

## Development Permit Amendment with Variance

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**Permit No:** DP000172  
**Applicant:** Community Land Trust Foundation of BC  
**Registered Owner:** The Corporation of the District of North Cowichan  
**Subject Property 1:** 3191 Sherman Road **Folio:** 06000-000  
**Subject Property 2:** 3253 Sherman Road **Folio:** 05999-000

### Description of Lands:

#### Subject Property 1

Parcel Identifier: 003-809-510  
Legal Description: Lot 2, Section 1, Range 4, Somenos District, Plan 18897

#### Subject Property 2

Parcel Identifier: 003-809-471  
Legal Description: Lot 1, Section 1, Range 4, Somenos District, Plan 18897

**Proposal:** **To Amend Permit No. CA8862516 and Legal Notation No. CB528896 by extending the expiry date and adding a variance to Section 79(2)(a) of Zoning Bylaw 1997, No. 2950 to reduce the minimum rear yard setback for a principal building.**

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### Conditions of Permit:

1. This permit is issued subject to compliance with all relevant District of North Cowichan bylaws, except as specifically varied or supplemented by this Permit.
2. This permit applies to the lands described above, and any buildings, structures, and other development thereon (hereinafter called 'the Lands').
3. The Lands shall be developed in accordance with the Development Permit issued on **March 23, 2021 (CA8862516)** and Development Permit Amendment issued on **March 22, 2023 (CB528896)** except as amended under Condition 4 and by extending the expiry date for a further two years.
4. Pursuant to Section 490 (1) of the *Local Government Act* this permit varies Section 79 (2) (a) of Zoning Bylaw 1997, No. 2950 by reducing the minimum permitted rear yard setback for an institutional building abutting a residential parcel from 8.0 metres to 3.08 metres for the purposes of subdividing the Lands.

5. Pursuant to section 504 of the *Local Government Act*, this permit will lapse two years from the date of the Development Permit approval unless construction, in accordance with the terms and conditions of this permit, has substantially started.
6. This permit is not a building permit.
7. Further to condition 4, construction is considered to be substantially started when a valid building permit for the development has been issued and shall not have lapsed; and excavation or construction works associated with the development hereby approved must have commenced to the satisfaction of the Director of Planning and Building. Demolition does not constitute construction.

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

This permit was approved **July 17, 2024** and issued on **July XX, 2024**.

This permit expires on **July XX, 2026**.

The Corporation of the District of North Cowichan

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**Amanda J Young,**  
**Director of Planning and Building**