

CITY OF PORT MOODY

DEVELOPMENT PERMIT NO. DP000012

TO: **1143924 B.C. LTD.**
#204 – 5740 Cambie Street
Vancouver, B.C.
V5Z 3A6
(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 5 District Lot 190 Group 1 New Westminster District Plan 11618
PID: 009-553-843

Lot 6 District Lot 190 Group 1 New Westminster District Plan 11618
PID: 009-553-860

Lot 7 District Lot 190 Group 1 New Westminster District Plan 11618
PID: 002-389-886

Strata Lot 1 District Lot 190 Group 1 New Westminster District Strata Plan EPS669 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V
PID: 028-989-627

Strata Lot 2 District Lot 190 Group 1 New Westminster District Strata Plan EPS669 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V
PID: 028-989-635

Strata Lot 3 District Lot 190 Group 1 New Westminster District Strata Plan EPS669 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V
PID: 028-989-643

Strata Lot 4 District Lot 190 Group 1 New Westminster District Strata Plan EPS669 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V
PID: 028-989-651

Lot 1 District Lot 190 Group 1 New Westminster District Plan 11618
Except Plan 12019
PID: 009-610-812

Lot 2 District Lot 190 Group 1 New Westminster District Plan 11618
Except Plan 12019
PID: 003-597-393

The 404.4m² area shown in heavy black outline and identified as Lot A on Reference Plan EPP106548 dedicated as road on Plan 11618 District Lot 190 Group 1 New Westminster District, attached as Schedule A.

(the “**Lands**”)

3. 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 Area 2: Moody Centre Form and Character

- (a) Site and Architectural Plans (38 pages), dated August 15, 2023, prepared by WA Architects, on file with the City of Port Moody, attached as Schedule B, and any amendments thereto subsequently approved by the City.
- (b) Off-Site and On-Site Landscaping Plans (24 pages), dated October 6, 2023, prepared by M2 Landscape architecture on file with the City of Port Moody, attached as Schedule C, and any amendments thereto subsequently approved by the City.

Development Permit Area 5: Hazardous Lands

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) Flood Hazard Report titled “Flood Hazard Assessment Report for: 3017 [sic] St. Johns Street”, dated May 8, 2023, prepared by McElhanney Ltd., on file with the City of Port Moody, attached as Schedule D, and any amendments thereto subsequently approved by the City.

(b) Technical Memo titled “Flood Hazard Assessment Report for: 3017 [sic] St. Johns Street”, dated September 11, 2023, prepared by McElhanney Ltd., on file with the City of Port Moody, attached as Schedule E, and any amendments thereto subsequently approved by the City.

(c) Geotechnical Report titled “Geotechnical Investigation Report – Mixed Use Development 31-4, 3108 and 3112 St George Street, 123, 125, 127 and 129 Buller Street, and 3101 and 3103 St Johns Street Port Moody, BC”, prepared by Geopacific, on file with the City of Port Moody, attached as Schedule F, and any amendments thereto subsequently approved by the City.

4. Notwithstanding the regular requirements of City of Port Moody Zoning Bylaw 2018 No. 2937 the following variances are included in this Development Permit:

(a) Varying section 5.3.2(iv) Siting Exceptions to include balconies to be projected beyond the face of the principal Building, in accordance with section 5.3.2(iv).

The extent of the above variance is reflected in the plans that form part of this development permit as Schedule A.

5. The works contemplated in plans set out above shall be substantially started within two (2) years of the date of the issuance of this permit or the Development Permit will lapse.

6. Prior to the issuance of any building permit, including excavation, 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) erosion and sediment control plan;
- (b) construction environmental management plan;
- (c) a stormwater management plan;
- (d) a construction dust abatement plan;
- (e) a construction waste recycling plan;
- (f) a completed Engineering Servicing Agreement;

- (g) finalized grading plan, including coordinated on-site and off-site plans, once grades have been established, final building height to be confirmed;
- (h) the preparation and registration of all required legal documents (e.g., covenants, easements and statutory rights of way) on title of the property in accordance with the Development Agreement; and

7. As a condition of issuance of this Development Permit:

- (a) the Developer has provided to the City, a security (the "Securities") as set out in the amount of \$349,836.85 (on-site total of \$249,430.88 and off-site total of \$100,405.97, 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 2.2% of the cost of on-site landscaping (\$5,487.48) and 4.4% of the cost of the off-site landscaping (\$4,417.86), in the amount of \$9,905.34, to be paid by cash or certified cheque.

8. 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 _____, 2023.

CITY OF PORT MOODY, by its authorized signatories:

M. Lahti, Mayor

S. Lam, City Clerk

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Schedule A – Reference Plan EPP106548

Schedule B – Site and Architectural Plans

Schedule C – Off-Site and On-Site Landscaping Plans

Schedule D – Flood Hazard Report

Schedule E – Technical Memo

Schedule F – Geotechnical Report