedestrian path, as shown in **Schedule A: Site Plan**, substitutes the minimum Landscape Buffer requirements for the northeast side parcel line.
6. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of an irrevocable Letter of Credit to guarantee the performance of the conditions in section 5 of this Permit respecting landscaping. The Letter of Credit shall not expire and shall be in the amount of \$2,544.95.
 7. Should the Permittee fail to satisfy the conditions referred to in section 5 of this Permit respecting landscaping, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping conditions at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.
 8. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.
 9. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
 10. The plans and specifications attached to this Permit are an integral part of this Permit.
 11. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit (**DP 3060-20-10**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
 12. This Permit prevails over the provisions of the Bylaw in the event of conflict.
 13. Despite issuance of this Permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH
ON THE ____ DAY OF _____ 202__.

Mayor (A. Stone)

Corporate Officer (D. Smith)

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with **Sharon Christine Alsop, Donald Rodney Alsop or Aisha Michelle Alsop** other than those contained in this Permit.

Signed

Witness

Title

Occupation

Date

Date

Signed

Witness

Title

Occupation

Date

Date

Signed

Witness

Title

Occupation

Date

Date