

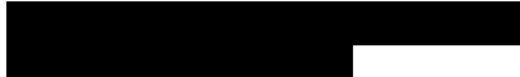


DEVELOPMENT PERMIT

FILE NO: DP-2021-10

TO: **Vivid Green Architecture**

ADDRESS:



(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: 002-451-271
Legal Description: BLOCK 7, EXCEPT PORTIONS IN PLANS 10922, 11586 AND 14191 DISTRICT LOT 689 PLAN 2987
Civic Address: 834 Park Road
- 3) The lands are within Development Permit Area No. 8 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:
 - i. *Development Plans titled Multi-Family Residential, 834 Park Road Gibsons. BC, by Vivid Green Architecture, dated 09/07/2021.*
 - ii. *Landscape Plans by PMG Landscape Architects, dated May 5, 2021 and updated January 7, 2022.*
- 6) In conjunction with the plans outlined under 5, the following further specifications apply:
 - a) *A plan for protection of retained trees is to be provided for review and approval by the Infrastructure Services Department*
 - b) *Tree removal is subject to written approval from the Director of Infrastructure Services.*
 - c) *The developer/ property owner is responsible for removal of invasive species in areas of proposed tree retention on the site.*
- 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 (24) 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 **\$201,532.89** 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.


AUTHORIZING RESOLUTION R2021-429 PASSED BY COUNCIL

THIS THE 7th DAY OF DECEMBER, 2021.

ISSUED THIS 14th DAY OF January, 2022.



Bill Beamish, Mayor



Rebecca Anderson, Corporate Officer