



# TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 Local Government Act)

FILE NO: 3090-24-05

DATE: February 4, 2025

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Name of Owner(s) of Land (Permittee): Rocky Creek Ventures Inc., Inc. No. BC1183866

Applicant: Brian Kapuscinski (BJK Architecture Inc.)

Subject Property (Civic Address): 1301 & 1391 Rocky Creek Road

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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, District Lots 81, 86 and 98, Oyster District, Plan EPP87265,  
PID: 030-801-460  
(1301 & 1391 Rocky Creek Road)  
and Subdivisions thereof  
(referred to as the "Land")**
3. Section 5.2 c) "Number, Location and Siting of Buildings and Structures" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land to permit *Accessory Buildings or Structures* in any *Front Yard* to allow for the construction of two detached garages.
4. Section 5.9 a) "Accessory Buildings, Structures and Uses" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land to permit not more than six *Accessory Buildings or Structures* on a *Parcel* to allow for the construction of six detached garages.
5. Section 10.7.5 "Siting, Sizing and Dimension of Uses, Buildings and Structures" in the "Medium Density Residential (R-3)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by reducing the *Parcel Line Setbacks* by:
  - a. Decreasing the *Front Parcel Line Setback* for a *Principal Building* from 6.0 metres to 3.0 metres;
  - b. Decreasing the *Interior Side Parcel Line Setback* for a *Principal Building* from 4.5 metres to 2.5 metres; and

- c. Decreasing the *Front Parcel Line Setback* for an *Accessory Building* with a *Finished Floor Area* of greater than 10.0 square metres from 6.0 metres to 3.0 metres.
6. Pursuant to section 501(2) of the *Local Government Act* 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.
7. The following plans and specifications are attached:
  - a) **Schedule A – Site Plan**
  - b) **Schedule B – Elevation Drawings**
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 (**3090-24-05**) 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 4<sup>TH</sup> DAY OF FEBRUARY, 2025.**

\_\_\_\_\_  
Acting Mayor (T. McKay)

\_\_\_\_\_  
Corporate Officer (S. Bouma)

Schedule A - Site Plan  
 DVP 3090-24-05  
 1301 & 1391 Rocky Creek Road  
 1 page

PROPOSED DEVELOPMENT  
**1301/1391 ROCKY CREEK ROAD**  
 LADYSMITH, B.C.

CLIENT: ROCKY CREEK VENTURES INC.



DRAWING TITLE:  
**SITE PLAN**

SCALE:  
 AS NOTED

DRAWN BY:  
 C.M./B.B.

NUMBER:  
 1652.19.19

ISSUED:

MEETING:	16 MARCH 2023
REVIEW:	04 MAY 2023
REVIEW:	16 MAY 2023
TOWN OF LADYSMITH PREVIEW:	25 MAY 2023
ISSUED:	30 MAY 2023
T.O.L. PRE-APP MTG:	06 JUNE 2023
CONSULTANT:	22 JUNE 2023
DPA:	30 JUNE 2023
SUPPLEMENTAL INFO:	10 JULY 2023
SUP.INFO/REVISED:	24 JULY 2023
SUP.INFO/REVISED:	22 JULY 2024
DP RESUBMISSION:	22 AUG. 2024
SUP.INFO/REVISED:	09 SEPT 2024

SEAL:

**SITE PLAN**  
 SCALE: 1:500 METRIC

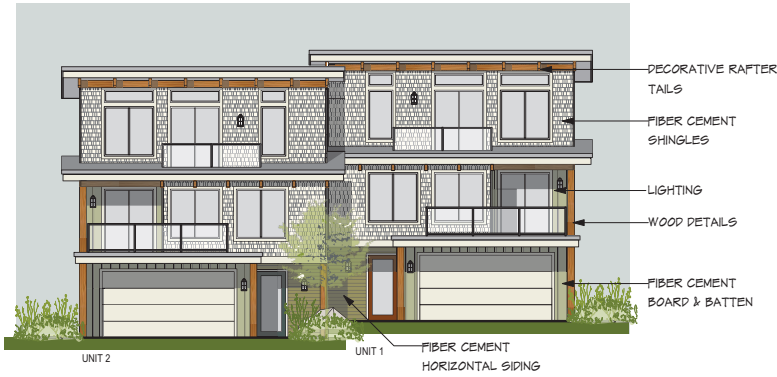
BASE INFORMATION HAS BEEN DERIVED FROM DOCUMENTS PREPARED BY OTHERS. VERIFY ALL CONDITIONS PRIOR TO CONSTRUCTION.

- NOTES:**
- DENOTES AREA OF PROPOSED VARIANCES
  - SEE FLOOR PLANS FOR BUILDING DIMENSIONS.
  - SEE CIVIL BY OTHERS.
  - LANDSCAPE SHOWN IS REPRESENTATIONAL ONLY. REFER TO LANDSCAPE DESIGN FOR PLANT PALETTE AND DECORATIVE PAVING.
  - SEE PAGE PR1.0 FOR PARKING STALL DIMENSIONS.

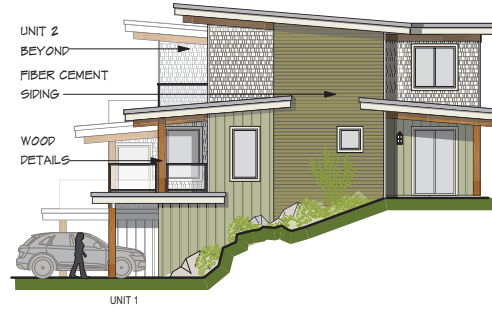
CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.  
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Schedule B - Elevation Drawings  
 DVP 3090-24-05  
 1301 & 1391 Rocky Creek Road  
 7 pages

PROPOSED DEVELOPMENT  
**1301/1391 ROCKY CREEK ROAD**  
 LADYSMITH, B.C.  
 CLIENT: ROCKY CREEK VENTURES INC.



**EAST ELEVATION**



**NORTH ELEVATION**



**WEST ELEVATION**



**SOUTH ELEVATION**

**MATERIAL & COLOUR SCHEDULE**

	FIBER CEMENT BOARD & BATTEN MOSS		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR		FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAGE		WINDOW FRAMES/PATIO DOORS WHITE		ROOFING GREY

DRAWING TITLE:  
**ELEVATIONS - LOT 5**

SCALE:  
 AS NOTED

DRAWN BY:

C.M./ B.B.

NUMBER:

1552.19.19

ISSUED:

MEETING: 16 MARCH 2023  
 REVIEW: 04 MAY 2023  
 REVIEW: 16 MAY 2023  
 TOWN OF LADYSMITH  
 PREVIEW: 25 MAY 2023  
 ISSUED: 30 MAY 2023  
 T.O.L. PRE-APP MTG: 06 JUNE 2023  
 DPA: 30 JUNE 2023  
 DP RESUBMISSION: 22 AUG. 2024

SEAL:

**LOT 5 - UNIT 1/2**

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS,  
 LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES  
 PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE  
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PAGE NO

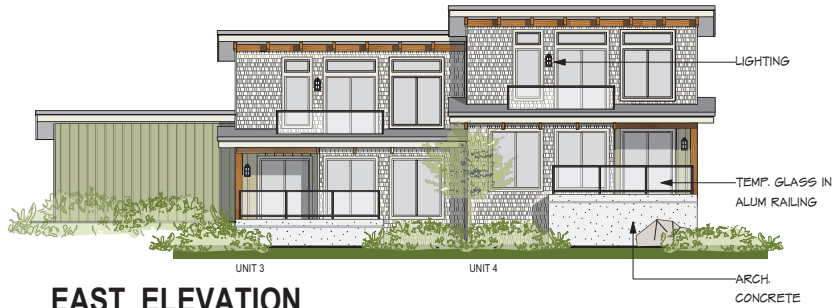
**Lot 5.2**



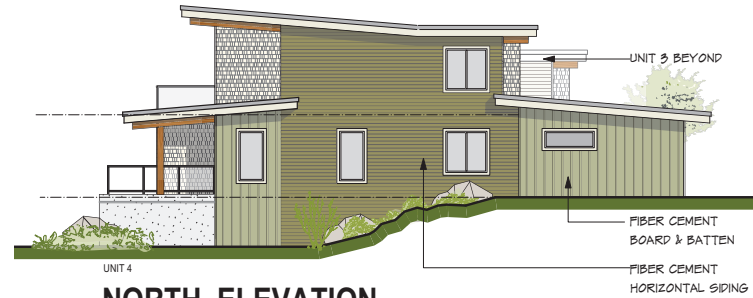
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

MATERIAL & COLOUR SCHEDULE			
	FIBER CEMENT BOARD & BATTEN MOSS		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAGE		WINDOW FRAMES/PATIO DOORS WHITE
			FRONT DOOR COLOUR CLAY RED
			FRONT DOOR COLOUR DEEP SEA BLUE BLACK
			ROOFING GREY

## LOT 5 - UNIT 3/4

PROPOSED DEVELOPMENT  
1307/1391 ROCKY CREEK ROAD  
LADYSMITH, B.C.  
CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:  
ELEVATIONS - LOT 5

SCALE:  
AS NOTED

DRAWN BY:

C.M./B.B.

NUMBER:

1552.19.19

ISSUED:

MEETING: 16 MARCH 2023  
REVIEW: 04 MAY 2023  
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DP RESUBMISSION: 22 AUG. 2024

SEAL:

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PAGE NO.

Lot 5.4



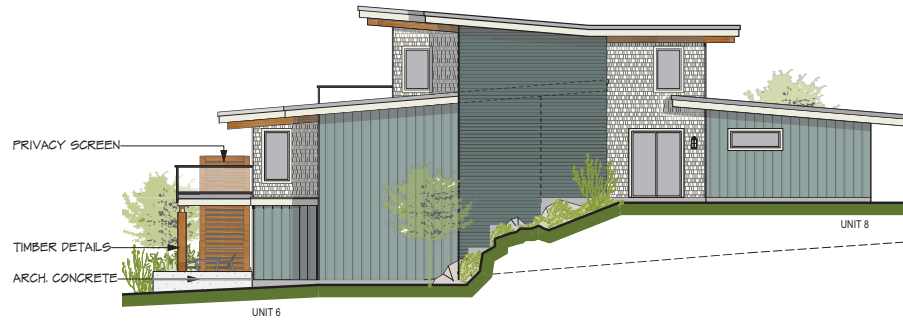
**WEST ELEVATION**  
(FACING INTERNAL ROAD)



**SOUTH ELEVATION**



**EAST ELEVATION**  
(FACING WATER)



**NORTH ELEVATION**

DRAWING TITLE:  
ELEVATIONS-LOT 6

SCALE:  
AS NOTED

DRAWN BY:

C.M./ B.B.

NUMBER:

1552.19.19

ISSUED:

MEETING: 16 MARCH 2023

REVIEW: 04 MAY 2023

REVIEW: 16 MAY 2023

TOWN OF LADYSMITH

PREVIEW: 25 MAY 2023

ISSUED: 30 MAY 2023






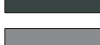



T.O.L. PRE-APP MTG: 06 JUNE 2023

DPA: 30 JUNE 2023

DP RESUBMISSION: 22 AUG. 2024

SEAL:

**MATERIAL & COLOUR SCHEDULE**

	FIBER CEMENT BOARD & BATTEN UNDERSEAS BLUE		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR		FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	FIBER CEMENT LAPPED HORIZONTAL SIDING ROCKY RIVER BLUE		WINDOW FRAMES/PATIO DOORS WHITE		ROOFING GREY

## LOT 6 - UNIT 5/6/7/8

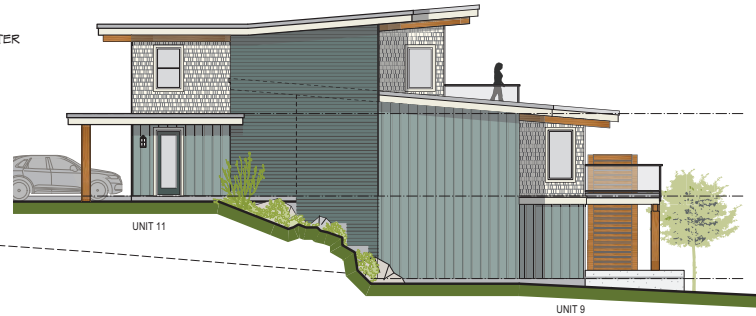
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PAGE NO

Lot 6.3



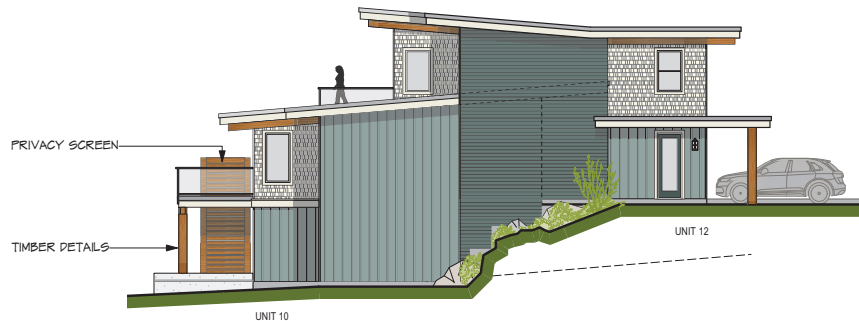
WEST ELEVATION



SOUTH ELEVATION






EAST ELEVATION



NORTH ELEVATION

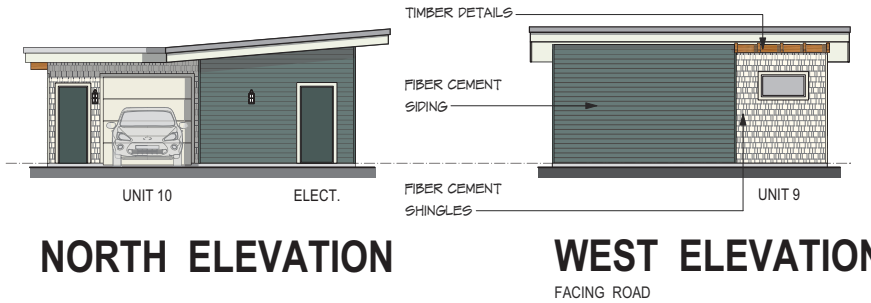
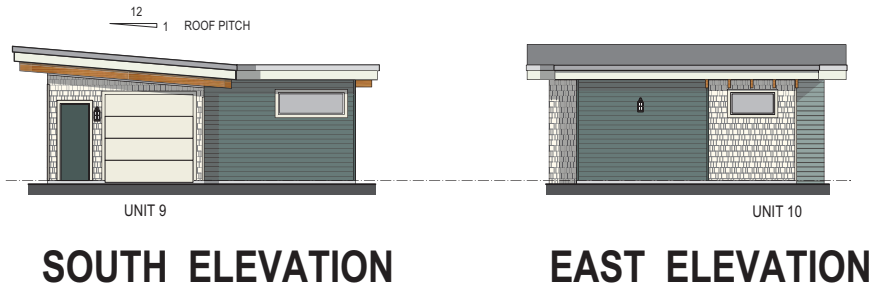
MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN UNDERSEAS BLUE		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR		FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	FIBER CEMENT LAPPED HORIZONTAL SIDING ROCKY RIVER BLUE		WINDOW FRAMES/PATIO DOORS WHITE		ROOFING GREY

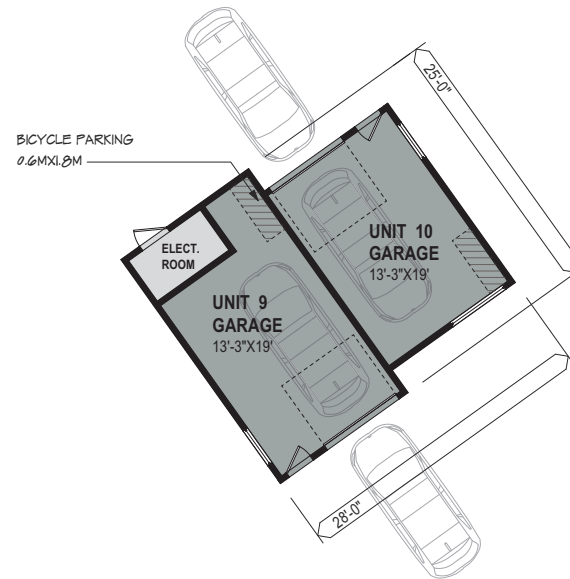
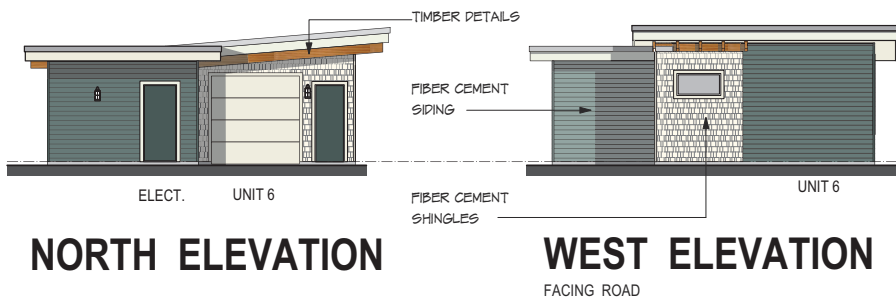
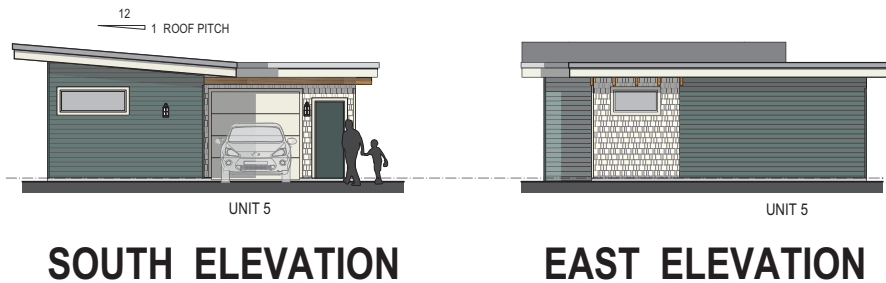
## LOT 6 - UNIT 9/10/11/12

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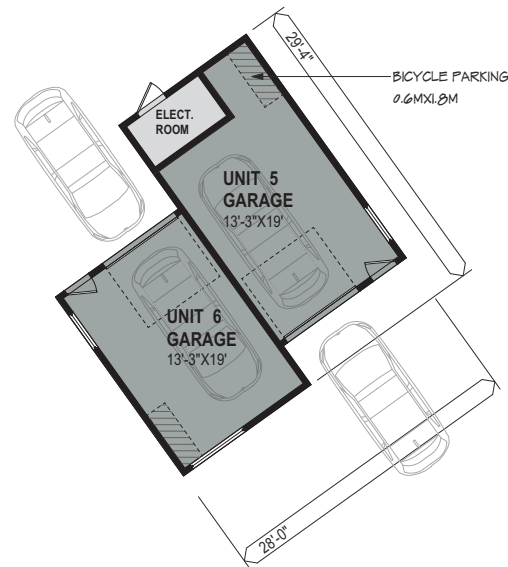
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MATERIAL & COLOUR SCHEDULE - LOT 6			
	FIBER CEMENT LAPPED HORIZONTAL SIDING DEEP SEA BLUE		TRIM/FASCIA/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	WINDOW FRAMES WHITE		MAIN DOOR DEEP SEA BLUE/BLACK
	ROOFING GREY		



**GARAGE PLAN**  
- UNITS 9 & 10  
- +/-590 SQ.FT. / 55 SQ.M. (EXCL. ELECT. ROOM)

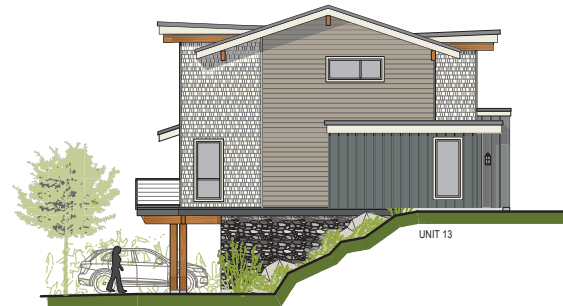


**GARAGE PLAN**  
- UNITS 5 & 6  
- +/-594 SQ.FT. / 55.2 SQ.M. (EXCL. ELECT. ROOM)





**EAST ELEVATION**



**NORTH ELEVATION**

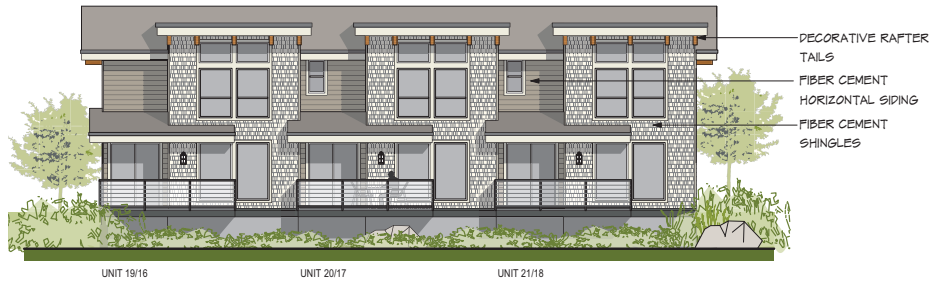


**SOUTH ELEVATION**

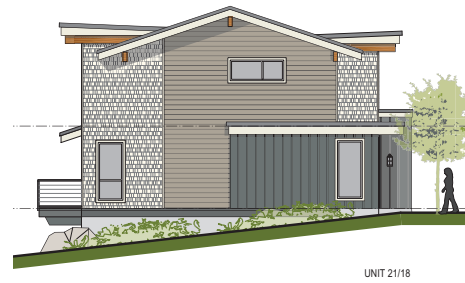
MATERIAL & COLOUR SCHEDULE			
	FIBER CEMENT BOARD & BATTEN GRANITE GREY		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAND		WINDOW FRAMES/PATIO DOORS WHITE
	FRONT DOOR COLOUR CLAY RED		ACCENTS/TRIM BAND DEEP SEA BLUE BLACK
	ROOFING CHARCOAL		

## LOT 4 - UNIT 13-15

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.  
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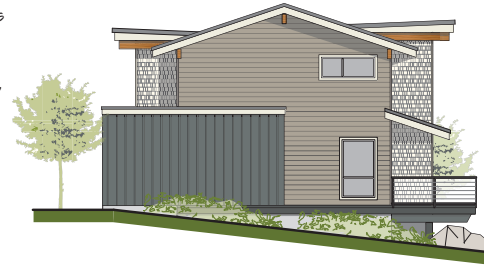
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

MATERIAL & COLOUR SCHEDULE			
	FIBER CEMENT BOARD & BATTEN GRANITE GREY		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAND		WINDOW FRAMES/PATIO DOORS WHITE
			ACCENTS/TRIM BAND DEEP SEA BLUE BLACK
			ROOFING CHARCOAL
			FRONT DOOR COLOUR CLAY RED

## LOT 4 - UNIT 16-21

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.  
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