



STAFF REPORT

TO: Planning and Development Committee **MEETING DATE:** October 6, 2020
FROM: Kirsten Rawkins **FILE NO:** 3220-Seamount Way-1036
Planner 1
SUBJECT: Form and Character Development Permit (DP-2020-13) application for building improvements at 1036 Seamount Way

RECOMMENDATIONS

THAT the report titled Form and Character Development Permit (DP-2020-13) application for building improvements at 1036 Seamount Way be received;

AND THAT the Planning and Development Committee recommend approval of the Development Permit for the form and character of the proposed building expansion at 1036 Seamount Way (DP-2020-13), subject to receipt of the landscape cost estimate.

PURPOSE

The Town of Gibsons has received a Form and Character Development Permit application for the expansion and renovation of the existing building at 1036 Seamount Way. The purpose of this report is to share the development plans with the Planning and Development Committee (PDC) and to obtain a recommendation to Council on whether to approve or reject the Development Permit for the proposed form and character. Additionally the PDC may recommend changes to the design with respect to the form and character guidelines.

Plans are attached to this report as Attachment A, along with a proposal summary by the applicant, attached as Attachment B.

BACKGROUND

The business operating at 1036 Seamount Way includes the cutting and polishing of stone products – primarily stone countertops. The owner plans to expand the existing building on the lot to provide additional production space for the business, space for new machinery, and to improve the building exterior to enhance curb appeal and the company's brand.

Per Schedule E of the Official Community Plan, the proposed development is subject to a Form and Character Development Permit within Development Permit Area 6 - Service Commercial / Light Industrial.

The site location is shown in Figure 1, below.

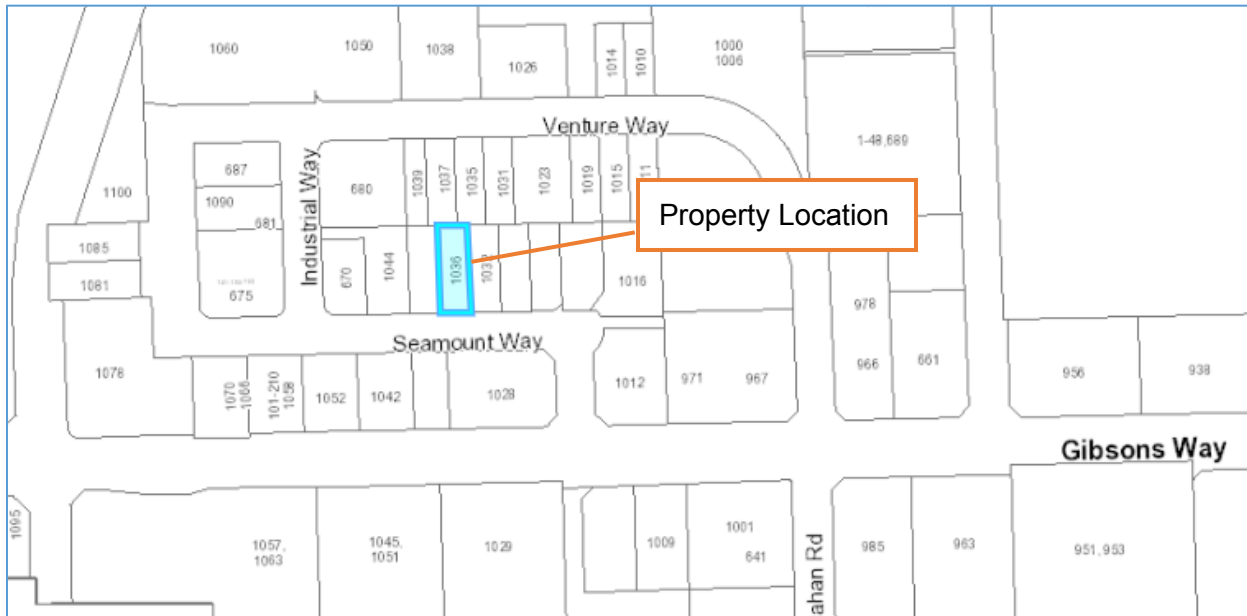


Figure 1 - Location of subject property, 1036 Seamount Way

Figure 2 shows the existing building as seen from Seamount Way, and Figure 3 provides an aerial view of the site, as taken in 2018.



Figure 2 - Existing building (August 2020)



Figure 3 - Aerial view of site and existing building (2018 Ortho)

DISCUSSION

Development Plans

Planned changes to the building include expansion of the building to the north (rear of the property) and to the east side lot line. As shown in the Site Plan in Figure 4, below, an interior garage space on the ground floor provides interior parking and loading via a retractable garage door. At the rear of the building, the covered exterior yard area houses a crane for lifting and manipulating stone materials and products. The roof of the covered area extends to the 4.5 m rear yard setback.

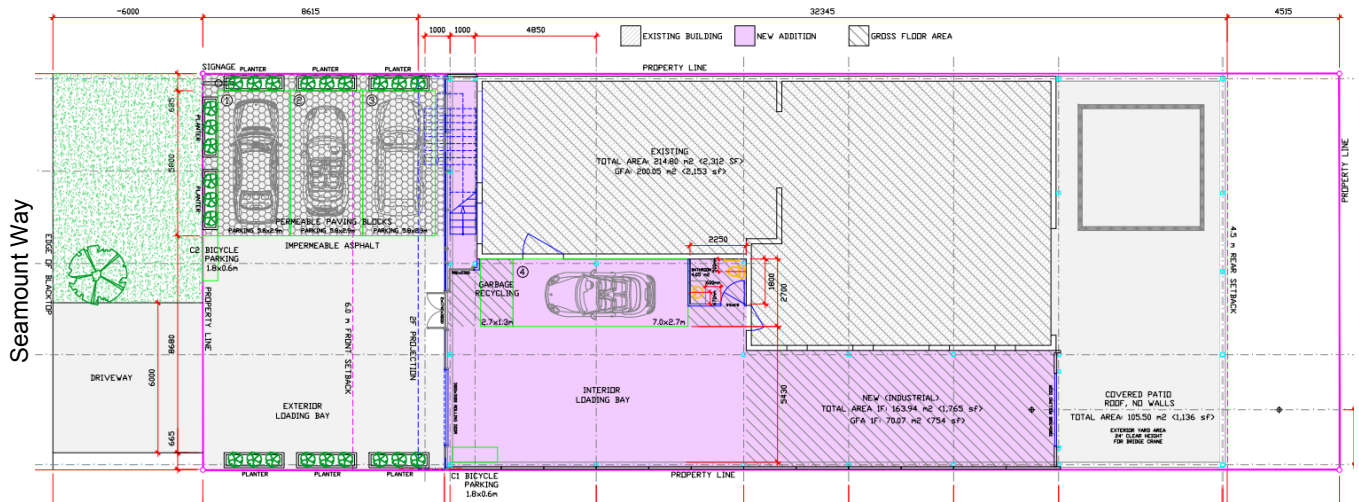


Figure 4 - Site Plan

Display, storage and production space are also provided on the interior areas of the ground floor and within a partial second storey storage space, accessed via interior stairs. The vertical structure of the proposed building is shown in the lengthwise building cross-section in Figure 5.

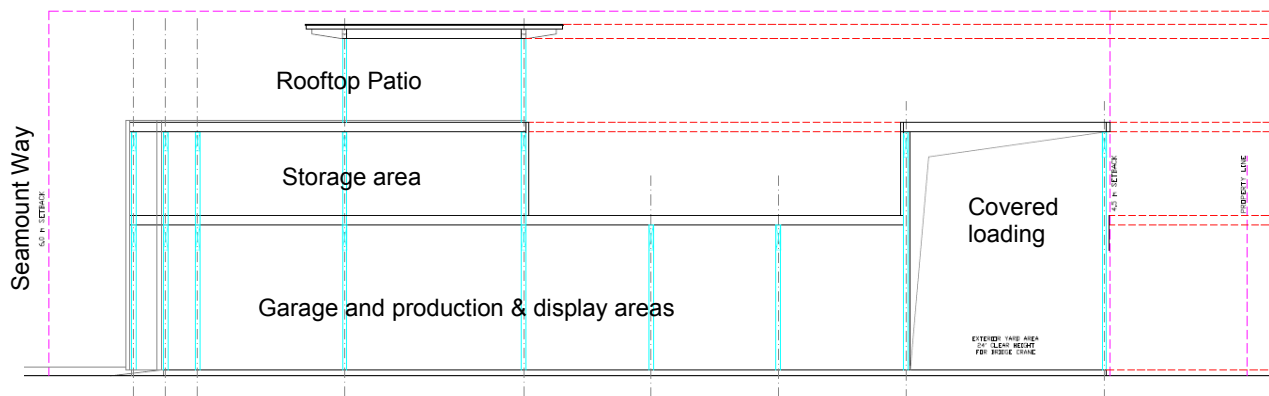


Figure 5 - Building cross-section – lengthwise, north-south

The exterior of the building on the front side, as seen from Seamount Way, will be finished with curtain glazing (Glass). The façade is modulated with three-dimensional relief, as shown in Figure 7, and features a balcony at the second storey. The glass façade is softened with timber post and beam features and glass and timber railings with plantings on the balcony. A roof garden provides leisure space for staff and also adds visual interest from the street with a timber pergola and potted perennials and ornamental trees.

Figures 4 through 7 show the proposed building façades, roof garden, signage and siting of the building.

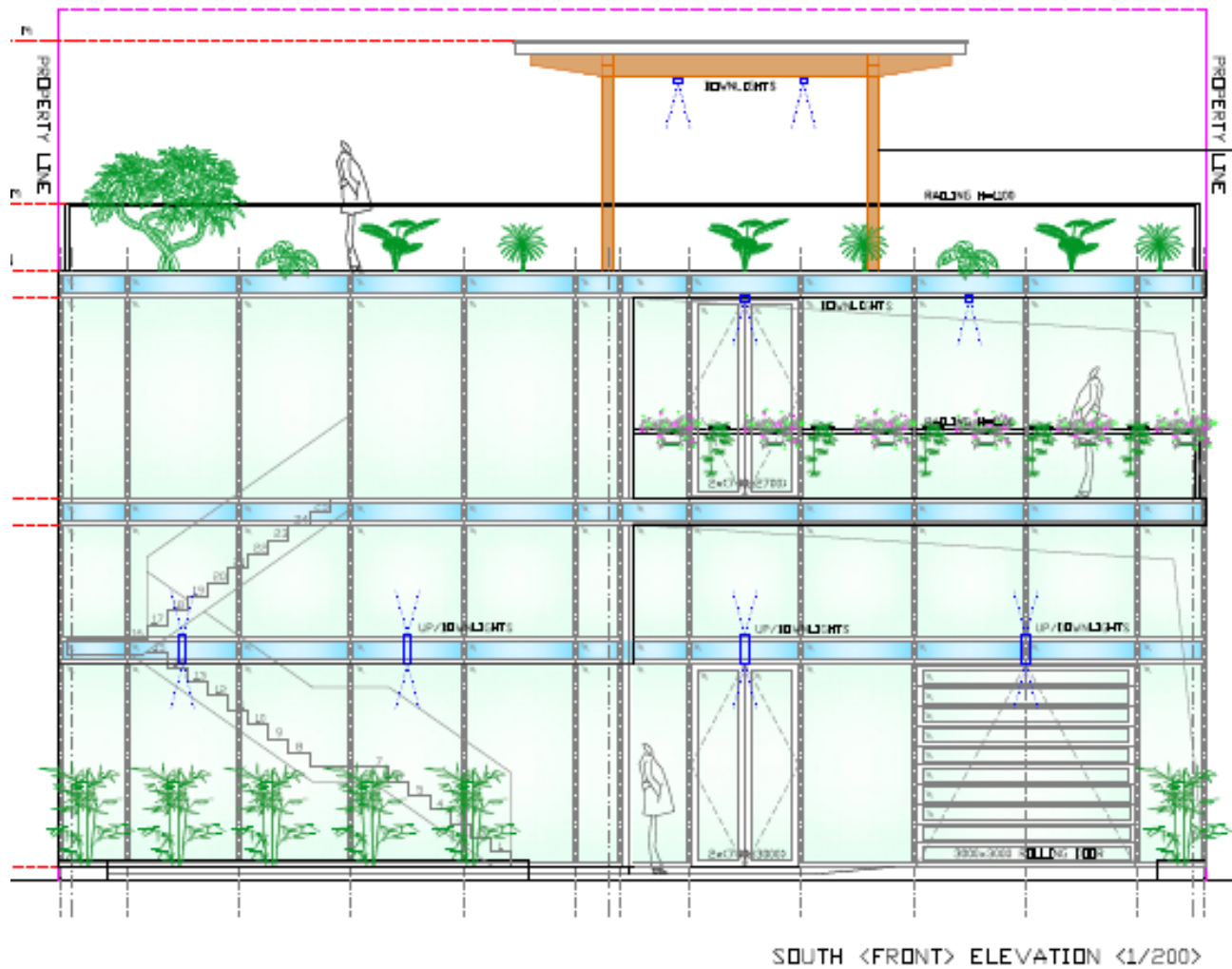


Figure 6 - South Elevation, as seen from Seamount Way

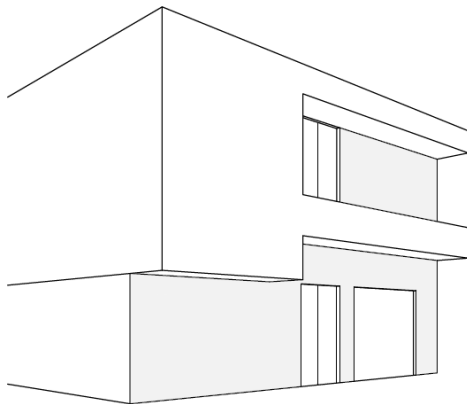


Figure 7 - Massing detail showing front façade

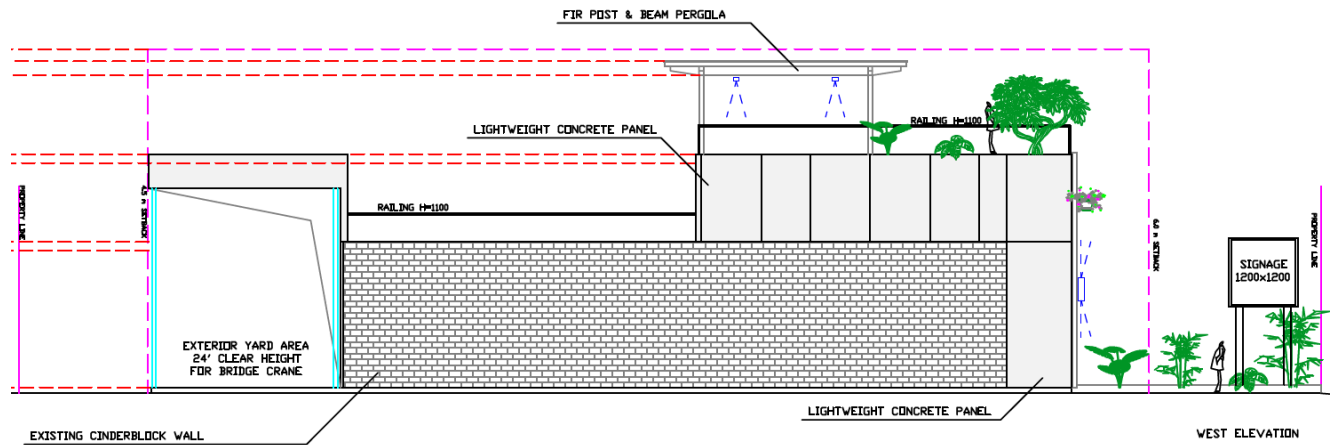


Figure 8 - West Elevation

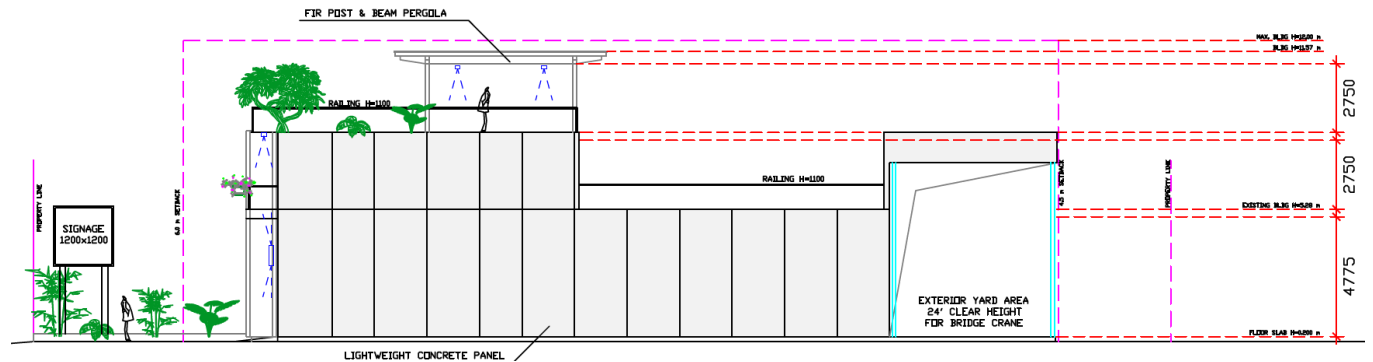


Figure 9 - East Elevation

Landscape

Onsite landscaping provided in the plan includes linear cedar planters screening the east, south and west sides of the front parking area, containing cedar hedging, as shown in the landscape plan below in Figure 11. The three parking spaces at the front of the building are paved with permeable lock-block paving.

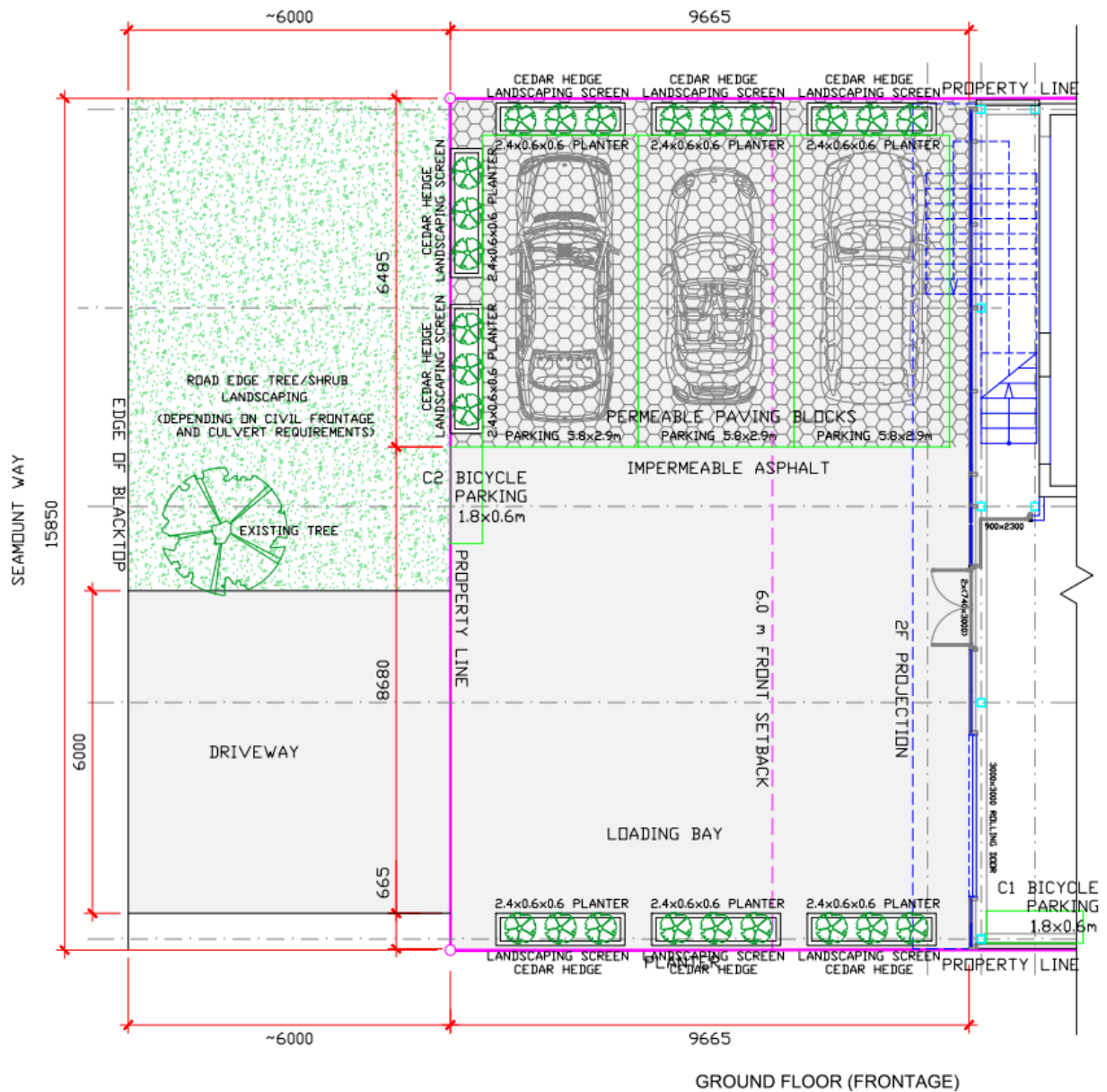


Figure 10 - Landscape Plan; Front of Building

Additional plantings are provided above the ground level as part of the rooftop garden with a pergola and seating for staff use. Potted Japanese maples are indicated for the rooftop garden along with planter boxes filled with perennials on the glass and timber railings of both the second story balcony and rooftop patio. Plans for the balcony and patio landscapes are shown in Figure 11. Staff are awaiting a landscape cost estimate from the applicant to include in the Permit.

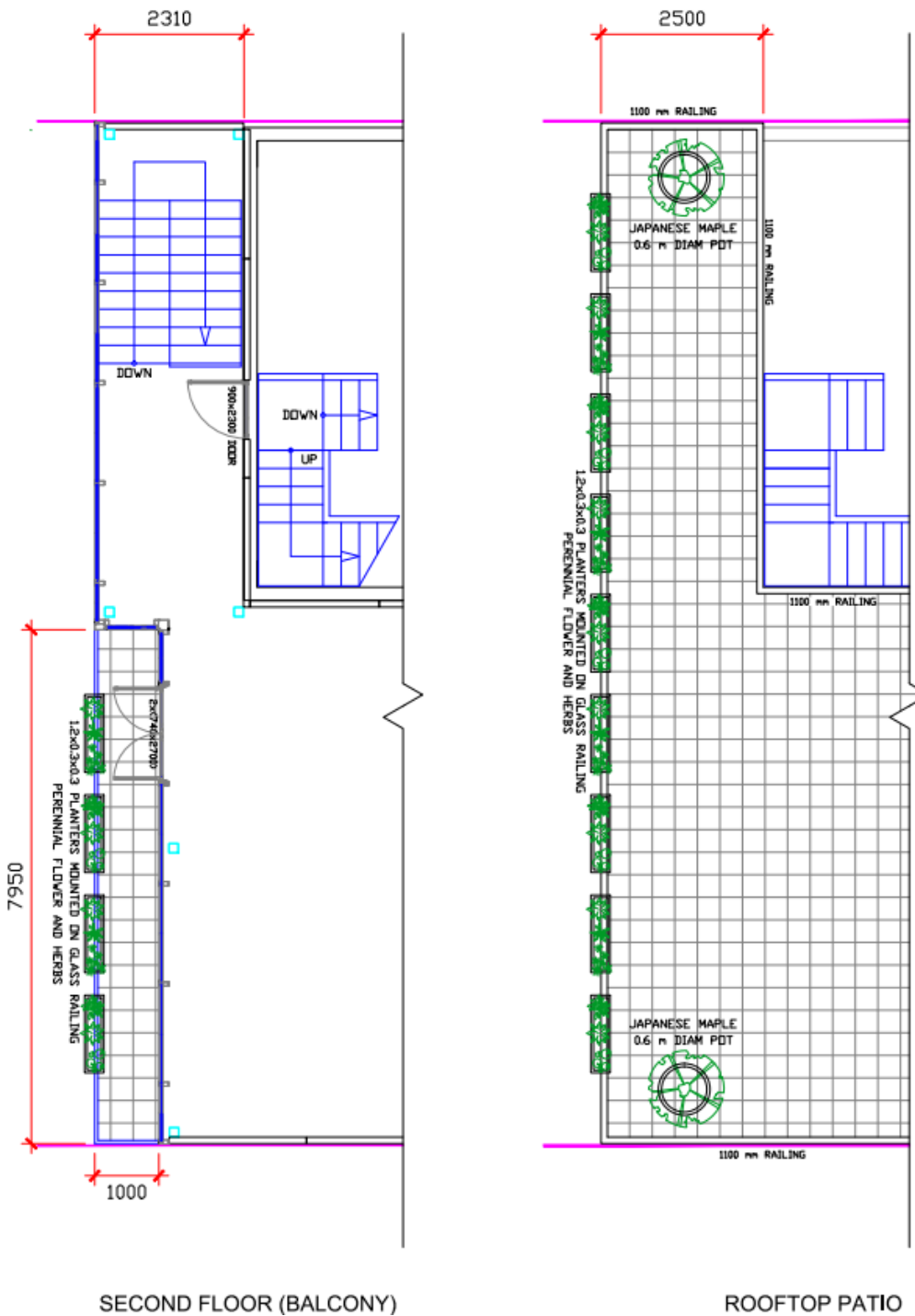


Figure 11 - Balcony and Rooftop Patio Landscapes

Frontage

Presently the site is accessed via two driveways, which is not currently permitted under bylaw standards. To bring the accesses into conformance with current standards, the plans include removal of the west access and limiting the driveway to a single 5m access from Seamount way at the east side of the frontage.

An existing conifer is hoped to be retained next to the driveway on the off-site frontage.

Parking

Zoning for the lot requires one parking space per 98 m² of Gross Floor Area (GFA). The applicant has provided four (4) parking spaces, including three parking stalls in front of the building and one interior garage parking space accessed and enclosed by a garage door.

As GFA is exclusive of garages, corridors, exist stairways and other features, the applicant may be permitted to reduce the parking by one space subject to a recalculation of the GFA per the Bylaw definition. It is expected that such a change would not have significant implications for the form and character of the building as addressed through this permit.

A bicycle rack is located next to the driveway entrance at the front of the lot, with an additional secured bicycle parking space provided inside the garage at the ground floor.

Signage

Proposed signage includes a single 1.2 m x 1.2 m free-standing sign at the Southwest corner of the property, fronting Seamount Way, as shown in Figures 8 and 9, above. Additional signage including a fascia sign may be determined at a later date, and would require a Sign Permit.

Zoning

The subject property is zoned Light Industrial (I-1) per Zoning Bylaw 1065. As shown in the zoning summary below (Table 1), the proposed development conforms to the zoning requirements.

Table 1- Zoning Summary, Light Industrial (I-1)

Regulation	Bylaw Requirement	Proposed
Permitted Uses	<i>manufacturing; indoor storage of goods and industrial supplies; indoor accessory retail use occupying less than 25% of Gross Floor Area.</i>	✓ Manufacturing with accessory retail of permitted goods.
Setbacks: Front lot line (Seamount Way)	6.0 m	✓ 9.6
East interior side lot line	0.0 m	✓ 0.1
West interior side lot line	0.0 m	✓ 0.1
rear lot line (north)	4.5 m	✓ 4.5
Maximum Lot Coverage	80%	79%
Maximum Building Height	12 m	✓ 11.57 (includes rooftop pergola)
Standard Vehicle Parking	1 per 98m ² GFA = 4 spaces	✓ 4
Accessible parking space	1 per 19 or more spaces	✓ n/a
Loading Spaces	1	✓ 2 – one full size at front of lot; one with reduced height inside garage
Bicycle Parking	1 Class 1 (secured) 1 Class 2 (short term)	✓ 1-2 class 1 and 2 spaces Provided

Frontage Improvements

As a condition of the proposed property improvement, the Town requires frontage improvements per the Subdivision and Development Servicing and Stormwater Management Bylaw No. 1175. For the subject property, improvements are to be confirmed upon receipt of referral comments from the Infrastructure Services Department and are expected to include reduction of the driveway to a single access from Seamount way, installation of a grass swale, upgrading the culvert to

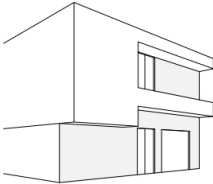
current standards, and a cash in lieu contribution for pavement to centerline. These improvements are completed at the cost of the applicant to bring the property into conformance with current standards.

Development Permit Area No. 6 Analysis

The subject property is designated within Form and Character Development Permit Area 6 (DPA 6) – Service Commercial / Light Industrial. DPA 6 Guidelines apply to all development within the Development Permit Area.

Staff has evaluated the Development Plans with respected to the Form and Character Guidelines as outlined in Table 2, below.

Table 2 - DPA6 Form and Character Guidelines & Evaluation

Criteria	Staff Comments	Has the Criteria Been Met? (Y/N)
Building Form and Character		
Monolithic structures and long expanses of straight walls facing the roadway should be avoided.	<p><i>Façade modulated vertically and horizontally.</i></p> 	Y
Walls facing roadways should incorporate elements that add variety and vertical definition such as windows, entrances, and sloped roofs.	<p><i>Balcony, doors, rooftop garden, massing and materials provide variety</i></p>	Y
Larger buildings should be designed in a way that creates the impression of smaller blocks or units.		n/a
Buildings should generally be finished in painted or coated metal, wood, or textured concrete rather than just leaving untreated flat concrete blocks as the final building finish.	<p><i>Glass finish with timber details</i></p>	Y
Buildings and structures should be permanent in nature, and should not appear to be temporary structures or trailers.	<p>Yes.</p>	Y
Design lighting to minimize light spill, glare and sky glow by using non-glare full cutoff fixtures.	<p><i>Combination of full cut-off and up/down feature lighting described as having minimal light spill</i></p>	Y/N

Screening and Landscaping		
The site should be provided with a landscaped strip composed of grass, vegetated earth berms, shrubs, trees, other vegetation, or a combination of these in the following areas:	<i>(see below)</i>	...
<ul style="list-style-type: none"> along the property edge next to roadways; 	<i>Cedar Hedge in planter provides screening. Existing tree retained on boulevard.</i>	Y
<ul style="list-style-type: none"> between parking areas, roadways and buildings 	<i>As above, cedar hedge buffers parking and building from road, and screens parking from neighbouring lot</i>	Y
<ul style="list-style-type: none"> between buildings and parking areas 	<i>Required parking spaces limit space for plantings in front of building, though plantings provided at second storey and rooftop balconies.</i>	Y/N
The landscaping should consist of a mix of coniferous and deciduous vegetation, with low plantings and taller tree species at intervals. Large areas of bark mulch, bare earth, landscape fabric, gravel or other similar materials are not suitable.	<i>Cedar hedging, with perennial and deciduous plantings on balconies..</i>	Y
Support service facilities and structures such as loading bays, refuse containers and storage areas, should be located and screened with walls, fencing, hedging, planting, other screening materials or a combination of these materials to minimize visibility from public areas.	<i>Loading and service facilities at rear; recycling, garbage indoors.</i>	Y
Outdoor and rooftop service installations, including mechanical, electrical and other service equipment, should be enclosed in a screening structure that relates to the building design.	<i>All contained within building or under cover at rear of lot.</i>	Y
Signs		
All signs should be architecturally coordinated with the overall design of buildings and landscaping. Multi-unit buildings should have unit signs of compatible size, arrangement and character.	<i>Free-standing sign design is well scaled, though separate Sign Permit may be required when details of signage are available.</i>	Y

Fascia type signs (on building surfaces) are encouraged.	<i>Signage plans to be finalized at a later date through a separate sign permit.</i>	n/a
Changeable copy signs are not supported, except where clearly required due to the nature of the business activity.	<i>Not indicated in plan</i>	Y
Parking		
Parking areas in excess of 10 spaces should be broken into smaller groups, divided by landscaping.	<i>Max parking grouping is 3 spaces</i>	n/a
Access to parking areas should be landscaped and sited, wherever possible on secondary roads.	<i>Parking access from Seamount Way (secondary road); cedar hedge provided and existing trees retained. Frontage design details to be determined per Servicing Agreement.</i>	Y

Staff finds that the planned changes to the building and landscape substantially meet the form and character guidelines and improve the existing form and character of the property.

Of the fourteen (14) applicable guidelines, twelve (12) are met and two (2) are partially met. The guidelines that are only partially met include an omission of one of four recommended locations for landscape plantings in the guidelines – separating the building from the parking area. While parking is screened from the street and neighbouring properties, plantings are not provided between the parking and the building at ground level, as the space is used to meet the required number of parking spaces on the lot. Plantings are provided at the front of the building on the upper stories, however. Secondly, while lighting for the building is largely full-cut-off, up-down lighting is planned to highlight design elements of the building façade. While contrary to the guideline on lighting, the applicant provides that the sconces have architectural design importance and will have minimal impact in terms of light spill, glare or sky glow.

COMMUNICATION

Referrals

Per Town Procedures, the DP application was referred to the Infrastructure Services Department, Public Works Department, Building Department and Gibsons and District Volunteer Fire Department (GDVFD) for comment. The comments received at the time of writing the report are listed below in Table 3.

Table 3- Referral Comments

Building Department	No concerns.
Fire Department (GDVFD)	No concerns; new areas to have standard fire safety equipment.
Infrastructure Services Department	Frontage Improvements and Servicing upgrades to current standards required; further comments pending review.
Public Work Department	No comments received at time of report.

POLICY / PLAN IMPLICATIONS

Strategic Plan Implications

This request aligns with the following Core Objectives in Council’s Strategic Plan:

Increase Community Engagement

- The Development Permit Area 6 guidelines reflected in this report are a result of extensive community engagement and visioning around a desired future for our community.

Manage Our Assets

- Frontage and infrastructure improvements to Seamount Way will improve the streetscape, renew aging infrastructure and reduce stormwater impacts.

Plan for Sustainable Growth

Implications of the proposed development and applications with respect to the three pillars of sustainability (social, economic, ecological):

- will support the growth and economic viability of a local business; (economic, social)
- is respectful of neighbourhood density and context; (social)
- improves the property’s relationship with the street creating a safer, more welcoming environment for cyclists and pedestrians (social, ecological);
- will increase productivity of land use without loss of green infrastructure (economic, ecological); and

Respond to the Changing Climate

- Contributes to development density in a central area
- Upgrades to existing building will bring the building up to current building code standards

Financial Plan Implications

- Additional Development Cost Charges to be collected at time of Building Permit.
- Frontage contribution and servicing upgrades contributed by applicant
- No negative impacts to Financial Plan

NEXT STEPS

Recommendations of the Planning and Development Committee on whether to issue the Development Permit will be forwarded to Council. Subject to approval of the Development Permit, the applicant may apply for a Building Permit.

The draft permit is attached to this report as Attachment C.

RECOMMENDATIONS / ALTERNATIVES

Staff recommendations are listed at the beginning of the report. Alternatively, the Planning and Development Committee may suggest changes to the form and character to closer align with the DPA No. 6 guidelines.

ATTACHMENTS

- A. Development Plans
- B. Proposal Summary
- C. Draft Development Permit



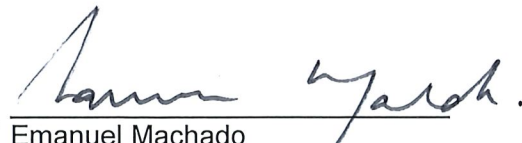
Kirsten Rawkins
Planner 1



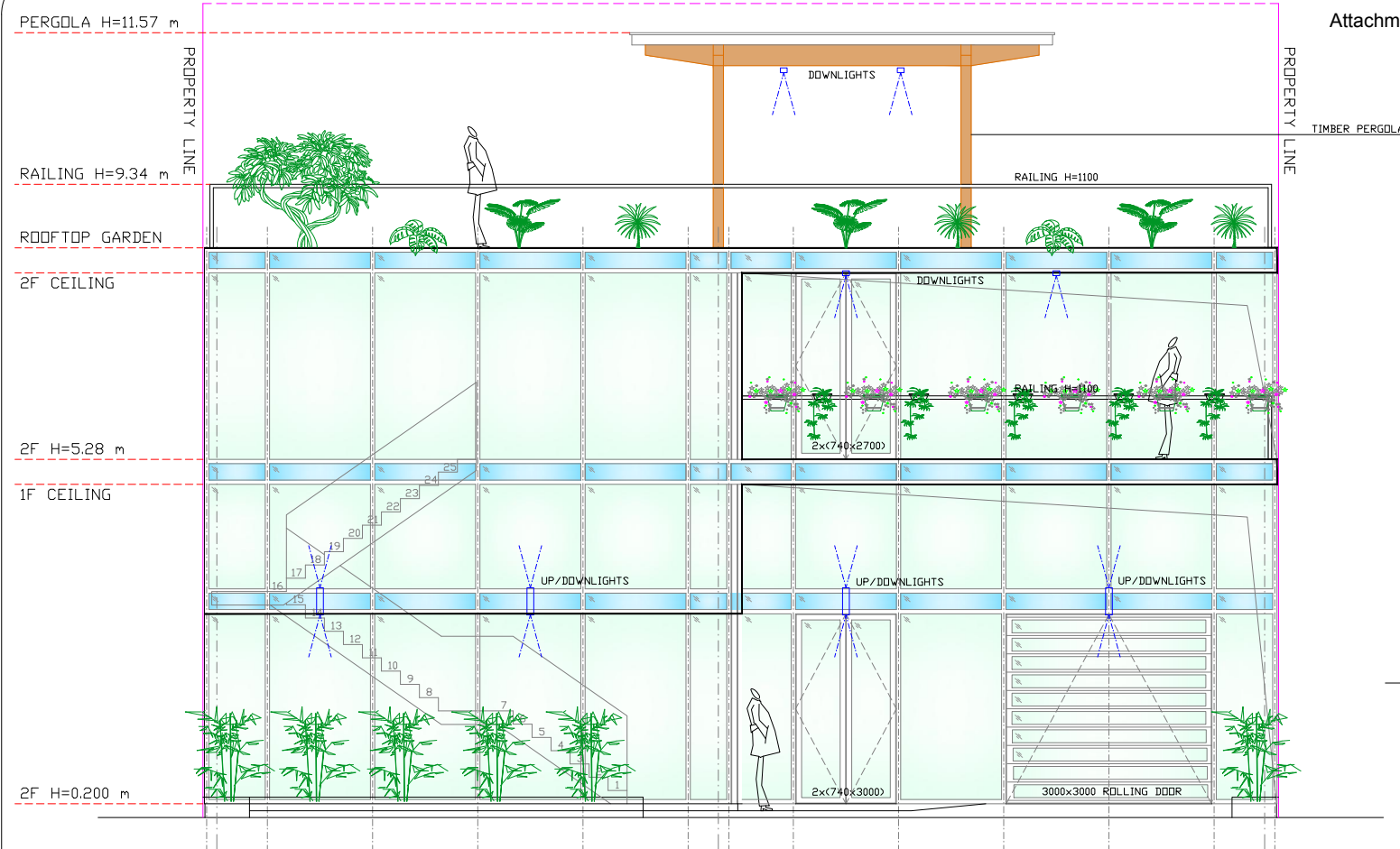
Lesley-Anne Staats, RPP, MCIP
Director of Planning

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

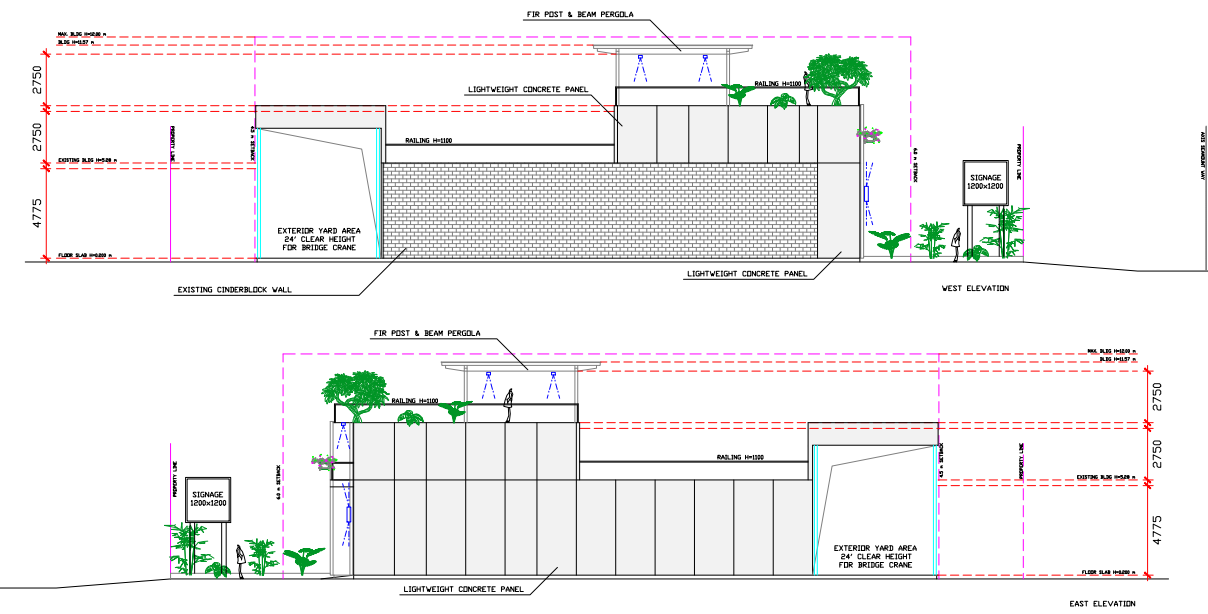
I have reviewed the report and support the recommendation(s).



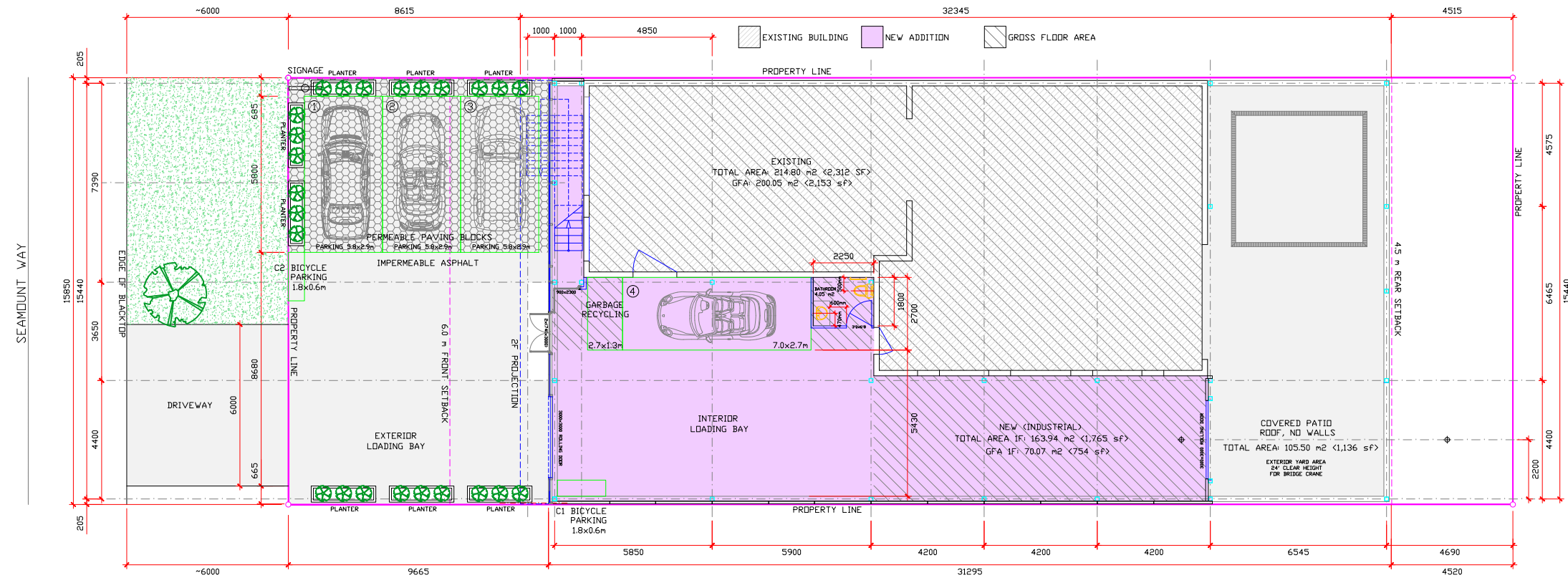
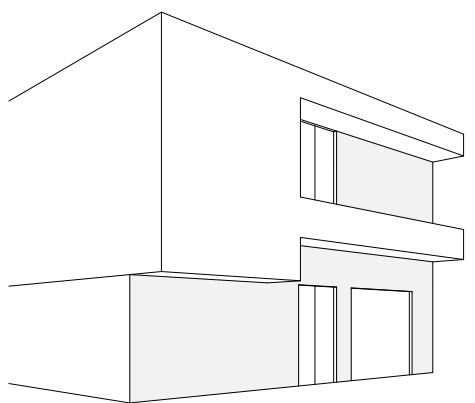
Emanuel Machado
Chief Administrative Officer



SOUTH <FRONT> ELEVATION <1/200>



SIDE ELEVATIONS <1/400>



SITE PLAN <1/200>

DP Area 6

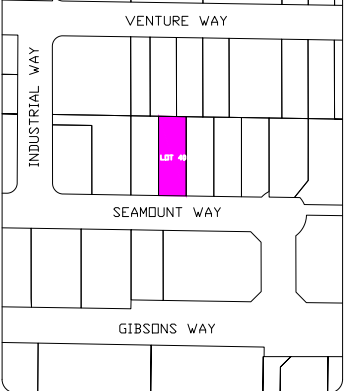
Light Industrial/Service Commercial

BUILDING FORM & CHARACTER

- Glazed curtain wall facade facing roadway (Seamount Way)
- Glazing combined with wood-glass railing on front balcony, horizontal opaque glass strips, timber rooftop pergola and rooftop garden
- All exterior lighting with minimal light spill, glare and sky glow

SCREENING & LANDSCAPING

- 2 Side planters (8.7 x 0.6 m) flanking parking and loading bay
- Hanging planter boxes on front balcony (second floor)
- Planters on rooftop garden
- All landscaping a mix of coniferous and deciduous vegetation
- Refuse containers housed inside near main front door.
- Rooftop installations screened with garden vegetation

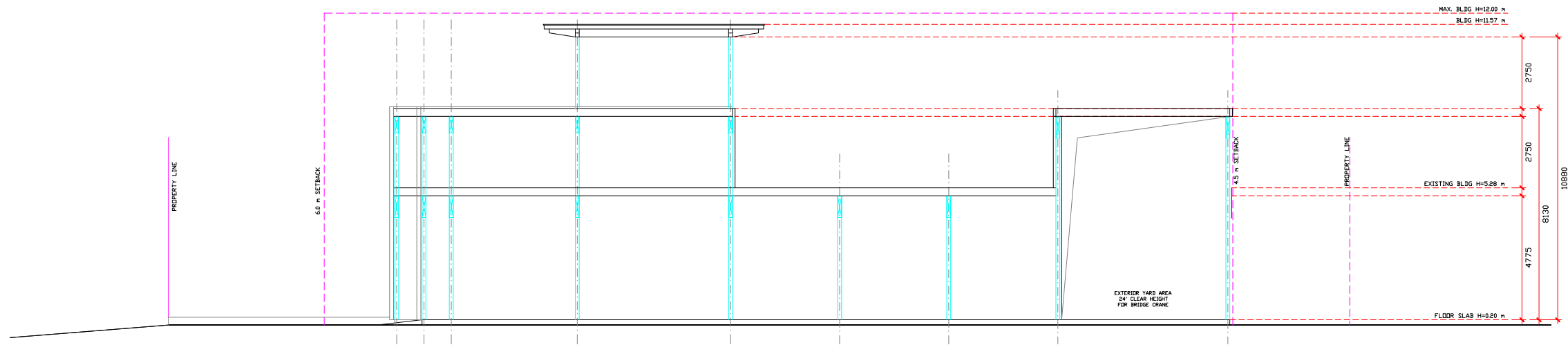


PID: 007-228-554
 Lot: 40
 Block: 1-4
 District Lot: 689
 Plan: VAP18134
 7,906 sf <735 m²>

1/200 (11x17)

INDUSTRIAL BUILDING ADDITION
 1036 Seamount Way
 Gibsons, BC
 Golden Hall Construction Inc.
 Drafting: Joe Oteruelo

SITE PLAN-ELEVATIONS **01**
 2020.7.1
 Revised on: 2020.9.25



LENGTHWISE CROSS SECTION

BYLAW 1065
Light Industrial Zone I1

1220 (1)
Front Setback = 6.0 m
1220(6)
Rear Setback = 4.5 m

1221
Maximum Lot Coverage = 80%
Proposed: 579 / 735 = 78.8%

1222
Maximum Building Height = 12.0 m
Proposed: 11.57 m

612
Off-Street Parking Requirements
1 Space/95 m2 (i.e. 3.96 stalls)
Proposed: 4 Stalls

613
Off-Street Loading Bay
L=9.0 m, W=2.5 m, H=3.6 m
Proposed: 9.5 m x 4.0 m

DP Area 6
Light Industrial/Service Commercial

SIGNS
- Visual image and signage is architecturally coordinated with a fascia type signage format

PARKING AND LOADING
- 9.5 x 4.0 m Loading bay
- Exterior parking stalls:
5.8 x 2.9 m stall (3)
- Interior parking stalls:
7.0 x 2.7 m stall (1)

PARKING SPACE CALCULATION

VEHICLES: GFA / 95 m2
376.23 m2 / 95 m2 = 3.96 spaces

BICYCLES C1: 0.27/100m2GFA>100m2
0.27 x 3.4326 m2 = 0.92 C1 spaces

BICYCLES C2: 0.27/100m2GFA>100m2
0.27 x 3.4326 m2 = 0.92 C2 spaces

AREAS

Existing Building		
GFA:	2,153 sf	200.05 m2
Total:	2,312 sf	214.80 m2
Addition 1F		
GFA:	754 sf	70.07 m2
Total:	1,765 sf	163.94 m2
Addition 2F		
GFA:	1,142 sf	106.11 m2
Total:	1,285 sf	119.42 m2
Project GFA:	4,049 sf	376.23 m2
Project Total:	5,362 sf	498.16 m2

Rear Covered Exterior Wing
1,136 sf 105.50 m2

Rooftop Garden & Exterior Stairs
1,425 sf 132.39 m2

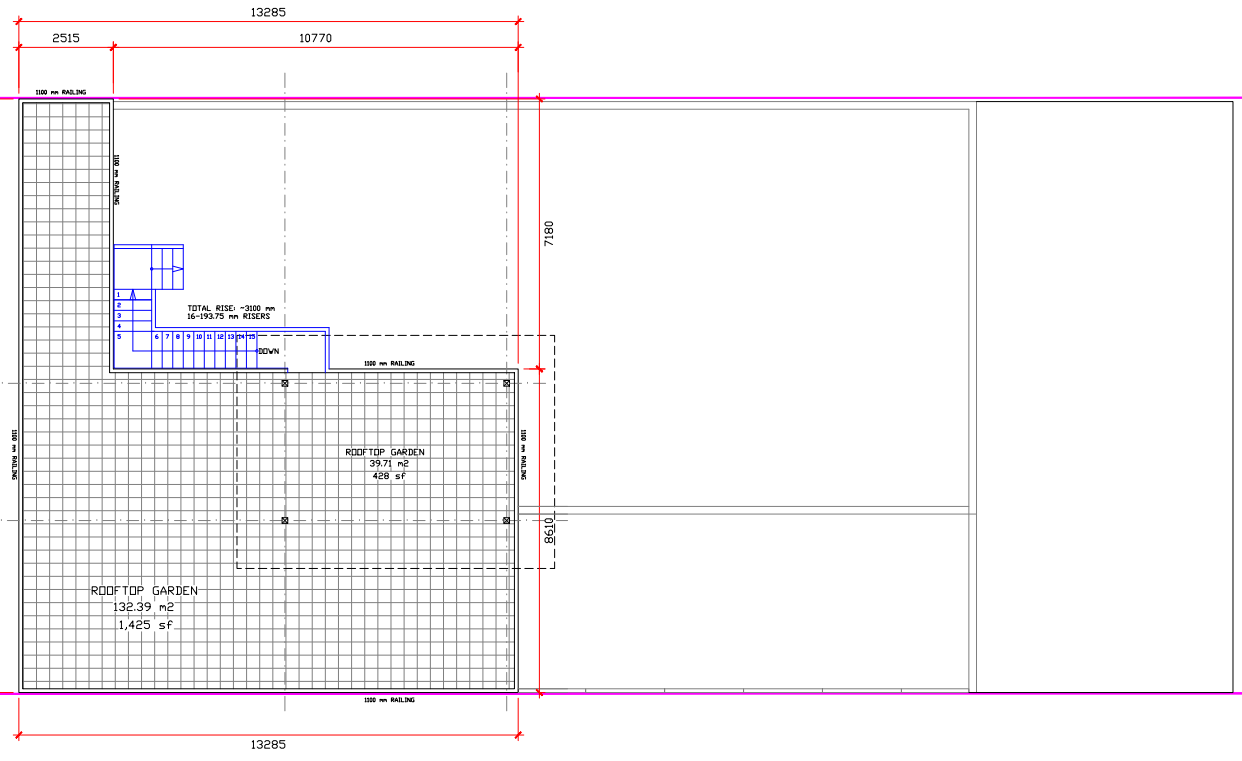
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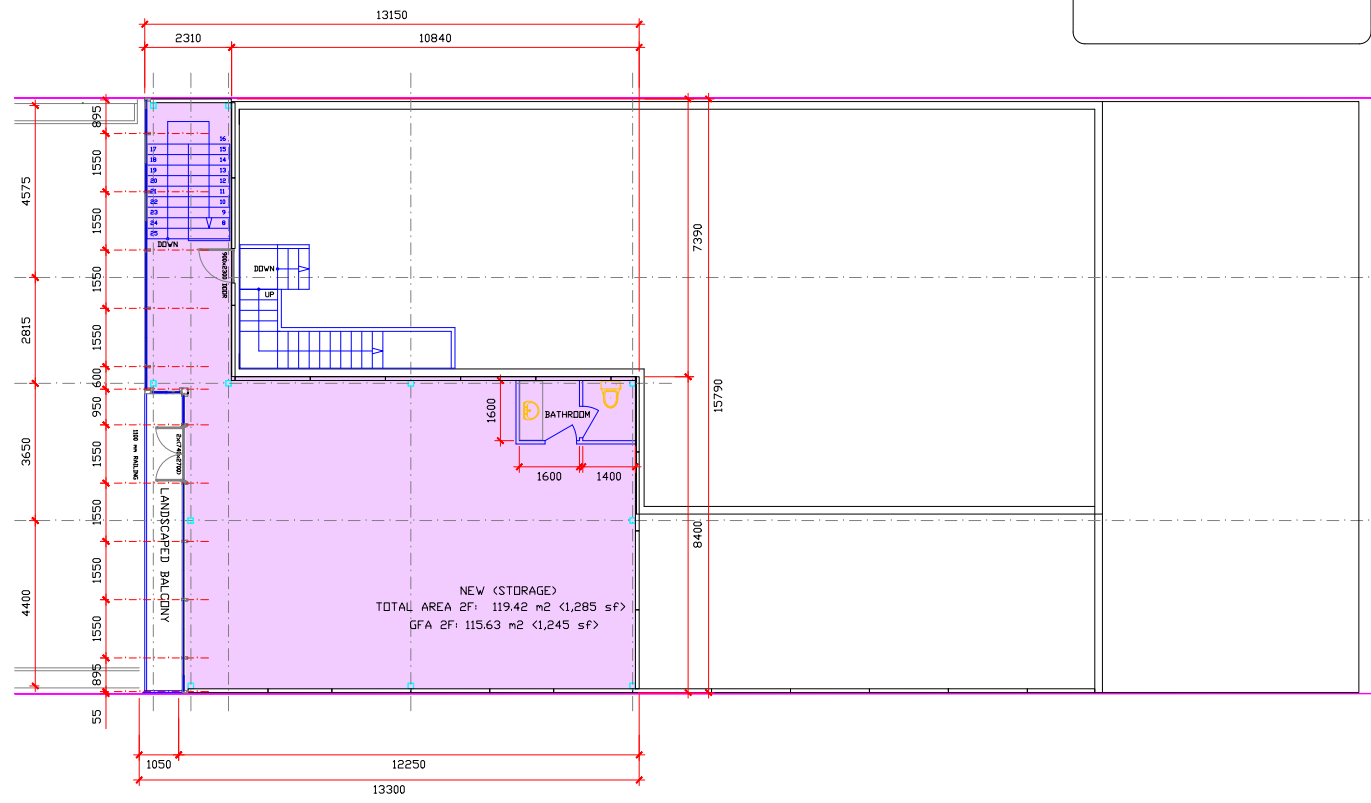
INDUSTRIAL BUILDING ADDITION
1036 Seamount Way
Gibsons, BC
Golden Hall Construction Inc.
Drafting: Joe Oteruelo

2F-3F-CROSS SECTION **02**

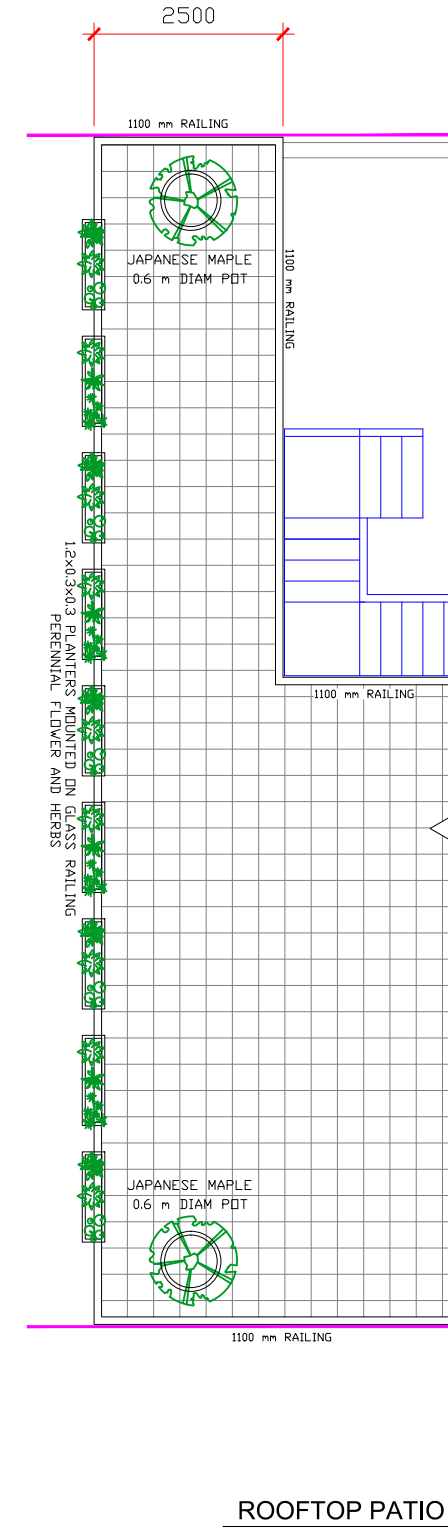
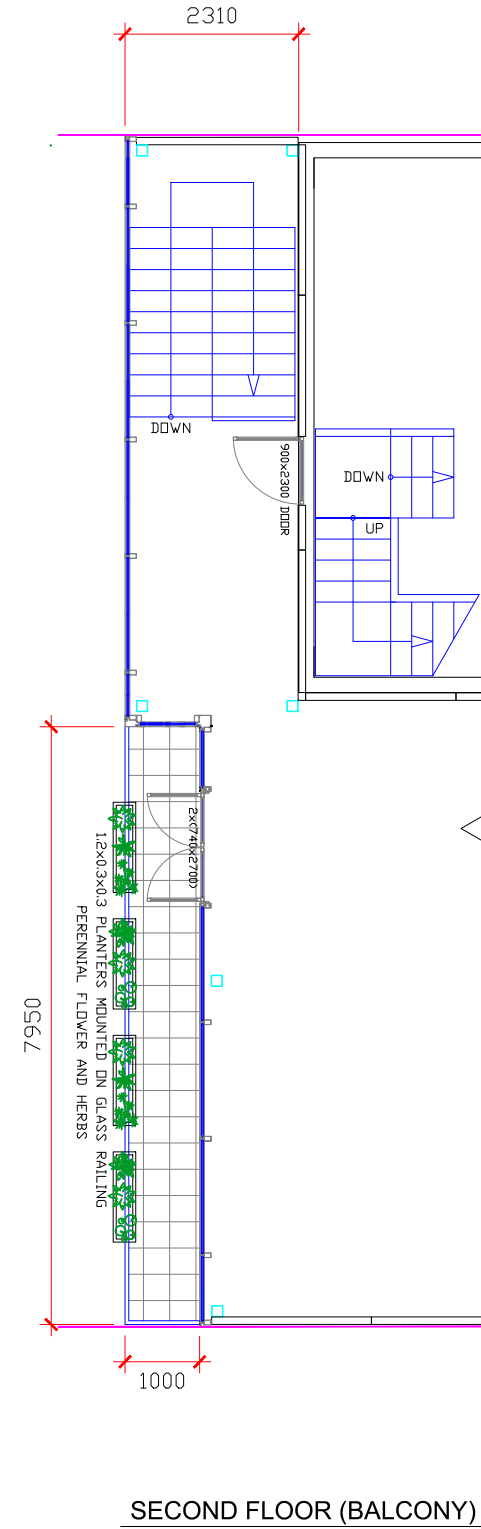
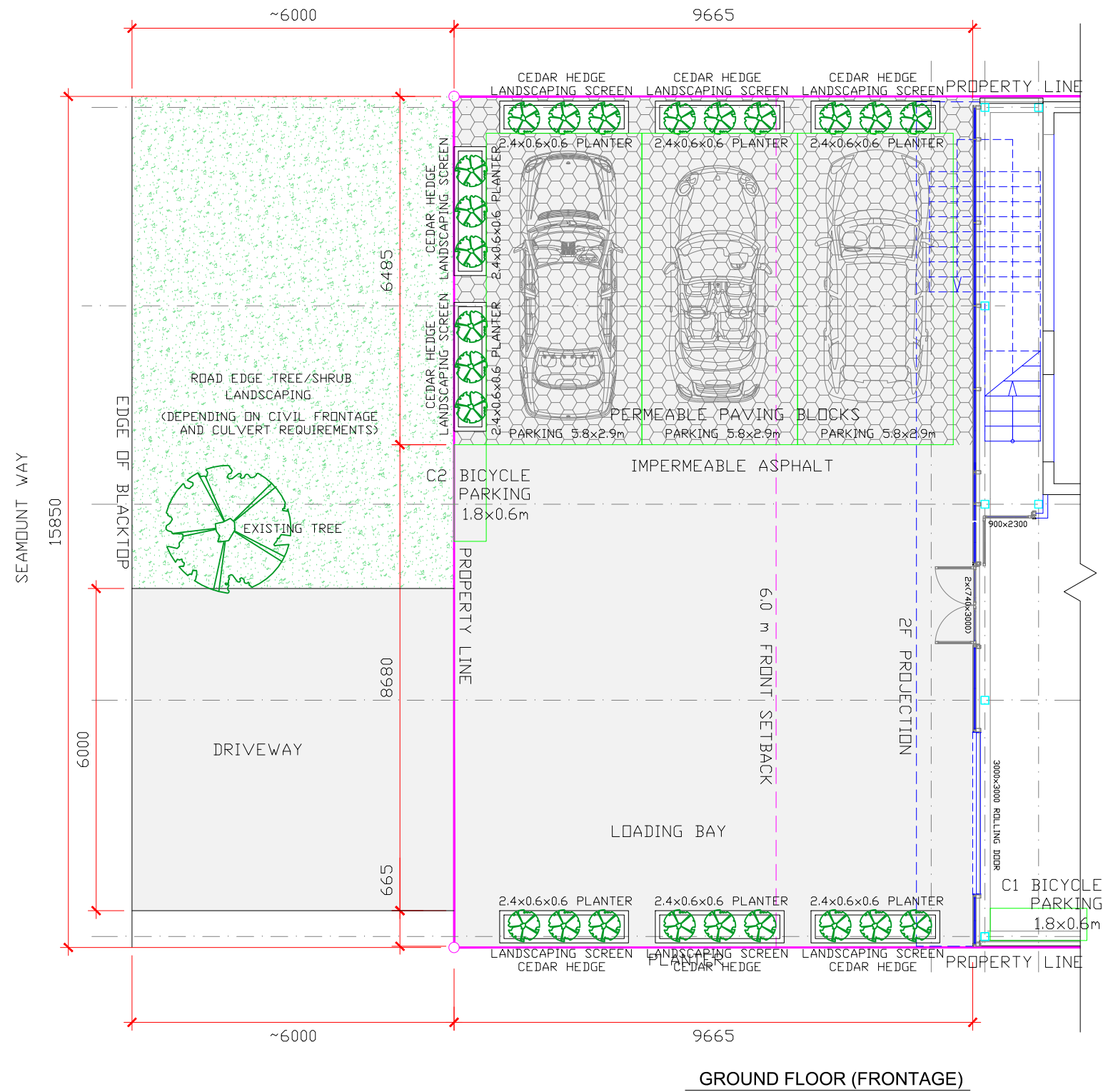
2020.7.1
Revised on: 2020.9.25



ROOFTOP GARDEN



SECOND FLOOR



PID: 007-228-554
 Lot: 40
 Block: 1-4
 District Lot: 689
 Plan: VAP18134
 7,906 sf <735 m2>

1/100 (11x17)

INDUSTRIAL BUILDING ADDITION
 1036 Seamount Way
 Gibsons, BC
 Golden Hall Construction Inc.
 Drafting: Joe Oteruelo

LANDSCAPING **03**

2020.9.10
 Revised on: 2020.9.25

Industrial Building Expansion

1036 Seamount Way

PID: 007-228-554

PROPOSAL SUMMARY

September 29th, 2020

The proposed development consists of an expansion of an existing industrial building. The activity carried out on the premises is cutting and polishing of stone products. The principal product is high quality stone countertops for residential and commercial applications.

The reason for expanding is twofold:

- 1) To address the need for more space to achieve increased production and the installation of CNC machines.
- 2) To create an improved architectural envelope and enhance the brand.

The Light Industrial/Service Commercial Permit Area is designated under Section 919(1)(f) Local Government Act to regulate form and character of commercial and industrial development. This proposed expansion is intended to fully meet the objective of high standard of site design, building form and landscaping to improve the appearance of this vital business district in the Town of Gibsons. In this sense, the proposal incorporates a glazed curtain wall with timber post and beam features on the streetfront to offer a friendly and less industrial looking façade along Seamount Way.

Adherence to OCP Guidelines

BUILDING FORM AND CHARACTER

- No monolithic structures or expanses of straight walls facing Seamount Way- Instead a glazed curtain wall with alcove for main entrance and loading bay, second floor landscaped balcony and rooftop garden.
- The south elevation (facing Seamount Way) is 9.34 m in height to the rooftop garden railing, which confers a non-boxy, light façade that is more commercial than industrial in character.
- All exterior lighting consists of downlights over alcove and balcony, as well as up/downlight wall lamps to accent the sleek façade with minimal light spill, glare and sky glow.

SCREENING AND LANDSCAPING

- The front of the building (driveway, loading bay and parking stalls) is flanked and fronted by a series of cedar planters (2.4 m long, 0.6 m wide and 0.6 m high) with a cedar hedge.
- The balcony on the second floor is 8 m long and 1 m deep. The timber and glass railing is just over 5 m from the ground and it will incorporate linear planters with herbal and flower arrangements.
- The rooftop garden will be concentrated on the south edge of the rooftop (facing Seamount Way). This will consist of perennial flowers/herbs potted ornamental trees.

SIGNS

- All signage on the façade will adhere strictly to Bylaw 1215, 2016.
- The sign displaying the company logo is architecturally coordinated as a free-standing sign at the SW corner of the property (1.2 x 1.2 m).

TRANSITIONS

- There are no adjacent residential properties in this project.
- The front is flanked by planters and fence. 6.0 m Driveway width.
- The rear of the property will be contained with an 8' high chain link fence.

PARKING

- 612: 1 parking spot/95 m². Proposed parking spots 3 exterior and 1 interior. Total 4.
- 617: 1 0.27 Class 1 and Class 2 Bicycle parking spots/100 m² gross floor area >100 m². Total 2 (1 interior + 1 exterior)

GARBAGE/RECYCLING

- 2.7 x 1.3 m dedicated indoor space for this purpose adjacent to the loading bay door.

PARCEL COVERAGE

- 3 Exterior parking spaces paved with permeable interlocking concrete blocks; rest of driveway and loading bay impermeable asphalt. Total parcel coverage = 78.8%.

Industrial Building Expansion

1036 Seamount Way

PID: 007-228-554

PROJECT SUMMARY SHEET*September 29th, 2020*

Gross Site Area:	7,906 sf	735.49 m ²	
Existing Building Area:	2,312 sf	214.80 m ²	
Proposed Addition Area:			
Ground Floor	1,765 sf	163.94 m ²	
Second Floor	1,285 sf	119.42 m ²	
TOTAL	3,050 sf	283.36 m ²	
Total Project Area	5,362 sf	498.16 m ²	
Rear Covered Wing	1,136 sf	105.50 m ²	
Existing Lot Coverage:	214.80 / 735.49 = 29.21%		
Proposed Lot Coverage:	579.00 / 735.49 = 78.80% (80% allowable)		
Setbacks:			
Proposed Front	28.28 ft	8.62 m	(6.00 m allowable)
Proposed Side	4"	0.10 m	(0 allowable)
Proposed Rear	14.83 ft	4.52 m	(4.50 allowable)
Building Height:			
Proposed Building H	37.96 ft	11.57 m	(12.00 m allowable)

Design Criteria

The proposal includes required vehicle parking, bicycle parking and garbage-recycling station.

Fence screening on northern edge of property.

Fire Regulations: minimum 2 hour resistant walls abutting to property line (no wall openings); automatic sprinkler system throughout the building.

Electrical Design Project: qualified electrical professional

Mechanical Engineering and Heating: Air Extraction and Renovation

Form and Character: special attention will be paid to the main façade (S Elevation) to make the building look welcoming and non-industrial. Landscape design for front of building and adjacent to parking area.



DEVELOPMENT PERMIT

FILE NO: DP-2020-13

TO: **Golden Hall Construction, Inc.**

ADDRESS: **1036 Seamount Way
Gibsons, B.C. V0N 1V7
(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" within the Town of Gibsons described below:
Parcel Identifier: 007-228-554
Legal Description: Lot 40, Blocks 1 to 4, District Lot 689, Plan 18134
Civic Address: 1036 Seamount Way
- 3) The lands are within Development Permit Area No. 6 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 building form and character is required to conform to the following plans:
 - *Development Plans titled: Industrial Building Addition, 1036 Seamount Way, drawn by Joe Orteruelo, and dated July 1st, 2020 and revised September 10, 2020.*
 - *Proposal Summary titled: Industrial Building Expansion, 1036 Seamount Way, dated September 14th, 2020*
 - *Project Summary Sheet titled: Industrial Building Expansion, 1036 Seamount Way, dated September 14th, 2020*
- 6) In conjunction with the plans outlined under 5, the following further specifications apply:
 - **TBD**
- 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.

Development Permit 2020-13

- 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 **\$ XX,XXX (TBD)** 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 Building 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.

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AUTHORIZING RESOLUTION PASSED BY COUNCIL

THIS THE XX DAY OF <month>, 201X.

ISSUED THIS ____ DAY OF _____, 201X.

Bill Beamish, Mayor

Lindsey Grist, Corporate Officer