

CITY OF PORT MOODY

DEVELOPMENT PERMIT No. DP000028

TO: **1156038 B.C. LTD., INC.NO. BC1156038**
7495 Whelen Court
Burnaby, BC
V5E 1X4
(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 40 Block 2 District Lot 202 Group 1 New Westminster District Plan 55

Parcel Identifiers: 011-458-526

(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 (25 pages), dated October 12, 2022, prepared by Mara + Natha Architecture Ltd., on file with the City of Port Moody, attached as Schedule A, and any amendments thereto subsequently approved by the City.
- (b) Landscaping Plans (5 pages), dated October 12, 2022, prepared by pmg Landscape Architects on file with the City of Port Moody, attached as Schedule A, and any amendments thereto subsequently approved by the City.

Environmentally Sensitive Area

As a condition of issuance of this Development Permit, development of the property shall be in accordance with the following report:

- (a) Technical Memorandum RE: Watercourse Classification at 2222 Clarke St, Port Moody BC (16 pages), dated April 3, 2020 and revised January 20, 2021, prepared by Barsanti Environmental Services Inc. 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 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) any further geotechnical or other professional reports that are deemed necessary by the City. The Developer also acknowledges that the City may engage relevant professionals to conduct an independent peer review of any such reports, and that the cost of the peer review shall be borne by the Developer;
- (b) erosion and sediment control plan;
- (c) construction impact management plan;
- (d) a stormwater management plan;
- (e) a construction dust abatement plan;
- (f) a construction waste recycling plan;
- (g) a completed Engineering Servicing Agreement;
- (h) 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;
- (i) finalized grading plan, including coordinated on-site and off-site plans, once grades have been established, final building height to be confirmed;

- (j) the preparation and registration of all required legal documents (e.g. covenants, easements and statutory rights of way) on title of the property.
- 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 \$118,271.16 (on-site total of \$113,315.61 and off-site total of \$4,955.55, 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 two (2) percent of the cost of on-site landscaping (\$2,266.31) and four (4) percent of the cost of the off-site landscaping (\$198.22), in the amount of \$2,464.53, to be paid by cash or certified cheque.
- 5. 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 22nd of November, 2022.

CITY OF PORT MOODY, by its authorized signatories:

M. Lahti, Mayor

S. Lam, City Clerk

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