



# City of Port Moody

## Report/Recommendation to Council

Date: November 12, 2024  
Submitted by: Community Development Department – Development Planning Division  
Subject: Rezoning and Housing Agreement (Non-Market Residential Addition)  
2340 Clarke Street (Mara + Natha Architecture)

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### Purpose

1. To provide Council with Rezoning Bylaw No. 3489 for consideration of first, second, and third readings to rezone the property at 2340 Clarke Street from Light Industrial (M1) to General Commercial (C3); and
  2. To provide Council with Housing Agreement Bylaw No. 3490 for consideration of first, second, and third readings.
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### Recommended Resolution(s)

**THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 102, 2024, No. 3489 (2340 Clarke Street) (C3) be read a first, second, and third time as recommended in the report dated November 12, 2024, from the Community Development Department – Development Planning Division regarding Rezoning and Housing Agreement (Non-Market Residential Addition) – 2340 Clarke Street (Mara + Natha Architecture);**

**AND THAT Bylaw No. 3489 not be referred to a Public Hearing;**

**AND THAT City of Port Moody Housing Agreement Bylaw, 2024, No. 3490 (2340 Clarke Street) (Non-Market Residential) be read a first, second, and third time;**

**AND THAT a Community Amenity Contribution fee waiver in the amount of \$15,354.00 be approved to facilitate the provision of nine (9) non-market residential units;**

**AND THAT Development Application fees paid in the amount of \$16,030.00 be refunded to facilitate the provision of nine (9) non-market residential units;**

**AND THAT a Building Permit application fee waiver up to \$22,750.75 be authorized to facilitate the provision of nine (9) non-market residential units;**

**AND THAT Council authorize the use of up to \$24,000.00 from the Affordable Housing Reserve Fund to facilitate the provision of nine (9) non-market residential units.**

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## Executive Summary

The House of Omeed has applied to rezone their property at 2340 Clarke Street from Light Industrial (M1) to General Commercial (C3) to allow for a non-market residential use to be constructed above the existing House of Omeed charity. The proposed non-market residential use is to provide transition housing for newcomers and refugees and will be accommodated in a third-storey addition.

In addition to the rezoning application, the applicant has also submitted applications for a Heritage Alteration Permit and Development Permit for Hazardous Lands due to potential for soil liquefaction.

The applicant has consented to a Housing Agreement which will ensure that the residential component remains as non-market residential housing for the purpose of providing newcomers and refugees with transition housing. The term of the Housing Agreement is for the useful life of the building. Housing Agreement Bylaw, 2024, No. 3490 is available for consideration of first, second, and third readings.

If the rezoning is supported, a Heritage Alteration Permit, and Development Permit will be presented to Council at a subsequent meeting for consideration along with the adoption of the Zoning Bylaw Amendment and Housing Agreement Bylaw.

## Background

The City has received rezoning and Heritage Alteration Permit (HAP) applications to allow for a non-market residential use to be permitted in a third-storey addition above the existing House of Omeed charity at 2340 Clarke Street. The subject property is zoned Light Industrial (M1) and the applicant is proposing to rezone the property to General Commercial (C3) to allow for a non-market residential component. A draft of the proposed zoning bylaw is included (**Attachment 1**).

The House of Omeed is a registered not-for-profit charity which provides a range of settlement services for newcomers and refugees. The key services offered by House of Omeed include but are not limited to a culturally sensitive food distribution, English classes, assistance with paperwork, children's programs, and a library.

The application was presented to the Land Use Committee (LUC) on September 9, 2024. The LUC made the following recommendations:

### LUC24/011

THAT the proposed application be endorsed as presented in the report dated September 9, 2024, from the Community Development Department – Development Planning Division, regarding LUC – Rezoning and Heritage Alteration Permit (Non-market residential addition) at 2340 Clarke Street (Mara + Natha Architecture) subject to the applicant and staff addressing the following specific items:

- Further consideration of fire prevention and suppression systems
- Materials being used for building exterior
- Consider increase to ceiling height
- Agreement(s) relating to the maximum duration of stay/intended use as temporary housing

## Discussion

### Property Description:

The subject site consists of a single lot of approximately 252m<sup>2</sup> (2,717ft<sup>2</sup>) in size, located at 2340 Clarke Street (**Attachment 2**). The lot contains a two-storey building, and vehicular access to the building is provided via an access easement from 2332 Clarke Street.

### Official Community Plan (OCP)

The OCP designates the subject lands as Mixed Use – Moody Centre (**Attachment 3**), which permits both Commercial and Residential uses. This designation permits multi-family residential uses in association with commercial uses.

The subject property is located within the Moody Centre Heritage Conservation Area (HCA). The applicant is required to obtain an HAP which will regulate the form and character of the proposed addition. The HAP will be presented to Council at the time of rezoning bylaw adoption.

The subject property is also located within Development Permit (DP) Area 5 – Hazardous Lands due to potential for soil liquefaction. The DP will be presented to Council at the time of rezoning bylaw adoption.

### Zoning

The subject property is currently zoned 'M1' Light Industrial. The Zoning designation map is included as **Attachment 4**.

### Neighbourhood Context

The following land uses are surrounding the property:

- North: CP Railway and Burrard Inlet;
- East: Light Industrial and Commercial uses, including 2346 Clarke Street, a protected heritage property which is zoned C3;
- West: Light Industrial and vacant land to the west. Further west includes four Heritage Protected properties along the 2300-block;
- South: Commercial and Residential uses to the south, the residential uses are currently single-family homes but are designated for multi-family residential.

## Proposal

### Rezoning

The application proposes to rezone the lands from 'M1' Light Industrial to 'C3' General Commercial to permit a non-market residential use above the existing House of Omeed charity. The non-market residential use consists of transition housing for newcomers and refugees and would be accommodated in a third-floor addition. One accessible transition housing unit will be provided at grade.

In addition to the non-market residential use, the applicant is proposing the following expansions and improvements to the property:

- A two-car garage accessed from the rear lane;
- Increased office space on the second floor; and

- Rooftop amenity space for transition housing units.

Regarding the non-market residential component, the third-floor addition for transition housing consists of the following components:

- five sleeping units which contain two bunk beds, a kitchenette and bathroom designed to accommodate families of four;
- three sleeping units which contain two to- three bunk beds and have access to two shared bathrooms and one shared kitchen designed to accommodate between four and six people; and
- one accessible sleeping unit at grade with a kitchenette and bathroom designed to accommodate two people.

Based on the architectural plans submitted (**Attachment 5**) approximately 36 individuals can be accommodated in the proposed transition housing.

## **Planning Analysis**

### Land Use

The OCP designates the subject lands as Mixed Use – Moody Centre, which permits both Commercial and Residential uses. This designation permits multi-family residential uses in association with commercial uses. The proposal to construct a one-storey addition above two floors of existing light industrial / commercial uses is consistent with the City's OCP.

The current services offered by House of Omeed include a culturally sensitive food store, and a range of settlement services such as English classes, assistance with paperwork, children's programs, and a library, among others. This unique range of services is seen as a valuable asset to the City and is consistent with Chapter 12 of the OCP – Community Well Being. Sections 12.1 and 12.2 which highlight the importance of social development, personal health, education and childcare. Many of these services are offered by the House of Omeed.

The inclusion of a non-market residential component to offer transition housing for newcomers would integrate well with the existing services offered and create a central hub for newcomers and refugees transitioning into Canada. From a land-use perspective, staff are supportive of the proposed rezoning application as it is compliant with the Moody Centre – Mixed Use designation, implements Community Well Being principles identified in the City's OCP and provides much needed housing for a vulnerable population.

### Heritage Conservation Area

As noted above, the subject property is within the Moody Centre HCA. The existing structure is a two-storey brown brick building which does not have any identifiable heritage features. The building style is significantly newer than the heritage properties along Clarke Street and it is void of any characteristics which are typical for older properties in the HCA. Despite not having significant heritage value, the property is still subject to design guidelines related to form and scale to ensure it is compatible with surrounding heritage properties located on Clarke Street. Staff recognize that there is limited opportunity for the applicant to implement considerable heritage design features due to financial limitations and that the existing structure will remain intact. Final architectural drawings will form part of the future HAP.

### Parking Variance

The applicant is also requesting a variance for parking requirements from 5 spaces to 2 spaces. The parking is calculated based on the following uses:

Use	Parking Required	Parking Proposed	Variance Requested
Office (1 sp. per 50m <sup>2</sup> )	5 spaces	2 spaces	3 spaces
Non-market residential use	N/A	0	0
<b>TOTAL</b>	5 spaces	2 spaces	3 spaces

The site is currently operating with one parking space, and the applicant is proposing an additional 81.6m<sup>2</sup> of office space as part of the proposed expansion. The applicant has indicated that the increased office space will not result in an additional employee being hired, and that all of their volunteers reach the site by transit.

Given the nature of the non-market residential use, which is for newcomers and refugees, staff would not require any parking spaces to be provided for the transition housing. Based on this staff are supportive of the required variance, which will be presented to Council as part of the future HAP consideration.

### Housing Agreement for non-market residential use

As noted earlier, the temporary transition housing for newcomers would be permitted under the 'non-market residential' use as defined in the City's Zoning Bylaw. In order to ensure that this use remains non-market transition housing for newcomers, a Housing Agreement bylaw is proposed. A draft Housing Agreement Bylaw is included (**Attachment 6**).

### Public Hearing Waiver

Staff are recommending that this application move forward without a Public Hearing. The rationale for waiving the Public Hearing is as follows:

- the application is compliant with the land use designation, Mixed Use – Moody Centre;
- the developer initiated Public Open House was attended by City staff and no members of the Public attended (227 properties were notified);
- the notification sign was installed on August 20th and no comments from the public have been received by staff;
- the applicant is pursuing funding through the CMHC Rapid Housing Initiative and other funding sources, all of which have a cut-off time of March 31, 2025; and
- the BC Building Code 2024 has additional provisions coming into effect on March 10, 2025, which could impact construction costs and jeopardize the project viability.

### Sustainability Report Card (SRC)

A sustainability report card was submitted as part of the application, staff do note that the intent of the SRC is primarily for redevelopment on a larger scale. An addition to an existing building has limited opportunities, particularly in this case where a not-for-profit organization is reliant on external funding sources. A summary of the scores is provided below and the full report is included as (**Attachment 7**).

Pillar	Total possible points	Sum of N/A points	Sum of missed points	Applicant total points	Pillar % score
Cultural Sustainability	56	22	31	3	10
Economic Sustainability	93	7	70	16	19
Environmental Sustainability	172	62	91	19	17
Social Sustainability	165	35	121	9	7

## Other Option(s)

1. THAT the rezoning application, as presented in the report dated November 12, 2024, from the Community Development Department – Development Planning Division regarding Rezoning and Housing Agreement (Non-market residential addition) – 2340 Clarke Street (Mara + Natha Architecture) be given first and second readings, and referred to a Public Hearing.
2. THAT Rezoning Bylaw 3489 be given first reading and prior to consideration of second reading, the application address the following items:  
<list items to be considered>

## Financial Implications

### Request for Fee Waivers and Offsets

Given the House of Omeed’s status as a registered not-for-profit charity organization they rely on donations and funding to provide the services which they offer. Based on this, the applicant has made a request to the City to waive the fees associated with their application (**Attachment 7**). Certain fees and contributions such as development and building permit application fees, and Community Amenity Contributions (CACs) can be waived. Whereas payments such as Development Cost Charges (DCCs) and legal fees can be offset through the City’s Affordable Housing Reserve Fund.

The following fees are proposed to be waived:

Fee	Amount	Time of payment	Eligible for waiver/refund
Planning – Rezoning	\$6,530	Paid	Yes
Planning – DPA Hazardous Conditions	\$5,000	Paid	Yes
Planning – Heritage Alteration Permit	\$4,500	Paid	Yes
<b>Sub-total of Development Application Fees</b>	<b>\$16,030</b>		
Community Amenity Contributions	\$15,354	Prior to rezoning adoption	Yes
Building Permit Fees (estimated)	\$11,788.75-\$22,750.75	At time of BP application	Yes
<b>Total Waivers requested</b>	<b>\$43,172-\$54,134.75</b>		

The following fees are proposed to be offset by withdrawing funds from the Affordable Housing Reserve Fund (AHRF). At the time of writing this report, the balance in the AHRF is \$1,291,000.

Fee	Amount	Time of payment	Eligible for AHRF funding
Municipal Development Cost Charges (DCCs)	\$17,882.48	Payable prior to BP issuance	Yes
Legal fees for non-market housing agreement	At cost (estimated \$6,000)	Upon completion of Housing Agreement	Yes
<b>Total</b>	<b>\$23,882.48</b>		

The City’s Corporate Policy – 10-5080-02 – Affordable Housing Reserve Fund (AHRF) – Guidelines for Allocation of Funds (**Attachment 8**) provides guidelines and criteria for use of funds within the AHRF. The following guidelines are included:

- 1) all requests for the use of AHRF funds will be subject to Council approval.
- 2) to qualify for use of AHRF funds, the proposed project must supply Affordable Housing for Low- and Moderate-income single parent, family, and single-person households, provide funding for Rent Banks supporting Market Render Households, or fund staff salaries and City projects that support the development of Affordable Housing strategies.
- 3) The AHRF funds can be used towards the following:
  - c) to offset development application and building permit fees associated with a qualifying project;
  - d) to offset Development Cost Charges, or any other such amenity related contributions to which the project would be subject;

Based on the AHRF policy guidelines, staff believe that the municipal development cost charges and legal fees for the non-market housing agreement are eligible to be offset with funds from the City’s AHRF.

**Communications and Public Engagement Initiatives**

A notification sign on the front of the subject property has been installed, and the Public Hearing meeting information section of the posted sign has been amended to inform the public in advance of first reading consideration that the application will not be referred to a Public Hearing.

The notice of a proposed zoning amendment bylaw without Public Hearing has been mailed to owners and occupants within the 140m notification area of the subject property in advance of first reading consideration in accordance with the Development Approvals Procedure Bylaw and section 467 of the *Local Government Act*.

In addition, a Community Information Meeting was hosted by the House of Omeed on September 24, 2024, from 4:30-7:30 pm. The meeting was attended by City staff and no members of the public came to the event.

## Council Strategic Plan Goals

The recommendations in this report align with the following Council Strategic Plan Goal(s):

- Strategic Goal 3.1 – Create complete and connected communities through balanced growth; and
- Strategic Goal 3.3 – Enhance community wellbeing.

## Attachment(s)

1. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 102, No. 3489 (2340 Clarke Street) (C3).
2. Location Map – 2340 Clarke Street.
3. OCP Land Use Map – 2340 Clarke Street.
4. Zoning Map – 2340 Clarke Street.
5. Architectural Drawings – 2340 Clarke Street.
6. Draft City of Port Moody Housing Agreement Bylaw, 2024, No. 3490 (2340 Clarke Street) (Non-Market Residential).
7. Sustainability Report Card – 2340 Clarke Street.
8. Applicant Fee Waiver Request – 2340 Clarke Street.
9. Corporate Policy – 10-5080-02 – Affordable Housing Reserve Fund – Guidelines for Allocation of Funds.

## Report Author

Dejan Teodorovic, MCIP, RPP  
Senior Planner



## Report Approval Details

Document Title:	Rezoning and Housing Agreement (Non-market residential addition) 2340 Clarke Street (Mara + Natha Architecture).docx
Attachments:	<ul style="list-style-type: none"><li>- Attachment 1 - Draft Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 102, No. 3489 (2340 Clarke Street) (C3).pdf</li><li>- Attachment 2 - Location Map - 2340 Clarke Street.pdf</li><li>- Attachment 3 - OCP Land Use Map - 2340 Clarke Street.pdf</li><li>- Attachment 4 - Zoning Map - 2340 Clarke Street.pdf</li><li>- Attachment 5 - Architectural Drawings - 2340 Clarke Street.pdf</li><li>- Attachment 6 - Draft Housing Agreement Bylaw, 2024, No. 3490 (2340 Clarke Street) (Non-Market Residential).pdf</li><li>- Attachment 7 - Sustainability Report Card - 2340 Clarke Street.pdf</li><li>- Attachment 8 - Applicant Fee Waiver Request - 2340 Clarke Street_Redacted.pdf</li><li>- Attachment 9 - Corporate Policy - 10-5080-02 - Affordable Housing Reserve Fund - Guidelines for Allocation of Funds.pdf</li></ul>
Final Approval Date:	Nov 4, 2024

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

Tracey Takahashi, Deputy Corporate Officer - Oct 30, 2024

Wesley Woo, Assistant Manager of Planning - Oct 31, 2024

Mary De Paoli, Manager of Policy Planning, for Kate Zanon, General Manager of Community Development - Nov 1, 2024

Tracey Takahashi, Deputy Corporate Officer, for Stephanie Lam, City Clerk and Manager of Legislative Services - Nov 1, 2024

Lindsay Todd, Manager of Communications and Engagement - Nov 3, 2024

Paul Rockwood, General Manager of Finance and Technology - Nov 3, 2024

Anna Mathewson, City Manager - Nov 4, 2024