



DEVELOPMENT PERMIT

NO. DP- 2013-01

TO: **Hyak Marine Services Ltd.
Klaus and Monika Fuerniss
(permittee)**

ADDRESS: **c/o Art Philips
521 Bridgeman Road
Gibsons, B.C.
V0N 1V1**

- 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" within the Town of Gibsons described below:

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 the east 157 feet, 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

As well as foreshore and water areas, as outlined in the drawings.

- 3) The lands are within Development Permit Area No. 5 for form and character.
- 4) The lands 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.
- 5) The form and character is required to conform to the following plans:
 - *Development Plans: Prepared by Omicron, titled "George Hotel and Residences Design Issued for form and character DP", dated May 6, 2016.*
 - *Landscape Plans: Prepared by PMG Landscape Architects, titled "The George Hotel and Residential Units", dated Sept 24, 2013, last revised May 9, 2016*
 - *Parking provision: As outlined in the Traffic and Parking study section 8, prepared by Creative Transportation Solutions dated September 2015.*

- 6) In conjunction with the plans outlined under 5, the following further specifications apply:
- *External signage on the Gower Point Road façade to clearly indicate the presence of twelve (12) public parking stalls in the parkade.*
 - *External lighting fixtures required to be night sky friendly, shining downwards and avoid a nuisance light spill to adjacent properties.*
 - *Prior to Building Permit written confirmation of the details of parking provision and strategy based on the current program outlined on the development plans listed above.*
 - *Wayfinding signage on the plaza level and at the waterfront walkway to aid in connecting pedestrians to the waterfront either via use of elevator or stairs*
 - *Water features are required to use recirculating water systems and are subject to any relevant drinking water restrictions.*
- 7) This Development Permit applies to the form and character on the site. For details shown in off-site areas the plans may be subject to change following the provisions of a Servicing Agreement.
- 8) Minor changes to the aforesaid drawings that do not affect the intent of this Development Permit or the general appearance of the buildings and character of the development may be permitted, subject to the approval of the Director of Planning.
- 9) 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.
- 10) This Permit is NOT a Building Permit.
- 11) As a condition of the issuance of the Building Permit, Council requires that the Permittee provide security for the value of **\$312,501.00** to ensure that the on-site landscaping component of the development is carried out in accordance with the terms and conditions set out in this permit.
- (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 a Building Permit, 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, such Letter of Credit to be submitted to the Town at the time of the Building Permit application.
 - (d) The Permittee shall complete the landscaping works required by this permit within six (6) months of issuance of the Occupancy Permit.

- (e) If the landscaping is not approved 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 Landscape Architect.
- (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.

AUTHORIZING RESOLUTION PASSED BY COUNCIL

THIS THE 17TH DAY OF MAY, 2016.

ISSUED THIS ____ DAY OF _____, 2016.

Wayne Rowe
Mayor

Selina Williams
Corporate Officer