



City of Port Moody

Report/Recommendation to Council

Date: April 27, 2022
Submitted by: Community Development Department – Policy Planning Division
Subject: Termination of Land Use Contract at Angela Drive and Rezoning to RS1-S and RS1

Purpose

To present Bylaw No. 3351, Bylaw No. 3354 and Bylaw No. 3355 for consideration of first and second readings to repeal the Land Use Contract (LUC) at Angela Drive and to rezone this LUC area to RS1-S and RS1.

Recommended Resolutions

THAT City of Port Moody Land Use Contract Termination Bylaw, 2022, No. 3351 (Angela Drive), City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 68, 2022, No. 3354 (Angela Drive) (RS1), and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 69, 2022, No. 3355 (Angela Drive) (RS1-S) be read a first and second time as recommended in the report dated April 27, 2022 from the Community Development Department – Policy Planning Division regarding Termination of Land Use Contract at Angela Drive and Rezoning to RS1-S and RS1;

AND THAT Bylaw No. 3351, Bylaw No. 3354 and Bylaw No. 3355 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.

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tool that was used in the 1970s that encompasses a wide range of land uses and development components, until it was repealed in 1978.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.

Considered at the Regular Council Meeting of May 10, 2022

161

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).

At the October 13, 2020, Special Council meeting, the following resolution was passed:

RC20/363

THAT staff be directed to reorder the Land Use Contract Terminations process to prioritize single-family lots, and areas of town that have experienced zoning issues (large homes, view corridors, etc.) in the recent past;

AND THAT this reordering be referred to the House Size and Siting Task Force for comment prior to returning to Council.

At the January 20, 2022, House Size and Siting Task Force meeting, staff recommended a proposed approach and schedule to address five remaining single-family LUC areas.

At the February 15, 2022, Special Council meeting, the following resolution was passed:

CW22/012

THAT staff be directed to proceed with the termination of the Land Use Contracts and rezoning of the properties at Walton Way/Benson Drive, Angela Drive, and Appleyard Court as outlined in the report dated January 17, 2022, from the Community Development Department – Policy Planning Division regarding Single-Family Land Use Contracts.

Discussion

13 properties located at 209-257 Angela Drive are recommended to be rezoned to RS1-S which is consistent with the LUC provisions related to house size, lot size and dimensions, and setbacks. The two properties located at each end of Angela Drive, 261 and 205 Angela Drive respectively, are recommended to be rezoned to RS1 as these lots are larger in size and better match the provisions of the RS1 zone.

Notification letters were mailed Angela Drive properties on February 18, 2022, notifying all property owners and tenants of the land use contract on the property, of the proposed rezoning to the RS1-S zone, and information meeting scheduled on March 8, 2022. One RSVP was received and no participants attended the information meeting. Notification signs were posted on the property prior to the information meeting inviting public comments and providing an email contact for inquiries. The presentation was also posted on the City's LUC website.

A summary of the land use contract and affected properties is outlined in *Table 1*. The location map and Land Use Contract for Angela Drive is included as **Attachment 1**. **Attachment 2** and

Considered at the Regular Council Meeting of May 10, 2022

162

Attachment 3 compare the provisions of the land use contract to proposed RS1-S and RS1 zoning.

Table 1: Summary of Angela Drive LUC

Name:	Angela Drive
Number of Properties:	15
Addresses:	205-261 Angela Drive
Current Use:	Residential Dwelling Units
OCP Designation	Single Family Low Density
Underlying Zoning	RS1
Proposed New Zoning	RS1-S - 209-257 Angela Drive RS1 - 261 and 205 Angela Drive
LUC Intent:	Fifteen principal buildings for single family residential use along with such auxiliary buildings and off street parking as permitted under the regulations of 'Zoning By-law No. 1204, and such buildings shall be sited in accordance with the aforesaid Zoning By-law with no "Zero" lot line construction being permitted.

LUC Termination Bylaw and Rezoning Bylaws

To facilitate early termination of the LUC for Angela Drive and to rezone the properties to RS1-S and RS1, draft City of Port Moody Land Use Contract Termination Bylaw, 2022, No. 3351 (Angela Drive) is included as **Attachment 4**. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 68, 2022, No. 3354 (Angela Drive) (RS1) is included as **Attachment 5**. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 69, 2022, No. 3355 (Angela Drive) (RS1-S) is included as **Attachment 6**.

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

Considered at the Regular Council Meeting of May 10, 2022

163

Timeline and Next Steps

To rezone the properties at Angela Drive to RS1-S and RS1, the City will follow its established rezoning process as well as provincial LUC termination requirements, which include:

- notification letter to property owners (February 18, 2022);
- information meeting (March 8, 2022);
- Council to consider first and second readings of LUC Termination Bylaw and the related Zoning Bylaw amendments to rezone the properties to RS1-S and RS1 zone (May 10, 2022);
- Public Hearing (date TBD);
- Council to consider third reading and adoption of the Zoning Amendment and LUC Termination Bylaws (date TBD), but will need to occur prior to June 30, 2022;
- 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 Options

THAT the Land Use Contract associated with the properties at Angela 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. 3351, Bylaw No. 3354, and Bylaw No. 3355 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

Considered at the Regular Council Meeting of May 10, 2022

164

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. Map of Angela Drive and Land Use Contract.
2. Comparison of Angela Drive LUC and RS1-S Zone.
3. Comparison of Angela Drive LUC and RS1 Zone.
4. Draft City of Port Moody Land Use Contract Termination Bylaw, 2022, 3351 (Angela Drive).
5. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 68, 2022, No. 3354 (Angela Drive) (RS1).
6. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 69, 2022, No. 3355 (Angela Drive) (RS1-S).

Report Author

Jess Daniels
Policy Planner

Considered at the Regular Council Meeting of May 10, 2022

165

Report Approval Details

Document Title:	Termination of Land Use Contract at Angela Drive and Rezoning to RS1-S and RS1.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Map of Angela Drive and Land Use Contract.pdf- Attachment 2 - Comparison of Angela Drive LUC and RS1-S Zone.pdf- Attachment 3 - Comparison of Angela Drive LUC and RS1 Zone.pdf- Attachment 4 - Land Use Contract Termination Bylaw, 2022, No. 3351 (Angela Drive).pdf- Attachment 5 - Zoning Amendment Bylaw, 2022, No. 3354 (Angela Drive) (RS1).pdf- Attachment 6 - Zoning Amendment Bylaw, 2022, No. 3355 (Angela Drive) (RS1-S).pdf
Final Approval Date:	May 2, 2022

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

Mary De Paoli, Manager of Policy Planning - Apr 27, 2022 - 7:08 AM

Mary De Paoli for Kate Zanon, General Manager of Community Development - Apr 27, 2022 - 5:19 PM

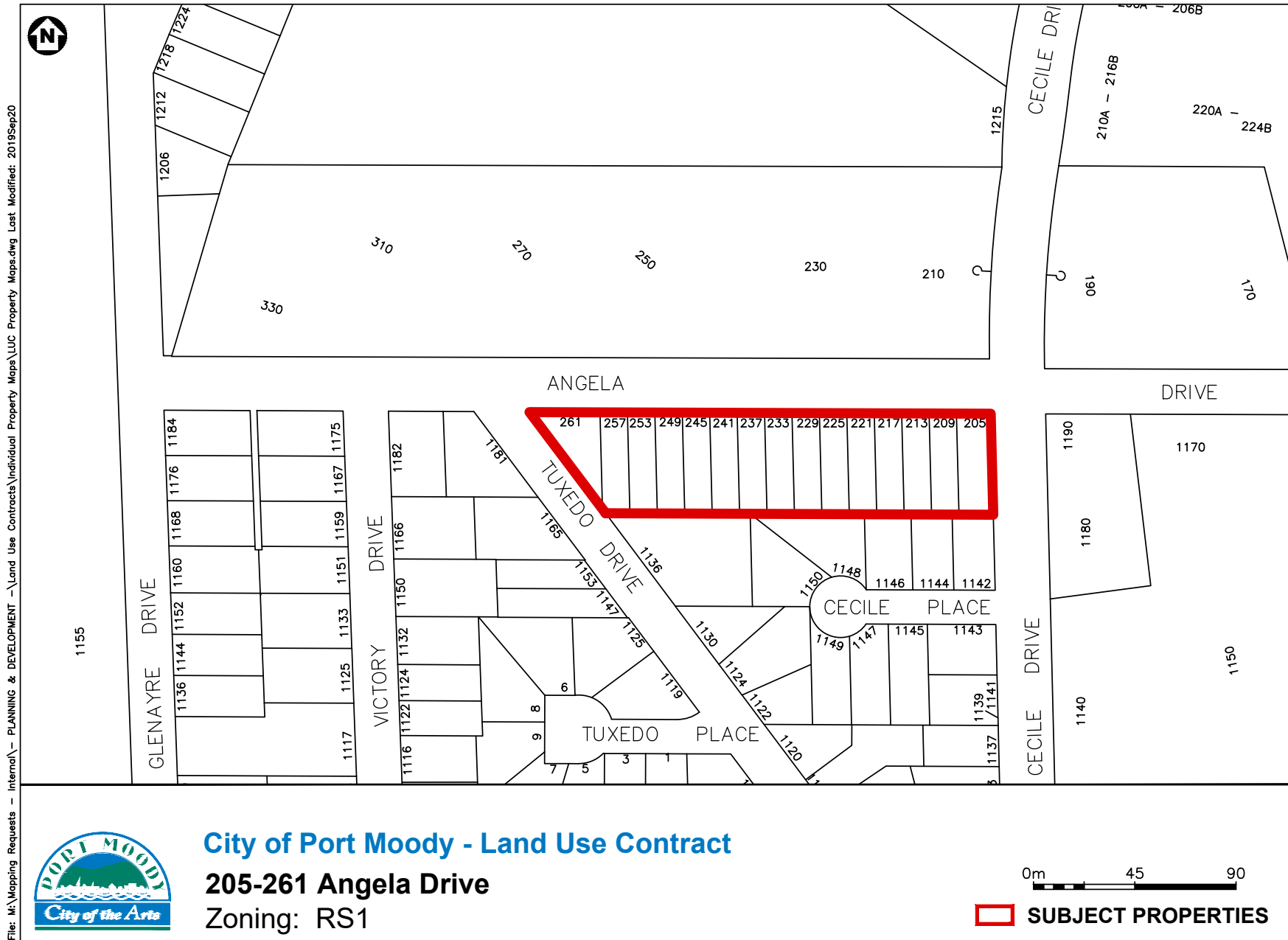
Rosemary Lodge, Manager of Communications and Engagement - Apr 28, 2022 - 10:40 AM

Paul Rockwood, General Manager of Finance and Technology - Apr 28, 2022 - 4:03 PM

Tim Savoie, City Manager - May 2, 2022 - 12:45 PM

Considered at the Regular Council Meeting of May 10, 2022

166



Considered at the Regular Council Meeting of May 10, 2022

167

CITY OF PORT MOODY

BY-LAW NO. 1353

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

WHEREAS by By-law No. 1277 of the City of Port Moody, dated the 7th day of June, 1976 the area of lands described as:

Lots 713, 714, 715, 716, 717, 718, 719, 720, 721, 722 and 723, District Lot 377, Group One, Plan 46144, New Westminster District

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. 1277 of the City of Port Moody, dated the 7th day of June, 1976, the City was authorized to enter into a Land Use Contract with the Owner for the use and development of the said Development 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 Social Recreation Centre, 300 Ioco Road, Port Moody, B.C. on the 9th day of August, 1977 at the hour of 7:30 p.m., was published in the issues of the "Columbian" Newspaper, dated, Wednesday, August 3rd, 1977 and Thursday, August 4th, 1977;

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. 6, Authorization By-law, 1977, No. 1353."

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.

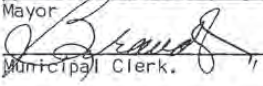
READ A FIRST TIME this 22nd day of AUGUST, 1977.

READ A SECOND TIME this 22nd day of AUGUST, 1977.

READ A THIRD TIME this 22nd day of AUGUST, 1977.

RECONSIDERED AND FINALLY ADOPTED this 12th day of September 1977


Mayor


Municipal Clerk.

I HEREBY CERTIFY that the above is a true copy of By-law No. 1353 of the City of Port Moody.

Municipal Clerk.

Considered at the Regular Council Meeting of May 10, 2022

Schedule "A" to By-law No. 1353

L.R.168 FILING NO. P-2003
Plan No. 54017
Date: January 6, 1978

LAND USE CONTRACT NO. 6, 5TH day of DECEMBER, 1977.

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")

INITIALS

OF THE FIRST PART

LTD.

AND

BLOCK BROS. CONTRACTORS, a corporate
body carrying on business at 5th Floor 1030
West Georgia 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 be 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 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. 1277 of the said City, dated the 7th day of June 1976, the area of lands described as:

Lots 713, 714, 715, 716, 717, 718, 719, 720,
721, 722, and 723, District Lot 377, Group
One, Plan 46144, N.W.D.

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

AND WHEREAS by the aforesaid By-law No. 1277 of the said City dated the 7th day of June, 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;

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 Social Recreation Centre, 300 Ioco Road, Port Moody, B.C. on Tuesday, August 9th, 1977 at the hour of 7:30 p.m., was published in the issues of the "Columbian" Newspaper, dated Wednesday, August 3rd, 1977 and Thursday, August 4th, 1977;

Considered at the Regular Council Meeting of May 10, 2022

169

Schedule "A" to By-law No. 1353

Land Use Contract No. 6, 1977
Block Bros. Contractors

Page 2 ...

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 of covenants hereinafter set forth, the City and the Owner covenant and agree as follows:

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

Lots 768,769,770,771,772,773,774,775,776,777,778,779,780,781,782.
District Lot 377 as shown on Subdivision Plan No. 54017
prepared by Helge J. Jacobsen, B.C.L.S., dated
SEPTEMBER 23, 1977,
marked Plan No. SB - 01 attached hereto, as
Schedule "1".

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)	<u>Drawing No.</u>	<u>Description</u>
	SB - 01	Subdivision Plan

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

(a) Permitted Uses of Land, Building and Structures

The following uses and no others shall be permitted:

Fifteen principal buildings for single family residential use along with such auxiliary buildings and off street parking as permitted under the regulations of Zoning By-law No. 1204, and such buildings shall be sited in accordance with the aforesaid Zoning By-law with no "Zero" lot line construction being permitted.

- (b) 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, the Port Moody Building and Plumbing By-law No. 1271 and reasonable access for fire fighting purposes shall be provided to all buildings.
- (c) 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.

Considered at the Regular Council Meeting of May 10, 2022

170

Schedule "A" to By-law No. 1353
Land Use Contract No. 6, 1977
Block Bros. Contractors

Page 3 ...

4. (d) 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.

(e) Municipal Services, Works and Utilities

All Utilities, including Water, Sanitary Sewer, Storm Sewer and Domestic Gas, shall be placed underground and shall be provided in accordance with, 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 installations.

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

(f) Warranty Programme

The Owner further covenants and agrees with the City that all buildings and structures to be constructed upon the said lands shall be registered under the "New Home Warranty Programme of British Columbia" prior to commencement of construction.

(g) 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.

(h) Amendments

This Land Use Contract may be amended for minor alterations to plans and specifications by written agreement of the City Building Inspector.

5. Covenants of Owner for Security for Due Performance

(a) The Owner covenants and agrees that he will commence construction of services 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 twenty - four months from commencement of construction.

(b) 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 servicing costs.

(c) The period of deposit or expiry date of letters of credit or other financial security shall be for a minimum period of 30 months from the execution date of this document or upon receipt of Completion Certificate.

(d) The Owner further covenants and agrees that ~~except with the prior approval of the City, no trees whose height is in excess of ten feet shall be cut in the back (south) twenty feet of each lot contained in this Land Use Contract.~~ except with the prior approval of the City, no trees whose height is in excess of ten feet shall be cut in the back (south) twenty feet of each lot contained in this Land Use Contract.

INITIALS



Considered at the Regular Council Meeting of May 10, 2022

171

Schedule "A" to By-law No. 1353

Land Use Contract No. 6, 1977
Block Bros. Contractors

Page 4

5. Covenants of Owner for Security for Due Performance (Continued)

- (a) 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. Such approval shall not unreasonably be withheld.
- (g) The Developer covenants to save harmless and effectually indemnify the City 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 City, 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 costs which may be incurred by reason of liens for non-payment of labour or materials, Workers' Compensation assessments, Unemployment Insurance, Federal or Provincial Tax, check-off and for encroachments owing to mistakes in survey.

6. Covenants of the City

The City hereby covenants and agrees with the Owner to permit the Owner 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 contract and to the attachments hereto.
- 8. It is understood and agreed that the City has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise), with the Owner other than those in this Contract.
- 9. WE, Block Bros. Contractors, 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.

INITIALS


Considered at the Regular Council Meeting of May 10, 2022

172

Schedule "A" to By-law No. 1353

Land Use Contract No. 6, 1977
Block Bros. Contractors

Page 5 ...

IN WITNESS HEREOF this Land Use Contract has been executed under signature of Norman Albert Patterson the Mayor, John Ingolf Brovold the Municipal Clerk, and under seal of the Corporation of the City of Port Moody, at Port Moody, British Columbia, the 5TH day of DECEMBER 1977.

The Corporate Seal of the Corporation)
of Block Bros. Contractors ~~xxx~~ Ltd. was)
hereunto affixed in the presence of:)

INITIALS





Owner Title)

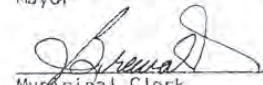
Peter Funk, Assistant Secretary)

Owner Title)

The Corporate Seal of the City of Port)
Moody was hereunto affixed in the)
presence of:)



Mayor)



Municipal Clerk)

Considered at the Regular Council Meeting of May 10, 2022

173

Schedule "A" to By-law No. 1353
Land Use Contract No. 6, 1977
Block Bros. Contractors

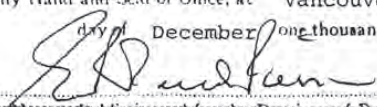
Page 6

BRITISH COLUMBIA
Form 143 - ...
(Rev. 7-68)

ACKNOWLEDGMENT OF OFFICER OF A CORPORATION

I HEREBY CERTIFY that, on the 2nd day of December, 1977,
at Vancouver in the Province of British Columbia,
Peter Funk ~~whose identity has been proved by the~~
~~notarization of the~~, who is) personally known
to me, appeared before me and acknowledged to me that he is the Assistant Secretary
of Block Bros. Contractors Ltd., and that he is
the person who subscribed his name to the annexed instrument as Assistant Secretary
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 and Seal of Office, at Vancouver
in the Province of British Columbia, this 2nd day of December one thousand nine hundred
and seventy-seven.

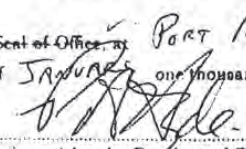

~~Notary Public in and for the Province of British Columbia~~
A Commissioner for taking affidavits for British Columbia
E. ROLAND PIERROT

BRITISH COLUMBIA
Form 143 - ...
(Rev. 7-68)

ACKNOWLEDGMENT OF OFFICER OF A CORPORATION

I HEREBY CERTIFY that, on the 6 day of January, 1978, ^{PA}
at the City of Port Moody in the Province of British Columbia,
~~whose identity has been proved by the~~ ^{PA}
evidence on oath of John Ingolf BROVOLD, 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 said City 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 and Seal of Office, at Port Moody
in the Province of British Columbia, this 6 day of January one thousand nine hundred
and eighty-eight. ^{eight} ~~seventy-seven~~ ^{PA}


A Notary Public in and for the Province of British Columbia
A Commissioner for taking affidavits for British Columbia

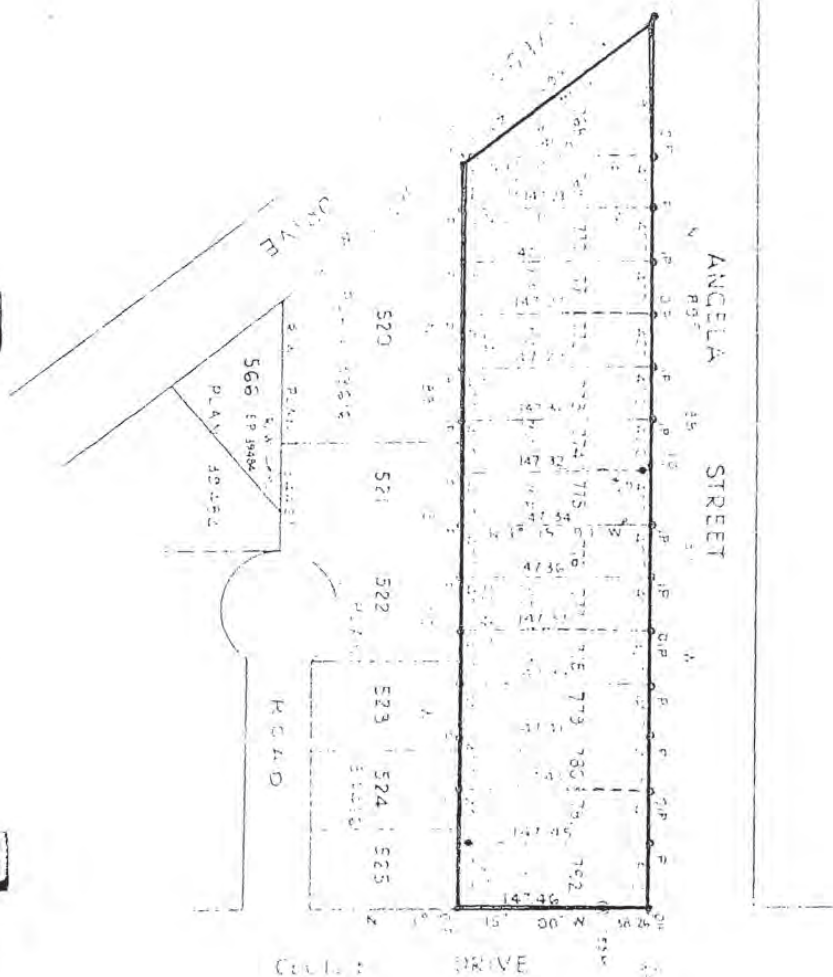
Considered at the Regular Council Meeting of May 10, 2022

174

PLAN NO. 54017

SUBDIVISION PLAN OF LOTS 713 to 723 inclusive
all of District Lot 377, Group 1, Plan 46144,
New Westminster District.

Schedule "1" of By-law No. 1353



Considered at the Regular Council Meeting of May 10, 2022

175

Attachment 2: Comparison of Angela Drive LUC and Port Moody Single Detached Residential – Small Lot (RS1-S)*

Provision	Land Use Contract (with references to Zoning Bylaw No. 1204, 1974)	RS1-S Zoning (Zoning Bylaw No. 2937, 2018)	Comments
Intent	Fifteen principal buildings for single family residential use along with such auxiliary buildings and off street parking as permitted under the regulations of 'Zoning By-law No. 1204, and such buildings shall be sited in accordance with the aforesaid Zoning By-law with no "Zero" lot line construction being permitted.	To accommodate single-detached Residential Structures on small Lots on areas designated in the Official Community Plan as Single Family Low Density in the neighbourhoods of Moody Centre, Seaview, and Pleasantide.	
Min. Lot Size	Not specified.	Lot Area - 325.0m ² Lot Width - 9.0m	Adds clarification.
Permitted Uses	Not specified.	Principal Uses: - Single Detached Residential Secondary Uses: - One of the following: • Bed and Breakfast • Boarding • Child Care • Community Care • Home Occupation – Type B ii. Detached Accessory Dwelling Unit (see section 5.5) iii. Home Occupation – Type A iv. Supportive Recovery v. Secondary Suite	Main use remains, further principal and secondary uses added/clarified.
Max. Lot Coverage	Not specified.	i. All Buildings and Structures – 45% total	Adds clarification.
Max. Floor Area	Not specified.	i. for Lots with a Lot Area of equal or greater than 555m ² : Floor Area Ratio of 0.5 ii. for Lots with a Lot Area of smaller than 555m ² : Floor Area Ratio of 0.7	Adds clarification.
Max. Building Height	Not specified.	i. Principal Building – the lesser of 3 Storeys and the vertical distance from Grade to the highest	Adds clarification.

Considered at the Regular Council Meeting of May 10, 2022

176

		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 ii. 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	
Min. Front yard setback	20ft or 6.1m	i. Principal Building – 6.0m ii. Accessory Building or Structure – rear of the principal Building Setback	Principal Building setback remains the same. Clarifies location of Accessory Building
Min. Rear yard setback	10ft or 3.05m	i. Principal Building – 7.5m ii. Accessory Building or Structure – 1.5m	Increases rear yard setback for Principal Building by 4.45m.
Min. Side yard setback	5 ft or 1.5m (interior) 10ft or 3.0m (exterior)	i. All Buildings or Structures (interior) – 1.5m ii. All Buildings or Structures (exterior) – 3.0m	Remains the same.
Min. Setback between Buildings	Not specified.	2.0 metres	Adds clarification.
Parking	Shall occupy not more than 30% of the surface of the lot area, not to exceed 450 square feet per dwelling unit, or shall be concealed parking.	2 spaces per principal Dwelling Unit. 1 space for exclusive use of the Secondary Suite.	Clarifies parking requirements.

*Applies to 209-257 Angela Drive

Considered at the Regular Council Meeting of May 10, 2022

177

Attachment 3: Comparison of Angela Drive LUC and Port Moody Single Detached Residential (RS1) Zoning*

Provision	Land Use Contract (with references to Zoning Bylaw No. 1204, 1974)	RS1-S Zoning (Zoning Bylaw No. 2937, 2018)	Comments
Intent	Fifteen principal buildings for single family residential use along with such auxiliary buildings and off street parking as permitted under the regulations of 'Zoning By-law No. 1204, and such buildings shall be sited in accordance with the aforesaid Zoning By-law with no "Zero" lot line construction being permitted.	To accommodate Single Detached Residential development and Detached Accessory Dwelling Units on standard urban Lots.	
Min. Lot Size	Not specified.	Lot Area -555.0m2 Lot Width -15.0m	Adds clarification.
Permitted Uses	Not specified.	Principal Uses: - Single Detached Residential Secondary Uses: - One of the following: • Bed and Breakfast • Boarding • Child Care • Community Care • Home Occupation – Type B ii. Detached Accessory Dwelling Unit (see section 5.5) iii. Home Occupation – Type A iv. Supportive Recovery v. Secondary Suite	Main use remains, further principal and secondary uses added/clarified.
Max. Lot Coverage	Not specified.	i. All Buildings – FAR of 0.5	Adds clarification.
Max. Floor Area	Not specified.	i. 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	Adds clarification.

Considered at the Regular Council Meeting of May 10, 2022

178

		<p>ii. 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>iii. Detached Accessory Dwelling Unit (see Section 5.5)</p>	
Max. Building Height	Not specified.	<p>i. 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>ii. 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>	Adds clarification.
Min. Front yard setback	20ft or 6.1m	<p>i. Principal Building – 6.0m</p> <p>ii. Accessory Building or Structure – rear of the principal Building Setback</p>	Principal Building setback remains the same. Clarifies location of Accessory Building
Min. Rear yard setback	10ft or 3.05m	<p>i. Principal Building – 7.5m</p> <p>ii. Accessory Building or Structure – 1.5m</p>	Increases rear yard setback for Principal Building by 4.45m.
Min. Side yard setback	5 ft or 1.5m (interior) 10ft or 3.0m (exterior)	<p>i. All Buildings or Structures (interior) – 1.5m</p> <p>ii. All Buildings or Structures (exterior) – 3.0m</p>	Remains the same.
Min. Setback between Buildings	Not specified.	2.0 metres	Adds clarification.
Parking	Shall occupy not more than 30% of the surface of the lot area, not to exceed 450 square feet per dwelling unit, or shall be concealed parking.	<p>2 spaces per principal Dwelling Unit.</p> <p>1 space for exclusive use of the Secondary Suite.</p>	Clarifies parking requirements.

*Applies to 261 & 205 Angela Drive



City of Port Moody

Bylaw No. 3351

A Bylaw to terminate the Land Use Contract for Angela 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. 3351 (Angela Drive)".

2. Land Use Contract Termination

- 2.1 The Land Use Contract between the Corporation of the City of Port Moody and the Black Bros Contractors Ltd., for the properties outlined and legally described in Schedule A, registered in the New Westminster Land Title Office under Filing Number P2003, is hereby discharged.

3. Repeal

- 3.1 City of Port Moody Land Use Contract No. 6, Authorization By-law, 1977, No. 1353 and all amendments thereto are hereby repealed.

4. Attachments and Schedules

- 4.1 The following schedule is attached to and forms part of this Bylaw:
 - Schedule A – List of Properties affected by charge number P2003 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.

Considered at the Regular Council Meeting of May 10, 2022

180

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.

Public Hearing held this ____ day of _____, 2022.

Read a third time this ____ day of _____, 2022.

Adopted this ____ day of _____, 2022.

R. Vagramov
Mayor

D. Shermer
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3351 of the City of Port Moody.

D. Shermer
Corporate Officer

Considered at the Regular Council Meeting of May 10, 2022

181

Schedule A

Schedule A

List of Properties affected by charge number P2003 filed at the New Westminster Land Title Office

Address	P.I.D.	Legal Description
205 Angela Drive	005-164-087	LOT 782 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
209 Angela Drive	005-164-079	LOT 781 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
213 Angela Drive	005-164-052	LOT 780 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
217 Angela Drive	005-164-028	LOT 779 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
221 Angela Drive	004-846-982	LOT 778 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
225 Angela Drive	005-164-010	LOT 777 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
229 Angela Drive	005-164-001	LOT 776 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
233 Angela Drive	002-033-089	LOT 775 OF DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
237 Angela Drive	005-163-978	LOT 774 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
241 Angela Drive	005-163-951	LOT 773 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
245 Angela Drive	005-163-943	LOT 772 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
249 Angela Drive	002-196-361	LOT 771 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
253 Angela Drive	005-163-927	LOT 770 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
257 Angela Drive	005-163-919	LOT 769 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
261 Angela Drive	005-163-901	LOT 768 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017



City of Port Moody

Bylaw No. 3354

A Bylaw to apply Single Detached Residential (RS1) Zoning to the properties previously subject to a Land Use Contract for Angela 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. 68, 2022, No. 3354 (Angela Drive) (RS1)".

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 Single Detached Residential (RS1):
- Schedule A – Angela Drive Map and List of Properties.

3. Attachments and Schedules

- 3.1 The following schedule is attached to and forms part of this Bylaw:
- Schedule A – Angela 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.

5. Effective Date

- 5.1 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.

Public Hearing held this ____ day of _____, 2022.

Read a third time this ____ day of _____, 2022.

Adopted this ____ day of _____, 2022.

Considered at the Regular Council Meeting of May 10, 2022

183

R. Vagramov
Mayor

D. Shermer
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3354 of the City of Port Moody.

D. Shermer
Corporate Officer

Considered at the Regular Council Meeting of May 10, 2022

184

Schedule A

Schedule A – Angela Drive Map and List of Properties



Considered at the Regular Council Meeting of May 10, 2022

185

Schedule A

List of Properties

Address	P.I.D.	Legal Description
205 Angela Drive	005-164-087	LOT 782 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
261 Angela Drive	005-163-901	LOT 768 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017



City of Port Moody

Bylaw No. 3355

A Bylaw to apply Single Detached Residential – Small Lot (RS1-S) Zoning to properties previously subject to a Land Use Contract for Angela 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. 69, 2022, No. 3355 (Angela Drive) (RS1-S)”.

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 Single Detached Residential – Small Lot (RS1-S):

- Schedule A – Angela Drive Map and List of Properties.

3. Attachments and Schedules

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

- Schedule A – Angela 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.

5. Effective Date

- 5.1 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.

Public Hearing held this ____ day of _____, 2022.

Read a third time this ____ day of _____, 2022.

Adopted this ____ day of _____, 2022.

Considered at the Regular Council Meeting of May 10, 2022

187

R. Vagramov
Mayor

D. Shermer
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3355 of the City of Port Moody.

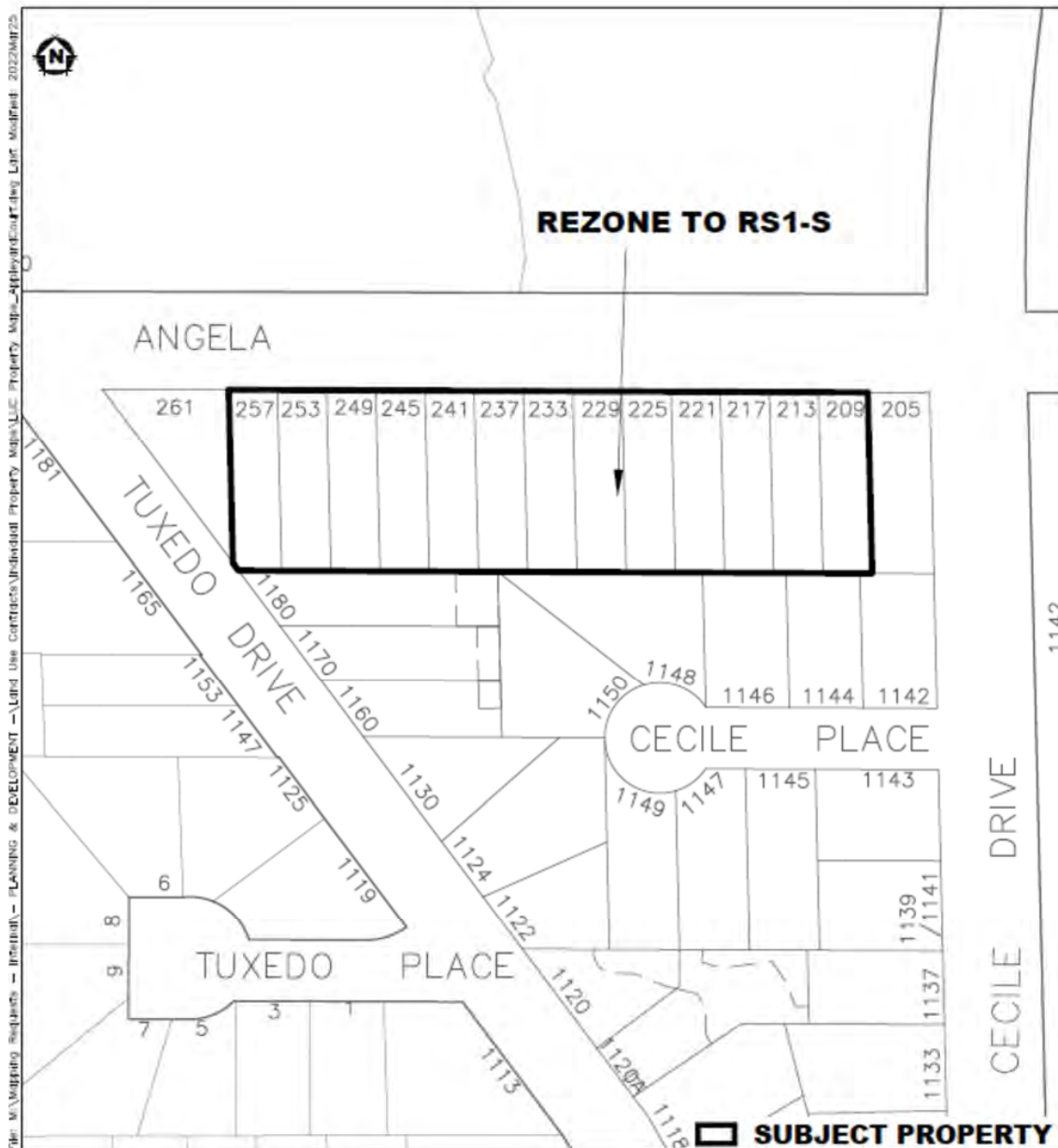
D. Shermer
Corporate Officer

Considered at the Regular Council Meeting of May 10, 2022

188

Schedule A

Schedule A – Angela Drive Map and List of Properties



Considered at the Regular Council Meeting of May 10, 2022

189

Schedule A

List of Properties

Address	P.I.D.	Legal Description
209 Angela Drive	005-164-079	LOT 781 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
213 Angela Drive	005-164-052	LOT 780 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
217 Angela Drive	005-164-028	LOT 779 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
221 Angela Drive	004-846-982	LOT 778 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
225 Angela Drive	005-164-010	LOT 777 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
229 Angela Drive	005-164-001	LOT 776 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
233 Angela Drive	002-033-089	LOT 775 OF DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
237 Angela Drive	005-163-978	LOT 774 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
241 Angela Drive	005-163-951	LOT 773 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
245 Angela Drive	005-163-943	LOT 772 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
249 Angela Drive	002-196-361	LOT 771 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
253 Angela Drive	005-163-927	LOT 770 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017
257 Angela Drive	005-163-919	LOT 769 DISTRICT LOT 377 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 54017