

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:

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

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.

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

PID: 008-549-907

FILE: 21-130-3

SCALE: 1:200

DRAWN BY: BEP

ZONING: R-2

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:

+54.0



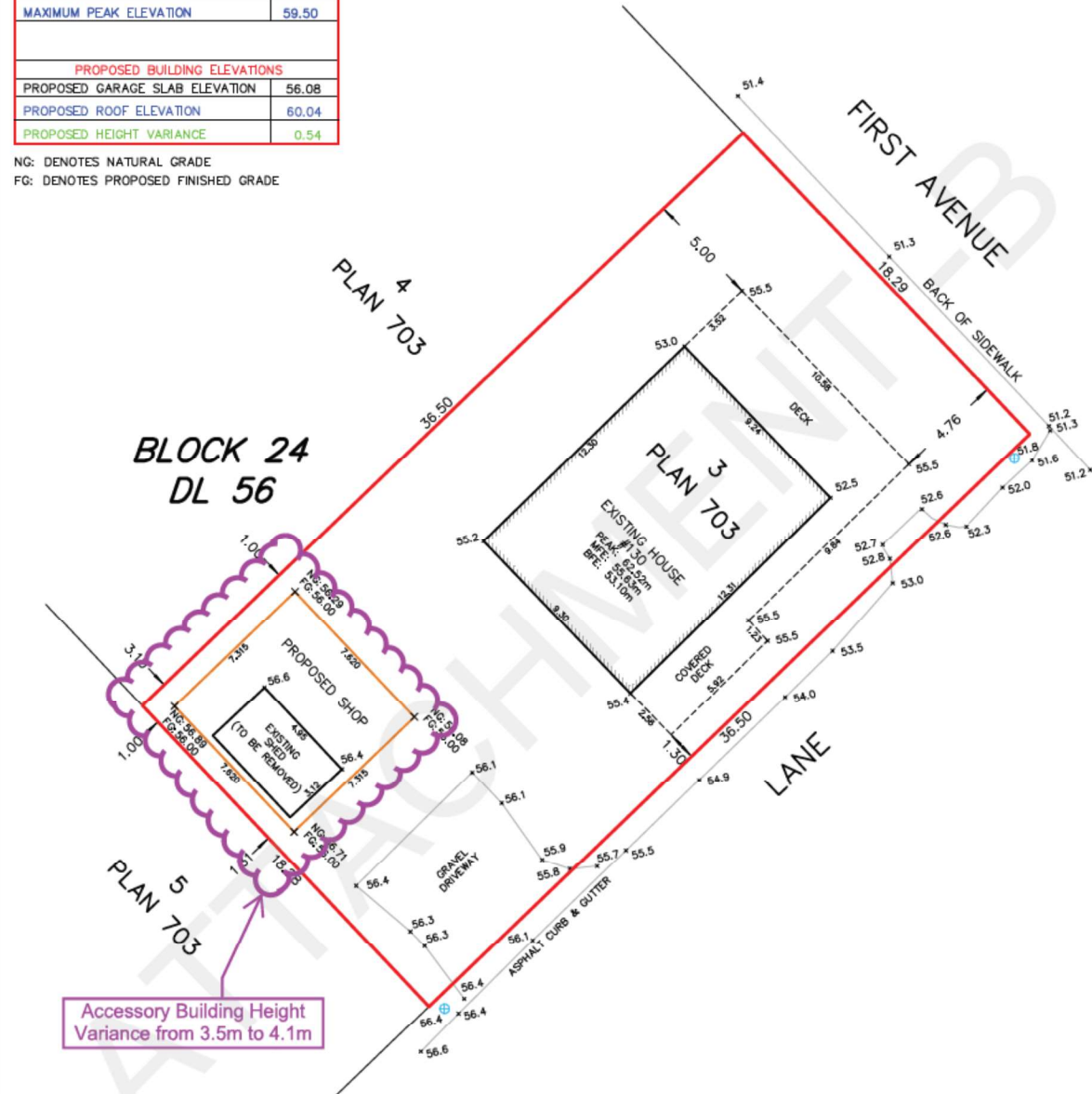
DENOTES SPOT ELEVATION
DENOTES UTILITY POLE

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



NG: DENOTES NATURAL GRADE

FG: DENOTES PROPOSED FINISHED GRADE



SCALE 1:200

DISTANCES AND ELEVATIONS ARE IN METRES.

GEODETIC ELEVATIONS ARE DERIVED FROM
CONTROL MONUMENT 87H3555 (CGVD28BC 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 DISCLAIM 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

[Signature]

Digitally signed by Brody Phillips
7EK9BN
Date: 2025.02.03 14:53:25 -08'00'

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
3326 DOVE CREEK RD
COURTENAY BC
V9J 1P3
MUCHALAT@ME.COM

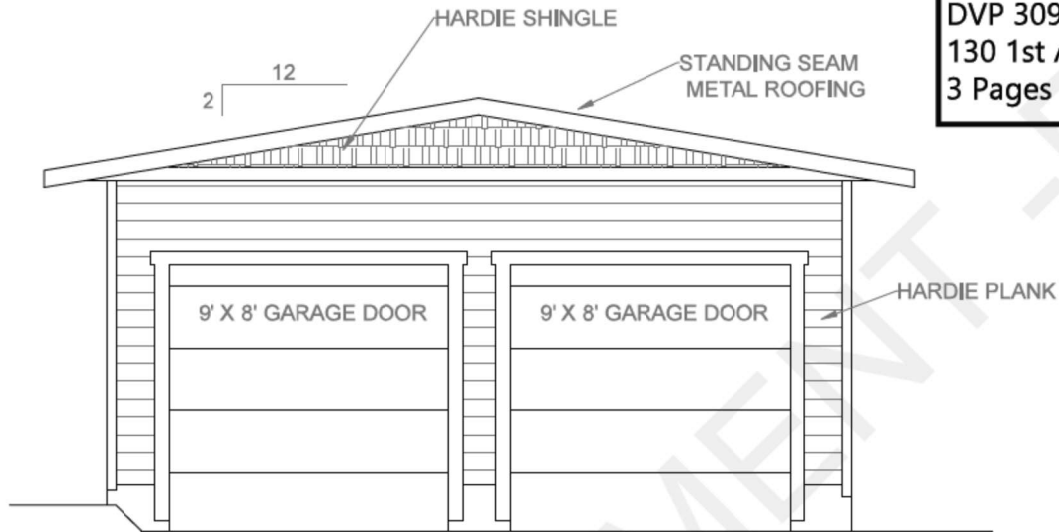
DATE	2025-02-08	1
BY	ME	1
CHKD	ME	1
APPD	ME	1
REV		

KRIS SHOP
130 1ST AVE, LADYSMITH, BC V9G 1A1

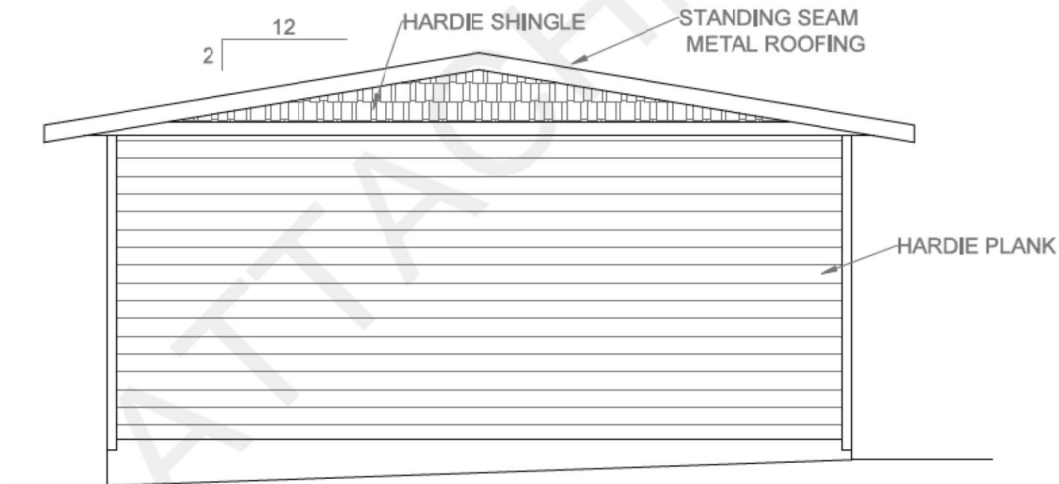
ELEVATIONS 2

A2.02

DRWING INC.

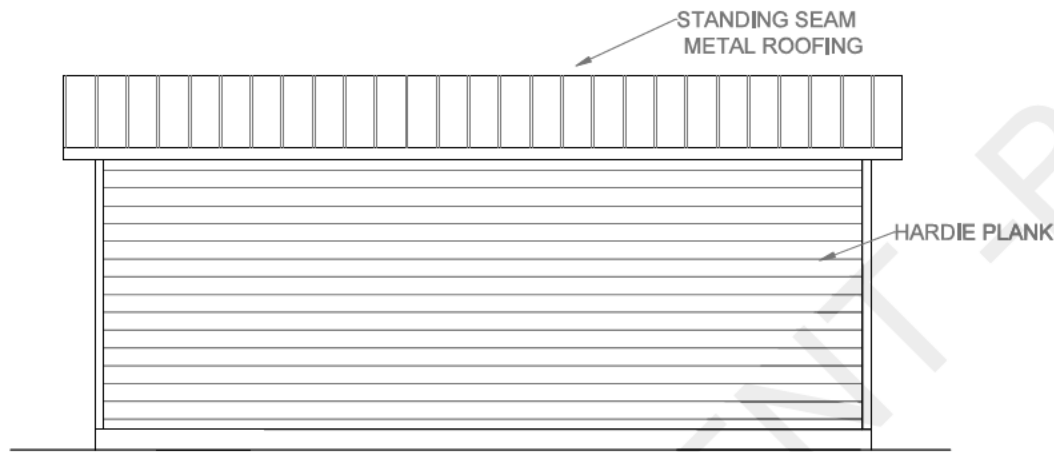


FRONT ELEVATION

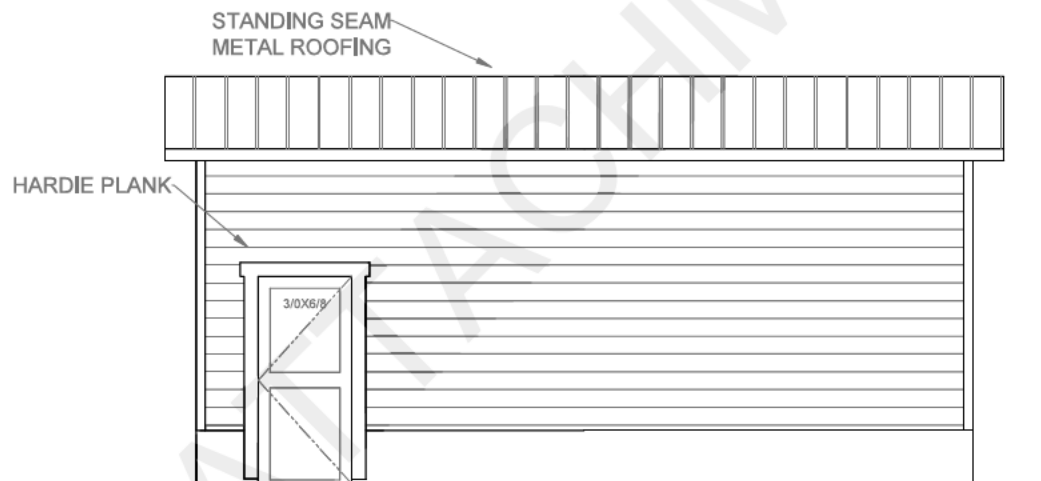


REAR ELEVATION

SCALE: 1/4" = 1'

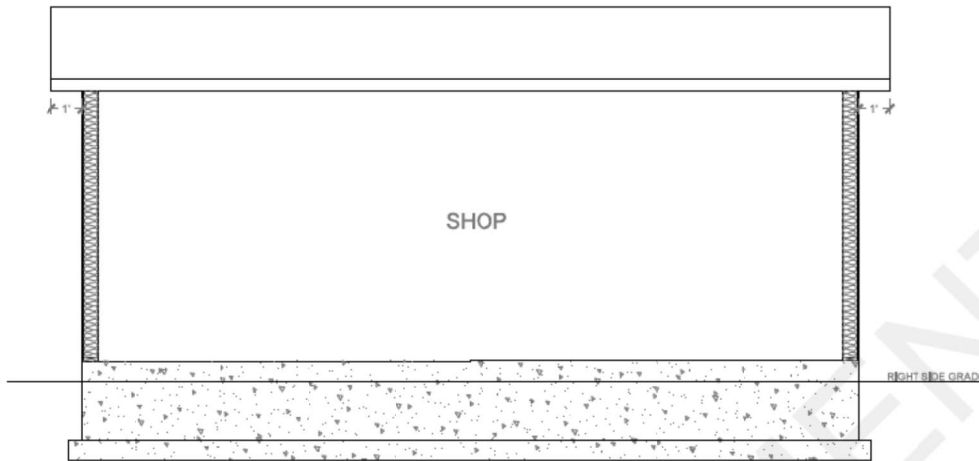


LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'



SECTION A

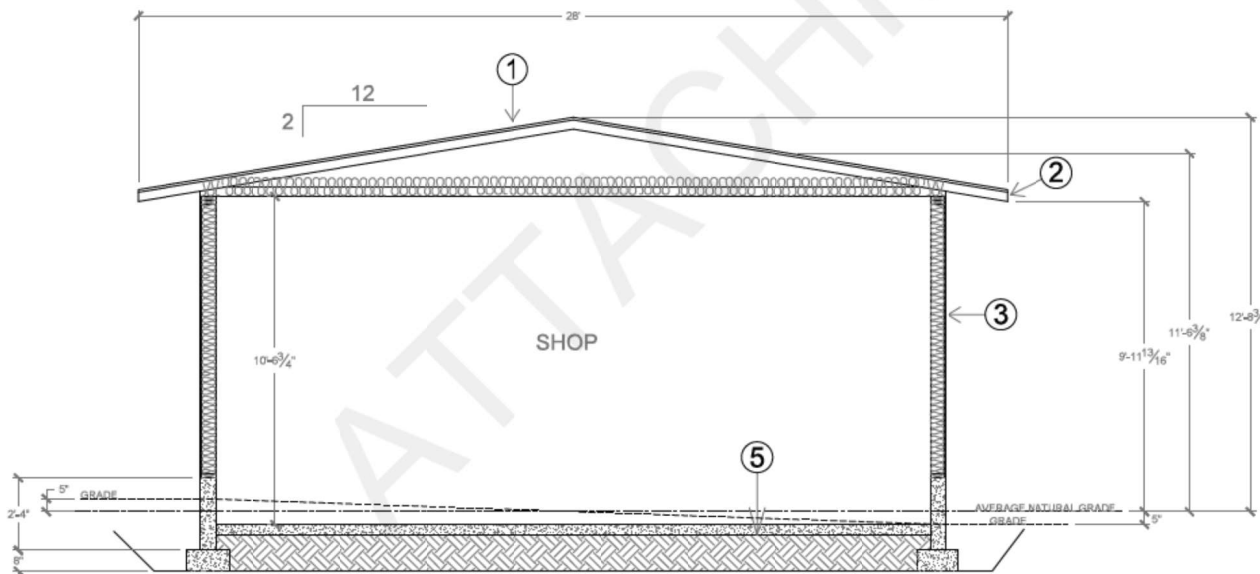
- ① **ROOF:**
-STANDING SEAM METAL
ROOFING
-ROOFING MEMBRANE
-1/2" PLYWOOD SHEATHING
-ENGINEERED TRUSSES
-R40 BATT INSULATION
-6 MIL VAPOUR BARRIER
-5/8" GYPSUM BOARD

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

- ③ **EXTERIOR WALLS:**
-HARDIE PLANK SIDING/ HARDIE
SHINGLES
-1/2" RAINSCREEN STRAPS
-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'