



# TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 Local Government Act)

FILE NO: 3090-25-01

DATE: September 2, 2025

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Name of Owner(s) of Land (Permittee): Ladysmith (Hillside Development) Nominee LTD., Inc. No. BC0963984

Applicant: Jessica Tempesta (District Developments Corp.)

Subject Property: Lot A, Block 192, District Lot 103, Oyster District

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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:  
  

**Lot A, Block 192, District Lot 103, Oyster District, Plan EPP63594, Except Plans EPP67741, EPP75579, EPP98460, EPP98461 and EPP117682**  
**PID: 030-139-520**  
(referred to as the "Land")
4. Sections 4.05(c), (e), (f), (g), and (h) of "Subdivision and Development Servicing Bylaw 2013, No. 1834" (the "Subdivision and Development Servicing Bylaw"), is varied for the proposed subdivision of the Land as shown in Schedule A, such that service connections are not required.
5. Section 17.8.3 (c) "Sizing and Dimension of Parcels" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860" (the "Zoning Bylaw") is varied for the Land by reducing the Frontage from 12.19 metres to 0 metres for the proposed subdivision in **Schedule A - Site Plan**.
6. Notwithstanding anything in this permit:
  - a) no buildings or structures shall be constructed on any of the parcels shown in Schedule A, unless the parcel on which the building or structure is to be built is serviced in accordance with the requirements of the Subdivision and Development Servicing Bylaw; and

- b) no further subdivision of the parcels shown in Schedule A, shall occur unless each parcel in the subdivision:
    - i. meets the minimum frontage and lot size requirements of the Zoning Bylaw; and
    - ii. is serviced in accordance with the requirements of the Subdivision and Development Servicing Bylaw.
- 7. Pursuant to section 501(2) of the *Local Government Act*, the Land shall be developed strictly in accordance with the terms, conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
- 8. The following plans and specifications are attached:
  - a) **Schedule A – Site Plan**
- 9. Pursuant to section 504(1) of the *Local Government Act*, if the Permittee does not register the subdivision in Schedule A within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
- 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 **(3090-25-01)** 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 Town.

AUTHORIZED BY RESOLUTION NO. \_\_\_\_\_ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE 2<sup>ND</sup> DAY OF SEPTEMBER, 2025.



Schedule A - Site Plan  
DVP 3090-25-01  
Lot A, Block 192, District Lot 103

SCALE 1:1000  
0 10 20 30 40 50 100 metres



Despite Section 17.8.3(c) of the Zoning Bylaw, a parcel may be created which have a Frontage of 0.0 metres.

Sections 4.05 (c), (e), (f), (g), and (h) of the Subdivision and Development Servicing Bylaw are varied to remove the requirements for utilities and community service connections such that proposed Lots may be created by subdivision prior to utilities connections being provided.

SITE STATISTICS

LEGAL DESCRIPTIONS:

- LOT A, BLOCK 192, DISTRICT LOT 103, OYSTER DISTRICT, PLAN EPP63594 EXCEPT PLANS EPP67741, EPP7559, EPP90490, EPP9460, EPP9461 & EPP117682 (PDS: 250-124-520 OWNED BY LADYSMITH (HILLSIDE DEVELOPMENT) NOMINEE LTD.
- LOT 1, BLOCK 192, DISTRICT LOT 103, OYSTER DISTRICT, PLAN EPP67741 EXCEPT PLANS EPP9460 & EPP117682 (PDS: 630-165-130) OWNED BY TOWN OF LADYSMITH

TOTAL AREA OF SUBDIVISION:

- 18.16 ha. (44.9 acres)

TOTAL AREA OF PARK DEDICATION (PHASE 1):

- 6.80 ha. (16.8 acres)

TOTAL AREA OF PHASE 2 DEDICATION:

- 0.37 ha. (0.9 acres)

TOTAL ROAD DEDICATION:

- 0.08 ha. (0.2 acres)

AREAS AND LOT BOUNDARIES ARE PRELIMINARY AND SUBJECT TO CHANGES.

NOTES:

DISTANCES AND ELEVATIONS ARE IN METRES. ELEVATIONS ARE GEODETIC REFERENCED TO CANADIAN GEODETIC VERTICAL DATUM 1928 (CGVD28) DERIVED FROM INTEGRATED SURVEY CONTROL MONUMENTS.

LOT A PARENT PARCEL MAY BE SUBJECT TO REGISTERED CHARGES & PERMITS:

- PERMITS: CA4238785, CA4488825, CA5830653, CA6677381, CA7740426, CR125521 & CR28058;
- COVENANTS: CA5939489, CA4863366, CA6043367 & CA6870750;
- STATUTORY RIGHTS OF WAY: EPP6326, EPP473096, CA5806200, CA5939491, CA6032531, CA6032532, CA6031553, CA6031555, CA5931557, CA6031561, CA6031563 & CA6031566;
- EASEMENT: CA6043364;

LOT 1 PARENT PARCEL MAY BE SUBJECT TO REGISTERED CHARGES & PERMITS:

- PERMITS: CA4238785, CA4488825 & CA5830653;
- STATUTORY RIGHTS OF WAY: EPP7294, EPP6326, EPP473096, CA5806200, CA5939491, CA6032531 & CA6032532;
- COVENANTS: CA4418777 & CA5939489;
- EASEMENT: CA6043365;

NO.	DATE	REVISION
02	DECEMBER 1, 2024	ISSUED FOR PLA APPLICATION

PROJECT: HOLLAND CREEK

LEGAL: REMAINDER OF LOT A, BLK 192, DL 103, OYSTER DISTRICT, PLAN EPP63594 & PART OF LOT 1, BLK 192, DL 103, OYSTER DISTRICT, PLAN EPP67741

CLIENT: LADYSMITH (HILLSIDE DEVELOPMENT) NOMINEE LTD.

DRAWING: PROPOSED SUBDIVISION LAYOUT PLAN

SCALE: 1:1000

DRAWN: TJH

FILE: 22050-6 PLA BASEPLAN: 22050

WILLIAMSON & ASSOCIATES

PROFESSIONAL SURVEYORS

3088 BARKING ROAD, NAWANING B.C. V3T 4B5

PHONE: (250) 756-7723, EMAIL: WAP@WIBCLS.CA