



TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act*)

FILE NO: 3090-20-03

DATE: June 16, 2020

Name of Owner(s) of Land (Permittee): Edward Donald Gregson and Sheila Louise Gregson

Applicant: Angela Quek, Architect

Subject Property (Civic Address): 373 Chemainus Road

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance 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:

**Lot A (DD 82674-N), District Lot 42, Oyster District, Plan 4858 – PID: 006-035-001
(373 Chemainus Road)
(referred to as the “Land”)**

3. Section 5.2 e)iii) (Setback from the sea) of the “Town of Ladysmith Zoning Bylaw 2014, No. 1860”, as amended, is varied for the subject property to allow for construction of a single detached dwelling:

From: In the case of a *Parcel* adjacent to or abutting the sea, **8.0 metres** horizontally distant from the *Natural Boundary* of the sea or horizontally distant inland from the top of slope on a *Parcel* with an average slope of 30% or more, whichever is greater.

To: In the case of a *Parcel* adjacent to or abutting the sea, **4.47 metres** horizontally distant from the *Natural Boundary* of the sea.

4. Section 10.2.5. a) (R-1, Height of Principal Building) of the “Town of Ladysmith Zoning Bylaw 2014, No. 1860”, as amended, is varied for the subject property to allow for construction of a single detached dwelling:

From: No *Principal Building* or *Structure* shall exceed a Height of 9.0 metres; except where a *Principal Building* roof pitch is less than 4:12, in which case the maximum height shall be **7.5 metres**.

To: No *Principal Building* or *Structure* shall exceed a Height of 9.0 metres; except where a *Principal Building* roof pitch is less than 4:12, in which case the maximum height shall be **7.7 metres**.

5. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
6. The following plans and specifications are attached:
 - a) **Schedule A – Site Plan**
 - b) **Schedule B – Elevation Plans**
7. 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 (**3090-20-03**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
8. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZING RESOLUTION PASSED BY MUNICIPAL COUNCIL ON THE 16th DAY OF JUNE 2020.

Mayor (A. Stone)

Corporate Officer (D. Smith)

I HEREBY CERTIFY that I have read the terms and conditions of the Development Variance 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 **Edward Donald Gregson and/or Sheila Louise Gregson** other than those contained in this permit.

Signed

Witness

Title

Occupation

Date

Date

Signed

Witness

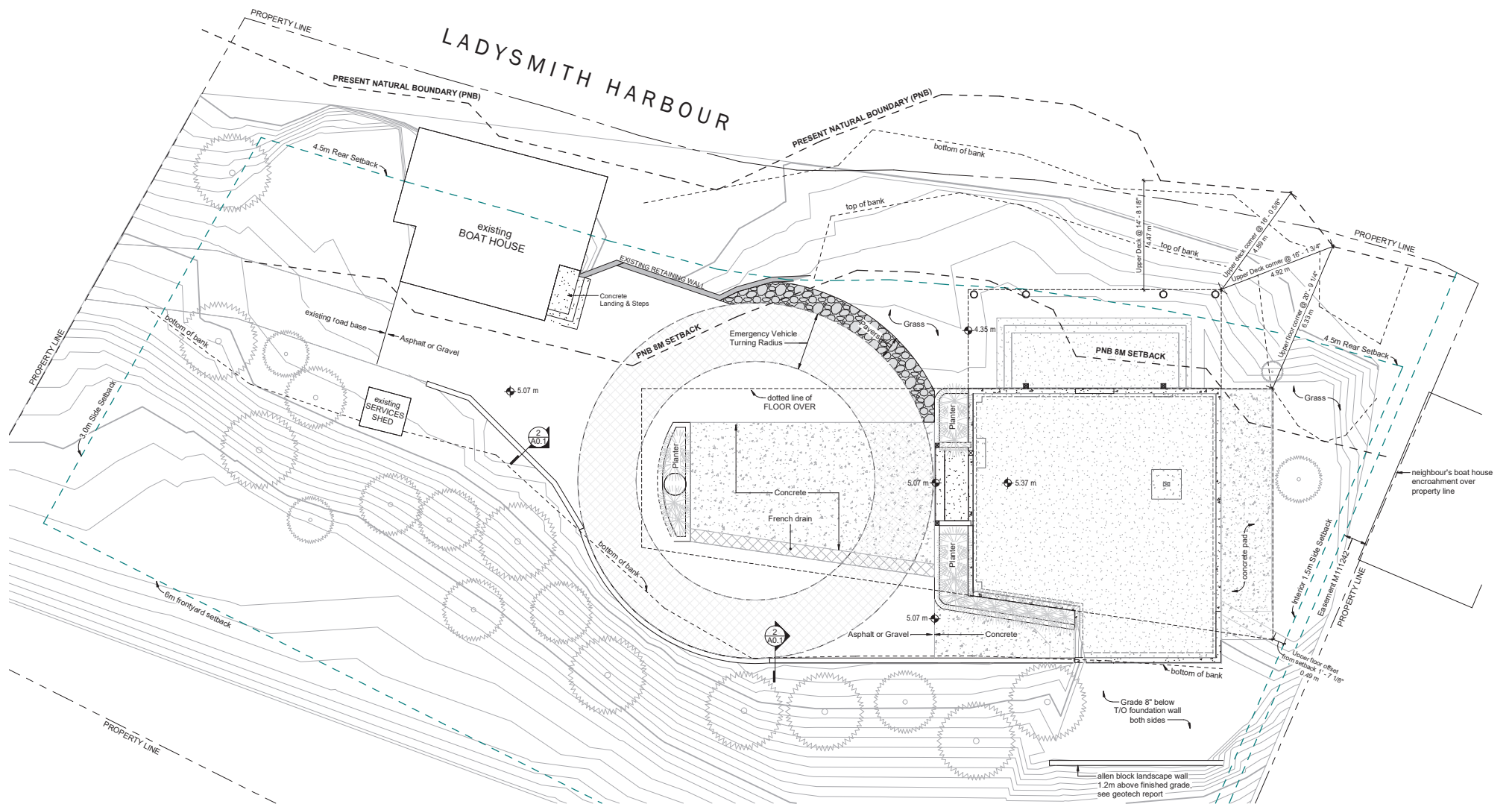
Title

Occupation

Date

Date

Schedule A - Site Plan
 DVP 3090-20-03
 373 Chemainus Road



Schedule B - Elevation Plans
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Schedule B - Elevation Plans
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