



City of Port Moody

Report/Recommendation to Council

Date: September 24, 2024
Submitted by: Community Development Department – Development Planning Division
Subject: OCP Amendment, Rezoning and Housing Agreement – 3180-3190 St. Johns Street and 81-89 Moray Street (Anthem 3180 St. Johns Holdings Ltd.)

Purpose

To present for Council consideration, the first and second readings of an OCP Amendment Bylaw, Rezoning Bylaw and Housing Agreement Bylaw to facilitate the development of a mixed-use residential, institutional and commercial project.

Recommended Resolutions

THAT City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 37, 2024, No. 3469 (3180-3190 St. Johns Street and 81-89 Moray Street) and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 96, 2024, No. 3463 (3180-3190 St. Johns Street and 81-89 Moray Street) (CD96), be read a first and second time as recommended in the report dated September 24, 2024 from the Community Development Department – Development Planning Division regarding OCP Amendment, Rezoning, and Housing Agreement – 3180-3190 St. Johns Street and 81-89 Moray Street (Anthem 3180 St. Johns Holdings Ltd.);

AND THAT Bylaw No. 3469 and Bylaw No. 3463 be referred to a Public Hearing;

AND THAT City of Port Moody Housing Agreement Bylaw, 2024, No. 3480 (3180-3190 St. Johns Street and 81-89 Moray Street) (Market and Below-Market) be read a first, second, and third time.

Executive Summary

Anthem Properties Group has submitted a development application for the property located at 3180-3190 St. Johns Street and 81-89 Moray Street as shown on the Location Map (**Attachment 1**). The mixed-use project consists of three components: a two-storey institutional/cultural facility (a Jamat Khana); a 12-storey residential structure with 128 market and below-market rental units over a four-storey, above-grade parking structure and two levels of underground parking; and 237m² (2,552ft²) of commercial floor area along Moray Street. The residential component consists of 115 market rental units and 13 below-market rental units ranging from studios to three-bedroom units.

Background

Anthem Properties submitted an application on November 16, 2022, proposing a mixed-use project consisting of a 12-storey residential tower over above-grade parking, with separate institutional/cultural and commercial components. The residential component consisted of 64 market rental and 64 below-market rental units. The initial application was presented to the Land Use Committee, the City Initiatives and Planning Committee for early input, and the Advisory Design Panel. The motions from both Committees and the Panel follow:

Land Use Committee – February 6, 2023

LUC23/002

THAT the Land Use Committee recommends the land use for Development Application – 3180-3190 St. Johns Street and 81-89 Moray Street (Anthem Properties Group) is appropriate subject to the applicant addressing the following specific items:

- consider permitting access by all residents to rooftop green space;
- consider equal access to residential units by all members of the public;
- consider the reallocation of parking space use for both residents and religious space users including ensuring that all two- and three-bedroom units have at least one parking space;
- consider increasing balcony size for all residential units but not at the cost of reducing unit sizes; and
- consider changing the unit sizes to prioritize larger units.

City Initiatives and Planning Committee – February 21, 2023

CIPC23/013

THAT staff and the applicant consider the comments provided during the City Initiatives and Planning Committee meeting held on February 21, 2023, regarding the development application presented in the report dated February 13, 2023, from the Community Development Department – Development Planning Division regarding Early Input – Mixed-Use Development Application – 3180-3190 St. Johns Street and 81-89 Moray Street (Anthem Properties Group).

Advisory Design Panel – March 23, 2023

ADP23/002

THAT the proposed Mixed Use Development Application – 3180-3190 St. Johns and 81-89 Moray Street (Anthem Properties Group) be endorsed subject to the applicant addressing the following specific items:

- explore the use of permeable pavers at grade;
- study possibility of increasing number of public bike parking stalls at grade;
- investigate possibility of reducing the slope along Moray Street to less than 10%;
- develop currently proposed shading to offer both shading and cover from the elements;
- explore prevention of root heave at street trees;
- investigate integration of natural (trees) or manmade (pergolas, umbrellas) shading elements on the Jamat Khana roof;
- consider expanding rooftop amenity to include opportunities for urban agriculture;

- investigate opportunities for secondary public art at street level or on the residential tower;
- provide more detail on the strategies to enhance soil quantities for trees at grade and on the roof to provide healthy environment for tree growth;
- explore use of climbing plants on the Jamat Khana roof and possibly at grade;
- explore possible integration of a pet friendly space on-site or adjacent to the residential exterior amenity space;
- investigate possibility of increasing size of bedrooms and kitchens in each unit by revisiting the unit mix per floor;
- investigate with the City to provide more bicycle infrastructure to support the project's proposed bicycle parking;
- investigate opportunities for secondary public art at street level or on the residential tower;
- study possibility of adding at grade retail along Moray Street or/ and Golden Spike Lane;
- investigate accentuation of the residential entrance to make it more visible;
- to provide conditions for large, healthy street trees to thrive between the travel lane and the sidewalk, provide wider beds, more setbacks for street soil cells and avoid overhead powerlines;
- consider increasing the size of rooftop planters for healthy plant and tree growth, including an air gap along the planter sides to prevent soil from getting too hot, and include irrigation to support healthy establishment of planting;
- investigate potential rain gardens and/or green infrastructure at grade; and
- provide motion sensors for parkade and hallway lighting.

The initial application has been revised taking into account the Land Use Committee, CIPC, and ADP comments, as well as staff comments. Some of the key responses are outlined in the Project Description. Responses to the ADP motion will be addressed in greater detail as part of a future development permit report should the OCP amendment and Rezoning Bylaws proceed.

Discussion

Property Description

The subject site is comprised of a single parcel located north of St. Johns Street at Moray Street. The site is occupied by two buildings: a two-storey commercial building over an underground parkade fronting onto St. Johns Street, containing a restaurant and various office uses and, to the north, a multi-unit light industrial building with several auto servicing/repair businesses. The gross site area is 3,810m² (41,006ft²), however, the City requires the dedication of a 2.5m (8.2ft) strip along St. Johns Street and a corner cut at St. Johns Street and Moray Street for road infrastructure and sight line purposes which reduces the net lot area to 3,697.3m² (39,798ft²). The key feature of the site is the grade which slopes down from St. Johns Street to Golden Spike Lane by an average of 4.7m (15.5ft). There are no environmentally sensitive elements on the site to be considered.

Official Community Plan (OCP)

The site is designated Mixed Use – Inlet Centre in the OCP as shown on OCP Land Use Designations Map (**Attachment 2**). Based on the land use definition in the OCP, 'Mixed Use – Inlet Centre is intended to serve as a focal point of pedestrian-oriented, high-density

development and permits a mix of residential, retail, office, commercial, civic, recreational and cultural/religious institutional uses.

The site is also included in the Evergreen Line Inlet Centre Transit-Oriented Development Sub-Area. The objectives of this designation are to create a range of uses and concentrate density within proximity of the Inlet Centre station in buildings not exceeding 26 storeys in height, although Policy 5 in Section 15.5.7 specifically limits height in the 3200-Block on the north side of St. Johns Street, including the subject site, to 12 storeys.

The site is also situated within 800m of both the Inlet Centre and Moody Centre Station Transit Oriented Areas created as a result of the Province's enactment of Bill 47, permitting development up to eight storeys in height and a Floor Area Ratio of 3.0.

Lastly, the site is located within Development Permit Area 5 (DPA5) – Hazardous Lands due to the potential for soil liquefaction during a seismic event. This issue will be addressed at the building permit stage if the project proceeds.

Zoning

As shown on the Zoning Designation Map (**Attachment 3**), the site is split-zoned with the portion used for commercial purposes zoned General Commercial (C3) and that portion used for light industrial purposes zoned Light Industrial (M1).

Neighbourhood Context:

Surrounding development consists of:

- West: several properties occupied by auto dealerships, zoned Auto Sale and Service (C5);
- East: an industrial building containing a number of auto servicing-related businesses, zoned Light Industrial (M1);
- North: Golden Spike Lane, the Evergreen Line guideway and CP rail lines; and
- South: developed properties, including a Dairy Queen restaurant (C5), a recently constructed rental residential building containing 142 rental units and a site, currently under application involving the development of a mixed commercial/residential building proposing 180 market rental units. To the southeast is a retail pharmacy, zoned General Commercial (C3).

Proposal

As illustrated on the project architectural and landscape plans (**Attachments 4a, 4b, 4c, and 5**), the proposal involves the development of a mixed-use building consisting of a two-storey Jamat Khana, an institutional/cultural space for the local Ismaili community, a 12-storey residential component consisting of 115 market rental and 13 below-market rental units, set on a four-storey, above-grade parkade and two levels of underground parking. The Jamat Khana will replace the space used by the Ismaili community formerly located in a building on the south side of St. Johns Street at James Road which is the subject of an on-going rezoning and development permit application. Access to parking is provided at two points: one off Moray Street and one off Golden Spike Lane.

The net floor areas of the three uses within the project are: Residential – 7,989m² (85,995ft²); Jamat Khana – 742m² (31,429ft²) and, Commercial – 237m² (2,552ft²) for a net building area, excluding the parking structure and other allowable exclusions, of 11,148.3m² (119,976ft²). Based on the net lot area, the Floor Area Ratio is 3.01.

The residential component is comprised of a mix of studio, one-, two-, and three-bedroom units as illustrated in the following table:

Unit Type	Total Number of Units	% of Total	Market Rental	Below-Market Rental	# of Adaptable Units	Av. Unit Size (ft ²)
Studio	21	16.4	17	4	10	352
1-Bed	65	50.8	59	6	23	508
2-bed	32	25	30	2	31	814
3-bed	10	7.8	9	1	0	955
Totals	128	100	115	13	64	

Other key aspects of the proposal include:

- 317 parking spaces, including 208 spaces for the Jamat Khana, 104 residential spaces, inclusive of visitor spaces, and 5 commercial spaces;
- 271 long- and short-term residential and Jamat Khana bicycle parking spaces which exceeds the current Zoning Bylaw requirement of 204 spaces;
- an indoor residential amenity room, 241.6m² (2,601ft²) in area, located on the first level of the residential tower complemented by an adjacent outdoor amenity area, 290m² (3,120ft²) in area;
- a landscaped courtyard on the roof of the Jamat Khana, approximately 775m² (8,343ft²) in area, which provides a variety of outdoor social interaction opportunities for the Jamat Khana patrons; and
- a culturally significant Mashrabiya screen affixed to the south, north and east elevations.

The applicant's Letter of Intent outlining the project is included as **Attachment 6**, however, this letter was submitted with the initial application and the project has since undergone revisions, in particular, to the mix of market vs. below-market rental units.

With reference to the earlier comments from the two committees:

- the residents in the rental units will not have access to the roof of the Jamat Khana but they do have their own indoor/outdoor amenity area;
- the residential units will be available to the general public;
- the parking spaces will be assigned on an as-needed basis, rather than to individual units;
- the number of larger two- and three-bed units has increased from 21 to 42;

Comments on the ADP motion will be provided as part of a future development permit report.

Parking

The Zoning Bylaw requires a total of 447 spaces consisting of: 292 spaces for the Jamat Khana, 115 spaces for the market rental units, 11 spaces for the below-market units, 23 residential visitor spaces, and six commercial spaces. The applicant has proposed a total of 317 spaces, a reduction of 130 spaces. The majority of the reduction (84 spaces) is associated with the Jamat Khana use.

Under the Transit-Oriented Areas Bylaw No. 3465, adopted in June 2024, no parking is required for the residential use subject to the acceptance of a Transportation Demand Management report. However, the applicant wishes to provide parking for the residential use and has suggested a ratio of 0.75 spaces/unit which results in a total residential requirement of 104 spaces. The proposed parking approach is included in the draft Rezoning Bylaw No. 3463. Prior to consideration of a development permit, staff will work with the applicant to define a specific set of TDM measures to offset the parking reduction.

A development Application Summary is provided as **Attachment 7**.

Acoustics

Given the proximity to the site to the CN Rail lines and the Evergreen Line guideway, the applicants have provided a report from an acoustic consultant summarizing the potential for ground vibration and airborne noise. The report includes recommendation the building design and materials to manage the noise from the rail uses in accordance with applicable standards. The report is included as **Attachment 8**. If the project proceeds, the report will be registered on title by covenant to ensure that the recommendations are addressed in a building permit submission.

Sustainability Report Card

A copy of the latest scored Sustainability Report Card is included as **Attachment 9**. Overall, for all pillars, the project scores 42%. There may be other opportunities to increase the scoring which will be identified through the final review of the project plans.

Implementation

With the inclusion of the above grade parking, necessitated by the existing site grades, the overall height of the residential component is 16 storeys (4 storey parking podium with 12 storey residential structure above). Therefore, implementation of the project requires an OCP amendment (Bylaw No. 3469 – **Attachment 10**). Staff are also recommending an amendment to the wording of Policy 5 in Section 15.5.7 to delete the reference to the subject property and to add a new Policy 6 to bring the description of the permitted uses in the land use definition for Mixed Use – Inlet Centre. Rezoning Bylaw No. 3463 (**Attachment 11**) establishes a new Comprehensive Development Zone 96 with land use and development regulations tailored specifically to the project.

With respect to the rental units, the applicant had initially indicated that 64 (50%) of the units would be below-market rental units with rents set at 20% below the current CMHC median rents for the Tri-Cities area and secured by a Housing Agreement with a 60 year term. However, the applicant subsequently advised (**Attachment 12**), that it is not economically feasible to provide that number of below-market units and proposed a reduction to 13 below-market units. While

staff would prefer a greater number of below-market units as originally proposed, below-market units are not required for this project under the Inclusionary Zoning – Affordable Rental Units Policy.

Based on the applicant’s revised proposal, Housing Agreement Bylaw No. 3480 (**Attachment 13**):

- stipulates that the 13 below-market units will be rented at 20% below CMHC average rents in the Tri-Cities;
- establishes a term of 60 years for the agreement;
- prohibits the strata subdivision of the project with the exception that the commercial units may be subdivided by way of an air space parcel;
- prohibits the demolition of any rental unit unless the extent of damage precludes repair and, the building may not be demolished unless it is damaged to more than 75% of its value above its foundation; and
- includes plans identifying the location of the below-market units.

Policy/Plan Review

For Council’s reference, the following table outlines the project’s compliance with applicable OCP policies and targets:

Policy/Target	
Appropriate Development <ul style="list-style-type: none"> • Transit-Oriented Development 	<u>Staff Comment:</u> The project is consistent with the intention to focus higher density development around Evergreen Line stations and along transit corridors.
Well-Served Development	To support higher density development only where it is well served by public transit, by public amenities such as parks, pedestrian connections, and civic facilities, by public schools, and by commercial and other services. <u>Staff Comment:</u> While the project may not be close to park facilities, it does address the other criteria noted.
Prioritizing Higher Density Development Policy	The policy includes a list of criteria for the consideration of applications. <u>Staff Comment:</u> The project generally satisfies the policy criteria.
Inclusionary Zoning – Affordable Rental Units Policy	As 100% of the units will be rental units the Policy does not apply.
Family-Friendly Units Policy	The policy also allows for in-board bedrooms in a maximum of 50% of any three-bedroom units and references the need for the provision of children’s play areas. <u>Staff Comment:</u> The studio, one bedroom, and two-bedroom units complies with the standards set in the policy, but the number of three-bedroom

	units is slightly less than the 10% minimum recommended. The three-bedroom units are designed without any in-board bedrooms and the residential amenity does include an outdoor area, but based on current plans, it does not incorporate any children’s play equipment. Staff recommend that a children’s play space be included in the outdoor area.
Transportation Access/Egress	<u>Staff Comment:</u> The land dedication along St. Johns Street will enable future improvements to the street including the provision of pedestrian and cycling infrastructure. The applicant will also be required to reduce the grade of Moray Street to aid in improved traffic movements which will be addressed through an engineering services agreement.
Commercial Space	<u>Staff Comment:</u> The project has ben revised to incorporate a small amount of commercial space along Moray Street, but no specific uses have been defined.
Master Transportation Plan – Improvements to Pedestrian and Cyclist Mobility	<u>Staff Comment:</u> The site is adjacent to planned off-site cycling improvements on St. Johns Street.
Arts and Culture Master Plan	<u>Staff Comment:</u> A specific public art installation is not required under the City’s Public Art Policy given that the project provides below market housing, although the applicant is installing a Mashrabiya screen, which is an artistically designed, culturally significant design element.
Climate Action Plan – focus on directing growth to reduce emissions through the management of development patterns and improving the energy performance of buildings	<p>Council declared a Climate Emergency in September 2019 and set an ambitious course for Climate Change adaptation and mitigation. One key goal is to accelerate a change in modal split from car usage to other modes of transportation including a target that residents walk, cycle, or take transit for 40% of trips by 2030.</p> <p><u>Staff Comment:</u> The proposed reduction in parking rates for the residential units and a reduction in the number of parking spaces for the Jamat Khana use will assist in achieving that target. Future redevelopment of the properties to the east will provide opportunities to improve the pedestrian environment and access to Inlet Station. The buildings will be designed to adhere to Energy Step Code 3 with a low carbon energy system.</p>

Concluding Comments:

The development proposal has been evaluated in the context of relevant City policies, including the OCP and the Corporate Policy: Prioritizing Higher Density Development and, the Climate Action Plan. Overall, despite the need to amend the OCP to allow for the greater building height and ensure that the permitted uses are consistent between the definition of Mixed Use – Inlet

Centre and the Inlet Centre TOD Area, the project complies with the applicable land use and growth management objectives and housing policy by addressing the housing needs of different segments of the market. The project is generally well-conceived and functional, accommodating a complex program of spaces and needs, as well as taking into account the grade difference through the length of the site. The proposed Mashrabiya screen is a defining feature which effectively reduces the visual impact of the dominant podium structure and enhances the overall project appearance.

Other Options

Council may consider either of the following options:

1. Defeat OCP Amendment Bylaw No. 3469 and Rezoning Bylaw No. 3469; or
2. Defer consideration of Bylaw No. 3469 and Bylaw No. 3463 and refer the application back to staff and the applicant to address the following issues:

<insert issues of concern>

Financial Implications

In terms of financial implications, the project is not subject to the payment of CACs or DCCs. However, the site is located within the 215A Levy Area. The 215A Levy is payable at \$7,652.41/residential unit and \$76.51/m² for commercial floor area, excluding the Jamat Khana floor area, which amounts to a total payable of \$997,641.35. The project is also subject to the payment of a School Site Acquisition Charge. As the project exceeds 200 units/hectare, the charge is based on a rate of \$600/unit which results in a total charge of \$76,800.

Communications and Public Engagement Initiatives

A notification sign informing the public of the development application was placed on the site at the time of application submission in accordance with City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918.

A Community Information Meeting was held on November 2, 2023, to allow for community input. The meeting was attended by 38 area residents. Staff received 46 written comments of which 44 indicated their support for the project and two were undecided. Comments in support related to:

- the need for the Jamat Khana as a community resource;
- support for the rental and below-market rental unit mix;
- the project design;
- provision of space for small businesses; and
- overall, a great addition to the local community.

Other comments related to the purpose of the commercial space, the excessive amount of parking and the number of studios and one-bedroom units.

It should be noted that this meeting was held prior to the applicant's decision to reduce the number of below-market units.

As indicated in the EngagePM summary report (**Attachment 14**), a total of 118 comments were received. Of those comments, 81 were supportive, 23 were opposed, and 14 had a mixed reaction to the proposal. Comments of support generally related to support for the building design and the provision of for rental housing including below-market rental units. Issues of concern were generally around amount of parking, desire for more commercial uses and more below market units.

If the OCP Amendment and Rezoning Bylaws receive first and second reading, the public will have an opportunity to comment at a Public Hearing. Standard public notification will occur including: a mail-out notification to adjacent residents and property owners, notification on the City's web site and the site development sign will be updated with the date and time of the Public Hearing.

Council Strategic Plan Goals

The recommendations in this report align with the following Council Strategic Plan Goals under the Strategic Priority Areas of Healthy Community Development, Resilient Natural Environment, and Vibrant and Prosperous Community:

- Strategic Goal 2.2 – Advance climate change mitigation and adaptation;
- Strategic Goal 3.1 – Create complete and connected communities through balanced growth; and
- Strategic Goal 4.1 – Improve the local business climate.

Attachments

1. Location Map.
2. OCP Land Use Designations Map
3. Zoning Designations Map.
- 4a. Architectural Plans
- 4b. Architectural Plans
- 4c. Architectural Plans
5. Landscape Plans.
6. Applicant's Letter of Intent.
7. Development Application Summary.
8. Acoustic Report.
9. Sustainability Report Card.
10. Draft OCP Amending Bylaw No. 3469.
11. Draft Rezoning Bylaw No. 3463.
12. Letter From Applicant Regarding Changes to Unit Mix.
13. Draft Housing Agreement Bylaw No. 3480.
14. EngagePM Summary Report.

Report Authors

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Report Approval Details

Document Title:	OCP Amendment, Rezoning, and Housing Agreement – 3180-3190 St. Johns and 81-89 Moray (Anthem 3180 St. Johns Holdings Ltd.).docx
Attachments:	<ul style="list-style-type: none"> - Attachment 1 - Location Map (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 2 - OCP Land Use Designations Map (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 3 - Zoning Designations Map (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 4a - Architectural Plans (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 4b - Architectural Plans (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 4c - Architectural Plans (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 5 - Landscape Plans (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 6 - Applicant's Letter of Intent (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 7 - Development Application Summary (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 8 - Acoustic report (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 9 - Sustainability Report Card (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 10 - Draft Official Community Plan Bylaw No. 3469.pdf - Attachment 11 - Draft Rezoning Bylaw No. 3463.pdf - Attachment 12 - Letter From Applicant Regarding Changes to Unit Mix (3180-3190 St. Johns St and 81-89 Moray St).pdf - Attachment 13 - Draft Housing Agreement Bylaw No. 3480.pdf - Attachment 14 - EngagePM Summary Report (3180-3190 St. Johns St and 81-89 Moray St)_Redacted.pdf
Final Approval Date:	Sep 15, 2024

This report and all of its attachments were approved and signed as outlined below:

Tracey Takahashi, Deputy Corporate Officer - Sep 12, 2024

Michael Olubiyi, Manager of Development Planning - Sep 12, 2024

Kate Zanon, General Manager of Community Development - Sep 13, 2024

Stephanie Lam, City Clerk and Manager of Legislative Services - Sep 13, 2024

Lindsay Todd, Manager of Communications and Engagement - Sep 13, 2024

Paul Rockwood, General Manager of Finance and Technology - Sep 14, 2024

Anna Mathewson, City Manager - Sep 15, 2024