



# City of Port Moody

## Report/Recommendation to Council

Date: February 8, 2022  
Submitted by: Community Development Department – Policy Planning Division  
Subject: Termination of Land Use Contract at San Remo Drive and Rezoning to  
Comprehensive Development Zone 88.

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### Purpose

To present Bylaw No. 3337 and Bylaw No. 3338 for consideration of first and second readings to repeal the Land Use Contract (LUC) at San Remo Drive and to rezone this LUC area to Comprehensive Development Zone 88.

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### Recommended Resolutions

**THAT City of Port Moody Land Use Contract Termination Bylaw, 2022, No. 3337 (San Remo Drive) and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 66, 2021, No. 3338 (San Remo Drive) (CD88) be read a first and second time as recommended in the report dated February 8, 2022 from the Community Development Department – Policy Planning Division regarding Termination of Land Use Contract at San Remo Drive and Rezoning to Comprehensive Development Zone 88;**

**AND THAT Bylaw No. 3337 and Bylaw No. 3338 be referred to a Public Hearing;**

**AND THAT the requirement to notify tenants and property owners within 140m of the perimeter boundary of the LUC area per Development Approval Procedures Bylaw, No. 2918 be waived.**

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### Background

A land use contract (LUC) is a legislative tool that was used in the 1970s that encompasses a wide range of land uses and development components, until it was repealed in 1978. LUCs are site-specific contracts between the City and the property owner that are registered on title and operate as the governing land use tool for affected properties.

In May 2014, the *Local Government Act* was amended by Bill 17 to:

- automatically terminate all Land Use Contracts (LUCs) in BC on June 30, 2024;
- require municipalities to zone all lands subject to an LUC by June 30, 2022; and
- outline a process for local governments to undertake early termination of LUCs to ensure appropriate zoning is in place.

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The new provincial legislation provides a process for the City to undertake early termination of LUCs to ensure that appropriate zoning is in place before the provincially-mandated deadline.

On March 12, 2019, Council endorsed an approach for the termination of Land Use Contracts to minimize anticipated costs through a hybrid approach. This approach involves the following:

1. LUCs for properties with suitable underlying zoning being left to expire; and
2. other properties being rezoned (beginning 2020).

The existing use and siting permitted by the land use contract governing the properties at San Remo Drive do not match the current underlying zoning of RS1. As San Remo Drive lots are smaller than typical RS1 lots and the building siting and configuration is unique to this area, it is proposed that the properties be rezoned to a Comprehensive Development (CD) zone that is tailored to the existing properties.

Notification letters were mailed to all San Remo properties on October 21, 2021, notifying all property owners and tenants of the land use contract on the property, of the proposed rezoning to a CD zone, and that an information meeting via Zoom was scheduled for November 4, 2021. Fourteen participants attended the information meeting. Notification signs were posted on the property in January inviting public comments and providing an email contact for inquiries.

### Discussion

A summary of the land use contract and affected properties is outlined in *Table 1*. The location map and Land Use Contract for San Remo Drive is included as **Attachment 1**. **Attachment 2** compares the provisions of the land use contract to proposed CD Zone 88.

*Table 1: Summary of San Remo Drive LUC*

Name:	San Remo Drive
Number of Properties:	40
Addresses:	463 - 541 San Remo Drive
Current Use:	Residential Dwelling Units
OCP Designation	Single Family Low Density
Underlying Zoning	RS1
Proposed New Zoning	Comprehensive Development Zone 88
LUC Intent:	40 residential dwelling units contained in 40 principal buildings for residential use with accessory off-street parking.

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## LUC Termination Bylaw and Rezoning Bylaw

To facilitate early termination of the LUC for San Remo Drive and to rezone the property to CD Zone 88, draft City of Port Moody Land Use Contract Termination Bylaw, 2022, No. 3337 (San Remo Drive) is included as **Attachment 3** and draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 66, 2021, No. 3338 (San Remo Drive) (CD88) is included as **Attachment 4**.

The proposed CD 88 zone includes permitted uses, setbacks, building height, maximum lot coverage, and provisions for accessory buildings consistent with the existing structures on site as well as general provisions in the City's other single-family zones. CD 88 does not specify a maximum floor area ratio. Instead, the overall building massing will be regulated by the permitted building height, setbacks, and lot coverage in the proposed CD 88 zone. Given the wide range of lot sizes along San Remo Drive, CD 88 includes three different lot coverage allowances that correspond to lot sizes within a specified range.

## Process to Address a Hardship Concern

If a property owner believes that the timing of the early LUC termination would cause hardship, an application can be made to the Board of Variance for consideration of an exemption under Section 533 of the *Local Government Act*. The Board of Variance may allow provisions of the LUC to continue to apply (no later than June 30, 2024). Application for exemption must be received within six months after the adoption of the LUC Termination Bylaw. Existing buildings and structures which were lawfully built will have legal non-conforming protection under Division 14 of the *Local Government Act*.

Should the LUC Termination Bylaw proceed, a letter will be sent to each affected property owner advising them of this provision and the associated timelines.

## Timeline and Next Steps

To rezone the properties to Comprehensive Development Zone 88, the City will follow its established rezoning process as well as provincial LUC termination requirements, which include:

- notification letter to property owners (October 21, 2021);
- information meeting (November 4, 2021);
- Council to consider first and second readings of LUC Termination Bylaw and the related Zoning Bylaw amendment for proposed new CD Zone 88 (February 22, 2022);
- Public Hearing (date TBD);
- Council to consider third reading and adoption of the Zoning and LUC Termination Bylaws (date TBD);
- notification of outcome to property owners (date TBD);
- one-year waiting period (LUC continues to be in effect during this waiting period);
- LUC Termination Bylaw and new zoning comes into effect after the one-year waiting period; and
- LUC notation is removed from property owner's Certificate of Title.

#### Notification Recommendation

Section 11 of the City's Development Approval Procedures Bylaw No. 2918 requires notification of a proposed rezoning to all owners and tenants in occupation of each parcel of land which is the subject of the proposed Bylaw and to all registered owners of property and tenants in occupation of property within 140m of the perimeter boundary of the parcel. Given that the rezoning of the LUC affected properties does not involve any new development on the site, staff propose that the notification requirement for properties within a 140m radius of the rezoning site be waived. Notification to the owners and tenants of the LUC properties would continue. This approach is consistent with the notification process associated with the June 9, 2020 Public Hearing for the LUC termination and rezoning of Sentinel Hills, Inlet View, Eagle Point, Easthill, and Highland Park, as well as for a similar Public Hearing on October 12, 2020 for Balmoral Place.

#### Other Option

THAT the Land Use Contract associated with the properties at San Remo Drive be left to expire leaving the existing underlying zoning of RS1 in place until the provincial deadline of June 30, 2024.

#### Financial Implications

The costs associated with the Public Hearing notifications and the discharge of the Land Use Contract at the Land Title and Survey Authority will be covered by the land use contract termination operating budget, which is funded from the Council Strategic Priorities Reserve.

#### Communications and Civic Engagement Initiatives

If Bylaw No. 3337 and Bylaw No. 3338 proceed to a Public Hearing, notification will occur in accordance with the requirements set out in the City's Development Approval Procedures Bylaw, No. 2918 and the *Local Government Act*, with the exception of the notice to surrounding areas within 140m of the perimeter boundary of the rezoning site, should this requirement be waived.

#### Council Strategic Plan Objectives

The information and recommendations contained in this report align with the Council 2019-2022 Strategic Plan Objectives of Exceptional Service and Community Evolution.

#### Attachments

1. San Remo Location Map and Land Use Contract.
2. Comparison of the San Remo Drive LUC and Comprehensive Development Zone 88.
3. Draft City of Port Moody Land Use Contract Termination Bylaw, 2022, No. 3337 (San Remo Drive).
4. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 66, 2021, No. 3338 (San Remo Drive) (CD88).

#### Report Author

Jess Daniels  
Policy Planner

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### Report Approval Details

Document Title:	Termination of Land Use Contract at San Remo Drive and Rezoning to Comprehensive Development Zone 88.docx
Attachments:	<ul style="list-style-type: none"><li>- Attachment 1 - San Remo LUC.pdf</li><li>- Attachment 2 - Comparison of LUC and Port Moody Comprehensive Development (CD 88) Zone.pdf</li><li>- Attachment 3 - Land Use Contract Termination Bylaw, 2022, No. 3337 (San Remo Drive).pdf</li><li>- Attachment 4 - Zoning Amendment Bylaw No. 66, 2022 No. 3338 (San Remo Drive) (CD88).pdf</li></ul>
Final Approval Date:	Feb 14, 2022

This report and all of its attachments were approved and signed as outlined below:

Mary De Paoli, Manager of Policy Planning - Feb 8, 2022 - 3:38 PM

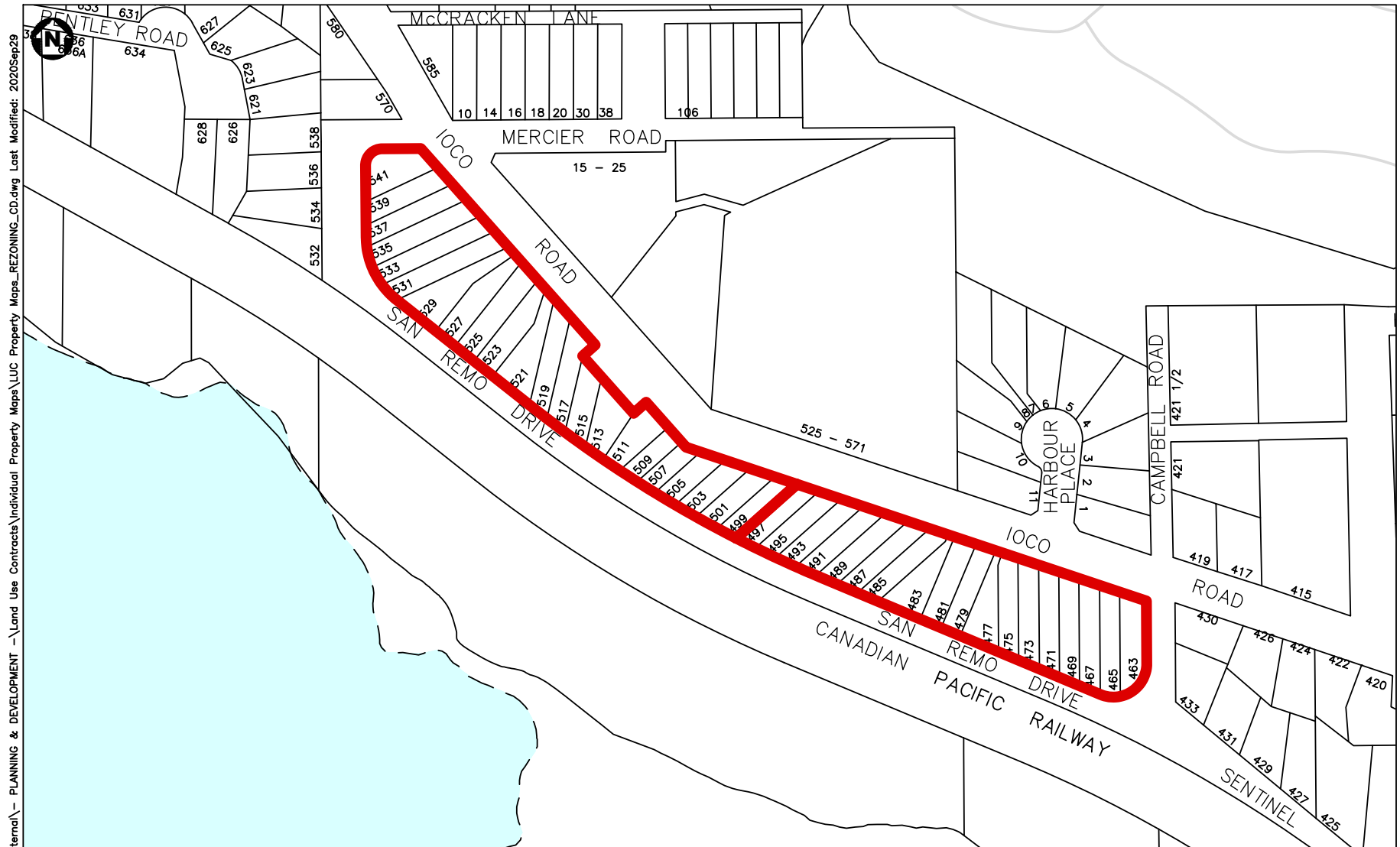
Kate Zanon, General Manager of Community Development - Feb 8, 2022 - 7:14 PM

Dorothy Shermer, Corporate Officer - Feb 9, 2022 - 4:24 PM

Rosemary Lodge, Manager of Communications and Engagement - Feb 9, 2022 - 6:32 PM

Paul Rockwood, General Manager of Finance and Technology - Feb 10, 2022 - 9:56 AM

Tim Savoie, City Manager - Feb 14, 2022 - 1:48 PM



## City of Port Moody - Land Use Contract

**463-531, 533, 535, 537, 539 & 541 San Remo Drive**

Underlying Zone: RS1

Proposed New Zone: CD



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**SUBJECT PROPERTIES**

**CITY OF PORT MOODY  
BYLAW NO. 2708**

**A Bylaw to Amend Land Use Contract No. 2, Authorization Bylaw 1976, No. 1300 and Land Use Contract No. 2, Amendment Bylaw No. 1, 1989, No. 1984**

WHEREAS Section 930 of the Local Government Act permits the amendment of a land use contract by bylaw with the agreement of the local government and the owner of any parcel that is covered by the amendment;

AND WHEREAS Council and the owners of the parcels described in this bylaw have agreed that the land use contract forming as Schedule "A" to "City of Port Moody Land Use Contract No. 2, Authorization Bylaw No. 1976, No. 1300" (the "Land Use Contract") should be amended;

AND WHEREAS Council and the owners of the parcels described in this bylaw have agreed that the land use contract forming Schedule "2" to "City of Port Moody Land Use Contract No. 2, Amendment No. 1, 1989, No. 1984" (the "Land Use Contract") should be amended;

NOW THEREFORE the Council of the City of Port Moody in open meeting assembled enacts as follows:

1. Title

This Bylaw may be cited for all purposes as "City of Port Moody Land Use Contract No. 3, Authorization Bylaw No. 1300, Amendment Bylaw No. 3, 2006, No. 2708."

2. Amendment

The Land Use Contract amendments provided for in Schedule "A" attached to and forming part of the Bylaw are applicable to all those parcels described as land in Schedule 1 to the said amendments, also attached hereto and forming part of this bylaw.

3. Authorization and Registration

The Mayor and Clerk are authorized to execute all documents and do all things necessary for completion of the foregoing amendment to the Land Use Contract and for registration of the amendments to the Land Use Contract in the New Westminster Land Title Office.

Bylaw No. 2708

READ A FIRST TIME THE 13<sup>th</sup> DAY OF JUNE, 2006.

READ A SECOND TIME THE 13<sup>th</sup> DAY OF JUNE, 2006.

PUBLIC HEARING HELD THE 28<sup>th</sup> DAY OF NOVEMBER, 2006.

READ A THIRD TIME THE 28<sup>th</sup> DAY OF NOVEMBER, 2006

RECONSIDERED AND FINALLY ADOPTED THIS 28<sup>th</sup> DAY OF NOVEMBER, 2006



  
MAYOR

  
CITY CLERK



**SCHEDULE A**

This agreement made the 28<sup>th</sup> day of November, 2006.

**BETWEEN:**

The City of Port Moody  
City Hall  
100 Newport Drive  
Port Moody, BC V3H 3E1

(the "City")

**AND:**

The owners of those parcels listed on Schedule 1 which is attached hereto and forms part of this agreement

(the "Owners")

WHEREAS those areas of land now defined as:

PID 005-011-841 LOT 199, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-011-833 LOT 203, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-011-809 LOT 204, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-011-787 LOT 205, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-011-779 LOT 206, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-011-752 LOT 207, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-011-868 LOT 209, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-011-892 LOT 210, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-011-922 LOT 212, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 001-612-026 LOT 213, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-008-964 LOT 214, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 002-275-091 LOT 216, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-009-049 LOT 218, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 003-220-478 LOT 219, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-009-081 LOT 221, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-009-090 LOT 222, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-009-111 LOT 225, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 000-811-246 LOT 226, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 003-513-840 LOT 229, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-009-120 LOT 231, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-009-138 LOT 232, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 003-156-087 LOT 233, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-009-171 LOT 234, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-009-197 LOT 235, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

PID 005-009-219 LOT 236, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

approved September 20, 1976 attached to and forming part of the City of Port Moody Land Use Contract No. 2 Authorization Bylaw, No. 1976, No. 1300, and amendment approved November 14, 1989 forming part of City of Port Moody Land Use Contract No. 2, Amendment Bylaw No. 1, 1989, No. 1984.

AND WHEREAS pursuant to Section 930 of the Local Government Act, the City and the owners of the parcels referred to in Schedule 1 hereto have agreed to an amendment of the said Land Use Contract:

NOW THEREFORE, the parties hereto agree that the Land Use Contract and amendments are amended as follows:

Delete Schedule "A" Sections 1 through 9 inclusive, of City of Port Moody Land Use Contract No. 2 Authorization Bylaw 1976, No. 1300

and

Delete Schedule 2 Sections 1 through 20 inclusive of City of Port Moody, Land Use Contract No. 2, Amendment Bylaw No. 1, 1989, No. 1984

and

Replace with Schedule "A" attached to and forming part of this Bylaw and is applicable to all those parcels described as the lands in Schedule 1 to the said amendments also attached hereto and forming part of this bylaw.

1. The following plans and elevations prepared by R.E. Hubert an included as Schedule "B" are attached to and form part of this Bylaw:

(a) Drawing No. Description

P-1	Site Plan
D-1	Lower and Main Floor Plan — Unit "A"
D-2	Upper Floor Plan — Unit "A"
D-3	Section Plans — Unit "A"
D-4	Elevations — Unit "A" (Front and Side)
D-5	Elevations — Unit "A" (Rear and Side)
D-6	Lower, Main and Upper Floor Plans — Unit "B"
D-7	Lower, Main and Upper Floor Plans — Unit "C"
D-8	Section Plans — Unit "B"
D-9	Elevations, Unit "B" (Front and Side)
D-10	Elevations — Unit "B" (Rear and Side)
L-1	Landscape Plan

L-2	Landscape Plan
L-3	Landscape Plan
L-4	Landscape Plan

2. The following terms and conditions shall apply:

(a) PERMITTED USES OF LAND BUILDINGS AND STRUCTURES

The following uses and no others shall be permitted:  
Forty principal buildings as shown on Drawing Number P-1 for single family residential use with accessory off-street parking use.

(b) SIZE, SHAPE AND SITING OF BUILDINGS AND STRUCTURES

All buildings and structures on the said lands shall be constructed in accordance with respect to the size, shape and siting of buildings and structures unless otherwise permitted by this bylaw.

(c) AMENDMENTS

This Land Use Contract may be amended for minor alterations and additions by mutual written agreement of both parties.

(d) OFF-STREET PARKING

Off -street parking shall be in conformity with Schedule "B" with

40 Covered Parking Spaces  
40 Uncovered Parking Spaces

and shall be constructed in accordance with the provisions of the City of Port Moody Zoning Bylaw, 1988, No. 1890, with respect to their size, shape and finish.

3. INTERPRETATION:

- (a) Terms stated in this Bylaw shall be interpreted as defined in the City of Port Moody Zoning Bylaw 1890, Bylaw No. 1988.
- (b) "Visible from San Remo Drive" means visible from any height between one metre and two metres from any point along the boundary between the San Remo Drive right-of-way and any parcel which is subject to this Land Use Contract.

4. PRINCIPAL BUILDING SEPARATION

No principal building shall be joined to any other principal building by any building, structure or other connection.

5. BUILDING ADDITIONS

- (a) No building additions are permitted in the required Front Yard of a parcel. Additions into a required side yard of a parcel may be permitted under the following criteria:
  - i. the proposed addition does not exceed one storey in height;
  - ii. the required side yard setbacks are maintained;
  - iii. windows facing the required side yard are not permitted;
  - iv. the proposed addition does not protrude beyond the outermost wall of any portion of the building facing the sideyard.
- (c) Additions, including sunrooms and solariums, may be permitted within a required rear yard of a parcel under the following criteria:
  - i. the addition shall not be visible from San Remo Drive
  - ii. the addition shall not exceed two storeys in height
  - iii. additions must conform to the existing principal building for materials, roof pitches, and roof materials
  - iv. sunrooms and solariums must be attached to the principal building.

6. INFILL WITHIN EXISTING FOOTPRINT

Minor enclosures facing San Remo Drive are permitted, provided that the enclosures are contained within the existing footprint of the building.

7. WINDOWS

Additional windows may be installed on the first storey of a principal building, in conformity with building code and fire safety regulations.

8. BALCONIES

- (a) Balcony doors may be altered.
- (b) Balcony overhangs may be increased in dimension for additional weather protection but must follow the slope of the existing roof. Glass may be installed under overhangs for weather protection.
- (c) Balcony railings and enclosures may be changed from the original wood lattice design to include designs constructed with glass panels or metal railings.

9. GARAGES

- (a) An existing garage may be enclosed to create indoor living space, provided that two on-site parking spaces are maintained on the parcel, existing driveway dimensions are maintained, and no additional hard surfaces are installed to provide required parking.
- (b) Garage doors may be altered.

10. BUILDING AND ROOF ELEMENTS

- (a) Minor changes to building and roof elements along San Remo Drive are permitted, provided the changes are consistent with the basic form and massing of the existing building.

- (b) Roof tops may be used for greenhouses, decks, and patios or similar uses.
- (c) New sloped roofs are permitted on buildings provided that

- i. the roofs do not result in additional indoor living space on a parcel
- ii. the peak of the roof does not extend above the roof parapet wall as shown on Schedule "B".

11. AWNINGS AND CANOPIES

Awnings or canopies are permitted over doorways.

12. EXTERIOR BUILDING MATERIALS

Stucco shall remain the preferred material for exterior cladding on buildings, but alternate exterior cladding materials may be used.

13. RAISED SUNDECKS IN REAR YARDS

Raised sundecks may be installed in rear yards at or above grade adjacent to the ground floor level of the principal building.

14. FENCING

- (a) No fencing shall be constructed in the front yard or forward of the front face of a building on a parcel.
- (b) Fencing adjoining Ioco Road shall not exceed 6 feet in height.

15. LANDSCAPING

- (a) Vegetation shall continue to be the major component of the landscaping.
- (b) No additional hard surfacing shall be installed in yards which are visible from San Remo Drive.

16. SWIMMING POOLS AND HOT TUBS

One swimming pool and one hot tub may be constructed or placed on a parcel, within the required side or rear yards only. All pools and hot tubs shall not affect the stability of any land.

17. ACCESSORY BUILDINGS


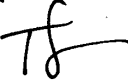
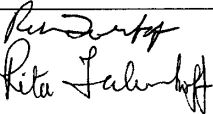
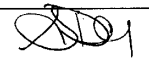
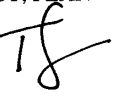
One accessory structure is permitted on a property provided that:

- (a) the accessory building shall be located within the rear yard of the property
- (b) the building shall not exceed a maximum floor area of 6.0 m<sup>2</sup> (64 ft<sup>2</sup>)
- (c) the height of an accessory building shall not exceed 2.7 metres (9 ft.)
- (d) the accessory building shall not be located within 2 feet of a side property line.

Considered at the Regular Council Meeting of February 22, 2022




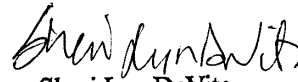
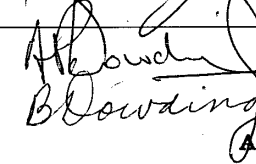
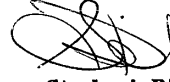
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SCHEDULE I

	LEGAL	PID	CIVIC	OWNERS	SIGNATURE(S)	WITNESS
1)	LOT 197, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996 	PID 005-011-728	541 SAN REMO DR	NATHANSON, TASHA		
2)	LOT 198, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996 	PID 005-011-744	539 SAN REMO DR	HOYEM, MABLE R		
3)	LOT 199, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-011-841	537 SAN REMO DR	FAHRNKOPF, ROBERT FAHRNKOPF, RITA		 <b>Stephanie Riley</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
4)	LOT 200, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996 	PID 005-011-817	535 SAN REMO DR	BERTAMINI, DONALD F BERTAMINI, DAWN F		

Considered at the Regular Council Meeting of February 22, 2022




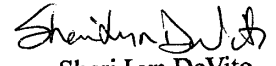

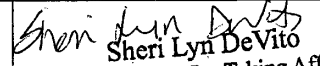

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5)	LOT 201, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996 	PID 004-378-814	533 SAN REMO DR	NIELSEN, FLEMMING F NIELSEN, BIRGIT		
6)	LOT 202, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996 	PID 000-967-998	531 SAN REMO DR	NORRIS, JENNY M NORRIS, MARK W		
7)	LOT 203, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-011-833	529 SAN REMO DR	BROWNE, VELDA E		 <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
8)	LOT 204, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-011-809	527 SAN REMO DR	DOWDING, ALAN P DOWDING, BARBARA A		 <b>Stephanie Riley</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1



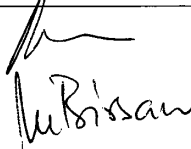
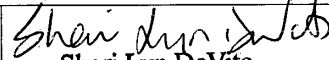
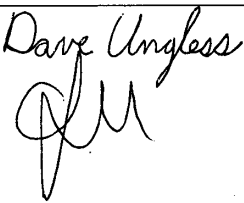
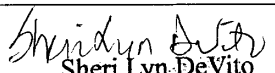
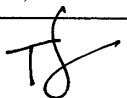
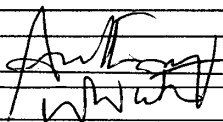
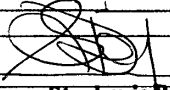
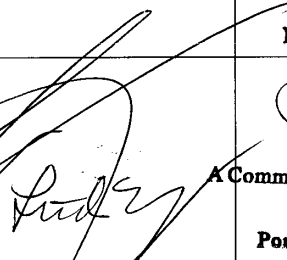
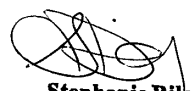
Considered at the Regular Council Meeting of February 22, 2022

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9)	LOT 205, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-011-787	525 SAN REMO DR	CHICK, BARBARA J CHICK, RICHARD M		 <b>Stephanie Riley</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
10)	LOT 206, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-011-779	523 SAN REMO DR	MCLEOD, JEAN		 <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
11)	LOT 207, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-011-752	521 SAN REMO DR	SMALL, JAMES SMALL, ROSEMARY A		 <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
12)	<del>LOT 208, DISTRICT</del> <del>LOT 349, GROUP 1</del> <del>NEW WEST</del> <del>DISTRICT, PLAN</del> <del>51996</del> 	<del>PID 005-011-931</del>	<del>519 SAN REMO</del> <del>DR</del>	<del>HANSEN, ARNE E</del> <del>ARMSTRONG,</del> <del>JAROSLAVA H</del>		


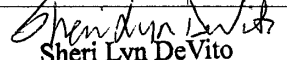

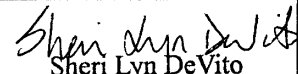
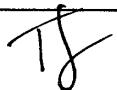
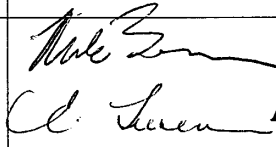
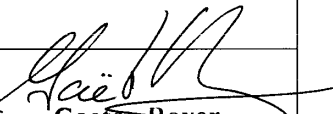
Considered at the Regular Council Meeting of February 22, 2022

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13)	LOT 209, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-011-868	517 SAN REMO DR	BIRSAN, ADRIAN T BIRSAN, MONICA		 <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
14)	LOT 210, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-011-892	515 SAN REMO DR	UNGLESS, DAVID L UNGLESS, GILLIAN C		 <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
15)	<del>LOT 211, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996</del> 	<del>PID 005-011-906</del>	<del>513 SAN REMO DR</del>	<del>WHITHAM, ANTHONY W</del>	<del></del>	<del> <b>Stephanie Riley</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1</del>
16)	LOT 212, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-011-922	511 SAN REMO DR	MANG, ANDY L MANG, LINDA Y		 <b>Stephanie Riley</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1

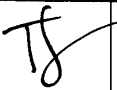
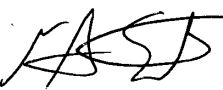
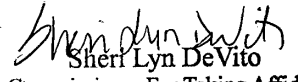

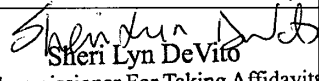

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17)	LOT 213, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 001-612-026	509 SAN REMO DR	PRINGLE, SILVANA		 <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
18)	LOT 214, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-008-964	507 SAN REMO DR	GIESBRECHT, ABRAM DYCK, LORETTA G		 <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
19)	<del>LOT 215, DISTRICT</del> <del>LOT 349, GROUP 1</del> <del>NEW WEST</del> <del>DISTRICT, PLAN</del> <del>51996</del> 	<del>PID 005-009-022</del>	<del>505 SAN REMO</del> <del>DR</del>	<del>BARKER, EDWARD V</del> <del>BARKER, EVELYN</del>		
20)	LOT 216, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 002-275-091	503 SAN REMO DR	TURNER, EMILIA M TURNER, MICHAEL S		 <b>Gaetan Royer</b> A Commissioner for Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1

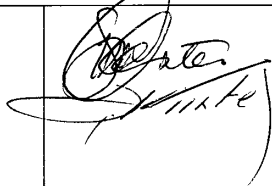
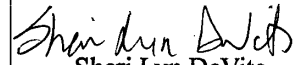
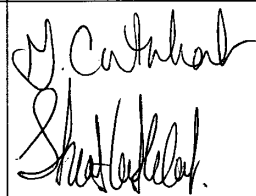

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21)	<del>LOT 217, DISTRICT</del> <del>LOT 349, GROUP 1</del> <del>NEW WEST</del> <del>DISTRICT, PLAN</del> <del>51996</del> 	<del>PID 005-009-685</del>	<del>501 SAN REMO</del> <del>DR</del>	<del>ACHESON, RAYMOND L.</del> <del>ACHESON,</del> <del>GWENDOLINE</del>		
22)	LOT 218, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-009-049	499 SAN REMO DR	SMITH, MICHAEL D		 Sheri Lyn DeVito A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
23)	LOT 219, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 003-220-478	497 SAN REMO DR	YOUNG, CAROL J		 Sheri Lyn DeVito A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
24)	<del>LOT 220, DISTRICT</del> <del>LOT 349, GROUP 1</del> <del>NEW WEST</del> <del>DISTRICT, PLAN</del> <del>51996</del> 	<del>PID 005-009-065</del>	<del>495 SAN REMO</del> <del>DR</del>	<del>BEDARD, EUNICE</del>		

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25)	LOT 221, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-009-081	493 SAN REMO DR	HUNTER, DENNIS H HUNTER, SUSAN J		 Sheri Lyn DeVito A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
26)	LOT 222, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-009-090	491 SAN REMO DR	CUTHBERT, GINA S CUTHBERT, STUART A		 Sheri Lyn DeVito A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
27)	<del>LOT 223, DISTRICT</del> <del>LOT 349, GROUP 1</del> <del>NEW WEST</del> <del>DISTRICT, PLAN</del> <del>51996</del>	<del>PID 004-087-062</del>	<del>489 SAN REMO</del> <del>DR</del>	<del>WHYTE, MARGARET T</del>		
28)	<del>LOT 224, DISTRICT</del> <del>LOT 349, GROUP 1</del> <del>NEW WEST</del> <del>DISTRICT, PLAN</del> <del>51996</del>	<del>PID 002-262-321</del>	<del>487 SAN REMO</del> <del>DR</del>	<del>SIMPSON, RONALD T</del> <del>SIMPSON, JOAN</del>		

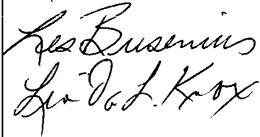
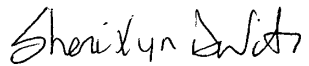
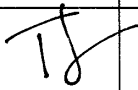

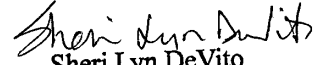
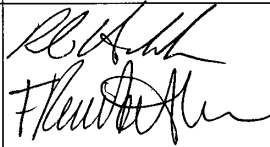
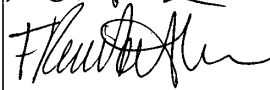
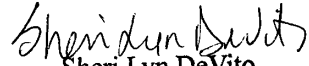
Considered at the Regular Council Meeting of February 22, 2022

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29)	LOT 225, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-009-111	485 SAN REMO DR	CLARK, LIANA R CLARK, MARCUS E	<i>L Clark M Clark</i>	<i>Sheri Lyn DeVito</i> <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
30)	<del>LOT 226, DISTRICT</del> <del>LOT 349, GROUP 1</del> <del>NEW WEST</del> <del>DISTRICT, PLAN</del> <del>51996</del> <i>TS</i>	<del>PID 001-436-708</del>	<del>483 SAN REMO</del> <del>DR</del>	<del>MERRETT, JOSEPH J</del> <del>MERRETT, EILEEN P</del>		
31)	LOT 227, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 000-811-246	481 SAN REMO DR	RUEL, LEONARD LAVERY, CATHY <i>e</i>	<i>Stephanie Riley</i> <i>TS</i>	<i>Stephanie Riley</i> <b>Stephanie Riley</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
32)	<del>LOT 228, DISTRICT</del> <del>LOT 349, GROUP 1</del> <del>NEW WEST</del> <del>DISTRICT, PLAN</del> <del>51996</del> <i>TS</i>	<del>PID 003-706-214</del>	<del>479 SAN REMO</del> <del>DR</del>	<del>NORRIS, DONALD W</del> <del>NORRIS, PHYLLIS</del>		

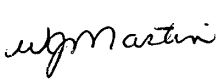
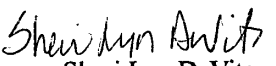








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33)	LOT 229, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 003-513-840	477 SAN REMO DR	BUSENIUS, LESLIE A KNOX, LINDA L		 Sheri Lyn DeVito A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
34)	<del>LOT 230, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996</del> 	<del>PID 000 545 163</del>	<del>475 SAN REMO DR</del>	<del>SCHUSTER, TIMOTHY A</del>		
35)	LOT 231, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-009-120	473 SAN REMO DR	RONALDS, RUSSELL F		 Sheri Lyn DeVito A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
36)	LOT 232, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-009-138	471 SAN REMO DR	REAMSBOTTOM, FELICIA M HADDEN, ROBERT V	 	 Sheri Lyn DeVito A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1

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37)	LOT 233, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 003-156-087	469 SAN REMO DR	MARTIN, WILHELMINA J		 <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
38)	LOT 234, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-009-171	467 SAN REMO DR	LANK, DAVID B SMITH, CONSTANCE M	 	 <b>Sheri Lyn DeVito</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
39)	LOT 235, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-009-197	465 SAN REMO DR	DAWSON, HEATHER L		 <b>Kelly Kenney</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1
40)	LOT 236, DISTRICT LOT 349, GROUP 1 NEW WEST DISTRICT, PLAN 51996	PID 005-009-219	463 SAN REMO DR	CASHER, WILLIAM J WEST, FIONA K	 	 <b>Kelly Kenney</b> A Commissioner For Taking Affidavits for British Columbia 100 Newport Drive Port Moody, B.C. V3H 3E1



# Considered at the Regular Council Meeting of February 22, 2022

Status: Registered

124  
Doc #: N18981

RCVD: 1977-03-01 RQST: 2020-1  
12.2

LAND USE CONTRACT NO. 2

15TH

day of NOVEMBER, 1976

N-18981

## BETWEEN:

THE CORPORATION OF THE CITY OF PORT MOODY,  
a Municipal Corporation having its Municipal  
Offices at 2425 St. John's Street in the  
City of Port Moody, in the Province of  
British Columbia.

(hereinafter called the "City")

## OF THE FIRST PART

THE H.A. ROBERTS GROUP LTD., a corporate  
body carrying on business at 1198 West  
Pender Street in the City of Vancouver, in  
the Province of British Columbia.

(hereinafter called the "Owner")

## OF THE SECOND PART

WHEREAS upon the application of an owner of land within a development area,  
the Council of a Municipality, pursuant to Section 702A of the Municipal  
Act, may by by-law notwithstanding any by-law of the Municipality, or  
Sections 712 or 713 of the Municipal Act, enter into a Land Use Contract  
containing such terms and conditions for the use and development of land  
as may be agreed upon with a developer, and thereafter the use and  
development of the land shall be in accordance with the Land Use Contract;

AND WHEREAS the Municipal Act requires that the Municipal Council consider  
the criteria set out in Sections 702 (2) and 702 (1) in arriving at the  
terms, conditions and considerations contained in a Land Use Contract;

AND WHEREAS the Developer has presented to the Municipality a scheme of  
use and development of the within described lands and premises that would  
be in contravention of a by-law of the Municipality or Sections 712 or  
713 of the Municipal Act or both, and has requested that the Council of  
the Municipality enter into this contract under the terms, conditions,  
and for the consideration hereinafter set forth;

AND WHEREAS by By-law No. 1256 of the said City, dated the 3rd day of May  
1976, the area of lands described as:

Lot 173, District Lot 349, Group One, Reference Plan 28918  
Now Westminster District - Located between loco Road and C.P.R.  
Right-of-Way only

AND

Parcel "E", District Lot 349, Group One, Reference Plan 28918  
Now Westminster District - Located between loco Road and C.P.R.  
Right-of-Way only

was designated as a Development Area within the meaning of Sections 702  
and 702A of the Municipal Act and pursuant to the provisions of the said  
Act;

AND WHEREAS by By-law No. 1256 of the said City dated the 3rd day of May  
1976, the City was authorized to enter into this Land Use Contract with  
the Owner for the use and development of the said Development Area, in  
accordance with the terms and conditions hereinafter contained and  
pursuant to the provisions of the Municipal Act;

SUBSTITUTE FOR FORM

Land Use Contract

Date Feb. 28, 1977 Nature of Interest "C"

Declared Value \$ — Duration of C.T. —

Please Note: — Applicant Cheng Public  
as Solicitor/Agent 4210-6th St.

Telephone No. 524-1717 (Address) New Westminster

522 000569

Not a Notary Public  
LAW SOCIETY  
4000 10th St.

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MEMORANDUM OF REGISTRATION  
Registered the 18th day of Feb. 1977  
on application received at the time written  
or stamped on the application.

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Land Use Contract No. 2  
(H.A. Roberts Group Ltd.)

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AND WHEREAS notice of a Public Hearing to be held by the Council of the City of Port Moody in the Display Room of the Town Centre, Cultural Building, 300 Ioco Road, Port Moody, B. C., on Tuesday, September 7th, 1976, at the hour of 7:30 P.M., was published in the Issues of the "Columbian" newspaper dated Wednesday, September 1st, 1976, and Thursday, September 2nd, 1976;

AND WHEREAS the said Public Hearing was duly held at the time and place above-mentioned;

NOW THEREFORE, this Agreement witnesseth that in consideration of the premises and conditions on covenants hereinafter set forth, the City and the Owner covenants and agree as follows:

1. The Owner is the registered owner of an estate in fee simple of all, and singular certain parcels of land and premises situate, lying and being in the City of Port Moody, in the Province of British Columbia, more particularly known and described as:

*Lots 197 to 236 inclusive of D.C.  
349 Group 1 Plan 51996 N.W.D. ✓*

2. The Developer has obtained the consent of all persons having a registered interest in the lands to the use and development set forth herein.
3. The following maps, plans and schedules, marked as Schedule "A" are attached to form part of this Contract:

(a) Drawing No. Description

P-1	Site Plan
D-1	Lower and Main Floor Plan - Unit "A"
D-2	Upper Floor Plan - Unit "A"
D-3	Section Plans - Unit "A"
D-4	Elevations - Unit "A" (Front and Side)
D-5	Elevations - Unit "A" (Rear and Side)
D-6	Lower, Main and Upper Floor Plans - Unit "B"
D-7	Lower, Main and Upper Floor Plans - Unit "C"
D-8	Section Plans - Unit "B"
D-9	Elevations - Unit "B" (Front and Side)
D-10	Elevations - Unit "B" (Rear and Side)
L-1	Landscape Plan
L-2	Landscape Plan
L-3	Landscape Plan
L-4	Landscape Plan
S-1	Subdivision Plan

(b) Schedule Description

A-1	Exterior Finishes
-----	-------------------

4. The following terms and conditions shall apply to the said Development Area:

(a) Registration of Title

The Owner has deposited at the Land Registry Office, New Westminster District, the following subdivision plan referred to in Section 1 which consolidates the northerly portions of Lot 173, District Lot 349, Group One, Reference Plan 28918, New Westminster District

AND

Parcel "E", District Lot 349, Group One, Reference Plan 28918, New Westminster District, creating Lots

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4. (b) Permitted Uses of Land, Buildings and Structures

The following uses and no others shall be permitted:

Forty principal buildings as shown on Drawing Number P-1 for residential use with accessory off-street parking use.

(c) Size, Shape and Siting of Buildings and Structures

All buildings and structures to be constructed on the said land shall conform to:

Drawings Nos. P-1 and D-1 to D-10 inclusive.

with respect to the size, shape and siting of buildings and structures.

(d) All construction plans, including plot plans, floor plans, elevation plans and detailed section plans shall be submitted to and approved by the City Building Inspector prior to the issuance of required building permits.

(e) Notwithstanding the plans attached hereto, and construction plans referred to in Section 4 (d) above, all buildings and structures on the lands shall conform to the provisions of the National Building Code and to all pertinent Fire Prevention Laws and Regulations, and reasonable access for firefighting purposes shall be provided to all buildings.

(f) Off-Street Parking

Shall be located in conformity with site plan, Drawing No. P-1 providing:

40 Covered Parking Spaces  
40 Uncovered Parking Spaces

and shall be constructed in accordance with the provisions of the City of Port Moody Zoning By-law, 1974, No. 1204, with respect to their size, shape and finish.

(g) Aesthetic Quality of Buildings and Structures

Exterior finishes shall be as shown and described on Drawing Nos. D-4, D-5, D-9, D-10, and as detailed in Schedule A-1.

(h) Development and Landscaping of Site

(i) Landscaping and grading details shall be constructed in conformity with Drawing Nos. L-1, L-2, L-3, and L-4, and shall be carried out and completed in accordance with the standard and requirements of the Parks and Recreation Director.

(ii) The installation of ten foot fenced walkway between properties in a location to the discretion of the City Engineer.

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(h) Development and Landscaping of Site (Continued)

- (iii) The Developer will be required, upon sale of lots adjacent to the walkway, to place a caveat on the title that perpetual maintenance of the fencing be the responsibility of the purchasers.
- (iv) That the front of the new lots to be created are to be landscaped to the satisfaction of the Parks and Recreation Director prior to occupancy.

(i) Inspections

The City may at all reasonable times enter upon the lands and carry out all necessary inspections to ensure that the land is used and developed in accordance with the terms and provisions of this agreement.

(j) Maintenance of Buildings and Structures

General maintenance of all buildings and structures shall be carried out under a regular programme to assure a continuing pleasing aesthetic appearance, and to provide for the safety of residents in a manner satisfactory to the City Building Inspector.

Should the Owner fail to maintain the said buildings and structures to the satisfaction of the City Building Inspector, the City may at its discretion, order its workmen and/or others to enter and effect such maintenance at the expense of the persons so defaulting and may further order that the charges for so doing if unpaid by December 31st of the year of default, shall be added to and form part of the taxes payable in respect of these lands or real property taxes, as taxes in arrears.

(k) Municipal Services, Works and Utilities

All utilities, including water, roads, sanitary sewer, storm sewer, and domestic gas, shall be placed underground and provided in accordance, at locations shown on Drawings submitted to and approved by the City Engineer prior to construction, and constructed in accordance with the requirements contained in By-laws provided for such installation.

Telephone and electrical services shall be provided and placed in such a manner to connect to existing services, as provided by B.C. Hydro and B.C. Telephony, and constructed in accordance with regulations provided for such installations.

(l) Signs

Signs shall only be permitted in accordance with Section 402 (2) (d) of the City of Port Moody Zoning By-law, 1974, No. 1204.

(m) Construction Vehicles Traffic Control

The Owner shall provide adequate supervision over all commercial vehicles and construction equipment entering upon or leaving the construction site to provide for the safety of pedestrians or others.

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(n) Amendments

This Land Use Contract may be amended for minor alterations to plans and specifications by mutual written agreement of both parties.

5. Covenants of the Owner and Security for Due Performance

- (a) The Owner covenants and agrees that he will commence construction in conformity with the terms and conditions of this Land Use Contract within the period of three months from the date of its execution, and shall complete all such works undertaken within a period of eighteen months from commencement of construction.
- (b) And as security for the due and proper performance of this Contract and the covenants and agreements herein contained, the Owner has deposited with the City, prior to the execution of this document, a cash deposit or irrevocable letter of credit drawn by a Canadian Chartered Bank or such other financial security, that is mutually acceptable to the City and the Owner in the total amount of ten per centum of all building costs.
- (c) The period of deposit or expiry date of Letters of Credit or other financial security shall be for a minimum period of two years from the execution date of this document or upon receipt of Completion Certificate.
- (d) The Owner further covenants and agrees that he shall not, during construction, nor after completion, remove or deliberately injure any trees that are shown as existing or placed on Drawing No. H-10 nor shall be altered any finished gradients, as shown on Drawing No. H-2 without prior written consent of the City.
- (e) AND the Owner further covenants and agrees with the City that it will reimburse the City for all legal fees and costs incurred by the City in drawing up and executing this Contract.
- (f) This Contract shall inure to the benefit of and be binding upon the Owner, his successors and assignees, and upon the City, its successors and assignees. This Contract shall not be assigned to any third party, prior to its completion, without prior written consent of the City.
- (g) The Developer covenants to save harmless and effectually indemnify the Municipality against:
  - (i) All actions and proceedings costs, damages, expenses, claims and demands whatsoever and by whomsoever brought by reason of the construction of the said works.
  - (ii) All expenses and costs which may be incurred by reason of the execution of the said works resulting in damage to any property owned in whole or in part by the Municipality by duty or custom is obliged, directly or indirectly, in any way or to any degree, to construct, repair or maintain.
  - (iii) All expenses and cost which may be incurred by reason of liens for non-payment of labour or materials, Workmen's Compensation assessments, Unemployment Insurance, Federal or Provincial Tax, check-off and for encroachments owing to mistakes in survey.

.....6

Considered at the Regular Council Meeting of February 22, 2022

Status: Registered

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Doc #: N18981

RCVD: 1977-03-01 RQST: 202

1

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Land Use Contract No. 2  
(H.A. Roberts Group Ltd.)

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5. Covenants of the Owner and Security for Due Performance

(h) This Contract shall have the force and effect of a restrictive Covenant running with the land and shall be registered in the Land Registry Office by the City of Port Moody.

6. Covenants of the City

The Municipality hereby covenants and agrees with the Developer to permit the Developer to perform all the said work upon the terms and conditions herein contained.

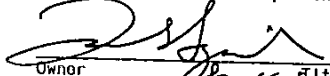
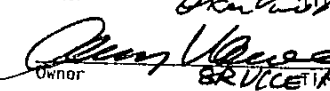
7. In the interpretation of this Land Use Contract, all definitions of words and phrases contained in the City of Port Moody Zoning By-law 1974, No. 1204, shall apply to this Land Use Contract and to the attachments hereto.

8. It is understood and agreed that the Municipality has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Developer other than those in this Contract.

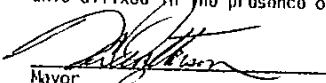
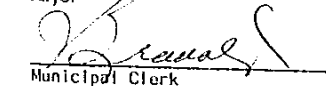
9. WE, The H.A. Roberts Group Ltd., the Owner of the lands described above, do hereby agree and consent to all of the terms and conditions herein expressed and set forth.

IN WITNESS HEREOF this Land Use Contract has been executed under signature of N.A. PATTERSON, Mayor, J. I. BROVOLD, Municipal Clerk, and under seal of the Corporation of the City of Port Moody, at Port Moody, British Columbia, the 12th day of November 1976.

The Corporate Seal of the Corporation)  
of the H.A. Roberts Group Ltd. was )  
herewith affixed in the presence of: )

  
Owner )  
  
Owner )  
BRUCE T. P. R. S. )

The Corporate Seal of the Corporation)  
of the City of Port Moody was here- )  
unto affixed in the presence of: )

  
Mayor )  
  
Municipal Clerk )

19981

Land Use Contract No. 2  
(H. A. Roberts Group Ltd.)

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ACKNOWLEDGMENTS OF OFFICER OF CORPORATION

I HEREBY CERTIFY that, on the 15<sup>TH</sup> day of NOVEMBER, 1976 at the City of Port Moody, in the Province of British Columbia, oath of FRANK SOJONSKY, whose identify has been proved by the evidence on OATH appeared before me and acknowledged to me that he is the EXECUTIVE of H. A. Roberts Group Ltd., and that he is the person who subscribed his name to the annexed instrument as VICE PRESIDENT of the said Company, and affixed the seal of the said Company to the said instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY WHEREOF I have hereunto set my Hand at the City of Port Moody, in the Province of British Columbia, this 15<sup>TH</sup> day of NOVEMBER, 1976.

R. Harry Nixon  
A Commissioner for taking Affidavits in and for the Province of British Columbia.

I HEREBY CERTIFY that, on the 15<sup>TH</sup> day of NOVEMBER 1976 at the City of Port Moody, in the Province of British Columbia, oath of John Ingolf BROYOLD, Municipal Clerk, who is personally known to me, appeared before me and acknowledged to me that he is the Municipal Clerk of the City of Port Moody, AND THAT he is the person who subscribed his name to the annexed instrument as Municipal Clerk of the City of Port Moody and affixed the Seal of the said City to the said instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said Seal to the said instrument, and that such Corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY WHEREOF I have hereunto set my Hand at the City of Port Moody, in the Province of British Columbia, this 15<sup>TH</sup> day of NOVEMBER, 1976.

R. Harry Nixon  
A Commissioner for taking Affidavits in and for the Province of British Columbia.

# Considered at the Regular Council Meeting of February 22, 2022

Status: Registered

131  
Doc #: N18981

RCVD: 1977-03-01 RQST: 2020-10-20

12.27.43

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NOV 19 1976

RE: SAN REMO PROJECT  
For The H. A. Roberts Group Ltd.

## COLOR SCHEDULE

SLOPED ROOFS                      Natural Finish Cedar Shakes


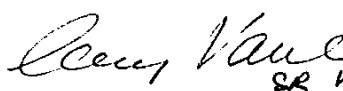
STUCCO                      1. Off white                      \* (Bapco 128 A-4)  
                                 2. Beige                      \* (Bapco 137 A-4)  
                                 3. Tan                      \* (Bapco 161 N-4)

\* Stucco to be colored with Integral Colorants  
The resulting tone to approximate the Bapco paint colors  
indicated.

FASCIA BOARDS                      Trim Boards and Trellis Members  
                                 Olympic Stain #913

INFILL GRILLS @ BALCONY RAILINGS

1. Olympic #708
2. Olympic #716
3. Olympic #724

  
ALEX VANE  
EXC VICE PRES  
  
R.E. HULBERT  
architect  
r.e. hulbert  
265 25th street suite 3  
west vancouver, british columbia  
V7V 4A9 604 926-7808

MAYOR

  
CLERK

SCHEDULE A-1



# Considered at the Regular Council Meeting of February 22, 2022

Status: Registered

132  
Doc #: N18981

RCVD: 1977-03-01 RQST: 2020-1  
12.2

18981

CITY OF PORT MOODY

BY-LAW NO. 1300

## A BY-LAW OF THE CITY OF PORT MOODY TO APPROVE A LAND USE CONTRACT

WHEREAS by By-law No. 1256 of the City of Port Moody, dated the 28th day of June, 1976, the area of lands described as:

Lot 173, District Lot 349, Group One, Reference Plan 28918,  
New Westminster District - Located between Ioco Road and  
C.P.R. Right-of-way only

AND

Parcel "E", District Lot 349, Group One, Reference Plan  
28918, New Westminster District - Located between Ioco Road  
and C.P.R. Right-of-way only

was designated as a Development Area within the meaning of Section 702  
and 702A of the "Municipal Act" and pursuant to the provisions of the  
said Act;

AND WHEREAS by By-law No. 1256 of the City of Port Moody, dated the 3rd  
day of May, 1976, the City was authorized to enter into a Land Use  
Contract with the Owner for the use and development of the said Develop-  
ment Area, pursuant to the provisions of the "Municipal Act";

AND WHEREAS notice of the Public Hearing to be held by the Council of  
the City of Port Moody, in the Town Centre Cultural Centre, 300 Ioco  
Road, Port Moody, B.C., on the 6th day of July, 1976, at the hour of  
7:30 p.m., was published in the issues of the "Columbian" newspaper  
dated Tuesday, June 29, 1976 and Wednesday, June 30, 1976; and notice  
of the Public Hearing to be held by the Council of the City of Port  
Moody, in the Town Centre Cultural Centre, 300 Ioco Road, Port Moody,  
B.C., on the 7th day of September, 1976 at the hour of 7:30 p.m. was  
published in the issues of the "Columbian" newspaper dated Wednesday,  
September 1, 1976 and Thursday, September 2, 1976;

AND WHEREAS the said Public Hearings were held at the time and place  
above mentioned;

NOW THEREFORE the Municipal Council of the City of Port Moody in open  
session assembled enacts as follows:

### 1. TITLE

This By-law may be cited for all purposes as "City of Port Moody  
Land Use Contract No. 2 Authorization By-law, 1976, No. 1300".

### 2. APPROVAL OF CONTRACT

The Land Use Contract attached hereto and marked Schedule "A" is  
hereby adopted by the Council of the City of Port Moody.

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# Considered at the Regular Council Meeting of February 22, 2022

Status: Registered

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Doc #: N18981

RCVD: 1977-03-01 RQST: 2020-1  
12.2

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By-law No. 1300

Page ...2

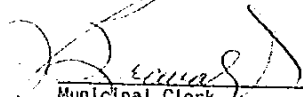
READ A FIRST TIME this 13th day of SEPTEMBER, 1976.

READ A SECOND TIME this 13th day of SEPTEMBER, 1976.

READ A THIRD TIME this 13th day of SEPTEMBER, 1976.

RECONSIDERED AND FINALLY ADOPTED this 20th day of September, 1976.

  
Mayor

  
Municipal Clerk

I HEREBY CERTIFY that the above is a true copy of By-law No. 1300 of the City of Port Moody.

  
Municipal Clerk

**Attachment 2: Comparison of LUC and Port Moody Comprehensive Development (CD 88) Zone**

<b>Provision</b>	<b>Land Use Contract</b>	<b>Proposed Comprehensive Development (CD) Zone 88</b>
<b>Intent</b>	40 residential dwelling units contained in 40 principal buildings for residential use with accessory off-street parking.	To provide for residential dwelling use with accessory off-street parking.
<b>Min. Lot Size</b>	Approx. 439 m <sup>2</sup>	n/a
<b>Permitted Uses</b>	40 residential dwelling units, and accessory off-street parking.	<p>40 residential dwelling units and accessory off-street parking.</p> <p>a) Secondary Use</p> <p>(1) One of the following:</p> <ul style="list-style-type: none"> <li>a. Bed and Breakfast</li> <li>b. Boarding</li> <li>c. Child Care</li> <li>d. Community Care</li> <li>e. Home Occupation – Type B</li> </ul> <p>(2) Home Occupation – Type A</p> <p>(3) Supportive Recovery (see section 5.2.9)</p> <p>(4) Secondary Suite</p>
<b>Size, Shape, and Siting of Buildings and Structures</b>	Buildings and structures shall be constructed in accordance with respect to the size, shape, and siting.	n/a
<b>Principal Building Separation</b>	Only one principal building per lot.	n/a
<b>Max. Lot Coverage</b>	Approx. 176 m <sup>2</sup>	<p>a) for lot sizes up to and including 278m<sup>2</sup> – 45%</p> <p>b) for lot sizes between 279m<sup>2</sup> and 371m<sup>2</sup> – 35%</p> <p>c) for lot sizes above 372m<sup>2</sup> – 30%</p>

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<b>Max. Floor Area</b>	n/a	n/a
<b>Max. Building Height</b>	<ul style="list-style-type: none"> <li>i. Principal Building – not specified.</li> <li>ii. Building Addition on side yard – max one storey.</li> <li>iii. Addition on rear yard – max two storeys.</li> </ul>	<p>Principal Building – the lesser of 3 Storeys and the vertical distance from Grade to the highest point of the Building which shall be 10.5m for roofs with a pitch of 3:12 or greater, and 9.0m for roofs with a pitch less than 3:12</p> <p>Accessory Building – 3.7m for a flat roof and 4.5m for a roof with a slope angle more than 3:12 measured to the highest point</p> <p>Principal Building – Roof top access area may not exceed 3.5 m<sup>2</sup> for each access.</p>
<b>Min. Front yard setback</b>	4.5 – 6.0 m	<p>Principal Building - 6.0 m</p> <p>Accessory Building or Structure – rear of principal building</p>
<b>Min. Rear yard setback</b>	6.5 m	<p>Principal Building - 7.5 m</p> <p>Accessory Building or Structure – 1.5 m</p>
<b>Min. Side yard setback</b>	1.0 m	<p>Principal Building - 1.2m or 10% of lot width, whichever is less.</p> <p>Accessory Building or Structure – 0.9 m</p>
<b>Building Additions</b>	<p>Side yard</p> <ul style="list-style-type: none"> <li>i. Max height – 1 storey</li> <li>ii. Setbacks must be maintained</li> <li>iii. Windows facing side yard not permitted</li> <li>iv. Addition must not protrude beyond outermost wall of building facing side yard.</li> </ul> <p>Sunrooms and solariums</p> <ul style="list-style-type: none"> <li>i. Max height – 2 storeys</li> <li>ii. Must not be visible from San Remo Drive.</li> </ul>	n/a

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	<p>iii. Materials must conform to principal building</p> <p>Must remain attached to principal building</p>	
<b>Accessory Buildings</b>	<p>Permitted in rear yard and not to be located within 2ft/ .6 m of side property line.</p> <p>Max floor area: 6.0m<sup>2</sup></p> <p>Max height: 2.7m</p>	<p>Permitted in rear yard:</p> <ul style="list-style-type: none"> <li>• 30 m<sup>2</sup> (included in max lot coverage)</li> <li>• Max height: 2.7 m</li> </ul>
<b>Parking</b>	<p>40 covered spaces</p> <p>40 uncovered spaces</p>	<p>Refer to section 6 of the Zoning Bylaw for Off-Street Parking requirements for single detached dwellings or semi-detached dwellings.</p>

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**Other Provisions | Either Covered by General Regulations in Zoning Bylaw or Not Applicable**

<b>Provision</b>	<b>Land Use Contract</b>	<b>Proposed Comprehensive Development (CD) Zone 88</b>
<b>Windows</b>	Additional windows may be installed to first storey, in compliance with building code and fire safety regulations.	n/a
<b>Balconies</b>	<ul style="list-style-type: none"> <li>i. Doors may be altered.</li> <li>ii. Overhangs and glass may be increased for weather protection; must follow slope of roof.</li> <li>iii. Wood designs may be replaced with glass or metal.</li> </ul>	n/a
<b>Garages</b>	<ul style="list-style-type: none"> <li>i. Existing garage may be enclosed to create indoor living space, provided that two on-site parking spaces are maintained; existing driveway to be maintained and no additional installation of hard surfaces.</li> <li>ii. Garage doors may be altered.</li> </ul>	n/a
<b>Building and Roof Elements</b>	<ul style="list-style-type: none"> <li>i. Minor changes permitted, must be consistent with basic form and massing of existing building</li> <li>ii. Roof tops may be used for greenhouses, decks, and patios or similar uses.</li> <li>iii. New sloped roofs are permitted if an additional living space is not created, and the peak of the roof does not extend above the roof parapet wall.</li> </ul>	n/a (roof top access area added to building heights section)
<b>Awnings and Canopies</b>	Permitted over doorways.	n/a
<b>Exterior Building Materials</b>	Stucco is the preferred material for exterior cladding; alternatives may be used.	n/a
<b>Raised Sundecks in Rear Yards</b>	May be installed in rear yards or above grade adjacent to ground floor level of principal building.	n/a

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<b>Provision</b>	<b>Land Use Contract</b>	<b>Proposed Comprehensive Development (CD) Zone 88</b>
<b>Fencing</b>	<ul style="list-style-type: none"> <li>i. No fencing in front yard or forward of the front face of a building on a parcel.</li> <li>ii. Fencing adjoining loco Rd. must not exceed 6ft in height.</li> </ul>	<p>n/a</p> <p>(General Regulations in Zoning Bylaw apply)</p>
<b>Landscaping</b>	<ul style="list-style-type: none"> <li>i. Vegetation remains as major component of vegetation</li> <li>ii. No installation of additional hard surfacing in yards visible from San Remo Drive</li> </ul>	<p>n/a</p> <p>(General Regulations in Zoning Bylaw apply)</p>
<b>Swimming Pools and Hot Tubs</b>	One of each may be constructed or placed on a parcel within side or rear yards; shall not affect stability of land.	<p>n/a</p> <p>(General Regulations in Zoning Bylaw apply)</p>



# City of Port Moody

## Bylaw No. 3337

A Bylaw to terminate the Land Use Contract for San Remo Drive.

**WHEREAS** section 547 of the *Local Government Act* terminates all Land Use Contracts on June 30, 2024 and requires the adoption of a zoning bylaw that will apply to the land by June 30, 2022;

**AND WHEREAS** Council of the City of Port Moody deems it expedient to undertake the process for early termination of Land Use Contracts under section 548 of the *Local Government Act*;

**NOW THEREFORE** the Council of the City of Port Moody enacts as follows:

### 1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Land Use Contract Termination Bylaw, 2022, No. 3337 (San Remo Drive)”.

### 2. Land Use Contract Termination

- 2.1 The Land Use Contract between the Corporation of the City of Port Moody and the H.A. Roberts Group Ltd., dated November 15, 1976, for the properties outlined and legally described in Schedule A, registered in the New Westminster Land Title Office under Filing Number N18981, is hereby discharged.
- 2.2 The Land Use Contract between the Corporation of the City of Port Moody and the owners of the parcels listed in Schedule 1 dated April 8, 2014, for the properties outlined and legally described in Schedule B, registered in the New Westminster Land Title Office under Filing Number CA3721211, is hereby discharged.
- 2.3 The Land Use Contract between the Corporation of the City of Port Moody and Mabel Ruth Hoyem dated May 25, 1990, for 539 San Remo Drive, the property legally described as LOT 198, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-011-744) registered in the New Westminster Land Title Office under Filing Number AD168037, is hereby discharged.
- 2.4 The Land Use Contract between the Corporation of the City of Port Moody and Fleming Fuglsang Nielsen and Birgit Nielsen dated May 15, 1990, for 533 San Remo Drive, the property legally described as LOT 201, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 004-378-814) registered in the New Westminster Land Title Office under Filing Number AD137096, is hereby discharged.



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- 2.5 The Land Use Contract between the Corporation of the City of Port Moody and Derek Raymond Perkins and Anne Margaret Perkins dated August 13, 1984, for 527 San Remo Drive, the property legally described as LOT 204, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-011-809) registered in the New Westminster Land Title Office under Filing Number AD197720, is hereby discharged.
- 2.6 The Land Use Contract between the Corporation of the City of Port Moody and Jean McLeod dated February 20, 1990, for 523 San Remo Drive, the property legally described as LOT 206, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-011-779) registered in the New Westminster Land Title Office under Filing Number AD100721, is hereby discharged.
- 2.7 The Land Use Contract between the Corporation of the City of Port Moody and Doreen Eva Camley dated February 28, 1990 for 489 San Remo Drive, the property legally described as LOT 223, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 004-087-062) registered in the New Westminster Land Title Office under Filing Number AD100726, is hereby discharged.
- 2.8 The Land Use Contract between the Corporation of the City of Port Moody and Joseph Brumec and Ronny Brumec, dated February 7, 1990, for 487 San Remo Drive, the property legally described as LOT 224, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 002-262-321) registered in the New Westminster Land Title Office under Filing Number AD100727, is hereby discharged.
- 2.9 The Land Use Contract between the Corporation of the City of Port Moody and Donald Arthur George and June Rose Landsburg dated June 25, 1990, for 485 San Remo Drive, the property legally described as LOT 225, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 registered in the New Westminster Land Title Office under Filing Number AD168036, is hereby discharged.
- 2.10 The Land Use Contract between the Corporation of the City of Port Moody and Helge Bertelsen and Hanne Bloch dated February 16, 1990, for 481 San Remo Drive, the property legally described as LOT 227, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 000-811-246) registered in the New Westminster Land Title Office under Filing Number AD100728, is hereby discharged.
- 2.11 The Land Use Contract between the Corporation of the City of Port Moody and Donald William Frederick Norris and Phyllis Norris dated May 17, 1990, for 479 San Remo Drive, the property legally described as LOT 228 GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 003-706-214) registered in the New Westminster Land Title Office under Filing Number AD137098, is hereby discharged.

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- 2.12 The Land Use Contract between the Corporation of the City of Port Moody and Robert Stevenson White and Margaret White dated February 19, 1990, for 471 San Remo Drive, the property legally described as LOT 232, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-009-138) registered in the New Westminster Land Title Office under Filing Number AD100729, is hereby discharged.
- 2.13 The Land Use Contract between the Corporation of the City of Port Moody and Nicolas Patrick Laxton and Christine Marie Laxton dated July 15, 1999, for 541 San Remo Drive, the property legally described as LOT 197, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-011-728) registered in the New Westminster Land Title Office under Filing Number BN190173, is hereby discharged.
- 2.14 The Land Use Contract between the Corporation of the City of Port Moody and Arne Erik Hansen and Jaroslava Helen Armstrong dated May 17, 1990, for 519 San Remo Drive, the property legally described as LOT 208, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-011-931) registered in the New Westminster Land Title Office under Filing Number AD137097, is hereby discharged.
- 2.15 The Land Use Contract between the Corporation of the City of Port Moody and Hilton Frederick Gordon Poidevin and Rosemarie Poidevin dated September 5, 1990, for 517 San Remo Drive, the property legally described as LOT 209, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-011-868) registered in the New Westminster Land Title Office under Filing Number AD234679, is hereby discharged.
- 2.16 The Land Use Contract between the Corporation of the City of Port Moody and Erika Ursula Wilcox dated June 28, 1990, for 513 San Remo Drive, the property legally described as LOT 211, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-011-906) registered in the New Westminster Land Title Office under Filing Number AD177803, is hereby discharged.
- 2.17 The Land Use Contract between the Corporation of the City of Port Moody and Dwight Henry Recksiedler and Ursula Caroline Recksiedler dated March 15, 1990, for 509 San Remo Drive, the property legally described as LOT 213, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 001-612-026) registered in the New Westminster Land Title Office under Filing Number AD100722, is hereby discharged.
- 2.18 The Land Use Contract between the Corporation of the City of Port Moody and Edward Victor Barker and Evelyn Barker dated February 16, 1990, for 505 San Remo Drive, the property legally described as LOT 215, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-009-022) registered in the New Westminster Land Title Office under Filing Number AD100723, is hereby discharged.

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- 2.19 The Land Use Contract between the Corporation of the City of Port Moody and Melvin Dean and Bernice Dean dated July 3, 1990, for 503 San Remo Drive, the property legally described as LOT 216, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID:002-275-091) registered in the New Westminster Land Title Office under Filing Number AD177804, is hereby discharged.
- 2.20 The Land Use Contract between the Corporation of the City of Port Moody and Raymond Leslie Acheson and Gwendoline Acheson dated March 26, 1990, for 501 San Remo Drive, the property legally described as LOT 217, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-009-685) registered in the New Westminster Land Title Office under Filing Number AD100724, is hereby discharged.
- 2.21 The Land Use Contract between the Corporation of the City of Port Moody and Norman Eugene Bougie and Denise Lynn Bougie dated August 24, 1990, for 499 San Remo Drive, the property legally described as LOT 218, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996 (PID: 005-009-049) registered in the New Westminster Land Title Office under Filing Number AD201124, is hereby discharged.

### 3. Repeal

- 3.1 City of Port Moody Land Use Contract No. 2 Authorization By-law, 1976, No. 1300 and all amendments thereto are hereby repealed.
- 3.2 City of Port Moody Land Use Contract No. 2, Amendment Bylaw No. 1, 1989, No. 1984 and all amendments thereto are hereby repealed.
- 3.3 City of Port Moody Land Use Contract No. 2, Authorization Bylaw No. 1300, Amendment No. 4, 2014, No. 2975 and all amendments thereto are hereby repealed.
- 3.4 City of Port Moody Land Use Contract No. 3, Authorization Bylaw No. 1300, Amendment Bylaw No. 3, 2006, No. 2708 and all amendments thereto are hereby repealed.

### 4. Attachments and Schedules

- 4.1 The following schedules are attached to and forms part of this Bylaw:
  - Schedule A – List of Properties affected by charge number N18981 filed at the New Westminster Land Title Office
  - Schedule B – List of Properties affected by charge number CA3721211 filed at the New Westminster Land Title Office

5. Severability

- 5.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

6. Effective Date

- 6.1 This Bylaw shall come into effect one year after the date of adoption.

**Read a first time** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**Read a second time** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**Read a third time** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**Adopted** this \_\_\_\_ day of \_\_\_\_\_, 2022.

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R. Vagramov  
Mayor

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D. Shermer  
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3337 of the City of Port Moody.

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D. Shermer  
Corporate Officer

# Considered at the Regular Council Meeting of February 22, 2022

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## Schedule A

### Schedule A

#### List of Properties affected by charge number N18981 filed at the New Westminster Land Title Office

Address	P.I.D.	Legal Description
541 San Remo Drive	005-011-728	LOT 197, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
539 San Remo Drive	005-011-744	LOT 198, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
537 San Remo Drive	005-011-841	LOT 199, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
535 San Remo Drive	005-011-817	LOT 200, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
533 San Remo Drive	004-378-814	LOT 201, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
531 San Remo Drive	000-967-998	LOT 202, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
529 San Remo Drive	005-011-833	LOT 203, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
527 San Remo Drive	005-011-809	LOT 204, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
525 San Remo Drive	005-011-787	LOT 205, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
523 San Remo Drive	005-011-779	LOT 206, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
521 San Remo Drive	005-011-752	LOT 207, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
519 San Remo Drive	005-011-931	LOT 208, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
517 San Remo Drive	005-011-868	LOT 209, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
515 San Remo Drive	005-011-892	LOT 210, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
513 San Remo Drive	005-011-906	LOT 211, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
511 San Remo Drive	005-011-922	LOT 212, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
509 San Remo Drive	001-612-026	LOT 213, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
507 San Remo Drive	005-008-964	LOT 214, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
505 San Remo Drive	005-009-022	LOT 215, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
503 San Remo Drive	002-275-091	LOT 216, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
501 San Remo Drive	005-009-685	LOT 217, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
499 San Remo Drive	005-009-049	LOT 218, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996

# Considered at the Regular Council Meeting of February 22, 2022

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## Schedule A

Address	P.I.D.	Legal Description
497 San Remo Drive	003-220-478	LOT 219, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
495 San Remo Drive	005-009-065	LOT 220, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
493 San Remo Drive	005-009-081	LOT 221, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
491 San Remo Drive	005-009-090	LOT 222, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
489 San Remo Drive	004-087-062	LOT 223, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
487 San Remo Drive	002-262-321	LOT 224, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
485 San Remo Drive	005-009-111	LOT 225, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
483 San Remo Drive	001-436-708	LOT 226, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
481 San Remo Drive	000-811-246	LOT 227, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
479 San Remo Drive	003-706-214	LOT 228 GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
477 San Remo Drive	003-513-840	LOT 229, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
475 San Remo Drive	000-545-163	LOT 230 GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
473 San Remo Drive	005-009-120	LOT 231, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
471 San Remo Drive	005-009-138	LOT 232, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
469 San Remo Drive	003-156-087	LOT 233, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
467 San Remo Drive	005-009-171	LOT 234, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
465 San Remo Drive	005-009-197	LOT 235, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
463 San Remo Drive	005-009-219	LOT 236, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996

# Considered at the Regular Council Meeting of February 22, 2022

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## Schedule B

### Schedule B

List of Properties affected by charge number CA3721211 filed at the New Westminster Land Title Office

Address	P.I.D.	Legal Description
539 San Remo Drive	005-011-744	LOT 198, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
537 San Remo Drive	005-011-841	LOT 199, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
535 San Remo Drive	005-011-817	LOT 200, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
533 San Remo Drive	004-378-814	LOT 201, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
531 San Remo Drive	000-967-998	LOT 202, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
519 San Remo Drive	005-011-931	LOT 208, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
513 San Remo Drive	005-011-906	LOT 211, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
501 San Remo Drive	005-009-685	LOT 217, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
495 San Remo Drive	005-009-065	LOT 220, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
489 San Remo Drive	004-087-062	LOT 223, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
487 San Remo Drive	002-262-321	LOT 224, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
483 San Remo Drive	001-436-708	LOT 226, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
479 San Remo Drive	003-706-214	LOT 228 GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
475 San Remo Drive	000-545-163	LOT 230 GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996



# City of Port Moody

## **Bylaw No. 3338**

A Bylaw to apply Comprehensive Development Zone 88 (CD88) to the properties previously subject to a Land Use Contract for San Remo Drive.

The Council of the City of Port Moody enacts as follows:

### **1. Citation**

- 1.1 This Bylaw may be cited as “City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 66, 2022, No. 3338 (San Remo Drive) (CD88)”.

### **2. Amendments**

- 2.1 City of Port Moody Zoning Bylaw, 2018, No. 2937 is amended by rezoning the lands outlined in the following schedule to Comprehensive Development Zone 88 (CD88):

- Schedule A – San Remo Drive Map and List of Properties.

- 2.2 City of Port Moody Zoning Bylaw, 2018, No. 2937 is further amended by adding the following section CD88 to Schedule D:

“CD88. Comprehensive Development Zone (CD88)

#### CD88.1 Intent

The intent of this zone is to provide for 40 residential Dwelling Units with accessory off-street parking.



CD88.2 Permitted Uses

The following uses are permitted in the CD88 Zone:

a) Principal Use

- (1) Single Detached Residential.

b) Secondary Use

- (1) One of the following:
  - a. Bed and Breakfast
  - b. Boarding
  - c. Child Care
  - d. Community Care
  - e. Home Occupation – Type B
- (2) Home Occupation – Type A
- (3) Supportive Recovery (see section 5.2.9)
- (4) Secondary Suite

CD88.3 Lot Coverage

The maximum permitted Lot Coverage is as follows:

- a) for lot sizes up to and including 278m<sup>2</sup> – 45%
- b) for lot sizes between 279m<sup>2</sup> and 371m<sup>2</sup> – 35%
- c) for lot sizes above 372m<sup>2</sup> – 30%

For Accessory Building or Structures – the maximum lot coverage is 30m<sup>2</sup> (included in the calculation of maximum lot coverage).

CD88.4 Building Height

Building Heights in the CD88 Zone shall be in accordance with the following:

- Principal Building – the lesser of 3 Storeys and the vertical distance from Grade to the highest point of the Building which shall be 10.5m for roofs with a pitch of 3:12 or greater, and 9.0m for roofs with a pitch less than 3:12.
- Accessory Building or Structure – 3.7m for a flat roof and 4.5m for a roof with a slope angle more than 3:12 measured to the highest point.
- Principal Building – Roof top access area may not exceed 3.5m<sup>2</sup> for each access.

CD88.5 Setbacks

Minimum setbacks in the CD88 Zone shall be in accordance with the following:

- Principal Building

Front Lot Line: 6m

Side Lot Line: 1.2m or 10% of lot width, whichever is less

Rear Lot Line: 7.5m.

- Accessory Building or Structure

Front Lot Line: rear of the Principal Building

Side Lot Line: 0.9m

Rear Lot Line: 1.5m.

CD88.6 Parking

Refer to section 6 of this Bylaw for Off-Street Parking requirements for Single Detached Residential use.

3. Attachments and Schedules

3.1 The following schedule is attached to and forms part of this Bylaw:

- Schedule A – San Remo Drive Map and List of Properties.

4. Severability

4.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

**Read a first time** this \_\_\_ day of \_\_\_\_\_, 2022.

**Read a second time** this \_\_\_ day of \_\_\_\_\_, 2022.

**Public Hearing held** this \_\_\_ day of \_\_\_\_\_, 2022.

**Read a third time** this \_\_\_ day of \_\_\_\_\_, 2022.

**Adopted** this \_\_\_ day of \_\_\_\_\_, 2022.

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R. Vagramov  
Mayor

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D. Shermer  
Corporate Officer

# Considered at the Regular Council Meeting of February 22, 2022

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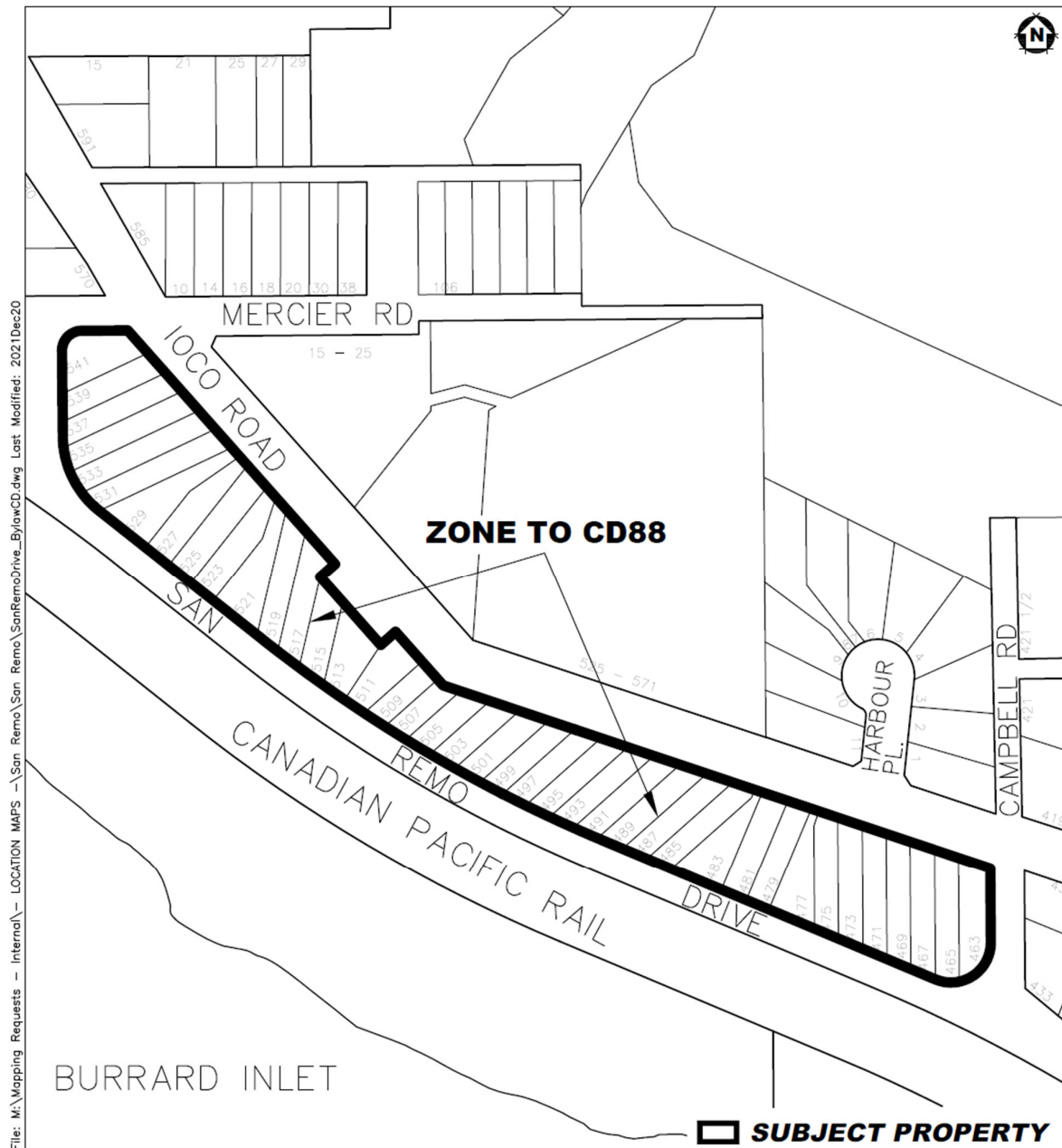
I hereby certify that the above is a true copy of Bylaw No. 3338 of the City of Port Moody.

---

D. Shermer  
Corporate Officer

Schedule A

Schedule A – San Remo Drive Map and List of Properties



# Considered at the Regular Council Meeting of February 22, 2022

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## Schedule A

### List of Properties

Address	P.I.D.	Legal Description
541 San Remo Drive	005-011-728	LOT 197, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
539 San Remo Drive	005-011-744	LOT 198, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
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531 San Remo Drive	000-967-998	LOT 202, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
529 San Remo Drive	005-011-833	LOT 203, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
527 San Remo Drive	005-011-809	LOT 204, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
525 San Remo Drive	005-011-787	LOT 205, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
523 San Remo Drive	005-011-779	LOT 206, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
521 San Remo Drive	005-011-752	LOT 207, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
519 San Remo Drive	005-011-931	LOT 208, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
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511 San Remo Drive	005-011-922	LOT 212, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 51996
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481 San Remo Drive	000-811-246	LOT 227, GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
479 San Remo Drive	003-706-214	LOT 228 GROUP 1, DISTRICT LOT 349, NEW WEST DISTRICT, PLAN 5 1996
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