

Late Agenda Item

**Regular Council Agenda
April 1, 2025**

Recommendation:

That Council amend the agenda to replace the following attachment for Item 8.2, received after publication of the agenda:

8.2. Development Variance Permit 3090-25-02 – 130 1st Avenue	Pages
• Attachment B – DVP 3090-25-02	1-7

This item contains a clerical correction to the Development Variance Permit. The section 3 zoning reference has been updated from (R-1) to (R-2). Additionally, the text has been corrected to include a missing letter, changing "n" to "an."

ATTACHMENT - B



TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 Local Government Act)

FILE NO: 3090-25-02

DATE: April 01, 2025

Name of Owner(s) of Land (Permittee): Kristopher Peter Jacobsen

Applicant: Kristopher Peter Jacobsen

Subject Property (Civic Address): 130 1st Avenue

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 3, Block 24, District Lot 56, Oyster District, Plan 703
PID: 008-549-907
(130 1st Avenue)
(referred to as the "Land")
3. Section 10.4.5 (b) of "Old Town Residential (R-2)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by increasing the *Height* of an *Accessory Building* from 3.5 metres to 4.1 metres to allow for a construction of an *Accessory Building* as shown in **Schedule A – Survey Plan** and **Schedule B – Building Elevations**.
4. 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.
5. The following plans and specifications are attached:
 - (a) **Schedule A – Survey Plan**
 - (b) **Schedule B – Building Elevations**
6. Pursuant to s.504(1) of the *Local Government Act*, 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.

7. For the purposes of section 6, construction is considered to be substantially started where:
 - a. a valid building permit has been issued for the development;
 - b. a foundation has been constructed; and
 - c. all works that have occurred on site are in compliance with this permit and the bylaws of the Town.
8. 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 (3090-25-02) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. 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.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE 1st DAY OF APRIL, 2025.

ATTACHMENT 10

SITE PLAN SHOWING PROPOSED BUILDING LOCATION ON:
 LOT 3, BLOCK 24, DISTRICT LOT 56,
 OYSTER DISTRICT, PLAN 703

CLIENT: MUCHALT PROJECTS
 CIVIC ADDRESS: 130 FIRST AVENUE
 FILE: 21-130-3 SCALE: 1:200 DRAWN BY: BEP ZONING: R-2
 PID: 008-549-907

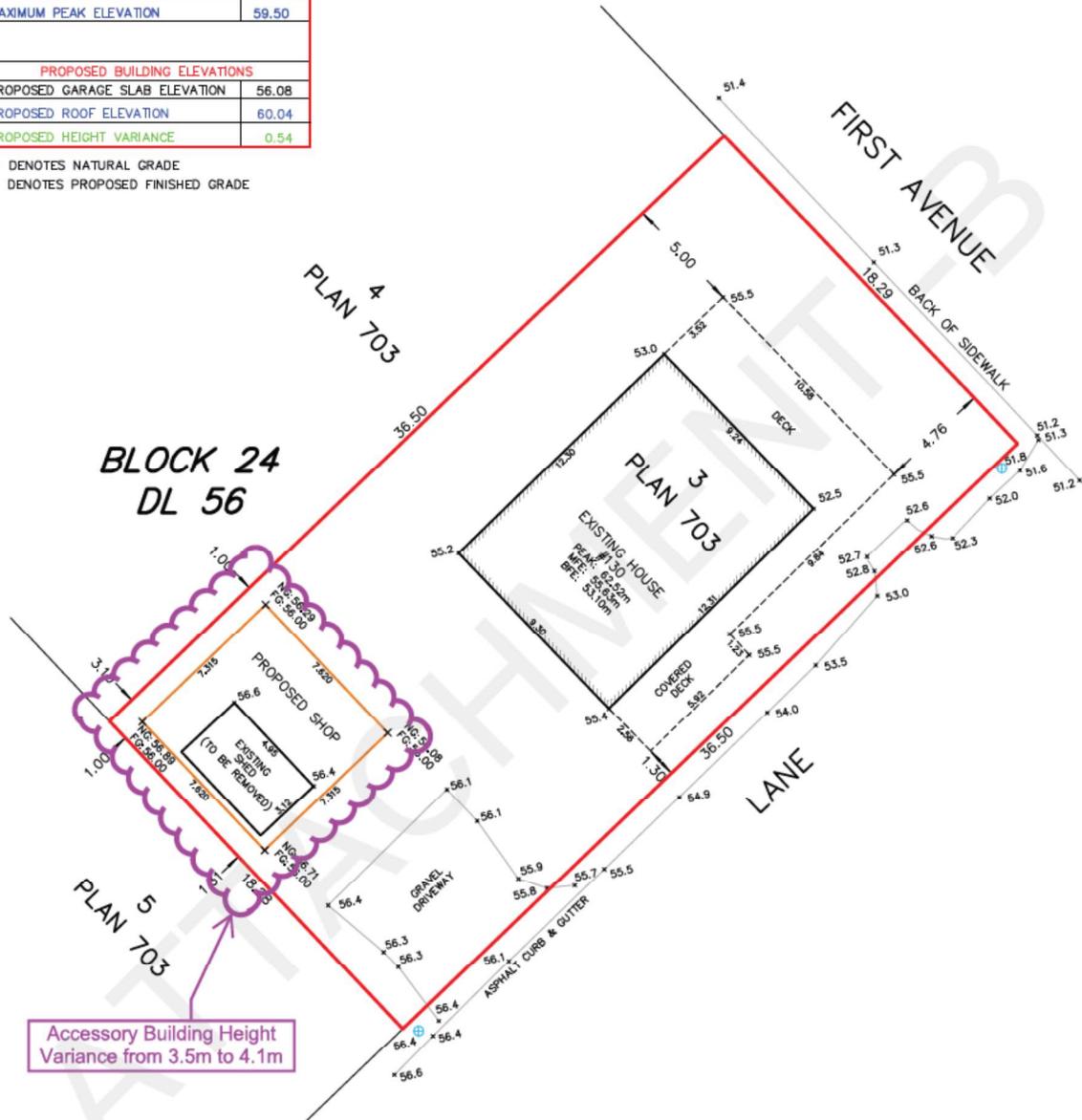
SITE DATA	
ZONING	R-2
PARCEL SIZE (m) ²	667.6
PARCEL COVERAGE (%)	25.5
ACCESSORY HEIGHT CALCULATION	
AVERAGE NATURAL GRADE	56.49
AVERAGE FINISHED GRADE	56.00
MAXIMUM BUILDING HEIGHT	3.5m
MAXIMUM PEAK ELEVATION	59.50
PROPOSED BUILDING ELEVATIONS	
PROPOSED GARAGE SLAB ELEVATION	56.08
PROPOSED ROOF ELEVATION	60.04
PROPOSED HEIGHT VARIANCE	0.54

LEGEND:
 x 54.0 DENOTES SPOT ELEVATION
 ⊕ DENOTES UTILITY POLE

SCHEDULE A - Survey Plan
 DVP 3090-25-02
 130 1st Avenue



NG: DENOTES NATURAL GRADE
 FG: DENOTES PROPOSED FINISHED GRADE



Accessory Building Height Variance from 3.5m to 4.1m



SCALE 1:200
 DISTANCES AND ELEVATIONS ARE IN METRES.
 GEODETIC ELEVATIONS ARE DERIVED FROM CONTROL MONUMENT 87H3555 (CGVD288C DATUM).

THIS PLAN LIES WITHIN THE COWICHAN VALLEY REGIONAL DISTRICT
 NOTE:
 THE REGISTERED TITLE OF THIS PROPERTY IS AFFECTED BY THE FOLLOWING LEGAL NOTATIONS AND REGISTERED CHARGES, LIENS AND INTERESTS:
 M76300.
 THIS SITE PLAN DOES NOT VERIFY COMPLIANCE WITH THE ABOVE NOTED DOCUMENTS.

THIS SITE PLAN SHOWS THE RELATIVE LOCATION OF THE EXISTING AND PROPOSED STRUCTURES/IMPROVEMENTS WITH RESPECT TO THE BOUNDARIES OF THE DESCRIBED PARCEL ONLY.
 THIS SITE PLAN SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.
 THE SIGNATORY ACCEPTS NO RESPONSIBILITY FOR AND HEREBY DISCLAIMS ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE SITE PLAN BEYOND ITS INTENDED USE.

Turner & Associates
 land surveying inc.
 250.753.9778
 435 TERMINAL AVENUE NORTH
 NANAIMO, BC V9S 4J8
 www.turnersurveys.ca

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 29th DAY OF JANUARY, 2025

Digitally signed by Brody Phillips
 7EK9BN
 Date: 2025.02.03 14:53:25 -0800

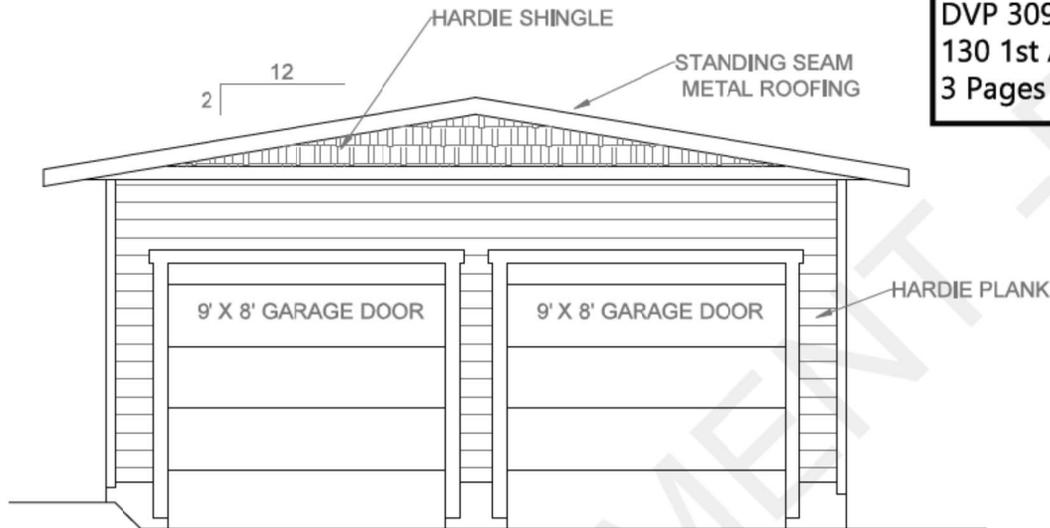
B.C.L.S. #994

(THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.)

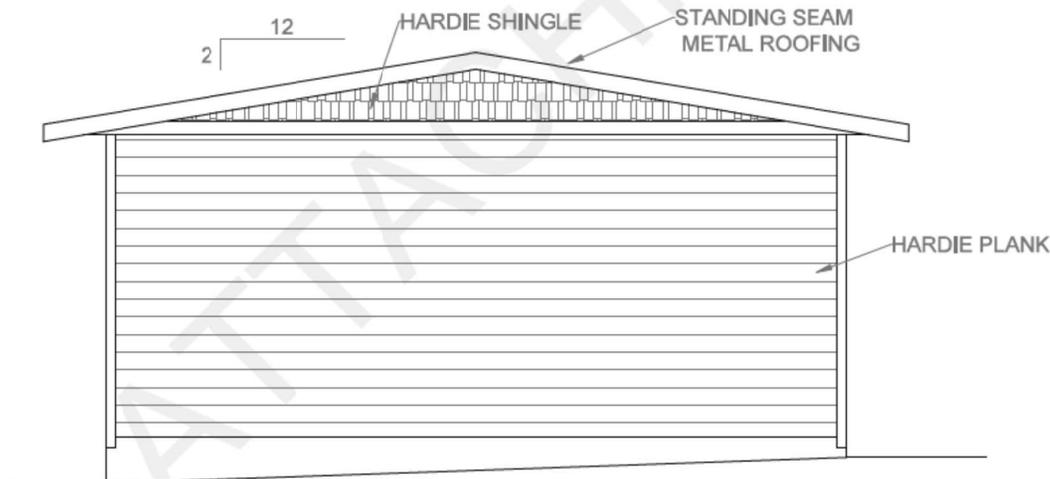
SCHEDULE B - Building Elevations
 DVP 3090-25-02
 130 1st Avenue
 3 Pages

MUCHALAT PROJECTS

MUCHALAT PROJECTS
 3026 DOVE CREEK RD
 COURTESY BC
 V8J 1P3
 MUCHALAT@ME.COM

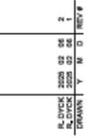


FRONT ELEVATION



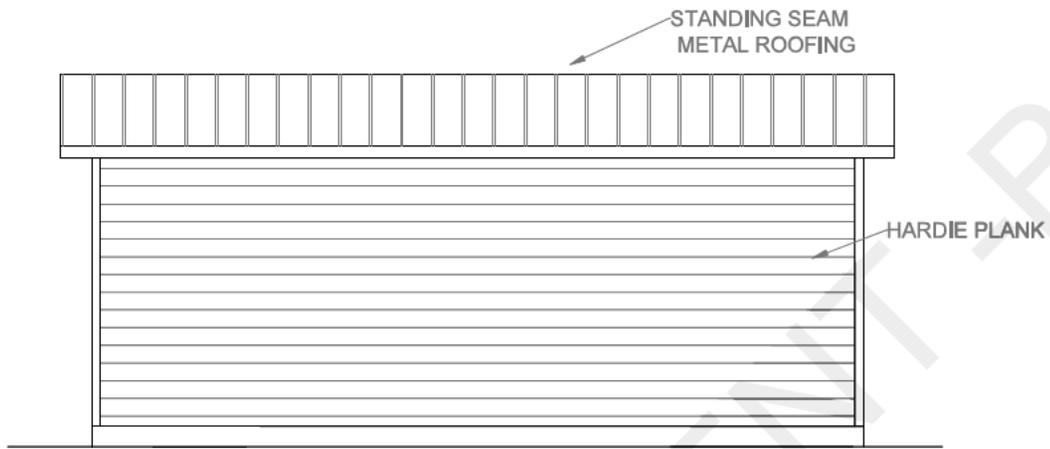
REAR ELEVATION

SCALE: 1/4" = 1'

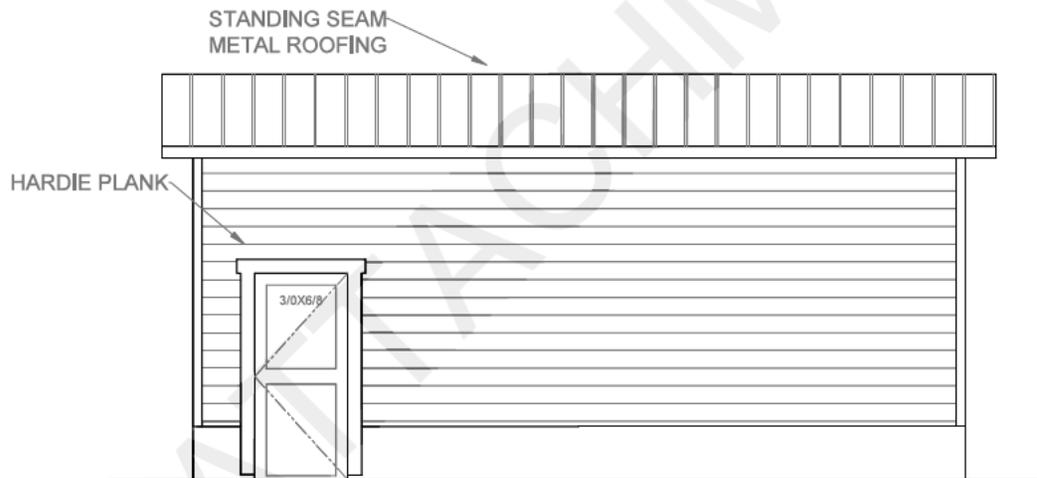


KRIS SHOP
 130 1ST AVE. LADYSMITH, BC V0G 1A1

A2.02
 ELEVATIONS 2

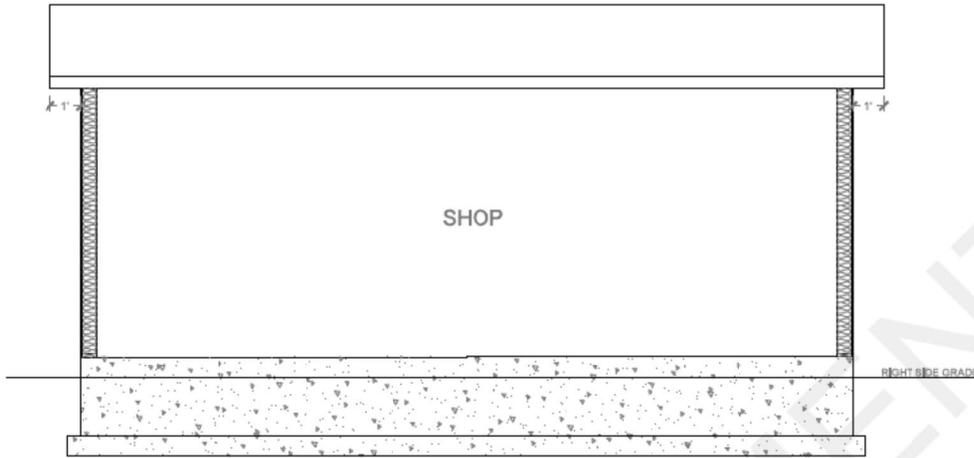


LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'



SECTION A

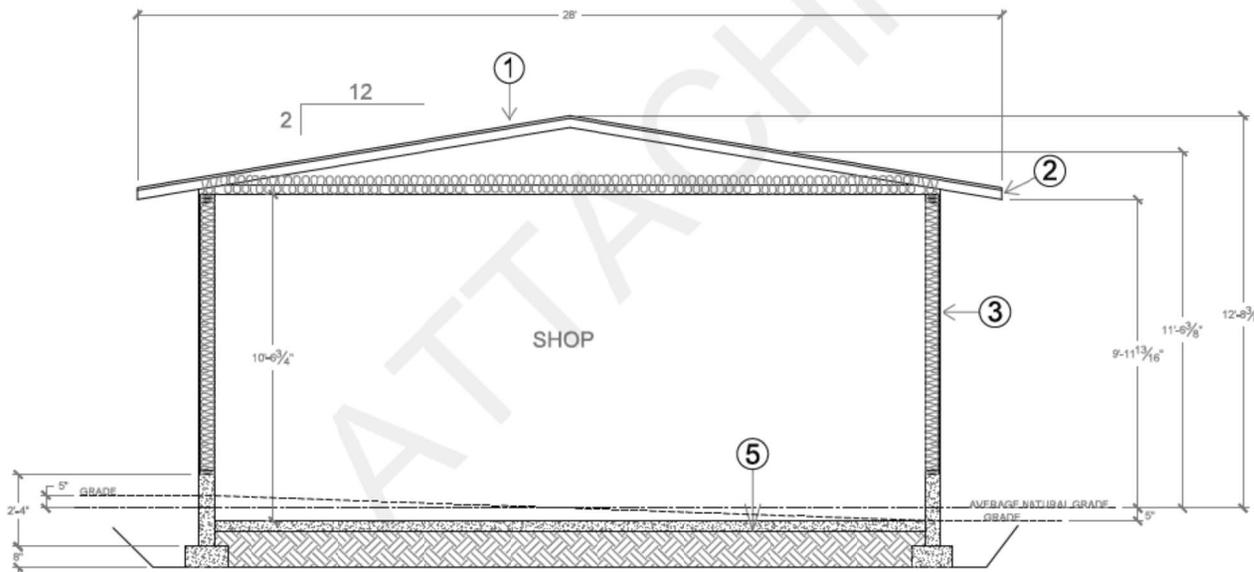
- ① **ROOF:**
-STANDING SEAM METAL ROOFING
-ROOFING MEMBRANE
-3/4" PLYWOOD SHEATHING
-ENGINEERED TRUSSES
-R40 BATT INSULATION
-6 MIL VAPOUR BARRIER
-5/8" GYPSUM BOARD

- ② **SOFFIT & FASCIA:**
-HARDIE FASCIA

- ③ **EXTERIOR WALLS:**
-HARDIE PLANK SIDING/ HARDIE SHINGLES
-1/2" RAINDRIP STRIPS
-BUGSCREEN ALL OPENINGS
-FLASH ALL UNPROTECTED OPENINGS
-AIR BARRIER
-7/8" OSB SHEATHING
-2X6 STUDS @ 24" O/C
-R20 BATT INSULATION
-6 MIL VAPOUR BARRIER POLY
-1/2" GYPSUM WALL BOARD

- ④ **FOUNDATION:**
-6" FOUNDATION WALL

- ⑤ **FLOOR:**
-4" CONCRETE SLAB
-6 MIL VAPOUR BARRIER POLY
-COMPACTED GRANULAR FILL



SECTION B

SCALE: 1/4" = 1'