



DEVELOPMENT PERMIT

NO. DP- 2013-03

TO: **The George Gibsons Development Ltd.**

ADDRESS: **P.O. Box 570
Gibsons, B.C. V0N 1V0
(Permittee)**

- 1) This Development Permit is issued subject to compliance with all of the Bylaws of the Town of Gibsons applicable thereto, except those specifically varied or supplemented by this Permit.
- 2) The Development Permit applies to those "lands" as well as the Winn Road area, foreshore and marine areas, as outlined in the drawings. Description of the "lands":

Parcel Identifier	Legal Description	Civic Address
007-359-870	Lot 2, Block A, District Lot 686, Plan 14197	377 Gower Point Road
007-359-829	Lot 1, Block A, District Lot 686, Plan 14197	385 Gower Point Road
011-118-202	Lot 1, except lot A (450146L), Block A, District Lot 685, Plan 5579	397 Gower Point Road
011-117-524	Lot A (see 450146L) of Lot 1, Block A, District Lot 685, Plan 5579	689 Winn Road
011-118-211	Lot 2, Block A, District Lot 685, Plan 5579	407, 409 Gower Point Road

- 3) These lands are within Development Permit Area('s) of the Town of Gibsons Official Community Plan (Bylaw 985, 2005). This permit applies to the following Development Permit Area:

- Development Permit Area No. 2 (Environmentally Sensitive Areas) for the purpose of protection of the natural environment. Specifically, for this permit this includes the remediation of site contamination and habitat improvements to the shore areas.

The scope of the works permitted include:

- Demolition of existing structures
- Excavation and removal of contaminated soils and sediments
- Construction of a walkway and berm along the shore line, combined with re-placement of an existing sanitary sewer pipe and shoreline and storm water channel habitat improvements north of the building site
- Excavation, shoring and Deep Mixing on the lands west of the natural boundary and construction of a parkade, hotel and residences
- Dredging, Piledriving and Construction of a Pier (with Restaurant and Fuel Dock), Marina

- 4) 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 which shall form a part thereof; specifically:

Contamination Remediation:

- George Hotel Marine Residences Foreshore Remediation, Construction Environmental Management Plan, by Keystone Environmental, dated July 21, 2017

Foreshore habitat improvement:

- Paragraph 4.4.2 from Environmental Assessment, by Balanced Environmental, dated December 31, 2012
- Drawing No. 5765-D-02.1, titled The George Waterfront Project Shoreline Mitigation Measures, by Balanced Environmental, dated June 28, 2017
- Landscape plans L1, L7 by PMG Landscape Architects, 16.aug.17 (L1) and 17.July.19 (L7) plus landscape estimate

Coordination with senior governments

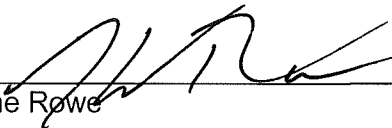
- The applicant is responsible to arrange for review of the works, and approval of remediation where required by other levels of governments such as the provincial Ministry of Environment and the federal Department of Fisheries and Oceans
- Owner to submit confirmation from the Ministry of Environment once the site contamination remediation has been completed.

- 5) All requirements of the plan(s) are to be followed. On site monitoring by the Qualified Environmental Professionals (Keystone Environmental) during construction as outlined in the plan(s) is required.
- 6) Minor changes to the aforesaid drawings that do not affect the intent of this Development Permit are permitted only with the approval of the Town of Gibsons and the Qualified Environmental Professionals (Keystone Environmental).
- 7) If the Permittee does not commence the development permitted by this Permit within twenty four months of the date of this Permit, this Permit shall lapse.
- 8) This Permit is NOT a Building Permit.

- 9) As a condition of the issuance of the Building Permit for the construction of the land portion of the project the Permittee is to provide security for the value of **\$ 25,826** to ensure that the landscaping component under this Development Permit is carried out in accordance with the terms and conditions set out in this permit. Security for this Development Permit will be required under the Servicing Agreement for the project. Site remediation and demolition of existing structures may start ahead of the provision of this security.
- (a) The condition of the posting of the security is that, should the Permittee fail to carry out the development hereby authorized according to the terms and conditions of this Development Permit within the time provided, the Town may carry out the development or any part of it by its servants, agents or contractors and deduct from the security all costs of so doing, it being understood that the surplus, if any, shall be paid over to the Permittee.
 - (b) If on the other hand, the Permittee carries out the landscaping component of the development permitted by this Development Permit within the time set out herein, the security shall be returned to the Permittee.
 - (c) Prior to issuance of the Building Permit for new construction, the Permittee is to file with the Town an irrevocable Letter of Credit or Certified Cheque as security for the installation of hard and soft landscaping in accordance with approved plans.
 - (d) The Permittee shall complete the landscaping works required by this permit within six (6) months of substantial completion of the new construction.
 - (e) If the landscaping is not completed within this six (6) month period, the Town has the option of continuing to renew the security until the required landscaping is completed or has the option of drawing the security and using the funds to complete the required landscaping. In such a case, the Town or its agents have the irrevocable right to enter into the property to undertake the required landscaping for which the security was submitted.
 - (f) Upon completion of the landscaping, a holdback of 10% of the original security, plus any deficiencies, will be retained for a 1-year period, to be returned upon written final approval from the Qualified Environmental Professional(s).
 - (g) The following standards for landscaping are set:
 - (i) All landscaping works and planters and planting materials shall be provided in accordance with the landscaping as specified on the Site Plan and Landscaping Plan which forms part of this Permit.
 - (ii) All planting materials that have not survived within one year of planting shall be replaced at the expense of the Permittee.

AUTHORISED BY TOWN COUNCIL ON 31st DAY OF JULY, 2017.

ISSUED THIS 1st DAY OF AUGUST, 2017.


Wayne Rowe
Mayor


Selma Williams
Corporate Officer

Copy of permit to

- Qualified Environmental Professional site remediation, Michael Geraghty, Keystone Environmental
- Qualified Environmental Professional habitat protection, Warren Appleton, Keystone Environmental
- Geotechnical Engineer, Karim Karimzadegan, Horizon Engineering
- Senior Contaminated Sites Officer, Vincent Hanemayer, Ministry of Environment

Attachments:

- George Hotel Marine Residences Foreshore Remediation, Construction Environmental Management Plan, by Keystone Environmental, dated July 21, 2017
- Paragraph 4.4.2 from Environmental Assessment, by Balanced Environmental, dated December 31, 2012
- Drawing No. 5765-D-02.1, titled The George Waterfront Project Shoreline Mitigation Measures, by Balanced Environmental, dated June 28, 2017
- Landscape plans L1, L7 by PMG Landscape Architects, 16.aug.17 (L1) and 17.July.19 (L7) plus landscape estimate