


**Attachment 2
Draft Development Variance Permit**

 <p>REGIONAL DISTRICT OF NANAIMO</p>	<p>DEVELOPMENT AND EMERGENCY SERVICES</p> <p>6300 Hammond Bay Road, Nanaimo, BC V9T 6N2 250-390-6510 or 1-877-607-4111 <u>www.rdn.bc.ca</u></p> <p>DEVELOPMENT VARIANCE PERMIT NO. PL2023-067</p>
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To: ("Permittee") Fortis Energy Inc., Inc. No. BC1023718

Mailing Address: c/o Scott Warren, 1027 Langford Parkway, Victoria BC V9B 0A5

1. Except as varied or supplemented by this permit, the development variance permit is issued subject to compliance with all applicable bylaws and provincial and federal statutes and regulations.
2. This development variance permit applies only to those lands within the Regional District of Nanaimo described below, and all buildings, structures and other development thereon:

Legal Description: That Part of Lot 14, District Lot 8, Newcastle District, Plan 1949 Except Plan 514 RW as Shown on Plan EPP117820 ("Lands")

Civic Address: 121 Hilliers Road North **P.I.D.:** 031-662-315

3. The Lands shall be developed strictly in accordance with the terms and conditions of this permit.
4. The Permittee, as a condition of issuance of this permit, agrees to comply with the conditions of Schedule 1, which is attached to and forms part of this permit.
5. The Permittee, as a condition of issuance of this permit, agrees to develop the Lands in substantial compliance with the plans and specifications included in Schedules 2 and 3, which are attached to and form part of this permit.
6. With respect to the Lands, "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" is varied as outlined in Schedules 1 and 2, which are attached to and form part of this permit.
7. Subject to the terms of the permit, if the Permittee does not substantially start construction with respect to which the permit was issued within two years after the date it is issued, the permit shall lapse in accordance with Section 504 of the *Local Government Act*.
8. This permit prevails over the provisions of the bylaw in the event of conflict.
9. The RDN shall file the notice in the Land Title Office at Victoria 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 Lands affected by this permit.
10. This permit is not a building permit.

Authorizing Resolution to issue passed by the Board this XXth day of Month, 20XX.

Schedule 1

Terms and Conditions of Permit

The following sets out the terms and conditions of Development Variance Permit No. PL2023-067:

Bylaw No. 500, 1987 Variance:

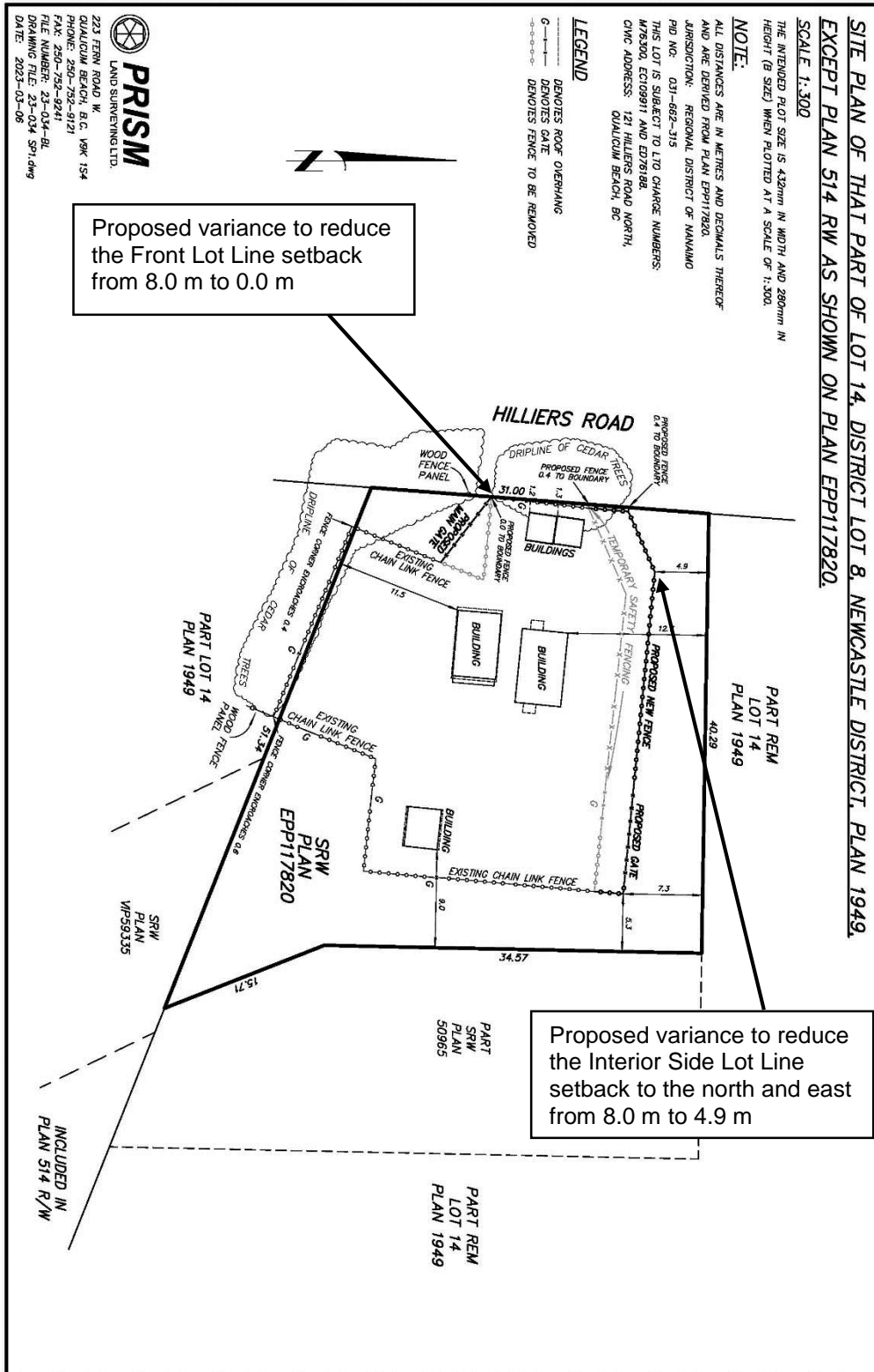
With respect to the Lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is varied as follows:

Section 3.4.1.3 – Minimum Setback Requirements - to reduce the minimum setback from 8.0 metres to 0.0 metres from the front lot line and from 8.0 metres to 4.9 metres from the interior side lot lines to the north and east for a fence and gates up to 2.5 metres in height.

Conditions of Approval

1. The Lands are developed:
 - a. in accordance with the Site Plan prepared by Prism Land Surveying Ltd., dated March 6, 2023, and attached as Schedule 2.
 - b. in general compliance with the plans prepared by Terasen Gas, attached as Schedule 3.

Schedule 2 Site Plan with Variances



Schedule 3 Fence Elevations

