



# District of West Vancouver

## Development Permit No. 16-028

Current Owner: Onni Taylor Way Properties Ltd.

This Development Permit applies to:

Civic Address: Lot 10

Legal Description: 028-828-542  
LOT 10 BLOCK A DISTRICT LOT 1040 GROUP 1 NEW  
WESTMINSTER DISTRICT PLAN BCP50603  
(the 'Lands')

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### 1.0 This Development Permit:

- 1.1 imposes requirements and conditions for the development of the Lands, which are designated by the Official Community Plan as the Evelyn Drive Development Permit Area to promote a high standard of development that responds appropriately to slope conditions, minimizes visual impact to surrounding properties and encourages a visually attractive development at the entry to West Vancouver, and subject to Guidelines BF-B12 specified in the Official Community Plan; and
- 1.2 is issued subject to the Owner's compliance with all of the Bylaws of the District applicable to the Lands, except as varied or supplemented by this Permit:

### 2.0 The following requirements and conditions shall apply to the Lands:

- 2.1 Zoning Bylaw No. 4662, 2010, as amended, shall be varied to allow the building detailed in the attached **Schedule A** as follows:
  - a) Section 601.07 Single Family Dwelling rear yard setbacks are reduced from 9.1 metres to 7.9 metres;
  - b) Section 601.07 Single Family Dwelling side yard setbacks are varied from 1.52 metres to 1.39 metres;
  - c) Section 601.07 Single Family Dwelling side yard setbacks are varied from 6.1 metres to 5.0 metres; and
  - d) For clarity, the area bounded by Keith Road, Taylor Way, Evelyn Drive and a new road linking Evelyn Drive to Keith Road (Arthur Erickson Place) is measured in accordance with Section 601.06(1).

- 2.2 Buildings, structures, on-site parking, driveways and site development shall take place in accordance with the attached **Schedule A**.
- 2.3 Sprinklers must be installed in all areas as required under the Fire Protection and Emergency Response Bylaw No. 4366, 2004.
- 2.4 No wood burning fireplaces shall be installed, constructed or otherwise permitted on the Lands or in any buildings on the Lands.
- 2.5 On-site landscaping shall be installed at the cost of the Owner in accordance with the attached **Schedule A**.
- 2.6 Sustainability measures and commitments shall take place in accordance with the attached **Schedule A**.
- 2.7 All balconies, decks and patios are to remain fully open and unenclosed and the weather wall must remain intact.

**3.0 Prior to commencing site work or Building Permit issuance, whichever occurs first, the Owner must:**

- 3.1 Provide and implement a plan for traffic management during construction to the satisfaction of the District's Manager of Development Engineering.
- 3.2 Install tree, vegetation, and/or hedge protection measures as required to the satisfaction of the District's Environmental Protection Officer.
- 3.3 Submit a "Sediment and Erosion Plan" to the District's Environmental Protection Officer for approval, and the owner shall be responsible for maintaining, repairing and implementation of the sediment control measures.

**4.0 Prior to Building Permit issuance:**

- 4.1 Provide engineering civil drawings detailing works, including but not limited to:
  - a) storm water management measures;
  - b) site service connections;
  - c) new boulevard plan along the frontages of the site (Keith Road, Arthur Erickson Place and Evelyn Drive); and
  - d) repaving including replacement of any curbs and sidewalks of Keith Road, Arthur Erickson Place, Evelyn Drive and the lane where required,

must be submitted for acceptance, and security provided for the due and proper completion of the engineering works, all to the satisfaction of the District's Manager of Land Development.

## 5.0 Security for Landscaping:

- 5.1 Prior to building permit issuance, security for the due and proper completion of the landscaping set forth in section 2.5 of this Development Permit shall be provided in the amount of \$335,000 (the "Landscape Deposit") to the District in the form of cash or unconditional, irrevocable auto-renewing letter of credit issued by a Canadian chartered bank or credit union.
- 5.2 Release of the Landscape Deposit:
- a) Following the installation of the landscaping set forth in section 2.5 of this Development Permit and upon receipt of a certified letter or report by a Landscape Architect in good standing with the British Columbia Society of Landscape Architects to the District that:
- i. the landscaping has been installed substantially in accordance with section 2.5 of this Development Permit; and
  - ii. any variations that may have been undertaken to the landscaping set forth in section 2.5 of this Development Permit are clearly identified, including but not limited to:
    - a. any adjustments to retaining walls,
    - b. changes to the mixture or sizes of any plant materials or trees,
    - c. completion of any off-site or boulevard works,
    - d. any areas that received alternative treatment,
    - e. any paving changes, or
    - f. any other additional or omitted plantings or alterations,

together with a clear rationale and explanation thereof and that a final review with the landscape contractor has been completed and provision of the date when this final review was completed on, and that it is noted if there are any outstanding landscape items that need attention, and confirm that the installed landscape is complete, the District will release 80% of the initial value of the Landscape Deposit. The remaining 20% of the initial value of the Landscape Deposit shall be retained by the District as a warranty deposit (the "Warranty Deposit") to ensure successful installation of the landscaping.

- b) After a minimum of a one-year period following certification that the landscaping set forth in section 2.5 has been completed, and upon final certification by a Landscape Architect in good standing with the British Columbia Society of Landscape Architects, the District will release the Warranty Deposit.
- c) In the event that the landscaping is not completed as provided for in this Permit, the District may, at its option, enter upon, carry out and complete the landscaping so as to satisfy the terms of the Development Permit, and recover the costs of doing so from the security deposited, including the costs of administration and supervision.

6.0 This Development Permit lapses if the work authorized herein is not commenced within 24 months of the date this permit is issued.

In the event the Owner is delayed or interrupted or prevented from commencing the construction of the work specified herein by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the Owner, the time for the commencement of the work shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial circumstances of the Owner shall not be viewed as a cause beyond the control of the Owner.

THE COUNCIL OF WEST VANCOUVER APPROVED THIS PERMIT BY RESOLUTION PASSED ON MAY 1, 2017.

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MAYOR

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MUNICIPAL CLERK

THE REQUIREMENTS AND CONDITIONS UPON WHICH THIS PERMIT IS ISSUED ARE ACKNOWLEDGED AND AGREED TO. IT IS UNDERSTOOD THAT OTHER PERMITS / APPROVALS MAY BE REQUIRED INCLUDING PERMITS / APPROVALS FOR BUILDING CONSTRUCTION, SOIL AND ROCK REMOVAL OR DEPOSIT, BOULEVARD WORKS, AND SUBDIVISION.

\_\_\_\_\_  
Owner: Signature

\_\_\_\_\_  
Owner: Print Name above

\_\_\_\_\_  
Date

**FOR THE PURPOSES OF SECTION 6.0, THIS PERMIT IS ISSUED ON MAY 1, 2017.**

Schedules:

A – Architectural plans and landscaping.