



TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 Local Government Act)

FILE NO: 3090-26-04

DATE: July 7, 2026

Name of Owner(s) of Land (Permittee): The Board of Education of School District No. 68 (Nanaimo-Ladysmith)

Applicant: Kevin Winiski

Subject Property (Civic Address): 510 6th 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 1, District Lot 96, Oyster District, Plan 19308, Except Part in Plan 25527
PID: 003-716-511
(510 6th Avenue)**
3. Section 13.1.5 b) "Siting, Sizing and Dimensions of Uses, Buildings and Structure" in the "Institutional (P-1)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied to increase the permitted number of *Storeys* of a *Principal Building* used for *School Use* from one storey to two storeys to facilitate the construction of a proposed school building as shown in **Schedule A – Site Plan**.
4. Section 2.04 b) "Works and Services Requirement" of the "Subdivision and Development Servicing Bylaw 2013, No. 1834", as amended, is varied to waive the requirement for the following off-site works (road frontage improvements) in accordance with the standards established in the Bylaw, on that portion of a highway immediately adjacent to the site being developed, up to the centre line of the highway, for the construction of and issuance of a Building Permit for a school building (shown in **Schedule A – Site Plan**) with a value of construction, as determined by the Building Bylaw, greater than \$50,000:

- i. Sidewalk,
 - ii. Curb,
 - iii. Gutter,
 - iv. Boulevard improvements including street trees and lighting,
 - v. Alterations to road width, surfacing and configuration.
 - a. For clarity, waiver to road alterations does not include necessary repairs or resurfacing due to damage during construction of the school building and/or installation of services.
5. 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.
6. The following plans and specifications are attached:
- a) **Schedule A – Site Plan**
7. 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.
8. For the purposes of section 6, “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.
9. 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 (3090-26-04) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
10. 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 ____ DAY OF _____ 202__.

Schedule A – Site Plan

DVP 3090-26-04

510 6th Avenue (Ladysmith Primary School)

