



# DEVELOPMENT PERMIT

NO. DP-2022-05

TO: **Jonathan Graham**

ADDRESS:

[REDACTED]  
(Permittee)

- 1) This permit constitutes a minor amendment to Development Permits DP-2017-13 and DP-2019-24 subsequent to cancellation of the development proposed in DP-2019-24.
- 2) 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.
- 3) The Development Permit applies to those "lands" within the Town of Gibsons described below:

**Parcel Identifier: 030-971-462**

**Legal Description: Lot 1 Blocks 4 and 9 District Lot 685 Group 1 New Westminster District Plan EPP98128**

**Civic Address: 444 Gower Point Road**

- 4) The lands are within Development Permit Area No. 5 for form and character.
- 5) 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.
- 6) The building form and character is required to conform to the following plans:
  - *Landscape plan and cost estimate for 444 Gower Point Road, marked 'received' on March 22, 2022*
- 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.
- 12) As a condition of the issuance of this Permit, the Permittee is to provide security for the value of **\$13,450** 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 the date of issuance.
- (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 inspection by the Planning Department at the request of the applicant.
- (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.

**AUTHORIZATION FOR THIS CHANGE TO THE ISSUED DEVELOPMENT PERMITS GRANTED BY THE ACTING DIRECTOR OF PLANNING, THIS THE 1<sup>st</sup> OF APRIL, 2022**



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Kirsten Rawkins  
For Lesley-Anne Staats  
Director of Planning