



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

VILLAGE OF LIONS BAY

Development Variance Permit 3090.20.01

Issued to: **David Cobban and Marilyn Cobban (the Permittee)**
Parcel Identifier: **009-322-477**
Legal Description: **LOT 20, BLK 18, DL1815, NWD PLAN 10651**
Civic Address: **3 Brunswick Beach Road, Lions Bay, BC**

- 1) This Development Variance Permit is issued subject to compliance with all of the Bylaws of the Village of Lions Bay (the "Municipality") 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 Village of Lions Bay described below:

Parcel Identifier: 009-322-477
Legal Description: LOT 20, BLK 18, DL1815, NWD PLAN 10651
Civic Address: 3 Brunswick Beach Road, Lions Bay, BC
(the "Land")

- 3) The minimum front parcel line setback of the Land for a building under Zoning and Development Bylaw No. 520, 2017, as amended (the "Bylaw"), section 7.6.2, is varied as follows:

The minimum required front parcel line setback for a building or structure is reduced from 4.5m to 1.5m, to allow for the construction of a single family dwelling in the location, and in substantial compliance with, the site plan and drawings by M.P. Lightbody Ltd. shown in Appendix A.

- 4) The following conditions and requirements are imposed in accordance with the recommendations pertaining to Flood Hazard Assessment (FHA) by Northwest Hydraulic Consultants Ltd., dated March 24, 2020:
 - a) A Flood Construction Level (FCL) of 7.3m is adopted for the site for long-term infrastructure (design life \geq 30 years); an FCL of 6.3 m may be adopted for short-term infrastructure (design life $<$ 30 years).



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- b) A 15 m setback from the existing natural boundary is adopted for the Land.
 - c) The underside of any wooden floor system, or the top of any concrete floor system used for habitation is at or above the applicable FCL.
 - d) Building entrances and windows to habituate areas are no lower than the applicable FCL.
 - e) Any areas below the FCL, such as an underground parking or crawl space provide pedestrian exits that extend to or above the FCL and are adequate for evacuation during a flood and under lack of electrical power.
 - f) Main electrical switchgear (i.e. control panel, fuse, circuit breaker) is above the FCL. Any electrical supply below the FCL (i.e. lighting or electrical outlets) is protected by ground fault circuit interruption (GFCI) located above the FCL or protected through other methods approved safe up to the FCL by a qualified professional.
 - g) Mechanical equipment is above the FCL or otherwise constructed to be safe for inundation up to the FCL.
 - h) Any structure that is above ground and below the FCL or reliant on erodible soils that extend below the FCL is protected against or designed to withstand erosion from wave runup; this could potentially be achieved through:
 - (i) Founding of structures on bedrock;
 - (ii) Found of structures on supports capable to withstand exposure to at least 1 m below the adjacent ground;
 - (iii) Armouring foundation to protect against erosion and scour (such armouring is to be designed by a qualified professional).
 - i) Shoreline conditions and any scour and erosion mitigation measures are inspected annually and following any large wave event occurring at high water level (waves in excess of 1 m within Alberta Bay). If substantial shoreline changes are identified, then a qualified professional is retained to provide assessment.
 - j) Preliminary and final building plans are formally reviewed by a qualified registered engineer to ensure they meet the recommendations presented within this FHA prior to construction.
- 5) Notwithstanding the requirements above, the Municipality may allow for certain conditional uses of space below the FCL, such uses to be described within a Section 219 Covenant registered on title.



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- 6) Security Requirements: A Section 219 Covenant in respect of recommendations pertaining to the Flood Hazard Assessment by Northwest Hydraulic Consultants Ltd., dated March 24, 2020, and any additional conditions in respect of section 5 of this Permit, shall be registered in the Vancouver Land Title Office. The FHA shall be attached to the Covenant.
- 7) This Permit shall not have the effect of varying the use or density of the Land as specified in the Bylaw, the application of a zoning bylaw in relation to residential rental tenure, or a flood plain specification under s. 524(3) of the *Local Government Act*.
- 8) This Permit prevails over the provisions of the Bylaw in the event of conflict.
- 9) The Land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part hereof.
- 10) This Permit is not a building permit.
- 11) Notice of this Permit shall be filed in the Vancouver Land Title Office under Section 503 of the *Local Government Act*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the Land affected by the Permit.

AUTHORIZED BY RESOLUTION PASSED BY THE COUNCIL OF THE VILLAGE OF LIONS BAY
THE 2ND DAY OF JUNE, 2020.

Peter DeJong
Chief Administrative Officer
Village of Lions Bay

END OF DOCUMENT