



DEVELOPMENT PERMIT

Development Permit Number: DPV No. 00192

Land Owner Details: Lions West Homes Ltd., Inc.No.
BC1041886
2770 Dufferin Avenue
Victoria BC V8R 3L4

This Development Permit applies only to those lands within the City of Victoria described below and any buildings or structures on the land:

Street Address: 902 Foul Bay Road, Victoria BC

Legal Description: PID: 007-652-674
Block G, Section 68, Victoria District,
Plan 1247

This Development Permit relates to Plans dated July 28, 2022 and stamped "Final Approved" and is for the following only:

For the purposes of approving the exterior design and finishes for two buildings containing ground-oriented multiple dwellings (i.e., stacked townhouses) as well as landscaping.

Variances:

The *Zoning Regulation Bylaw* R2-63 Zone, Foul Bay Ground Oriented Dwelling District, is varied or supplemented as follows:

- increase the building height from 10.5m to 11.54m
- reduce the vehicle parking from 27 stalls to 14 stalls and the visitor parking from two stalls to one stall
- reduce the short-term bicycle parking from 12 stalls to four stalls
- reduce the separation distance between long-term bicycle parking racks from 45cm to 40cm
- reduce the front (Quamichan Street) setback requirement from 6m to 3.10m (to building) and 1.38m (to stairs)
- reduce the flanking street (Redfern Street) setback from 6m to 3.37m (to building) and 0.37m (to stairs)
- reduce the flanking street (Foul Bay Road) setback from 6m to 3.73m
- reduce the rear yard setback from 4m to 3m
- reduce the minimum separation distance for an accessory building from 2.4m to 1.9m.

Security: \$264,238.78
(pursuant to s.502 of the Local Government Act)

Date of Development Permit Approval by Council or its Delegate:

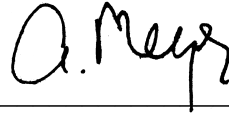
September 29, 2022

Date Development Permit Issued:

October 6, 2022

This Development Permit lapses if construction not substantially started by:

September 29, 2024



**Assistant Director,
Development Services Division**

Standard Conditions of Development Permit

1. This Development Permit is issued subject to compliance with all applicable bylaws of The Corporation of the City of Victoria, except as specifically varied or supplemented by this Permit.
2. The land and buildings which are subject to this Permit shall be developed strictly in accordance with the terms and conditions of this Permit and the development permit plans that form part of this Permit.
3. Pursuant to Section 504 of the *Local Government Act*, this Permit will lapse on the Development Permit Expiry Date unless construction, in accordance with the terms and conditions of this Permit, has substantially started.
4. Where a subdivision of the land subject to this Permit has been made a condition of the development authorized by this Permit, this Permit authorizes the subdivision subject to the statutory approval of the Approving Officer.
5.
 - (1) As a condition of the issuance of this Permit, the Permit holder shall provide security by way of cash or an irrevocable letter of credit in the amount shown on the front of this Permit prior to the issuance of a Building Permit for any development on the lands. If the subdivision of land is authorized by this Permit, the City may apportion the security among the subdivided parcels in such manner as the City determines is appropriate and reasonable.
 - (2) Where the City considers that:
 - (a) a condition in this Permit respecting landscaping has not been satisfied; or
 - (b) where, as a result of the contravention of a condition in this Permit, an unsafe condition or damage to the natural environment has resultedthe City may undertake and complete the works required to satisfy the landscaping condition or carry out any construction required to correct the unsafe condition or damage to the environment, at the cost of the Permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the Permit holder. Any expense incurred by the City beyond the value of the security may be recovered in the manner as municipal taxes.
 - (3) Where the development authorized by this Permit has been completed or the Permit has lapsed prior to commencement of any work pursuant to this Permit, the security shall be returned to the Permit holder.

Advisory Comments

The following comments are provided for information purposes only.

1. Further to Condition No. 3, construction is considered to be substantially started when:
 - (a) a valid Building Permit for the development has been issued and remains valid; and

- (b) excavation or construction works associated with the development authorized by this Permit having commenced.

For clarification, excavation and/or demolition alone does not constitute construction.

2. An inspection of the application site is required to ensure that the development is in complete accordance with the approved Development Permit plans. The applicant is responsible for contacting the Development Services Division at 250-361-0382 to arrange the inspection at least two weeks prior to applying for an Occupancy Permit. Additional site inspections may occur during the construction phase of the project.
3. The issuance of this Permit does not absolve the owner or applicant from obtaining all other required City permits or approvals such as a building, sign or awning permit or a subdivision approval. The applicant may contact Permits and Inspections at 250-361-0344 to determine whether further permits are required in association with the development hereby approved.
4. This Permit does not absolve the owner or applicant from any restrictive covenants or other contractual or legal obligations with respect to the property.
5. This Permit does not authorize altering an archaeological site. The owner/applicant is responsible for ensuring compliance with the *Heritage Conservation Act*, including steps to determine whether or not a site is an archaeological site. Under s.36 of the *Heritage Conservation Act* it is an offence to alter an archaeological site without first obtaining a permit to do so from the Province of British Columbia.
6. The Director of Sustainable Planning and Community Development or their designate may approve amendments to the Development Permit plans that form part of this Permit where the Director is satisfied that the amendments are substantially in accord with the terms and conditions of this Permit and are consistent with the applicable guidelines under the *Official Community Plan*. See the Land Use Procedures Bylaw for further information.