

CITY OF PORT MOODY

DEVELOPMENT PERMIT NO. DP000049

TO: **ANTHEM LMV JAMES ROAD HOLDINGS LTD.,**
INC.NO. BC1323500
Suite 1100 Bentall IV
Box 49200
1055 Dunsmuir Street
Vancouver BC Canada
V7X 1K8

(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 A, PLAN NWP51504, DISTRICT LOT 190, GROUP 1, NEW WESTMINSTER
LAND DISTRICT

PID: 024-670-529

LOT 112, PLAN NWP57529, DISTRICT LOT 190, GROUP 1, NEW WESTMINSTER
LAND DISTRICT

PID: 005-606-322

LOT 100, PLAN NWP51504, DISTRICT LOT 190, GROUP 1, NEW WESTMINSTER
LAND DISTRICT

PID: 004-947-941

STRATA LOT 1, PLAN BCS1104, DISTRICT LOT 190, GROUP 1, NEW
WESTMINSTER LAND DISTRICT, TOGETHER WITH AN INTEREST IN THE
COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE
STRATA LOT AS SHOWN ON FORM 1 OR V, AS APPROPRIATE

PID: 026-156-539

STRATA LOT 2, PLAN BCS1104, DISTRICT LOT 190, GROUP 1, NEW
WESTMINSTER LAND DISTRICT, TOGETHER WITH AN INTEREST IN THE
COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE
STRATA LOT AS SHOWN ON FORM V

PID: 026-156-547

STRATA LOT 3, PLAN BCS1104, DISTRICT LOT 190, GROUP 1, NEW WESTMINSTER LAND DISTRICT, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V

PID: 026-156-555

STRATA LOT 4, PLAN BCS1104, DISTRICT LOT 190, GROUP 1, NEW WESTMINSTER LAND DISTRICT, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V, AS APPROPRIATE

PID: 026-156-563

- 3 (a) 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.

(i) Development Permit: Form and Character

1. Architectural Plans (51 pages), dated August 22, 2024, prepared by Integra Architecture Inc. on file with the City of Port Moody, attached as **Schedule A**, and any amendments thereto subsequently approved by the City.
2. Landscape Plans (9 pages) dated August 26, 2024, Rev. 5, prepared by P + A Landscape Architecture on file with the City of Port Moody, attached as **Schedule B**, and any amendments thereto subsequently approved by the City.
3. The ventilation shaft drawing (1 page) dated April 6, 2022, prepared by Integra Architecture Inc. on file with the City of Port Moody, attached as **Schedule C** and any amendments thereto subsequently approved by the City.

(ii) Development Permit: Hazardous Lands

1. "Geotechnical Investigation Report – Proposed Mixed-Use Development St. Johns Street at James Road, Port Moody, B.C.", dated June 14, 2021, prepared by GeoPacific Consulting Geotechnical Engineers, on file with the City of Port Moody, attached as **Schedule D**, and any amendments thereto subsequently approved by the City.

- (b) 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 acceptance:

- (i) a registered Housing Agreement as approved by City of Port Moody Bylaw No. 3409;
- (ii) a covenant registering the Geotechnical Investigation Report prepared by GeoPacific Consulting Geotechnical Engineers (**Attachment D**) on title;

- (iii) final landscape plans to address the potential installation of additional street trees and other plantings where feasible on St. Johns Street and Moray Street;
 - (iv) on- and off-site landscaping cost estimates based on the final accepted landscape plans prepared by P + A Landscape Architecture, including a 10% contingency, 5% for inflation charge and 5% GST charge;
 - (v) a Transportation Demand Management report to identify recommended measures to offset the reduction in parking spaces with a final report to be registered by covenant on title;
 - (vi) a construction impact management plan;
 - (vii) a stormwater management plan;
 - (viii) a construction dust abatement plan;
 - (ix) a construction waste recycling plan;
 - (x) a completed Engineering Servicing Agreement;
 - (xi) a subdivision plan consolidating the properties, including the closed portion of Moray Place, dedicating:
 - a 2.5m wide strip of land along the length of the property on James Road;
 - a 2.0m wide strip of land to enable the construction of a road connection between Moray Place and James Road; and
 - all required corner cuts for sight line purposes; and

indicating all required statutory rights-of-way, for the signature of the City's Approving Officer.
- (c) The works contemplated in plans set out in section 4(a)(i) hereto shall be substantially started within two (2) years of the date of the issuance of this permit or the Development Permit will lapse.
5. The works and services required in accordance with the Engineering Servicing Agreement are to be completed in compliance with the requirements of the City of Port Moody Works and Services Bylaw No. 1798, 1986 and the City of Port Moody Subdivision and Development Servicing Bylaw, 2010, No. 2831.
6. As a condition of issuance of this Development Permit,
- (a) the Developer has provided to the City, a security (the "Securities") in accordance with the amounts included in the final accepted on- and off-site landscape cost estimates. The Securities, in the form of separate letters 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, at stages, as the works are completed, to the satisfaction of, and at the sole discretion of, the City's General Manager of Community Development;
- (c) the Developer has paid to the City an on-site landscaping review fee of two and two tenths (2.2) percent of the cost of on-site landscaping and four and four tenths (4.4) percent of the cost of the off-site landscaping based upon the final cost estimate prepared by the project landscape architects following acceptance of the final landscaping plans, to be paid by cash or certified cheque.

AUTHORIZED BY COUNCIL RESOLUTION passed on the ____ of _____, 2024.

CITY OF PORT MOODY, by its authorized signatories:

M. Lahti, Mayor

S. Lam City Clerk

