

## DEVELOPMENT PERMIT

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**Permit No:** DP-2021-03

**Registered Owner:** 1117943 B.C. LTD  
6289 St. George Street

**Subject Property:** **446 & 454 Ypres Street and 455 Festubert Street**

**Description of Land:**

Parcel Identifier: 005-546-338, 000-000-418, and 004-593-375

Legal Description: **LOTS 6, 7 and 17, BLOCK 5, SECTION 17, RANGE 6, QUAMICHAN DISTRICT, PLAN 1063**

**Proposal:** 5-storey, 33-unit Affordable Residential Development

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**Conditions of Permit:**

1. This permit is issued subject to compliance with all relevant City of Duncan bylaws, except as specifically varied or supplemented by this permit. This permit is not a building permit
2. This permit applies to the lands described above (the “Land”), and any buildings, structures, and other development on the Land.
3. This permit will lapse two years from the date of issuance, unless construction, in accordance with the terms and conditions of this permit, has substantially started. Construction is considered to be substantially started when a valid building permit for the authorized development has been issued and remains valid, and excavation or construction works associated with the authorized development have commenced to the satisfaction of the Manager of Planning. Demolition does not constitute construction.
4. Where the City of Duncan considers that:
  - a) *A condition in the Permit with respect to landscaping has not been satisfied, or*
  - b) *where, as a result of the contravention of a condition in a Permit, an unsafe condition has resulted.*

The City of Duncan may undertake and complete the works required to satisfy the landscaping condition or carry out any construction required to correct the unsafe condition, at the cost of the Permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the Permit holder.

5. Where any security is required by the City of Duncan, the security provided by the Permit holder is to be submitted at the time of Building Permit application submission.
6. Where the development authorized by this Permit has lapsed prior to commencement of any work pursuant to this Permit, the security shall be returned to the Permit holder.

### **Authorized Development**

7. The Land shall be developed strictly in accordance with the terms and conditions of this permit and the following schedules:

**Schedule 1 – Site Plan**

**Schedule 2 – Building Plans**

**Schedule 3 – Landscape Plan**

**Schedule 4 – Landscape Estimate**

**Schedule 5 – Geotechnical Report**

### **Variances**

8. This Development Permit includes the following variances to Zoning Bylaw No. 3166, 2017:
- Part 4, Section 4.11.1 (Development Regulations), to permit the principal building to be sited beyond the maximum front parcel line setback of 6.0 m, and
  - Part 7 (Definitions), to redefine the parcel line abutting Festubert Street from a “front parcel line” to a “rear parcel line”.

### **Geotechnical**

9. The Land shall be developed strictly in accordance with the Geotechnical Report, as shown in Schedule 5 of this permit.

### **Landscaping**

10. Landscape bonding in the amount of \$152,598.75, which amounts to 125% of the hard and soft landscaping costs for the proposed Landscape Plan (Schedule 3) as outlined in the Landscaping Estimate provided in Schedule 4, shall be submitted, prior to the issuance of a Building Permit, in the form of a letter of credit to ensure that any conditions with respect to landscaping are satisfied or to ensure that no conditions of the permit are being breached resulting in an unsafe condition of the Land.

### **Date of Development Permit Approval/Issue by Council:**

This permit was approved on **April 4, 2022**.

This permit expires on **April 4, 2024**.

The City of Duncan

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**Corporate Officer**

**I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the City of Duncan has made no representations, covenants, warranties, guarantees, promises, or agreements (verbal or otherwise) with the registered property owner, other than those contained in this Permit.**

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**Owner/Agent (signature)**

\_\_\_\_\_  
**Witness (signature)**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**