

CONSOLIDATED FOR CONVENIENCE

City of Port Moody Bylaw No. 1789

A bylaw to require the provision of works and services upon subdivision approval or issuance of a building permit

Preamble Amended by Bylaw No. 1855

WHEREAS Section 989 of the Municipal Act R.S.B.C. 1979, c. 290 empowers City Council to require the provision of works and services as a condition of subdivision approval or issuance of a building permit;

NOW THEREFORE the Council of the City of Port Moody in open meeting assembled enacts as follows:

1 TITLE

1.1 This Bylaw may be cited as "City of Port Moody Works and Services Bylaw No. 1789, 1986".

2 LEGISLATION

2.1 In this bylaw:

**Amended
by Bylaw
No. 1885**
→ "works and services" means those highway, water, sewage disposal, storm drainage, street lighting, sidewalk, underground utility and other works and services set out in **Section 15.0 of the "City of Port Moody Subdivision Services Bylaw, 1987, 1804"** all as constructed to the standards established in the Subdivision Bylaw and its schedules.

Section 2.2 replaced by Bylaw No. 1855

2.2 The owner of land shall, to the extent that works and services have not been previously provided:

2.2.1 prior to the approval of a subdivision of land, provide works and services directly attributable to the development on that portion of a highway immediately adjacent to the site being subdivided, up to the centre line of the highway; and

2.2.2 prior to the issuance of a building permit, provide works and services directly attributable to the development on that portion of a highway immediately adjacent to the site being developed, up to the centre line of the highway.

Section 2.2(a) added by Bylaw No. 1855

2.2(a) The requirements of this bylaw do not apply in the case of building permits issued for:

- (a) one or two family dwellings and additions to such dwellings; or
- (b) any construction valued at less than \$50,000, provided that this exemption is not applicable when building permits authorizing construction exceeding \$50,000 in value are issued for the same parcel of land in any 365 day period.

2.3 The requirements imposed in Section 2.2 shall be satisfied prior to the issuance of a building permit notwithstanding that all or part of the works and services could have been required at the time of subdivision of the land but were not then provided.

2.4 Notwithstanding Section 2.1 the works and services required pursuant to Section 2.2 shall exclude works and services covered by any development cost charge bylaw, provided that where the owner agrees to provide works and services covered by a development cost charge bylaw, the amount of the development cost charge shall be reduced accordingly.

2.5 All works and services required pursuant to Section 2.2 shall be constructed and installed at the expense of the owner of the land being subdivided or developed, unless the owner:

2.5.1 deposits with the City, cash, a certified cheque, or letter of credit in the amount of the cost of constructing and installing the works and services, as estimated by the City Engineer; and

2.5.2 enters into an agreement as provided for in Section 11 of the Subdivision bylaw to construct and install the works and services by a specified date or forfeit the security.

**Amended
by Bylaw
No. 1885**
→

READ A FIRST TIME this 3rd day of February, 1986.

READ A SECOND TIME this 3rd day of February, 1986.

READ A THIRD TIME this 3rd day of February, 1986.

ADOPTED this 10th day of February, 1986.

"D. Driscoll"
Mayor

"P. Goodwin"
City Clerk