

CITY OF PORT MOODY

DEVELOPMENT PERMIT No. DP000010

TO: **MARCON ALBERT PROPERTIES LTD., INC.NO. BC1182800**
5645 199 Street
Langley, BC
V3A 1H9

(the “**Developer**”)

1. This Development Permit is issued subject to compliance with all applicable City Bylaws, except as specifically varied or supplemented by this Permit.
2. This Permit applies to those lands in Port Moody, British Columbia more particularly described below and including all buildings, structures, and other development thereon:

LOT 92 DISTRICT LOT 202 GROUP 1 NEW WESTMINSTER DISTRICT
PLAN NWP52281

Parcel Identifiers: 004-963-539

(the “**Lands**”)

- 1) The following plans and documents are made part of this Permit and, notwithstanding any other provision, no works shall be performed upon the Lands covered by this Permit, nor shall any building or structure be erected, constructed, repaired, renovated, or sited, that is not in substantial accordance with the following and strictly in accordance with all terms and conditions of this Permit.

Development Permit: Form and Character

- (a) Site and Architectural Plans (60 pages), dated December 24, 2021, prepared by Shift Architecture, on file with the City of Port Moody, attached as Schedule A, and any amendments thereto subsequently approved by the City.
- (b) Landscaping Plans (21 pages), dated December 24, 2021, prepared by Connect Landscape Architecture on file with the City of Port Moody, attached as Schedule A, and any amendments thereto subsequently approved by the City.

Development Permit: Environmentally Sensitive Areas

Prior to the issuance of a building permit, as a condition of issuance of this Development Permit a covenant shall be registered on the title to the Lands to regulate the development of the property in accordance with the following reports:

- (a) “Environmental Assessment and Restoration Plan 2025 St. Johns Street, Port Moody, BC Project, No. 14296” dated April 18, 2022, prepared by Keystone Environmental Ltd., on file with the City of Port Moody, attached as Schedule B, and any amendments thereto subsequently approved by the City.
 - (b) “Construction Environmental Management Plan, 2025 St. Johns Street, Port Moody, BC, Project No. 14296”, dated April 18, 2022, prepared by Keystone Environmental Ltd., on file with the City of Port Moody, attached as Schedule B, and any amendments thereto subsequently approved by the City.
- 2) The works contemplated in plans set out in section 1 hereto shall be substantially started within two (2) years of the date of the Council Resolution authorizing issuance of this permit or the Development Permit will lapse.
- 3) Prior to the issuance of any building permit, as a condition of issuance of this Development Permit, the following shall be provided to the City of Port Moody for review and acceptance:
 - (a) Submission of geotechnical reports, or other professional reports that are deemed necessary by the City. Such reports shall be informed by detailed design drawings.
 - (b) The completion of a subdivision allowing for the creation of two parcels: the development parcel and park parcel, including the submission of all necessary documentation for the subdivision approval;
 - (c) erosion and sediment control plan;
 - (d) construction impact management plan;
 - (e) a stormwater management plan;
 - (f) a construction dust abatement plan;

- (g) a construction waste recycling plan;
 - (h) a completed Engineering Servicing Agreement;
 - (e) a detailed final planting plan, showing replacement trees and replanting, associated with invasive removal and riparian restoration;
 - (f) submission of a detailed maintenance and monitoring plan for the RPEA/RTA/park dedication areas and ESA areas;
 - (g) the submission of a detailed plan showing venting, mechanical and utility locations, including both site plans, dimensions of such elements, screening and where applicable cross sections;
 - (h) the preparation and registration of all required legal documents (e.g. covenants, easements and statutory rights of way) on title of the property including but not limited to:
 - (1) environmental covenant(s) establishing the requirements of Development Permit Area 4: Environmentally Sensitive Areas
 - (2) Housing Agreement covenant(s) to establish the provisions for the below market rental, rent-to-own program and rental available housing agreements
 - (3) a no-occupancy covenant to ensure that the transfer of environmental dedication to the City
- 4) (a) As a condition of issuance of this Development Permit, the Developer has provided to the City, a security (the "Securities") as set out in the amount of \$1,946,778.35 (on-site total of \$1,684,919.03 and off-site total of \$261,859.32, 10% contingency, 5% inflation and 5% GST included), for the completion of items related to landscaping. The Securities, in the form of a letter of credit, shall be made out to the City to ensure that the development is carried out in accordance with the terms and conditions set out herein and if for any reason the Permit holder neglects or otherwise fails to complete the works, within two (2) years of the date of issuance of this Development Permit, the City may, in its sole discretion, provided it has given the Developer seven (7) days' written notice, complete the works or any portion thereof and all costs incurred in so doing shall be deducted by the City from the amount of the Security and on final completion to the satisfaction of the City as evidenced by the issuance of a Certificate of

Completion, the City shall thereafter refund the remainder of the monies, except for ten (10) percent of the monies, which shall be released after the maintenance period lasting one (1) year from the date of completion for the landscaping.

- (b) Portions of the Securities may be returned to the Developer, or reduced, as stages of the works are completed, to the satisfaction of, and at the sole discretion of, the City's General Manager of Community Development.
 - (c) As a condition of issuance of this Development Permit, the Developer shall pay to the City an on-site landscaping review fee of \$33,698.38 (two (2) percent of the cost of on-site landscaping) and \$10,474.37 (four (4) percent of the cost of the off-site landscaping), to be paid by cash or certified cheque.
6. The works and services required in accordance with the Engineering Services Agreement are to be completed in compliance with the requirements of the "City of Port Moody Works and Services Bylaw, No. 1789, 1986" and "City of Port Moody Subdivision and Development Servicing Bylaw, No. 2831".

AUTHORIZED BY COUNCIL RESOLUTION passed on the ____ of ____, 2022.

CITY OF PORT MOODY, by its authorized signatories:

R. Vagramov, Mayor

D. Shermer, Corporate Officer