

Development Permit with Variance

Permit No: DP000360

Applicant: Len Thew

Registered Owner: Donna Chadwick and Len Thew

Subject Property: 1935 Maple Bay Road **Folio:** 00402-000

Description of Land:

Parcel Identifier: 001-526-031

Legal Description: LOT 1, SECTION 19, RANGE 1, COWICHAN DISTRICT, PLAN 13635

Proposal:

To vary Section 56(7)(b) of Zoning Bylaw 1997, No. 2950 by increasing the maximum permitted accessory building height from 5.0 metres to 7.0 metres for the construction of an accessory building containing a garage and additional dwelling unit; and

To permit development of and an accessory building containing a garage and additional dwelling unit within Development Permit Area 3 - DPA3 (Natural Environment).

Conditions of Permit:

1. This permit is issued subject to compliance with all relevant District of North Cowichan bylaws.
2. This permit applies to the lands described above, and any buildings, structures, and other development thereon (hereinafter called 'the Lands').
3. Pursuant to section 498 of the *Local Government Act* (RSBC 2015, c. 1), this permit varies Section 56(7)(b) of Zoning Bylaw 1997, No. 2950 by increasing the maximum permitted accessory building height from 5.0 metres to 7.0 metres for the construction of an accessory building containing a garage and additional dwelling unit.
4. The Lands subject to this Permit shall be restored strictly in accordance with the terms and conditions of this Permit and in accordance with the following schedules:

Schedule 1: Building Plans by 3D Diron Design & Drafting Services 2023-11-08 – 4 pages

Schedule 2: Riparian Areas Protection Regulation Assessment Report 2022-12-15 – 77 pages

5. This permit is not a building permit.

- Pursuant to section 504(1) of the *Local Government Act*, this permit lapses two years from date of issue if the holder of the permit does not substantially start any construction with respect to which this permit is issued.

Authorized Works

- Works authorized therein is limited to the construction of an accessory building containing a garage and additional dwelling unit within the DPA-3 in accordance with Schedule 1.
- Further to condition 7, all works must be completed in accordance with the Qualified Environmental Professional recommendations outlined in Schedule 2.
- Section 13 of the *Heritage Conservation Act* protects heritage sites and heritage objects (which may also be referred to as archaeological sites or objects). This permit does not authorize the alteration of any such site or object. The permit holder is responsible for ensuring compliance with the *Heritage Conservation Act*, including taking any steps required to determine whether or not a heritage site or object is present on the subject property. Under Section 36 of the *Heritage Conservation Act*, it is an offence to alter heritage site or heritage object without first obtaining a permit to do so from the Province of British Columbia.

Date of Development Variance Permit Approval/Issue by Council or its Delegate:

This permit was approved on **xxx, 2024** and issued on **xxx, 2024**.

This permit expires on **xxx, 2026**.

The Corporation of the District of North Cowichan

Amanda Young,
Director, Planning and Building