

Memorandum

Date: April 14, 2026
Submitted by: Community Development Department – Development Planning Division
Subject: Section 219 Covenant Discharge – Lot 112 James Road – REZ00028-
DP000049

The former strata properties at 112-118 James Road, together with neighbouring properties at 110 James Road and 3121–3127 St. Johns Street (now consolidated as 110 James Road), were rezoned to a Comprehensive Development zone (CD90) to facilitate a six-storey mixed-use development consisting of commercial uses at grade and market rental residential units above underground parking.

At the Special Council meeting held on December 17, 2024, Council considered a memo from the Community Development Department – Development Planning Division (**Attachment 1**) and passed the following resolution:

SC24/025

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 96, 2024, No. 3408 (3121-3127 St. Johns Street and 110-118 James Road) (CD90) be now adopted as recommended in the memo dated December 17, 2024, from the Community Development Department – Development Planning Division regarding Approval of DP and Adoption of Rezoning Bylaw No. 3408, Housing Agreement Bylaw No. 3409, and Road Closure Bylaw No. 3444;

AND THAT City of Port Moody Housing Agreement Bylaw, 2024, No. 3409 (3121-3127 St. Johns Street and 110-118 James Road) (Market Rental) be now adopted;

AND THAT City of Port Moody Road Closure Bylaw – Portion of Moray Place, 2024, No. 3444 be now adopted;

AND THAT Development Permit No. DP000049 be approved for issuance;

AND THAT the Mayor and Corporate Officer be authorized to execute the necessary legal documents required in support of this application.

The project has since advanced to the Building Permit stage, with an active application currently under review.

A Section 219 Covenant (**Attachment 2**), registered on title of 112 James Road, was recently identified as not having been discharged as part of the rezoning process. The applicant has formally requested that the City discharge this covenant (**Attachment 3**). The covenant was originally registered by the former owner (Churchill), and established parking and use-related restrictions associated with a place of worship (Jamaat Khana) previously located on the subject site. The covenant includes provisions related to:

- dedicated parking supply requirements;
- minimum parking stall dimensions;
- restrictions on additional structures; and
- limitations on permitted uses.

These provisions are outlined in paragraphs 1(b) through 1(f) of the covenant. Importantly, Paragraph 2 of the covenant provides the City with discretion to discharge the covenant under the following condition:

“The City agrees to release this covenant should Churchil provide alternate parking spaces acceptable to the City or if the required parking spaces are no longer required.”

The Jamaat Khana original place of worship has now been demolished and is proposed to be relocated to a new site within Port Moody as part of a separate redevelopment project. This new development, located at the former properties of 3180-3190 St. Johns Street and 81-89 Moray Street (now consolidated as 91 Moray Street), consists of a 16-storey mixed-use building incorporating commercial, residential, and institutional uses as well as the Jamaat Khana as its institutional component.

At the Regular Council meeting held on December 17, 2024, Council adopted Official Community Plan Amendment Bylaw No. 3469, Zoning Amendment Bylaw No. 3463 (CD96), and Housing Agreement Bylaw No. 3480, and approved issuance of Development Permit No. DP000055 for the redevelopment of the subject lands.

Given the relocation of the place of worship and the approved redevelopment of Lot 112 James Road, staff consider that the covenant is no longer required. Furthermore, the current redevelopment of 112 James Road is regulated through the CD90 zoning and Development Permit No. DP000049, which establish updated and comprehensive land use, form, and parking requirements consistent with current City standards.

As City staff do not have delegated authority to discharge Section 219 covenants, Council authorization is required. The recommended resolution is:

THAT Council discharge Section 219 Covenant No. BP84434, as recommended in the memo dated April 14, 2026, from the Community Development Department – Development Planning Division regarding Section 219 Covenant Discharge – 112 James Road – REZ00028- DP000049;

AND THAT the Mayor and Corporate Officer be authorized to execute the associated necessary legal documents.

Attachment(s)

1. Memo considered at the December 17, 2024, Special Council meeting – 3121-3127 St. Johns Street and 110-118 James Road.
2. 219 Covenant Number BP84434 – Form C.
3. Form C – Release of Covenant BP84434.

Report Approval Details

Document Title:	Section 219 Covenant Discharge – 112 James Road – REZ00028-DP000049.docx
Attachments:	- Attachment 1 - Memo considered at the Dec 17, 2024, SC meeting - 3121-3127 St. Johns St and 110-118 James Rd.pdf - Attachment 2 - 219 Covenant Number BP84434 – Form C – 3121-3127 St. Johns Street and 110-118 James Road.pdf - Attachment 3 - Form C – Release of Covenant BP84434 – 3121-3127 St. Johns Street and 110-118 James Road.pdf
Final Approval Date:	Apr 7, 2026

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

Mary De Paoli, Manager of Policy Planning, for Suzanne Smith, General Manager of Community Development - Apr 2, 2026

Paul Rockwood, General Manager of Finance and Technology - Apr 7, 2026

Anna Mathewson, City Manager - Apr 7, 2026