

DISTRICT OF SAANICH

DPR01063

DEVELOPMENT PERMIT

To: **Sesto Holdings Ltd., Inc.No. 555880**
1034 Collison Street
Victoria, BC V8V 3C1

(herein called "the Owner")

1. This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied by this Permit.
2. This Development Permit applies to the lands known and described as:

Lot 1, Section 7, Victoria District, Plan 13300
3383 Harriet Road

Lot 2, Section 7, Victoria District Plan 13300
3442 Whittier Avenue

Lot 4, Section 7, Victoria District, Plan 4414
3444 Whittier Avenue

(herein called "the lands")

3. This Development Permit further regulates the development of the lands as follows:
 - (a) By varying the provisions of the Zoning Bylaw, 2003, Section s.745 (a) (i) to permit the buildings and lands to be constructed with a 4.0 m setback along the Harriet Road frontage (5.0 m required).
 - (b) By varying the provisions of the Zoning Bylaw, 2003, Section s.745 (a) (ii) to permit the buildings and lands to be constructed with a 3.0 m setback along the southern interior side lot line (4.0 m required).
 - (c) By varying the provisions of the Zoning Bylaw, 2003, Section s.7.4 (g) and Table 7.5, to permit the buildings and lands to be constructed with the TDM Measures as presented in the "Transportation Review and Parking Variance" report dated November 12, 2024.
 - (d) By varying the provisions of the Zoning Bylaw, 2003, Section s.7.4 (h) and Table 7.6A/B, to permit the buildings and lands to be constructed with no on-site Type B residential loading space (one space required).

- (e) By requiring the buildings and lands to be constructed and developed in accordance with the Architectural Plans prepared by D'Ambrosio Architecture + Urbanism, date stamped received March 18, 2025, and the Landscape Plans prepared by Small & Rossell Landscape Architectures Inc., date stamped received on April 9, 2025, copies of which are attached to and form part of this Permit.
- 4. The Owner shall substantially start construction with respect to the development within 24 months from the date of issuance of the Permit, in default of which the Permit will lapse and will be of no further force or effect.
- 5. Construction of driveways and parking areas, and delineation of parking spaces shall be completed prior to the issuance of an Occupancy Permit.
- 6.
 - (a) Prior to issuance of a Building Permit, the Owner shall provide to the Municipality security by cash, certified cheque, or an irrevocable letter of credit in the amount of \$399,990 to guarantee the performance of the requirements of this Permit respecting landscaping.
 - (b) A Landscape Architect registered with the British Columbia Society of Landscape Architects must be retained for the duration of the project until the landscaping security has been released. Written Letters of Assurance must be provided at appropriate intervals declaring the registered Landscape Architect, assuring that the landscape work is done in accordance with the approved Landscape Plan, and indicating a final site inspection confirming substantial compliance with the approved Landscape Plan (BCSLA Schedules L-1, L-2, and L-3).
 - (c) The owner must obtain from the contractor a minimum one-year warranty on landscaping works, and the warranty must be transferable to subsequent owners of the property within the warranty period. The warranty must include provision for a further one-year warranty on materials planted to replace failed plant materials.
 - (d) The landscaping requirements of this Permit shall be completed within four months of the date of issuance of the Occupancy Permit for the development, in default of which the Municipality may enter upon the lands, through its employees or agents, and complete, correct or repair the landscaping works at the cost of the Owner and may apply the security, interest at the rate payable by the Municipality for prepaid taxes.
- 7. The lands shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and shall comply with all Municipal bylaws except for those provisions specifically varied herein. Minor variations which do not affect the overall building and landscape design and appearance may be permitted by the Director of Planning or in the Director's absence, the Manager of Current Planning.
- 8. Notwithstanding the provisions of Section 7 of this Permit the following changes will be permitted and not require an amendment to this Permit:
 - (a) When the height or siting of a building or structure is varied 20 cm or less provided, however, that this variance will not exceed the maximum height or siting requirements of the Zoning Bylaw, 2003.

- (b) Changes to the relative location and size of doors and windows on any façade which do not alter the general character of the design or impact the privacy of neighbouring properties following consultation with Director of Planning or in the Director's absence, the Manager of Current Planning.
 - (c) Where items noted under Section 8(b) are required to comply with the Building Code and/or the Fire Code and those changes are not perceptible from a road or adjacent property.
 - (d) Changes to soft landscaping provided the changes meet or exceed the standards contained on the Landscape Plans forming part of this Permit.
9. The terms and conditions contained in this Permit shall enure to the benefit of and be binding upon the Owner, their executors, heirs and administrators, successors, and assigns as the case may be or their successors in title to the land.
10. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL ON THE

_____ DAY OF _____ 20 _____
ISSUED THIS _____ DAY OF _____ 20 _____

Corporate Officer