

Tuesday, February 13, 2024, 6:00 p.m.

Council Chambers

3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC

Pages

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Recommendation:

That the Tuesday, February 13, 2024, Council Meeting Agenda be adopted as circulated.

3. CONFIRMATION OF MINUTES

3.1 Minutes of Council Meetings

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Recommendation:

That the minutes of the following Council Meetings be adopted:

- *January 23, 2024*
- *January 9, 2024*
- *December 12, 2023.*

4. PROCLAMATIONS

None.

5. DELEGATIONS

None.

6. PUBLIC HEARINGS

None.

7. BYLAWS

7.1 2023-2027 Financial Plan Amendment Bylaw - First Three Readings

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Recommendation:

*That Council give 2023-2027 Financial Plan Bylaw, 2023, No. 4305,
Amendment Bylaw, 2023, No. 4357 first three readings.*

8. REPORTS

8.1 Remedial Action Order for 855 Kingsway Avenue

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Recommendation:

WHEREAS the Council of the City of Port Coquitlam considers the conditions of the property located at 855 Kingsway Avenue (the property) to be a hazard as it creates an unsafe condition and is a danger to public health and safety:

AND WHEREAS the Council has considered the following documents

- 1. Building location and summary*
- 2. Enforcement summary within the body of report;*

NOW THEREFORE, pursuant to Sections 72, 73, and 74, of the Community Charter, Council of the City of Port Coquitlam, resolves:

- 1. That the building identified in Attachment 1 of this report located at 855 Kingsway Avenue creates a hazardous condition.*
- 2. That the registered Owner of the Property (the "Owner") be required to:*
 - a. Remove the building and any surrounding items identified in Attachment 1 of City property in this report as per the Highway Use Bylaw No. 4033;*
- 3. That the Owner be required to comply with the resolution by the date that is 30 days after notice of this resolution and is served or provided by registered mail; and*
- 4. That if the Owner has not complied with the resolution within the specified time, City staff by its workers and others, may enter onto the Property without further notice to the Owner and perform the work specified in this resolution, the cost of performing the work shall immediately become debt owed to the City; and such debt, if unpaid by December 31, 2024, with applicable interest on the City's standard terms for unpaid accounts, may be recovered by transferring the debt to the property tax account for the Property pursuant to Section 258 of the Community Charter.*

8.2 **Section 57 Notice for 750 Kingsway Avenue**

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Recommendation:

That the Corporate Officer be directed to file a notice in the Land Title Office stating:

1. *A resolution relating to Lot “C” Except: FIRSTLY: PARCEL “ONE” (REFERENCE PLAN 10936) SECONDLY: PART SUBDIVIDED BY PLAN12877; SECTIONS 16 AND 17 BLOCK6 NORTH RANGE 1 EAST NEW WESTMINSTER DISTRICT PLAN 5405 has been made under Section 57 of the Community Charter for the property at 750 Kingsway Avenue.*
2. *Further information concerning this matter is available from the Building Division, City of Port Coquitlam, 200-2564 Shaughnessy Street, Port Coquitlam, BC V3C 3G4.*

9. **NEW BUSINESS**

10. **OPEN QUESTION PERIOD**

11. **ADJOURNMENT**

11.1 **Adjournment of the Meeting**

Recommendation:

That the Tuesday, February 13, 2024, Council Meeting be adjourned.

Tuesday, January 23, 2024

Council Chambers

3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC

Council Present: Acting Mayor - Councillor Darling
 Councillor McCurrach
 Councillor Penner
 Councillor Petriw
 Councillor Pollock

Absent: Chair - Mayor West
 Councillor Washington

Council Present: R. Bremner, CAO
 K. Grommada, Deputy CAO
 B. Clarkson, Acting Fire Chief
 C. Deakin, Corporate Officer
 J. Frederick, Director Engineering & Public Works
 B. Irvine, Director Development Services
 D. Long, Director Community Safety & Corporate Services
 J. Lovell, Director Finance
 C. Nimmo, Acting Director Recreation

1. **CALL TO ORDER**

The meeting was called to order at 6:00 p.m.

2. **ADOPTION OF THE AGENDA**

2.1 **Adoption of the Agenda**

Moved-Seconded:

That the Tuesday, January 23, 2024, Council Meeting Agenda be adopted as circulated.

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

3. CONFIRMATION OF MINUTES

None.

4. PROCLAMATIONS

4.1 Real Acts of Caring Week, February 11th to 17th

Acting Mayor Darling proclaimed February 11 to 17, 2024, Real Acts of Caring (RAC) Week. Ms. Chang and students provided an overview on the groups' RAC Week focus - Mental Health and Wellness.

5. DELEGATIONS

None.

MOTION TO RECESS:

Moved-Seconded:

That the Council meeting be recessed. (6:20 p.m.)

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

6. PUBLIC HEARINGS

6.1 Zoning Text Amendment Bylaw (Increased Seating Capacity in Liquor Manufacturer Accessory Lounge Endorsement Areas)

The intent of Bylaw 4350 is to facilitate increased patron capacity from 50 to 75 seats for accessory lounge endorsement areas, at liquor manufacturing establishments, located in industrial zones.

The Director of Development Services provided an overview of the application.

The Chair called for speakers. There were no speakers to this item.

MOTION TO RECONVENE:

Moved-Seconded:

That the Council meeting be reconvened. (6:24 p.m.)

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

7. BYLAWS

7.1 Zoning Text Amendment Bylaw (Increased Seating Capacity in Liquor Manufacturer Accessory Lounge Endorsement Areas) - Third Reading and Adoption

Moved-Seconded:

That Council give "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2023, No. 4350", third reading and adoption.

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

7.2 Zoning Amendment Bylaw for 1568 Pitt River Road - Third Reading

Moved-Seconded:

That Council give "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2023, No. 4351", third reading with the requirement that prior to adoption, all conditions identified at second reading be met, to the satisfaction of the Director of Development Services.

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

7.3 Zoning Amendment Bylaw for 1688 Pitt River Road - Third Reading

Moved-Seconded:

That Council give "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2023, No. 4352, third reading with the requirement that prior to adoption, all conditions identified at second reading be met, to the satisfaction of the Director of Development Services.

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

7.4 Zoning Amendment Bylaw for 3188 Shaughnessy Street and 2154, 2156, 2168, 2170, 2186 and 2190 Prairie Avenue - Third Reading

Moved-Seconded:

That Council give “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2023, No. 4353”, third reading with the requirement that prior to adoption, all conditions identified at second reading be met, to the satisfaction of the Director of Development Services.

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

7.5 2024 Water and Sewer Amendment Bylaws - Adoption

Moved-Seconded:

That Council adopt:

1. *“Water Regulation Bylaw, 2015, No. 3935, Amendment Bylaw, 2024, No. 4354”; and*
2. *“Sewer Regulation Bylaw, 2015, No. 3936, Amendment Bylaw, 2024, No. 4355”.*

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

7.6 Development Cost Charge Reserve Fund Transfers Bylaw - Adoption

Moved-Seconded:

That Council adopt “Development Cost Charge Reserve Fund Transfers Bylaw, 2023, No. 4349”.

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

8. REPORTS

None.

9. NEW BUSINESS

Council provided updates related to community events.

10. OPEN QUESTION PERIOD

The floor was opened up to anyone in attendance and three members of the public posed questions to Council.

11. ADJOURNMENT

11.1 Adjournment of the Meeting

Moved-Seconded:

That the Tuesday, January 23, 2024, Council Meeting be adjourned. (7:27 p.m.)

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, and Councillor Pollock

Absent (2): Mayor West, and Councillor Washington

Carried

Mayor

Corporate Officer



Council Minutes

Tuesday, January 9, 2024

Council Chambers

3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC

Council Present: Chair - Mayor West
Councillor Darling
Councillor McCurrach
Councillor Petriw
Councillor Pollock
Councillor Washington

Absent: Councillor Penner

Council Present: R. Bremner, CAO
K. Grommada, Deputy CAO
C. Deakin, Corporate Officer
J. Frederick, Director Engineering & Public Works
B. Irvine, Director Development Services
R. Kipps, Fire Chief
D. Long, Director Community Safety & Corporate Services
J. Lovell, Director Finance
G. Mitzel, Director Recreation

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:

That the Tuesday, January 9, 2024, Council Meeting Agenda be adopted as circulated.

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

3. CONFIRMATION OF MINUTES

3.1 Minutes of Council Meetings

Moved-Seconded:

That the minutes of the following Council Meetings be adopted:

- *December 5, 2023.*

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

4. PROCLAMATIONS

None.

5. DELEGATIONS

None.

6. PUBLIC HEARINGS

None.

7. BYLAWS

7.1 Zoning Amendment Bylaw for 3188 Shaughnessy Street and 2154, 2156, 2168, 2170, 2186 and 2190 Prairie Avenue - First Two Readings

Moved-Seconded:

That Council:

1. *Give first two readings to Bylaw 4353 for 3188 Shaughnessy Street and 2154, 2156, 2168, 2170, 2186 and 2190 Prairie Ave to be amended from RS1 (Residential Single Dwelling 1) and RD (Residential Duplex) to RA1 (Residential Apartment 1);*
2. *Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:*
 - a. *Demolition of existing buildings and structures;*
 - b. *Consolidation of the lots;*
 - c. *Completion of design and submission of securities and fees for off-site works and services, including turning movement restrictions from the lane; and*

- d. *Installation of tree protection fencing and registration of a legal agreement to ensure protection of the significant Douglas Fir tree during construction and development.*

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

7.2 Zoning Amendment Bylaw for 1568 Pitt River Road - First Two Readings

Moved-Seconded:

That Council:

1. *Give first two readings to Bylaw 4351 for 1568 Pitt River Road to be amended from Residential Single Dwelling 1 (RS1) to Residential Single Dwelling 4 (RS4).*
2. *Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:*
 - a. *Installation of protective fencing for on-site and off-site trees;*
 - b. *Demolition of the existing buildings and structures;*
 - c. *Preparation of subdivision plans to the satisfaction of the approving officer; and*
 - d. *Completion of the design and submission of fees and securities for off-site works and services.*

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

7.3 Zoning Amendment Bylaw for 1688 Pitt River Road - First Two Readings

Moved-Seconded:

That Council:

1. *Give first two readings to Bylaw 4352 for 1688 Pitt River Road to be amended from RS1 (Residential Single Dwelling 1) to RS4 (Residential Single Dwelling 4); and*
2. *Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:*

- a. *Installation of protective fencing for on-site and off-site trees and hedges;*
- b. *Demolition of the existing buildings and structures;*
- c. *Preparation of subdivision plans to the satisfaction of the approving officer; and*
- d. *Completion of the design and submission of fees and securities for off-site works and services.*

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

7.4 2024 Water and Sewer Amendment Bylaws - First Three Readings

Moved-Seconded:

That Council:

- 1. *Give first three readings to Water Regulation Amendment Bylaw No. 4354; and*
- 2. *Give first three readings to Sewer Regulation Amendment Bylaw No. 4355.*

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

7.5 Zoning Amendment Bylaw for 1021 and 1032 Nicola Avenue - Adoption

Moved-Seconded:

That Council adopt "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw No. 4330" for 1021 and 1032 Nicola Avenue.

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

8. REPORTS

8.1 Section 57 Notice - 1690 Coast Meridian Road

MOTION TO RECESS

Moved-Seconded:

That the Council meeting be recessed. (6:31 p.m.)

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

MOTION TO RECONVENE

Moved-Seconded:

That the Council meeting be reconvened. (6:43 p.m.)

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

Moved-Seconded:

That Council, pursuant to the recommendation of the Manager of Building, direct the Corporate Officer to file a notice with the Land Title Office, stating:

1. *a resolution has been made under Section 57 of the Community Charter relating to the property located at: Parcel E, Block 6N, Section 18, Range 1E, New West District, Plan NWP8564, except plan 62990, LMP1494, LMP6013, LMP16210, LMP22526.*
2. *further information concerning this matter is available from the Building Division, City of Port Coquitlam, 200-2564 Shaughnessy Street, Port Coquitlam, BC V3C 3G4.*

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

SUBSEQUENT MOTION

Moved-Seconded:

That the staff report be amended to change the occurrence of the fire from "10+ years ago" to "29 years ago" and that it be noted that the mezzanine existed before the fire.

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

9. NEW BUSINESS

Council provided updates related to community events.

10. OPEN QUESTION PERIOD

The floor was opened up to anyone in attendance that wished to pose questions to Council. No one came forward to ask questions.

11. ADJOURNMENT

11.1 Adjournment of the Meeting

Moved-Seconded:

That the Tuesday, January 9, 2024, Council Meeting be adjourned. (7:46 p.m.)

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

Mayor

Corporate Officer

Tuesday, December 12, 2023

Council Chambers

3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC

Present: Chair - Mayor West
Councillor Darling
Councillor McCurrach
Councillor Penner
Councillor Petriw
Councillor Pollock
Councillor Washington

Present: R. Bremner, CAO
K. Grommada, Deputy CAO
C. Deakin, Corporate Officer
J. Frederick, Director Engineering & Public Works
B. Irvine, Director Development Services
R. Kipps, Fire Chief
D. Long, Director Community Safety & Corporate Services
J. Lovell, Director Finance
G. Mitzel, Director Recreation

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:

That the Tuesday, December 12, 2023, Council Meeting Agenda be adopted as circulated.

In Favour (7): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, Councillor Pollock, and Councillor Washington

Carried

3. CONFIRMATION OF MINUTES

None.

4. PROCLAMATIONS

None.

5. DELEGATIONS

None.

6. PUBLIC HEARINGS

None.

7. BYLAWS

7.1 2023 Development Cost Charge Reserve Funds Establishment and Transfers Bylaw - First Three Readings

Moved-Seconded:

That Council give first three readings to "Development Cost Charge Reserve Funds Establishment and Transfers Bylaw, 2023, No. 4349" and forward to the Ministry of Municipal Affairs for approval.

In Favour (7): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, Councillor Pollock, Councillor Washington

Carried

7.2 Development Cost Charge Bylaw - Adoption

Moved-Seconded:

That Council adopt "Development Cost Charge Bylaw, 2023, No. 4320".

In Favour (7): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, Councillor Pollock, and Councillor Washington

Carried

7.3 Zoning Amendment Bylaw for 2272 Leigh Square, 2265 and 2291 Wilson Avenue - Adoption

Moved-Seconded:

That Council adopt "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2023, No. 4340".

In Favour (7): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, Councillor Pollock, and Councillor Washington

Carried

8. REPORTS

8.1 2024 Council Meeting Schedule

Moved-Seconded:

That Council approve the 2024 Council Meeting Schedule.

In Favour (7): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, Councillor Pollock, and Councillor Washington

Carried

8.2 2024 Acting Mayor Schedule

Moved-Seconded:

That Council adopt the 2024 Acting Mayor Schedule.

Amendment:

Moved-Seconded:

That the 2024 Acting Mayor Schedule be amended to move Councillor Pollock to acting July 2024 and Councillor Washington acting for August 2024.

In Favour (7): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, Councillor Pollock, and Councillor Washington

Carried

Amendment:

Moved-Seconded:

That Committee of Council approve the 2024 Acting Mayor Schedule with the amendment to move Councillor Pollock to acting for July 2024 and Councillor Washington acting for August 2024.

8.3 2024 Council Appointments

Moved-Seconded:

That Council approve the 2024 Council Appointments to internal and external Committees, Commissions, Boards and Task Forces.

In Favour (7): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, Councillor Pollock, and Councillor Washington

Carried

8.4 2023 - 2026 Council Priorities

Moved-Seconded:

That Council confirm their 2023-2026 Priorities as outlined in the December 12, 2023 report.

In Favour (7): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, Councillor Pollock, and Councillor Washington

Carried

9. NEW BUSINESS

Council provided updates related to community events.

10. OPEN QUESTION PERIOD

The floor was opened up to anyone in attendance that wished to pose questions to Council. No one came forward to ask questions.

11. ADJOURNMENT

11.1 Adjournment of the Meeting

Moved-Seconded:

That the Tuesday, December 12, 2023, Council Meeting be adjourned. (6:37 p.m.)

In Favour (7): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Petriw, Councillor Pollock, and Councillor Washington

Carried

Mayor

Corporate Officer

2023-2027 Financial Plan Bylaw Amendment

RECOMMENDATION:

That Council give 2023-2027 Financial Plan Bylaw, 2023, No. 4305, Amendment Bylaw, 2023, No. 4357 first three readings.

PREVIOUS COUNCIL/COMMITTEE ACTION

At the May 9, 2023, Council meeting, Council adopted 2023-2027 Financial Plan Bylaw No. 4305.

REPORT SUMMARY

A number of expenditures and funding transfers have been approved by Committee of Council, largely related to capital, since the 2023-2027 Financial Plan Bylaw was adopted in May 2023. This Financial Plan Amendment Bylaw will fulfill the statutory requirements for the expenditures and reserve account transfers previously approved by Committee. The Bylaw also includes capital adjustments that have been presented through the 2024/2025 capital planning process and deliberations.

BACKGROUND

The Community Charter, Section 165(2), states that a Five-Year Financial Plan may be amended by bylaw at any time.

DISCUSSION

Expenditures and reserve account transfers are as follows:

| Description | Amount |
|--|---------------|
| Veterans Park and Leigh Square – funding for construction from Growing Communities Fund | \$3,150,000 |
| Replacement of 2 Sanders before 2023/2024 winter season from Vehicle & Equipment reserve | \$90,000 |
| Maple Drainage Pump Station – project deferred and funding removed from General Capital reserve while applying for grant funding | (\$3,145,000) |
| Gates Park Development – updated project funding for Soccer Grants, Artificial Turf reserve and Growing Communities Fund | (\$1,067,500) |
| Eastern Water PRV Replacement – funding for construction from Water Infrastructure reserve | \$379,100 |
| Cedar Drive Culvert Upgrade – remove funding from General Capital reserve | (\$710,000) |
| Tree removal and replacement at PCCC – add funding from Tree reserve | \$50,000 |

2023-2027 Financial Plan Bylaw Amendment

| Description | Amount |
|---|-------------|
| Downtown Parking Strategy – add funding for parking lot leases and automatic license plate readers from Parking reserve | \$265,000 |
| Growing Communities Fund – create reserve and add funds received | \$9,462,000 |
| Transfer to Sewer Long Term Reserve Fund from Accumulated Surplus Sewer | \$462,400 |

FINANCIAL IMPLICATIONS

The following table shows the net impact to the financial plan for the items previously listed:

| Financial Plan Category | Amount |
|------------------------------------|---------------------|
| Expenditures | |
| Operating Expenditures | \$125,000 |
| Capital Expenditures | (\$1,113,400) |
| Expenditures Total | (\$988,400) |
| Transfer to Reserves | |
| Growing Communities Fund | \$9,462,000 |
| General Capital Reserve | \$3,855,000 |
| Long Term Infrastructure Sewer | \$462,400 |
| Transfer to Reserves Total | \$13,779,400 |
| Changes in Grant Funding | |
| Deferral in Soccer Grants | \$1,500,000 |
| Grant Funding Total | \$1,500,000 |
| Transfer from Reserves | |
| Growing Communities Fund | \$3,400,000 |
| Accumulated Surplus (Sewer) | \$462,400 |
| Water Infrastructure Reserve | \$379,100 |
| Parking Reserve | \$265,000 |
| Artificial Turf Reserve | \$182,500 |
| Vehicle & Equipment Reserve | \$90,000 |
| Tree Reserve | \$50,000 |
| Transfer From Reserve Total | \$4,829,000 |

2023-2027 Financial Plan Bylaw Amendment

OPTIONS (✓ = Staff Recommendation)

| | # | Description |
|-------------------------------------|---|---|
| <input checked="" type="checkbox"/> | 1 | That Council give 2023-2027 Financial Plan Bylaw, 2023, No. 4305, Amendment Bylaw, 2023, No. 4357 first three readings. |
| <input type="checkbox"/> | 2 | Direct the bylaw back to staff for further analysis and/or changes. |

ATTACHMENTS

Attachment 1 - 2023--2027 Financial Plan Amendment Bylaw No. 4357

Lead author(s): Kushal Pachchigar

CITY OF PORT COQUITLAM
2023-2027 FINANCIAL PLAN AMENDMENT BYLAW
Bylaw No. 4357

The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw is cited as “2023-2027 Financial Plan Bylaw, 2023, No. 4305, Amendment Bylaw, 2023, No. 4357”.

2. ADMINISTRATION

That the “2023-2027 Financial Plan Bylaw No. 4305”, is amended by removing Schedule “A” and Schedule “B-1” and “B-2” and replacing them with the following Schedule “A” and Schedules “B-1” and “B-2” pages attached hereto and forming part of this Bylaw.

| | | |
|-------------------------|--------|--------|
| READ A FIRST TIME this | day of | , 2024 |
| READ A SECOND TIME this | day of | , 2024 |
| READ A THIRD TIME this | day of | , 2024 |

Mayor

Corporate Officer

SCHEDULE “A”
Proposed Funding Sources and Expenditures

| | 2023 Budget | 2024 Budget | 2025 Budget | 2026 Budget | 2027 Budget |
|-------------------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| Revenues | | | | | |
| Taxation & Other Levies | \$ 80,734,100 | \$ 83,096,300 | \$ 85,529,400 | \$ 88,035,500 | \$ 90,616,700 |
| Utility Charges | 27,449,800 | \$ 28,284,000 | \$ 29,142,700 | \$ 30,027,400 | \$ 30,938,400 |
| Sale of Services | 8,275,600 | \$ 8,151,600 | 8,151,600 | 8,151,600 | 8,151,600 |
| Contributions | 25,323,800 | \$ 12,167,700 | 3,102,700 | 3,102,700 | 3,102,700 |
| Permits & Licences | 3,060,900 | \$ 3,007,500 | 3,007,500 | 3,007,500 | 3,007,500 |
| Investment Income | 2,805,100 | \$ 2,805,100 | 2,805,100 | 2,805,100 | 2,805,100 |
| Penalties & Fines | 544,000 | \$ 544,000 | 544,000 | 544,000 | 544,000 |
| Other Revenues | 470,600 | \$ 470,600 | 470,600 | 470,600 | 470,600 |
| Total Revenues | \$ 148,663,900 | \$ 138,526,800 | \$ 132,753,600 | \$ 136,144,400 | \$ 139,636,600 |
| Expenditures | | | | | |
| City Operating Expenditures | \$ 103,583,200 | \$ 102,145,400 | \$ 104,346,000 | \$ 106,612,900 | \$ 108,947,500 |
| External Debt Interest Expense | 1,727,300 | 1,727,300 | 1,727,300 | 1,727,300 | 1,727,300 |
| Amortization | 12,000,000 | 12,000,000 | 12,000,000 | 12,000,000 | 12,000,000 |
| Total Operating Expenditures | \$ 117,310,500 | \$ 115,872,700 | \$ 118,073,300 | \$ 120,340,200 | \$ 122,674,800 |
| Net Revenue (Expenditure) | \$ 31,353,400 | \$ 22,654,100 | \$ 14,680,300 | \$ 15,804,200 | \$ 16,961,800 |
| Allocations | | | | | |
| Net Transfers from Reserves | \$ 65,689,500 | \$ 20,995,500 | \$ 17,659,300 | \$ 17,759,300 | \$ 17,659,300 |
| Net Transfers (to) Reserves | (36,423,600) | \$ (23,703,500) | (24,794,700) | (25,918,600) | (27,076,200) |
| Capital Expenditures | (70,080,500) | \$ (29,407,300) | (17,006,100) | (17,106,100) | (17,006,100) |
| Capital Contributed by Developers | (1,000,000) | \$ (1,000,000) | (1,000,000) | (1,000,000) | (1,000,000) |
| Unfunded Amortization | 12,000,000 | \$ 12,000,000 | 12,000,000 | 12,000,000 | 12,000,000 |
| External Debt Principal Repayment | (1,538,800) | (1,538,800) | (1,538,800) | (1,538,800) | (1,538,800) |
| Total Allocations | \$ (31,353,400) | \$ (22,654,100) | \$ (14,680,300) | \$ (15,804,200) | \$ (16,961,800) |
| Financial Plan Balance | \$ - | \$ - | \$ - | \$ - | \$ - |

SCHEDULE "B1"

Transfer From Reserves

| Transfers from Reserves | | | | | |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|
| | 2023 | 2024 | 2025 | 2026 | 2027 |
| | Budget | Budget | Budget | Budget | Budget |
| General Capital | \$ 23,177,600 | \$ 11,271,000 | \$ 10,654,600 | \$ 10,654,600 | \$ 10,654,600 |
| Sewer Infrastructure | 7,613,100 | 1,535,000 | 1,535,600 | 1,535,600 | 1,535,600 |
| Vehicles & Equipment | 6,674,800 | 2,275,000 | 1,356,100 | 1,356,100 | 1,356,100 |
| Amenities | 5,220,000 | - | - | - | - |
| Growing Communities | 3,400,000 | - | - | - | - |
| Water Infrastructure | 1,948,300 | 2,349,000 | 3,159,800 | 3,159,800 | 3,159,800 |
| Roads (MRN) | 1,250,000 | - | - | - | - |
| Land Sale | 752,500 | - | - | - | - |
| Long Term General Infrastructure | 644,200 | 644,200 | 644,200 | 644,200 | 644,200 |
| RCMP | 499,400 | 74,400 | - | - | - |
| Artificial Field | 371,900 | - | - | - | - |
| Community Centre | 370,300 | - | - | - | - |
| Arts & Culture | 315,900 | - | - | - | - |
| Social Housing | 300,000 | - | - | - | - |
| Parking | 274,000 | 9,000 | 9,000 | 9,000 | 9,000 |
| Cart Replacement | 246,400 | 250,000 | 250,000 | 250,000 | 250,000 |
| Downtown | 239,600 | - | - | - | - |
| Cemetery Expansion | 235,000 | - | - | - | - |
| Environmental & Solid Waste | 197,300 | - | - | - | - |
| Transit Shelters | 179,200 | 50,000 | 50,000 | 50,000 | 50,000 |
| Information Systems | 150,000 | - | - | - | - |
| Building Maintenance | 144,600 | - | - | - | - |
| Trees | 50,000 | - | - | - | - |
| Public Safety Building | 35,900 | - | - | - | - |
| Long Term Sewer Infrastructure | - | 1,200,000 | - | - | - |
| Election | - | - | - | 100,000 | - |
| Allocated Accumulated Surplus - General | 10,814,700 | 1,337,900 | - | - | - |
| Allocated Accumulated Surplus - Water | 73,700 | - | - | - | - |
| Allocated Accumulated Surplus - Sewer | 511,100 | - | - | - | - |
| Total Transfers from Reserves | \$ 65,689,500 | \$ 20,995,500 | \$ 17,659,300 | \$ 17,759,300 | \$ 17,659,300 |

SCHEDULE “B2” Transfers to Reserves

| Transfers (to) Reserves | | | | | |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|
| | 2023 | 2024 | 2025 | 2026 | 2027 |
| | Budget | Budget | Budget | Budget | Budget |
| General Capital | \$ 14,509,600 | \$ 10,654,600 | \$ 10,654,600 | \$ 10,654,600 | \$ 10,654,600 |
| Growing Communities | 9,462,000 | - | - | - | - |
| Long Term General Infrastructure | 3,558,200 | 4,369,200 | 5,204,600 | 6,065,000 | 6,951,200 |
| Water Infrastructure | 3,159,800 | 3,159,800 | 3,159,800 | 3,159,800 | 3,159,800 |
| Sewer Infrastructure | 1,535,600 | 1,535,600 | 1,535,600 | 1,535,600 | 1,535,600 |
| Vehicle & Equipment | 1,356,100 | 1,356,100 | 1,356,100 | 1,356,100 | 1,356,100 |
| Roads (MRN) | 592,500 | 592,500 | 592,500 | 592,500 | 592,500 |
| Long Term Water Infrastructure | 346,200 | 449,500 | 556,000 | 665,700 | 778,700 |
| Downtown Projects | 319,600 | 319,600 | 319,600 | 319,600 | 319,600 |
| Federal Gas Tax | 257,300 | 257,300 | 257,300 | 257,300 | 257,300 |
| Land Sale | 255,000 | 255,000 | 255,000 | 255,000 | 255,000 |
| Long Term Sewer Infrastructure | 712,600 | 395,200 | 544,500 | 698,300 | 856,700 |
| Cart Replacement | 179,200 | 179,200 | 179,200 | 179,200 | 179,200 |
| Parking | 87,600 | 87,600 | 87,600 | 87,600 | 87,600 |
| Transit Shelters | 70,900 | 70,900 | 70,900 | 70,900 | 70,900 |
| Election | 21,400 | 21,400 | 21,400 | 21,400 | 21,400 |
| Total Transfers to Reserve Funds | \$ 36,423,600 | \$ 23,703,500 | \$ 24,794,700 | \$ 25,918,600 | \$ 27,076,200 |

Remedial Action Order for 855 Kingsway Avenue

RECOMMENDATION:

WHEREAS the Council of the City of Port Coquitlam considers the conditions of the property located at 855 Kingsway Avenue (the property) to be a hazard as it creates an unsafe condition and is a danger to public health and safety:

AND WHEREAS the Council has considered the following documents

- (1) Building location and summary*
- (2) Enforcement summary within the body of report;*

NOW THEREFORE, pursuant to Sections 72, 73, and 74, of the Community Charter, Council of the City of Port Coquitlam, resolves:

- 1. That the building identified in Attachment 1 of this report located at 855 Kingsway Avenue creates a hazardous condition.*
- 2. That the registered Owner of the Property (the "Owner") be required to:*
 - a. Remove the building and any surrounding items identified in Attachment 1 of City property in this report as per the Highway Use Bylaw No. 4033;*
- 3. That the Owner be required to comply with the resolution by the date that is 30 days after notice of this resolution and is served or provided by registered mail; and*
- 4. That if the Owner has not complied with the resolution within the specified time, City staff by its workers and others, may enter onto the Property without further notice to the Owner and perform the work specified in this resolution, the cost of performing the work shall immediately become debt owed to the City; and such debt, if unpaid by December 31, 2024, with applicable interest on the City's standard terms for unpaid accounts, may be recovered by transferring the debt to the property tax account for the Property pursuant to Section 258 of the Community Charter.*

PREVIOUS COUNCIL/COMMITTEE ACTION

None.

REPORT SUMMARY

This report is to bring forward a proposed remedial action order to Council pertaining to a structure that is creating hazardous conditions and potential liability for the City. The property at 855 Kingsway Avenue, Port Coquitlam is in contravention of the Highway Use Bylaw No. 4033 and Building and Plumbing Bylaw No. 3710. A structure located at this property built without required building permits,

Remedial Action Order for 855 Kingsway Avenue

is encroaching onto City property (highway). This report proposes that a remedial action requirement be imposed to have the following completed within 30 days.

1. Removal of the building/structure, and any surrounding items, deemed to be encroaching onto City property (highway).

BACKGROUND

This property has been the subject of investigation by the Building and Bylaw Departments since October 2022. This property, along with many of the surrounding properties, are owned by the same owner and have multiple bylaw violations. The structure at 855 Kingsway Avenue operates as a weigh scale station for the adjacent business located at 750 Kingsway Avenue. The office for the weigh scale is a Britco type container (structure) located on the south side of the property. The structure has been encroaching onto City property (highway) since approximately 2020 as per PoCo map overhead views. The most recent PoCo map depicted below illustrates the structure and the encroachment onto a City Highway contrary to Highway Use Bylaw No. 4033 indicated by the red arrow.



Highway as defined in the bylaw:

includes every highway within the meaning of the Transportation Act, S.B.C. 2004, c. 44 and amendments thereto, and every road, street, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles, and every private place or passage way to which the public, for the purpose of the parking or servicing of vehicles has access or is invited, and includes

Remedial Action Order for 855 Kingsway Avenue

disable zones and the roadway, shoulder, boulevard, ditch and sidewalk, and whatever lands lie between the property lines of the highway, and further includes every Off-Street Parking Facility.

The structure encroaching onto the City Highway presents a hazard and a potential liability risk should there be any damage to property or person. The properties in this area are mostly zoned M2 Heavy Industrial and there is a large volume of both large trucks and regular vehicles on a daily basis. In addition, this area is used by cyclists and pedestrian patrons detouring off the PoCo Trail and the structure creates an additional safety risk.

Furthermore, the structure has been erected without permits contrary to Building and Plumbing Bylaw No. 3710 posing a safety risk to persons using the structure. The structure is essentially a container placed on lock blocks with a makeshift stairway and deck for entrance and access. Despite staff attempts to have the owner remediate the situation, there has been no movement by the owner to address these issues.

The photo below shows the stairway entrance to the structure and the pink flag shows the property lines. City property is to the left of the pink marker flag.



Summary of Enforcement History:

March 23, 2023, Letter sent from Bylaw Department advising of encroachment with direction to remove and apply for permits by April 27, 2023, (owners verbally said they would comply).

January 5, 2024, site inspection by the Building, Bylaw, and Fire Department. Inspection failure notice issued by the Building Department requiring removal of the structure from City property. Owner or agent verbally advised staff that they would remove (move) the building within 30 days.

Remedial Action Order for 855 Kingsway Avenue

February 5, 2024 – site inspection. Building remains encroaching onto City property (highway).

DISCUSSION

Legal/Statutory Authority: Hazardous conditions S. 73 of the Community Charter.

Remedial action may include removing or demolishing a building or otherwise dealing with it in accordance with direction of Council. Council may declare that it considers a building, structure, pond or surface water as a hazard if “the matter or thing contravenes the Provincial building regulations or a bylaw under section 8 (3) (l) [spheres of authority – buildings and other structures] or Division 8 [Building Regulation] of this Part.

The Community Charter empowers Council to impose remedial action requirements on properties that are a nuisance or in a hazardous condition. Remedial action may include the removal or demolition of a building or other remedy specified by Council. A hazardous condition includes anything that Council considers is in an unsafe condition or contravenes building regulations or bylaws.

A resolution imposing remedial action must specify the time by which the required action is to be completed, which may be no earlier than 30 days. If Council imposes a remedial action requirement, notice must be given to the property owner who may, within 14 days, request Council reconsideration. Council may set shorter time limits if it considers that there is a significant risk to health or safety if action is not taken earlier. If the owner fails to take the required remedial action, the City may step in and complete the work at the property owner’s expense. Costs incurred by the City may be collected as taxes in arrears.

At the time of writing the structure on this property is still encroaching onto the City Highway and no work permits have been applied for.

Forcing the removal of the building will:

- protect public safety
- improve neighbourhood appearance
- reduce the City’s risk of civil liability

It is recommended that these authorities be applied to the property at 855 Kingsway Avenue and that a remedial order for removal of the structure be issued.


FINANCIAL IMPLICATIONS

The City may incur costs for removal of the structure should the owner default on the remedial action requirements. Should the owner default, the City may enter the land and complete the work with

Remedial Action Order for 855 Kingsway Avenue

costs invoiced to the owner. If the owner does not pay the invoice, the costs may then be added to the property tax roll as taxes in arrears. Recovery of these costs could take some time to complete.

OPTIONS (✓ = Staff Recommendation)

| | # | Description |
|---|---|--|
|  | 1 | That the Remedial Action Order be approved by Council. |
| | 2 | That Staff be required to provide further information. |

ATTACHMENTS

Attachment 1 - Building/Structure Photos 855 Kingsway Avenue

Lead author(s): Paula Jones

855 Kingsway Ave.



Section 57 for 750 Kingsway Avenue

RECOMMENDATION:

That the Corporate Officer be directed to file a notice in the Land Title Office stating:

- 1) *A resolution relating to Lot "C" Except: FIRSTLY: PARCEL "ONE" (REFERENCE PLAN 10936) SECONDLY: PART SUBDIVIDED BY PLAN12877; SECTIONS 16 AND 17 BLOCK6 NORTH RANGE 1 EAST NEW WESTMINSTER DISTRICT PLAN 5405 has been made under Section 57 of the Community Charter for the property at 750 Kingsway Avenue.*
- 2) *Further information concerning this matter is available from the Building Division, City of Port Coquitlam, 200-2564 Shaughnessy Street, Port Coquitlam, BC V3C 3G4.*

PURPOSE

To reduce liability to the City for construction or alteration work done by property owners, business owners or contractors without, or not in compliance with, building permits or inspections and to encourage compliance with the City's bylaws, the BC Building Code and other regulations.

BACKGROUND AND COMMENTS

Since 2021, the Building Division has been aware of numerous building and structural deficiencies on the property that are unsafe and in contravention of the City's bylaws and the BC Building Code. These deficiencies were discovered as a result of a business license inspection of Ground X, the tenant and operator of the property. The City has requested that these deficiencies be resolved, but to date the City has received little cooperation from the business proprietor or the property owner regarding these deficiencies.



Section 57 for 750 Kingsway Avenue

The attached correspondence from the Building Inspector describes the work without permit at 750 Kingsway Avenue. The Corporate Officer has sent a copy of this report and details of the hearing date and time to the property owner.

The Manager of Building Permits and Inspections recently reviewed the business inspection issues with the property owner.

A Section 57 Notice on title is recommended because the following has not been resolved:

Building and Plumbing Comments:

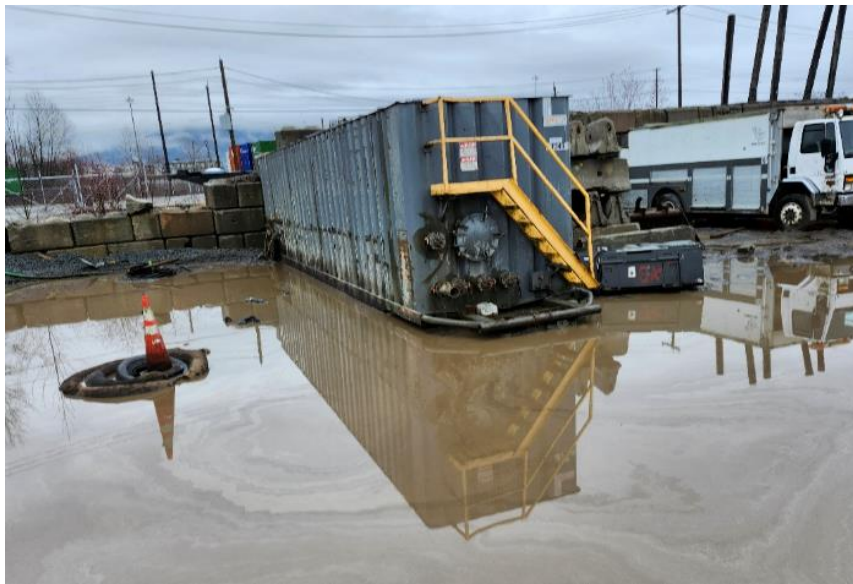


- Accessory canopy structure constructed without a permit.

Section 57 for 750 Kingsway Avenue



- Building Permit is required for siting of the office trailer currently sitting above storage containers. The City does not have record of a building permit for the new office building located next to the large green two storey building near the entrance to the property. Alternatively, this building should be removed from the property.
- There are also several accessory buildings for which there is no record of permits.



- A permit is required prior to any installation of any drainage facilities on site.

Section 57 for 750 Kingsway Avenue



- A number of storage containers used for storage.



- Structures currently encroaching onto city property to be addressed.



- Indicate which of the existing abandoned buildings are going to be retained and used. The structures must be made safe to occupy. Demolition Permits will be required to remove the structures. Several buildings on the property appear to be abandoned and are in disrepair. It is recommended that these buildings be removed. Demolition permits are required to be obtained prior to commencing work for the removal of any buildings.
- Provide washroom facility. Note; Services for washroom facilities are required to be provided as required under the 2018 BC Building Code. Portable washrooms are not an acceptable method to satisfy this requirement and are not adequate as a public health solution.

Fire Department Comments:

- Condemned building being used.
- Shipping containers hooked up to electricity, some being used as offices, and others stacked in precarious manners.
- Emergency access route appears to be blocked by mounds of dirt and gravel, limiting the actions of Fire Departmental response during an emergency.

No action to resolve the items of deficiencies submitted to the business owner in the letter dated March 13, 2023, have been undertaken.

It should be emphasized that the removal of any material(s) from the property is required to follow Provincial guidelines regarding contaminated sites.


Section 57 for 750 Kingsway Avenue

Filing a Section 57 Notice against the property title will:

- Provide information for present and future owners of the building permit or inspection issues;
- Shift the liability away from the City;
- Encourage compliance with the building regulations as real estate agents, mortgage holders and insurers may be very concerned about the risk.

After providing the property owner, building inspector and those affected an opportunity to be heard, Council may decide on this matter.

OPTIONS (✓ = Staff Recommendation)

| | # | Description |
|---|---|--|
|  | 1 | Direct staff to file the notice. |
| | 2 | Request additional information prior to making a decision on the notice. |
| | 3 | Decline to file the notice. |

ATTACHMENTS

Attachment 1: Inspection Notice dated July 28, 2022

Attachment 2: Fire Department Letter dated Nov 14, 2023

Attachment 3: Letter to Ground X dated March 13, 2023

Attachment 4: Memo to Director dated Feb 1, 2024

Lead author(s): Larry Lorette

BUSINESS LICENCE INSP-BUILDING INSPECTION NOTICE

Address: 750 KINGSWAY AVE, PORT COQUITLAM
Permit Type: BUSINESS LICENCE INSPECTION

Permit #: CS008962
Inspection Date: Jul 28, 2022

Description: The purpose of this folder type is to be able to track the status of all Business Licences which require inspection and/or approval from the Building Division.

Inspection Status: FAILED

THE BUILDER MUST ENSURE THE FOLLOWING ITEMS ARE COMPLETED

- Container at west side abandoned. Structure to be removed from site
- Accessory canopy structure constructed without a permit. Either remove structure or Building Permit required. A building permit is required for any new buildings that have been constructed/added to the property.
- Building Permit is required for siting of office trailer currently sitting above storage containers. The City does not have record of a building permit for the new office building located next to the large green two storey building near the entrance to the property. Alternatively this building should be removed from the property.
There are also several accessory buildings for which there is no record of permits.

As per the City of Port Coquitlam Building and Plumbing Bylaw #3710, no person shall commence or continue any excavation, construction, alteration, reconstruction, demolition, removal or relocation or change the occupancy of any building or structure unless a permit for the work has been issued. Failure to comply with the requirements of the bylaw could result in fines or penalties being imposed.

- Confirm number of storage containers used for storage. Please consult with the Planning Department for maximum allowable.
- Contact Engineering Department to address structures currently encroaching onto city property.
- Indicate which of the existing abandoned building are going to be retained and used. The structures must be made safe to occupy. Demolition Permits will be required to remove the structures. Several buildings on the property appear to be abandoned and are in disrepair. It is recommended that these buildings be removed. Demolition permits are required to be obtained prior to commencing work for the removal of any buildings.
- Provide washroom facility. Note; Temporary portable is not adequate as a public health

BUSINESS LICENCE INSP-BUILDING INSPECTION NOTICE

Address: 750 KINGSWAY AVE, PORT COQUITLAM
Permit Type: BUSINESS LICENCE INSPECTION

Permit #: CS008962
Inspection Date: Jul 28, 2022

Description: The purpose of this folder type is to be able to track the status of all Business Licences which require inspection and/or approval from the Building Division.

Inspection Status: FAILED

solution. Services for washroom facilities are required to be provided as required under the 2018 BC Building Code. Portable washrooms are not an acceptable method to satisfy this requirement.

- **NOTE:** A permit is required prior to any installation of any drainage facilities on site.
- The City does not have record of a building permit for the weigh scale office building located at 855 Kingsway Avenue. Also, this building appears to be located over the property line onto City property.

Building Official: DAVIN GABLE

Initials: 

- All Electrical and Gas installations should be approved by the Provincial Government prior to occupancy.



Date of Letter: 11/14/2023
Date of Inspection: 11/07/2023
Property Name: PBD - Ground X Site Services Ltd.
Attention: Business Owner
Property Address: 750 KINGSWAY AVE PORT COQUITLAM
Property Owner:

The deficiencies listed below were noted during an inspection of the above noted property on 11/07/2023. In order to maintain a fire safe environment, these observed violation(s) must be corrected immediately.

Structural Design

There appears to be structural deficiencies within your premise.

In order to comply with this requirement, you are recommended to consult with the Port Coquitlam Building Department for all requirements and necessary permits prior to the commencement of any work.

NOTE: Port Coquitlam Fire Protective Services will be sending a copy of this letter to the Building Department immediately.

Failure to comply with this notice may result in further enforcement proceedings.

NOTE: Portable located above shipping containers.

Violation: Modified Shipping Container

Requirement: All flammable and combustible liquids must be promptly removed. A sign stating "No Flammable Liquid Storage" must be visibly posted on the container's exterior.

No electrical connections are allowed for illumination purposes within the container. Any modifications altering the container's original intended use must be pre-approved by the Port Coquitlam Building Department.

NOTE: Multiple modified shipping containers located around the site.



This report is not a representation that the premises are safe, and is merely a record of observed violations. The Fire Department conducts a variety of inspections, and the nature of those inspection varies significantly. Pursuant to Port Coquitlam Bylaw #3562, if the Order for Deficiencies has not been complied with upon the re-inspection, a fee will be charged for the re-inspection and

If you have any questions or need information please contact me at 604-927-5464. Failure to conform is an infraction of the City Fire Protective Services Bylaw, BC Fire Services Act or the BC Fire Code and is liable to the penalties and/or conditions in those regulations.

Yours Truly,

Jason Marshall

Local Assistant Fire Commissioner

VIA EMAIL & REGISTERED MAIL

March 13, 2023

Rick Lubarski
Ground X Services
105-1312 Ketch Court
Coquitlam, BC
V3K 6W1

Dear Mr. Lubarski:

I write further to your November 1, 2022 letter in support of your business license application for Ground X Site Services Ltd. at 750 Kingsway Avenue (the "Property"). In my last letter on October 13, 2022, I requested that you provide me with a detailed written update on all matters addressed in our previous correspondence, by no later than November 1, 2022.

As you know, I am the delegated decision maker under the Business Bylaw with authority either to accept or reject your application. For the reasons that follow, having reviewed your November 1, 2022 submission, I have determined to refuse your application.

Pursuant to the Business Bylaw, No. 2010, a license may be refused as follows:

REFUSAL OF A LICENSE

6. An application for a License or renewal of a License may be refused by Council or the Manager in any specific case, provided that:

- (a) the application must not be unreasonably refused; and
- (b) reasons for the refusal must be provided to the applicant.

I have reviewed and carefully considered the information provided in your November 1, 2022 letter. In response, I note the following on each of the nine items addressed in your letter:

- 1) A December 1, 2022 site inspection noted breach of barriers. Tickets were issued and barriers were reinstated on December 8, 2022. A January 24, 2023 site inspection noted a second breach of barriers. Repair work has not been authorized or started. I will discuss these breaches further below. I also note that, as of today's date, there are continuing issues relating to debris and damage to the City roadway. Ground X has yet to present the City with a remedial plan for the damage caused.

- 2) I note that to my knowledge, the effluent discharge permits referred to in your November 1, 2022 letter have not been issued. Further, you have not advised regarding how you intend to address the alteration and obstruction of watercourses. Despite the lack of any permit, staff and the City hired consultants that have observed Ground X continues to discharge substances into the ditch and possibly the river.
- 3) I understand that you have not applied for a watercourse development permit, despite having had notice of the requirement to do so. You have provided no reason for your failure to apply, however, as I understand, this may be difficult for Ground X to obtain without co-operation from Bath Properties Ltd., I have not considered this requirement as a ground for refusal.
- 4) At this time, I understand that your position is that Bath Properties Ltd. was responsible for removing trees from the site and not Ground X. Given the uncertainty regarding which party was responsible for tree removal, I do not consider this item to be a ground for denying your business license.
- 5) I understand that Ground X met with City staff on October 26 to discuss permit Soil Removal and Deposit Permit requirements. As of today's date, the City has not received a permit application, despite considerable soil movement, occurring at an estimated rate of 1-2 trucks, approximately every 15 minutes. Ongoing inspections have indicated that the property now exceeds the limits allowable under our bylaw.
- 6) As of today's date, the City has not received a Building Permit application for any of the buildings constructed without permit. I also note that Ground X has been directed to apply forward a site service permit for any site drainage work proposed for on the property. The City has not received a site service permit application.
- 7) You advised that Ground X applied for a Fuel Tank Permit Application on October 3. I understand that this permit was not approved due to the fact that the tank was located too close to the building that is to be demolished, along with several other outstanding requirements, including the need to provide barriers around the tank, no smoking signs, and a spill kit. Fire staff also note that on October 19th, February 1st and March 9th, their inspections found there were improperly stored drums that are not marked and may be leaking.
- 8) Ground X applied for a Demolition Permit for an unoccupied building on October 3rd. I understand that the City is not in a position to issue this permit due to the following outstanding items:
 - A copy of the Worksafe BC Notice of Project must be submitted.
 - Confirmation of a business license for the demolition permit contractor is required.
 - Payment of outstanding fees for the permit. Disconnection and cap off of services.

- 9) I understand that the Effluent Discharge Permit Application, the Water Discharge Permit Application, and Brokering Facility Permit Application, required by the Ministry of Environment and the Metro Vancouver Regional District, have not yet been issued. I understand that despite this, Ground X's activities, which include matters captured by these three regional permits continue.

In my opinion, the lack of progress on the items above is a sufficient basis upon which I may reasonably refuse your business license in this case, pursuant to Section 6 of the Business Bylaw. Your application has been ongoing since July 28, 2022. Since then, the City has given you notice of multiple issues regarding your conduct on the Property, and ample time to address the problematic conduct. While I acknowledge that you have made progress on some of these issues, you have not brought the property up to a standard that would allow me to issue you a license to carry on business.

In addition to the items discussed above, it has come to my attention that there are further infractions that have recently occurred on the Property. Specifically, on February 15, 2023, a site inspection noted a breach of City barriers and a tailing pond constructed on the dike. On February 16, 2023, a subsequent site inspection noted that additional material was placed on the City's dike. On February 24, 2023, a third site inspection noted that Ground X had taken barriers down and removed the tailing pond. Finally, I understand that survey markers placed on City property showing the boundary between the Property and the public property affected by Ground X's ongoing activities have been removed, crushed, or otherwise tampered with. Please see the attached photographs.

I consider that the lack of progress you have made on the items listed in your November 1, 2022 letter, along the more recent infractions mentioned above, are independently sufficient grounds upon which I may rely in making the determination to refuse your business license application at this time.

Please understand that my refusal of this application does not preclude you from addressing the items above, bringing the Property into compliance with City bylaws, and re-applying for a business license. My refusal relates only to this application and does not prohibit you from seeking a license in future.

I do caution you that continuing to carry on business without a license may result in enforcement action, including fines or court proceedings.

Finally, I wish to draw your attention to section 6.1 of the Business Bylaw, which states:

RIGHT OF RECONSIDERATION BY COUNCIL

6.1 If the Manager has refused to grant a License or has imposed a term or condition that the applicant considers is unreasonable, the applicant who is subject to the decision is entitled to have Council reconsider the matter.

You are entitled to seek reconsideration of this decision by Council. Please notify me should you wish to engage this right.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer Little". The signature is written in a cursive, flowing style.

Jennifer Little
Manager of Planning

Attachments



Nov. 8, 2022 11:05:55 a.m.
Port Coquitlam



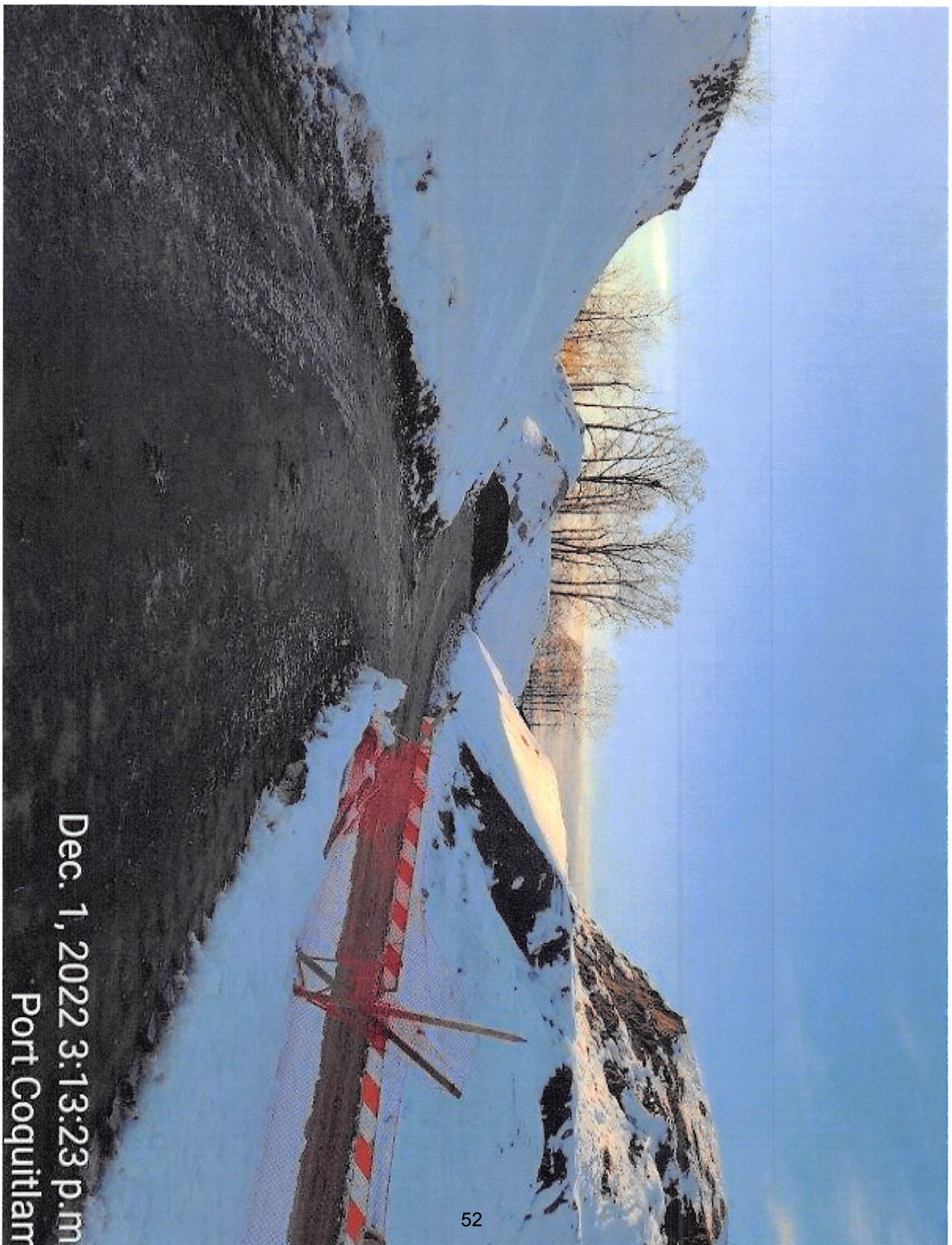
Feb 15, 2023 9:43:59 a.m.
Port Conquitlam



Feb 15, 2023 9:44:26 a.m.
Port Conquitlam







TO: Bruce Irvine
Director of Development Services

FROM: Larry Lorette
Manager of Building Permits and Inspections

SUBJECT: Section 57 Notice on Title for 750 Kingsway
Avenue

FILE: CS008962/CS009481

DATE: Feb 1, 2024

RECOMMENDATION:

The Building Inspector recommends Council place a notice on title as provided in Section 57 of the *Community Charter* because of multiple infractions of BC Building Code, City Bylaws, and environmental damage as described in the Council Report.

BACKGROUND & COMMENTS:

Since 2021, the Building Division has been aware of numerous building and structural deficiencies on the property that are unsafe and in contravention of the City's bylaws and the BC Building Code. These deficiencies were discovered as a result of a business license inspection of Ground X, the tenant and operator of the property. The City has requested that these deficiencies be resolved, but to date we have received little cooperation from the business proprietor or the property owner regarding these deficiencies.

Jan 2021- During a business license inspection by the Building Department and Fire Department by the Fire Department, the following issues were observed:

Property and Business Deficiencies:

Building and Plumbing Comments:

- Accessory canopy structure constructed without a permit.
- Building Permit is required for siting of office trailer currently sitting above storage containers. The City does not have record of a building permit for the new office building located next to the large green two storey building near the entrance to the property. Alternatively, this building should be removed from the property.
- There are also several accessory buildings for which there is no record of permits.
- A permit is required prior to any installation of any drainage facilities on site.
- A number of storage containers used for storage.
- Structures currently encroaching onto city property to be addressed.

- Indicate which of the existing abandoned building are going to be retained and used. The structures must be made safe to occupy. Demolition Permits will be required to remove the structures. Several buildings on the property appear to be abandoned and are in disrepair. It is recommended that these buildings be removed. Demolition permits are required to be obtained prior to commencing work for the removal of any buildings.
- Provide washroom facility. Note; Temporary portable is not adequate as a public health solution. Services for washroom facilities are required to be provided as required under the 2018 BC Building Code. Portable washrooms are not an acceptable method to satisfy this requirement.
- A weigh scale has been placed upon City Property between 750 and 855 Kingsway Avenue as part of Ground X's operations that needs to be removed. A permit for the weigh scale building will be required if relocated.

Fire Department Comments:

- Condemned building being used.
- Shipping containers hooked up to electricity, some being used as offices, and others stacked in precarious manners.
- Emergency access route appears to be blocked by mounds of dirt and gravel, limiting the actions of Fire Departmental response during an emergency.

Engineering and Public Works Comments:

- Discharging deleterious substances to river and ditch.
- Encroachment on City ROW (dike). Unauthorized construction or modification of the dike lands
- Road debris and damage to roadway.
- Soil depositing in contradiction to city soil bylaw 3331. Metro Vancouver has advised that an unlicensed waste facility is in operation
- Alleged receiving contaminated soil- hydro carbons.

Planning Department Comments:

- The business has blocked culvert and is discharging into watercourse. Property has visible drainage issues - may be contaminated and is uncontrolled.
- Watercourse encroachment (with fill being dumped on west end of site).
- Watercourse development permit requirement for works within setback area (land clearing, siting of structures).

It should be emphasised that the removal of any material(s) from the property is required to follow Provincial guidelines regarding contaminated sites.



Larry Lorette
Manager of Building Permits and Inspections