

CITY OF PORT MOODY
DEVELOPMENT PERMIT NO. 2018-128

TO: **FL Group GP Ltd.**
806-788 Hamilton Street
Vancouver, BC V6B 0E9

1. This Development Permit is issued subject to compliance with all applicable City Bylaws except as specifically varied or supplemented by the 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 3, DISTRICT LOT 190 GROUP 1 NEW WESTMINSTER DISTRICT PLAN
11618

PID: 009-553-789

LOT 4, DISTRICT LOT 190 GROUP 1 NEW WESTMINSTER DISTRICT PLAN
11618;

PID: 009-553-819

3. The City of Port Moody Zoning Bylaw, 2018, No. 2937, Schedule D, Comprehensive Development Zones is varied in the case of Comprehensive Development Zone 75 (CD75), section 180.8 by reducing the total number of required parking spaces from 110 spaces to 106 spaces.
4. The City of Port Moody Zoning Bylaw, 2018, No. 2937, section 6.5 is varied by reducing the underground parking setback from the Front and the Exterior Side Lot Line Setback from 1.2m to 0.42m.
5. The following requirement is hereby imposed under section 490(1)(c) of the *Local Government Act*:
 - a) Substantial construction shall commence within two years of the date of the Council Resolution authorizing issuance of this Development Permit or the Permit will lapse.

6. The following requirements are hereby imposed under sections 489(b), 490(2), and (491(2), (4), (7), and (8) of the *Local Government Act*:
 - a) The site shall be developed in accordance with the attached plans and documents:
 1. Site, Architectural and Signage Plans: A-0.01, A-0.02, A-0.05, A-2.01, A-2.02, A-3.01 to A-3.05, A-4.01 to A-4.04, A5.01 to A5.04, A-6.01, A-6.02, A-6.04, and A8.01 to A-8.03 dated Rev. 5, March 6, 2020, prepared by GBL Architects, on file with the City of Port Moody, marked "ACCEPTED FOR DEVELOPMENT PERMIT PURPOSES", April 14, 2020, attached as Schedule A and any amendments thereto subsequently approved by the City; and
 2. Landscaping Plans: L1, L2, L3, L4, L5, L6, L7, and L8 dated Rev. 11, March 6, 2020, prepared by M2 Landscape Architecture on file with the City of Port Moody, marked "ACCEPTED FOR DEVELOPMENT PERMIT PURPOSES", April 14, 2020, attached as Schedule B, and any amendments thereto subsequently approved by the City; and
 - b) Notwithstanding any other provisions of this Permit, no works shall be performed upon the Land nor shall any building or structure be erected, constructed, repaired, renovated, or sited that is not strictly in accordance with all terms and conditions of this Permit.
7. 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:
 - a) revised landscape plans L1 and L2 to relocate the planting and seating on the Buller Street sidewalk onto the site and to replace the 'Worplesdon' Sweet Gum street trees with an alternate species as determined by the Parks Department;
 - b) revised landscape cost estimates for all on- and off-site landscape works based on the final accepted landscape plans;
 - c) a final stormwater management plan;
 - d) finalized civil engineering plans;
 - e) an executed Engineering Servicing Agreement;
 - f) a construction dust abatement plan;
 - g) a construction waste recycling plan;
 - h) a construction traffic management plan;
 - i) a plan of subdivision consolidating the two properties;
 - j) a registered Green Building Covenant to ensure that the project achieves a minimum of 65.5 points equivalent to the BuiltGreen® building and energy performance 'Gold' level in accordance with the report from Kane Consulting dated February 19, 2019;
 - k) a registered geotechnical and flood covenant; and
 - l) a signed contract with the Modo car share company for the provision of a car share vehicle at the development site, the provision of a minimum of 58 partner memberships and for the purchase of 100 Membership Shares.

8. The following requirements are hereby imposed under sections 502(1), 502(2), and 502(3) of the *Local Government Act*:
- a) A security deposit (the "Security") shall be provided for all on-site and off-site landscaping in accordance with the approved cost estimates. The Security, in the form of a letter of credit, shall be made out to the City and shall be provided prior to issuance of a building permit for the proposed development on the Land to ensure that the development is carried out in accordance with the terms and conditions set out herein. 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 Security 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 Planning and 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 the on-site landscaping and four (4) percent of the cost of the off-site landscaping, to be paid by cash or certified cheque.
9. 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. 189, 1986 and the City of Port Moody Subdivision and Development Servicing Bylaw, 2010, No. 2831.

AUTHORIZED BY COUNCIL RESOLUTION passed on the ____ day of _____, 2020.