



# TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 Local Government Act)

FILE NO: 3090-25-04

DATE: June 3, 2025

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Name of Owner(s) of Land (Permittee): FMC Holdings Ltd., Inc. No. BC0852472

Applicant: Stefan Crucil (FMC Holdings Ltd.)

Subject Property (Civic Address): 1305 Rocky Creek Road/178 Marina View Drive

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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 3, District Lots 86 and 98, Oyster District, Plan EPP137580**  
**PID: 032-442-882**  
**(1305 Rocky Creek Road/178 Marina View Drive)**  
(referred to as the "Land")
3. Section 5.19 (a) of "Retaining Walls Regulations" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by increasing the *Height* of single *Retaining Wall* from 1.2 metres to 4.2 metres to allow a construction of a *Retaining Wall* as shown on **Schedule B – Landscape Plan**.
4. Section 5.19 (c) (i) of "Retaining Walls Regulations" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by reducing the required stepping of a single engineered *Retaining Wall* exceeding 1.2 metres in *Height* from 2.0 metres for every 3.0 metres in *Height* to 0.0 metres for a single engineered *Retaining Wall* of 4.2 metre in *Height* as shown on **Schedule B – Landscape Plan**.
5. Section 17.7.5. (g) of "Comprehensive Development 7 – Rocky Creek Road Mixed-Use Residential (CD-7)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by increasing the permitted location of commercial use from only first *Storey* of a *Building* to the first and

second Storeys of a building as shown on **Schedule C – Elevation and Site Section Drawings**.

6. Pursuant to section 501(2) of the *Local Government Act* the Land described herein shall be developed strictly in accordance with terms, 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 – Landscape Plan**
  - (c) **Schedule C – Elevation and Site Section Drawings**
8. Pursuant to section 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.
9. For the purposes of section 8, “substantially start”:
  - a. means works undertaken in compliance with this permit and the bylaws of the Town for which a valid building permit has been issued; and
  - b. does not include clearing, grubbing or excavation work.
10. Notice of this Permit shall be filed in the Land Title Office at Victoria under section 503 of the *Local Government Act*, and upon such filing, the terms of this Permit (**3090-25-04**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
11. **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 3<sup>rd</sup> DAY OF JUNE 2025.**

PROPOSED DEVELOPMENT:  
**LOT 3 - 1305 ROCKY CREEK RD.**  
LADYSMITH, B.C.  
CLIENT: FMC HOLDINGS LTD.

DRAWING TITLE:  
SITE PLAN

SCALE:  
AS NOTED

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

NUMBER:  
1633.04.24

ISSUED:

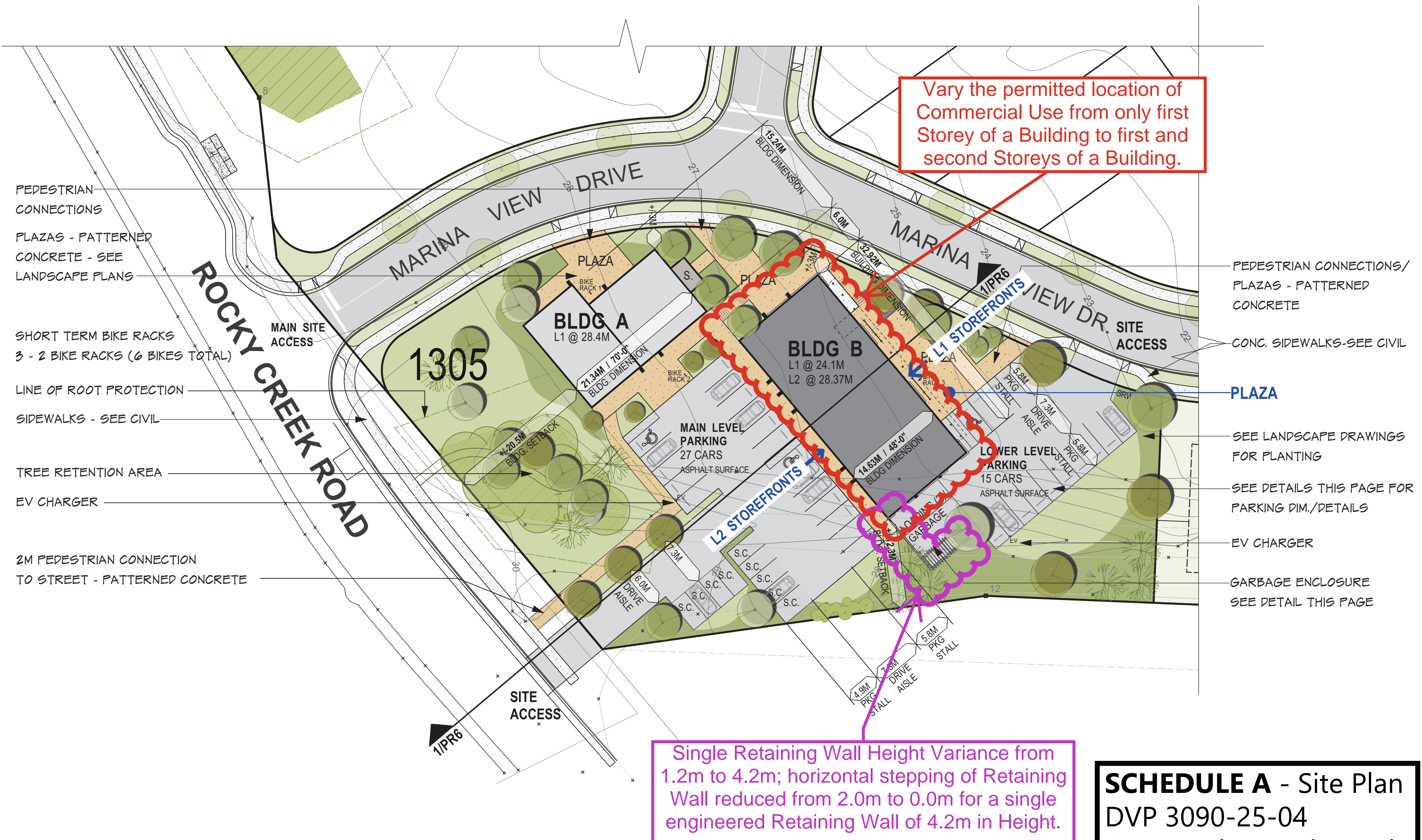
INFORMATION:	24 SEPT 2024
DRAFT REVIEW:	25 OCT. 2024
PRE-APP MEETING	29 OCT. 2024
T.O.L:	
TO CONSULTANTS:	04 NOV. 2024
DPA REVIEW:	19 NOV. 2024
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DVP:	24 MAR. 2025

SEAL:

2025-03-25

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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# SITE PLAN

NOT TO SCALE

- NOTES**
- BASE INFORMATION HAS BEEN DERIVED FROM DOCUMENTS PREPARED OTHERS. VERIFY ALL CONDITIONS PRIOR TO CONSTRUCTION.
  - LANDSCAPE SHOWN IS REPRESENTATIONAL ONLY. REFER TO LANDSCAPE DESIGN FOR PLANT PALETTE AND DECORATIVE PAVING.
  - SEE FLOOR PLANS FOR BUILDING DIMENSIONS.
  - SEE CIVIL BY OTHERS.
  - SEE DP 24-06 FOR SITE DATA



**SCHEDULE B** - Landscape Plan  
DVP 3090-25-04  
1305 Rocky Creek Road

Copyright Reserved. These drawings are at all times the property of the Landscape Architect. Reproduction in whole or in part without written consent of the Landscape Architect is prohibited.



Single Retaining Wall Height Variance from 1.2m to 4.2m; horizontal stepping of Retaining Wall reduced from 2.0m to 0.0m for a single Engineered Retaining Wall of 4.2m in Height.

1	May 01-25	Issued for Coordination

REVISIONS

 **LADR** LANDSCAPE ARCHITECTS

#3-864 Queens Ave. Victoria B.C. V8T 1M5  
Phone: (250) 598-0105

PROJECT

Rocky Creek Commercial  
1305 Rocky Creek Road,  
Ladysmith B.C.

TITLE
<p>Lot 3</p> <p>Landscape Planting Plan</p>

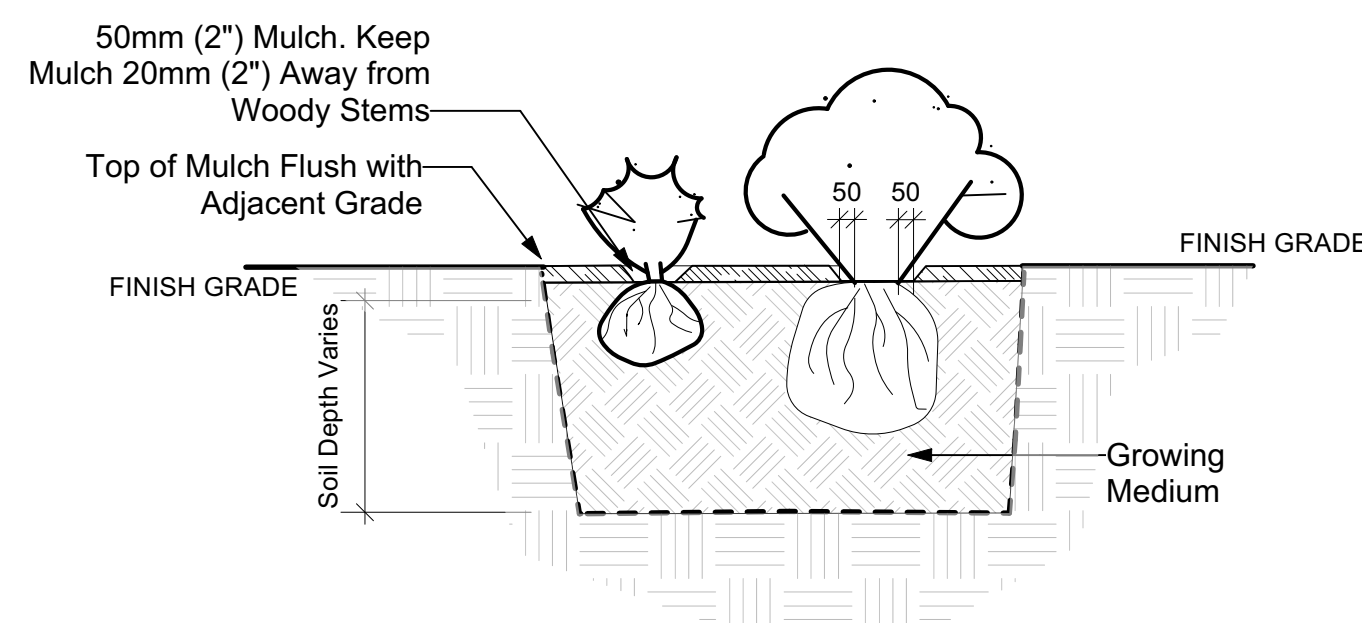
SCALE 1:200

DRAWN JB  
CHECKED CW

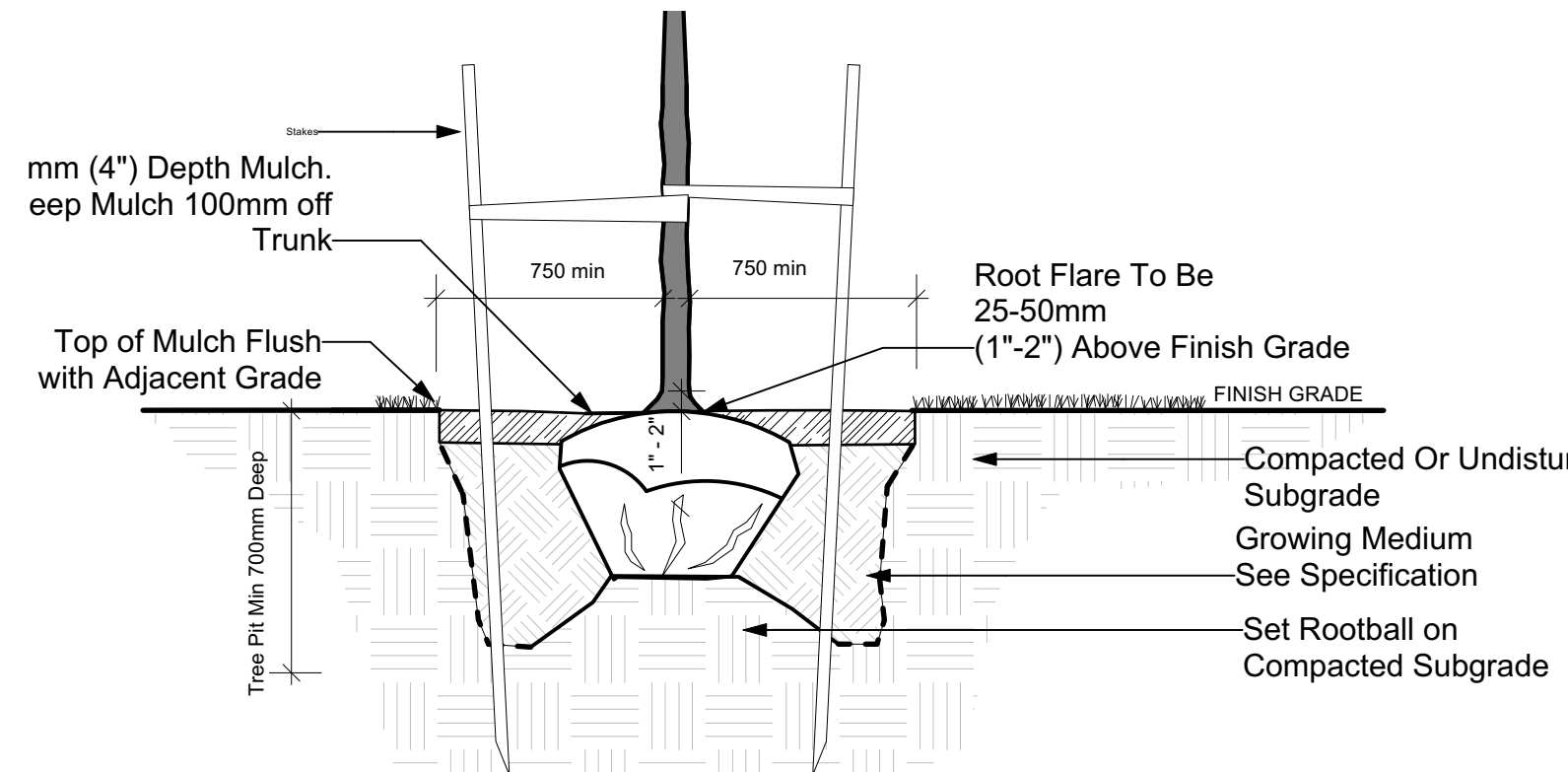
PROJECT No. 2431

DATE **L3 of 5**  
May 01-25 SHEET

1 1301-1391 Rocky Creek road - Planting Plan  
L1 Scale 1:200



2 Standard Shrub Planting Detail  
L3 Scale 1:25



3 Standard Tree Planting Detail  
L3 Scale 1:25

### **Recommended Nursery Stock**

ID	Quantity	Botanical Name
Arub	7	<span>DT</span> Acer rubrum
giBI	2	<span>DT</span> Ginkgo biloba
GI TS	5	<span>DT</span> Gleditsia triacanthos 'Shademaster'
MaGa	5	<span>DT</span> Magnolia Galaxy
Pomo	6	<span>DT</span> Picea omorika
PeOB	11	<span>DT</span> Picea omorika 'Bruns'
QRu	4	<span>DT</span> Quercus rubra
TBD	Street	Street Trees - Species to be determined

### Large Shrubs

ID	Quantity	Botanical Name
PhLe	13	<span>N</span> <span>DT</span> Philadelphus lewisii
RhAK	15	<span>DT</span> Rhododendron 'Anah Kruschke'
RhMa	13	<span>N</span> <span>DT</span> Rhododendron macrophyllum
VaOv	24	<span>N</span> <span>DT</span> Vaccinium ovatum

### Medium Shrubs

ID	Quantity	Botanical Name
CeTh	20	DT <i>Ceanothus thyrsiflorus</i> 'Victoria'
LaAn	14	DT <i>Lavandula angustifolia</i> 'Hidcote Blue'
RhHC	47	DT <i>Rhododendron</i> 'Hino-crimson'
RISeKE	18	N DT <i>Ribes sanguineum</i> 'King Edward VII'
RoRu	25	N DT <i>Rosa rugosa</i>
SyAl	17	N DT <i>Symphoricarpos albus</i>

### Small Shrubs

ID	Quantity	Botanical Name
ErCaDR	21	DT Erica carnea 'December Red'
ErCa	58	DT Erica carnea 'Springwood White'
GaSh	99	NDT Gaultheria shallon
LaP	53	DT Lavandula stoechas 'Anouk'
SarH	41	DT Saracocca hookeriana var. humilis

### Perennials, Annuals and Ferns

ID	Quantity	Botanical Name
DeCa	157	<span>N</span> <span>DT</span> Deschampsia caespitosa
EPur	144	<span>N</span> <span>DT</span> Echinacea purpurea 'Magnus'
ErMu	10	<span>DT</span> Erigeron mucronatus 'Profusion'
HeSe	77	<span>DT</span> Helictotrichon sempervirens
PoM	21	<span>N</span> <span>DT</span> Polystichum munitum
StTe	35	<span>DT</span> Stipa tenuissima

### Groundcovers

ID	Quantity	Botanical Name
BeCo	5	DT Cotoneaster dammeri

**N = Native Plant Species**  
**DT = Brought Tolerant Plant Species**

<b>Common Name</b>	<b>Size</b>
Red Maple	
Ginkgo	4cm cal.
Shademaster Honeylocust	6cm cal.
Galaxy Magnolia	6cm cal.
Serbian Spruce	6 cm cal
Bruns Serbian Spruce	2.5M Ht.
Red Oak	6cm cal.

by the Town of Ladysmith Parks Dept.

Common Name	Size
Wild Mock Orange	#7 pot
Anah Kruschke Rhododendron	#5 pot
Pacific Rhododendron	#2 Pot
Evergreen Huckleberry	#2 Pot

Common Name	Size
Victoria Ceanothus (California Lilac)	#5 pot
English Lavender	#2 pot
Evergreen Azalea	#5 pot
King Edward VII Flowering Currant	#5 pot
Saltspray Rose	#5 pot
Snowberry	#5 pot

Common Name	Size
December Red Heather	#1 Pot
Springwood White Heather	#1 Pot
Salal	#1 pot
Anouk Lavender	#1 pot
Dwarf Sweet Box	#1 pot

Common Name	Size
Tufted Hair Grass	#1 pot
Purple Coneflower	#1 pot
Mexican Daisy	#1 pot
Blue Oat Grass	#1 pot
Sword Fern	#1 pot
Mexican Feather Grass	#1 pot

**Notes:**

1. All work to be completed to current CSLA Landscape Standards
2. All soft landscape to be irrigated with an automatic irrigation system



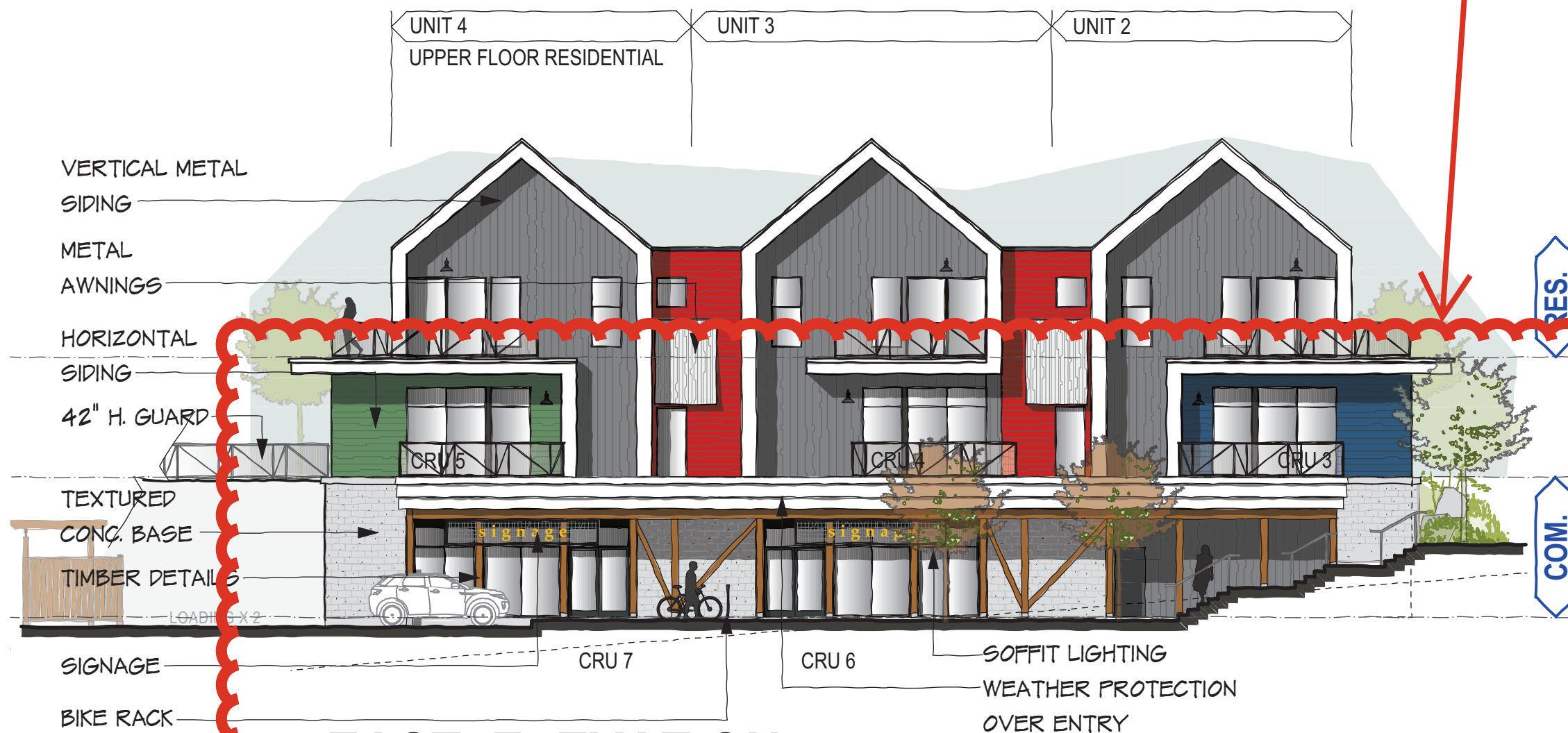


**WEST ELEVATION - BLDG B**  
FACING MAIN LEVEL PARKING LOT & ROCKY CREEK ROAD  
NOT TO SCALE



**SOUTH ELEVATION - BLDG B**  
FACING LOADING AREA

Vary the permitted location of Commercial Use from only first storey to first and second storeys of building.



**EAST ELEVATION - BLDG B**  
FACING LOWER PARKING LOT & MARINA VIEW DRIVE



**NORTH ELEVATION - BLDG B**

MATERIAL & COLOUR SCHEDULE			

**SCHEDULE C - Elevation and Site Section Drawings**  
DVP 3090-25-04  
1305 Rocky Creek Road  
2 Pages

**LOT 3**  
**BLDG. B**



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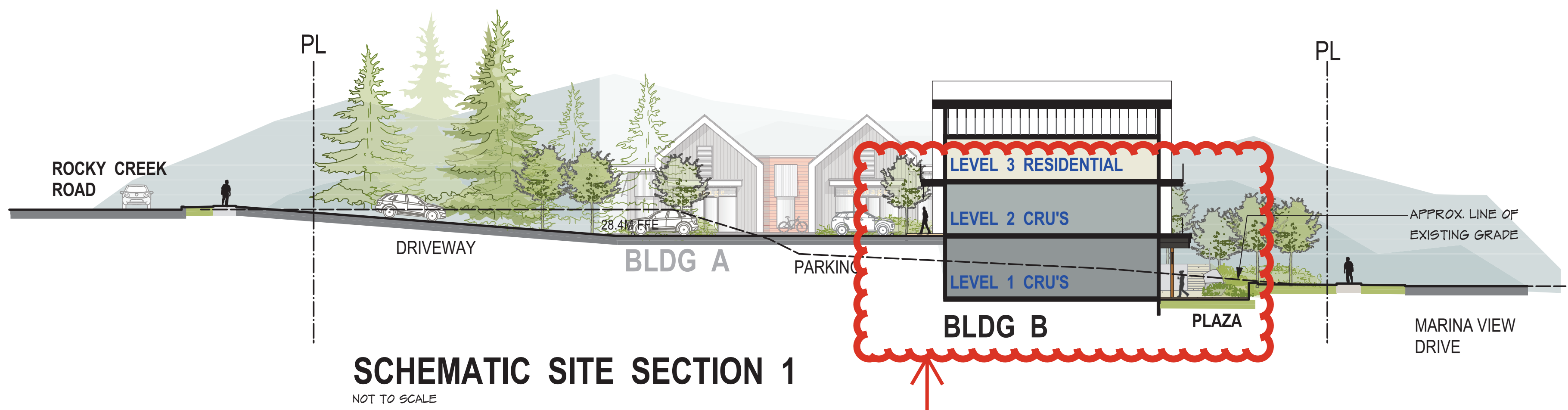
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