

Council Regular Agenda

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

Tuesday, December 11, 2018

Time: 6:00 p.m. (following Public Hearing)

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Recommendation:

That the December 11, 2018, Regular Council Meeting Agenda be adopted as circulated.

3. BYLAWS

3.1 Zoning Amendment Bylaw No. 4098 (Lounge Area Capacity) - Third and Final Reading

Recommendation:

That Council give Zoning Amendment Bylaw No. 4098 (Lounge Area Capacity) third and final reading.

3.2 Repeal Bylaw No. 4069 - First Three Readings

Recommendation:

That Council give Repeal Bylaw No. 4069 first three readings.

3.3 2018 to 2022 Financial Plan Amendment Bylaw No. 4097 - First Three Readings

Recommendation:

That the 2018 to 2022 Financial Plan Amendment Bylaw, 2018, No. 4097 receive first three readings.

3.4 Bylaw Notice Enforcement Amendment Bylaw No. 4096 - Final Reading

Recommendation:

That Council give Bylaw Notice Enforcement Amendment Bylaw No. 4096 final reading.

4. REPORTS

4.1 Section 57 Notice – 1300 Dominion Avenue (Art Knapp)

Recommendation:

That Council, pursuant to the recommendation of the Building Inspector, direct the Corporate Officer to file a notice with the Land Title Office, stating that a resolution has been made under Section 57 of the Community Charter relating to the property located at:

*Rem 57 Block 6N, Section 7, Range 1E, New West District, Plan 1033 Parcel G, except plan 9168, (S75682#), Lot 57 except part now road on SRW Plan 55863 & Sec 8; and,
That Council direct staff to make all information related to this matter available to the public.*

5. NEW BUSINESS

6. OPEN QUESTION PERIOD

7. ADJOURNMENT

7.1 Adjournment of the Meeting

Recommendation:

That the December 11, 2018, Regular Council Meeting be adjourned.

Zoning Amendment Bylaw for Lounge Area Capacity

RECOMMENDATION:

That Council give third and final readings to Zoning Amendment Bylaw, 2008, No. 3630, Amendment Bylaw 2018, No. 4098.

PREVIOUS COUNCIL/COMMITTEE ACTION

Public Hearing for Zoning Amendment Bylaw No. 4098 held December 11, 2018.

At the December 4, 2018 Committee of Council Meeting, the following resolution was passed:

That Council:

- (a) Give 1st and 2nd reading to Zoning Bylaw Amendment Bylaw 4098 that increases the permitted seating capacity for a lounge endorsement area and tasting lounge to a combined total of 50 seats; and*
- (b) Approve the Liquor Establishment Policy as amended (Attachment #2) to provide for consideration of parking variances for liquor manufacturing establishments with lounge endorsement areas.*

At the July 24, 2018 meeting of the Smart Growth Committee, the following resolution was passed:

“Staff to provide a report, including commentary on the following items for craft breweries:

- 1) Methods to increase and impacts of increasing seating from 25 up to 100;*
- 2) Parking requirements; and*
- 3) Making parking stalls available from nearby businesses within 750 metres.”*


REPORT SUMMARY

The proposed amending bylaw updates the Zoning Bylaw to increase the permitted seating capacity for a lounge endorsement area and tasting lounge to a combined total of 50 seats.

Zoning Amendment Bylaw for Lounge Area Capacity

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Give the amending bylaw third and final readings as distributed.
2	Give the amending bylaw third reading only (and postpone final reading).
3	Amend the bylaw prior to giving it third and final readings.
4	Take no action (do not give the bylaw any readings).

ATTACHMENTS

Attachment #1: Bylaw 4098

Attachment #2: 2018-12-04 - Report

CITY OF PORT COQUITLAM

Zoning Amendment Bylaw, 2018

Bylaw No. 4098

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

1. CITATION

This Bylaw may be cited as the “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2018, No. 4098”.

2. ADMINISTRATION

Zoning Bylaw, 2008, No.3630 is amended as follows:

2.1 In Section I Definitions:

- a) by amending the definition for lounge endorsement area by replacing “brewery, distillery or winery” with “liquor manufacturing use”, and updating the name of the licensing branch as follows:

“**Lounge endorsement area** means an area licenced under the Liquor and Cannabis Regulation Branch to provide for the sale and service of beer, liquor or wine for on-site consumption in an indoor or patio area accessory to a liquor manufacturing use.”

- b) By amending the definition of Wine and Beer Making to update the name of the licensing branch as follows:

“**Wine and beer making** means a premises licenced under the Liquor and Cannabis Regulation Branch to provide for the fermentation and bottling of wine, beer, cider, mead and coolers for personal consumption and not for resale.”

2.2 In Section II Zones and Zone Regulations, 4. Industrial Zones:

- c) By amending Table 4.3 Industrial Zones Permitted Uses by removing “Lounge endorsement area” as a permitted principal use.
- d) By amending Note 21 to Table 4.3 Industrial Zones Permitted Uses to replace “25” with “50” and to add “including any seats or patron capacity for a tasting room” as follows:

“Note 21. A lounge endorsement area is only permitted where accessory to a liquor manufacturing use. The lounge endorsement area is limited to a maximum of 50 seats or patron capacity, including any seats or patron capacity for a tasting room, a maximum interior floor area of 75 m² and an outdoor patio area with a maximum size of 10 m².”

- e) By amending Note 23 to Table 4.3 Industrial Zones Permitted Uses to add “tasting room” as follows:

“Note 23. The total combined floor area used for the lounge endorsement area, tasting room, and packaged liquor sales in the M1 and M3 zones is limited to 25% of the floor area occupied by the liquor manufacturing business.”

READ A FIRST TIME this	4 th day of	December, 2018
READ A SECOND TIME this	4 th day of	December, 2018
PUBLIC HEARING HELD this	11 th day of	December, 2018
READ A THIRD TIME this		
ADOPTED this		

Mayor

Corporate Officer

Lounge Endorsement Area Amendment to Seating Capacity

RECOMMENDATION:

That Council:

- (a) Give 1st and 2nd reading to Zoning Bylaw Amendment Bylaw 4098 that increases the permitted seating capacity for a lounge endorsement area and tasting lounge to a combined total of 50 seats; and
- (b) Approve the Liquor Establishment Policy as amended (Attachment #2) to provide for consideration of parking variances for liquor manufacturing establishments with lounge endorsement areas.

PREVIOUS COUNCIL/COMMITTEE ACTION

At the July 24, 2018 meeting of the Smart Growth Committee, the following resolution was passed:

“Staff to provide a report, including commentary on the following items for craft breweries:

- 1) Methods to increase and impacts of increasing seating from 25 up to 100;*
- 2) Parking requirements; and*
- 3) Making parking stalls available from nearby businesses within 750 metres.”*

REPORT SUMMARY

This report evaluates the potential impacts of allowing for an increase to the seating capacity of lounge endorsement areas attached to liquor manufacturing businesses and recommends the Zoning Bylaw be amended to expand the capacity from 25 seats to 50 seats. It further recommends that the Liquor Establishment Policy be amended to allow Council consideration of variances to parking regulations, as current regulations would otherwise restrict the ability of most businesses to be in a position to expand their operations. The proposal retains the intent of the Zoning Bylaw that a lounge endorsement area be accessory to a liquor manufacturing activity while facilitating their expansion through a relaxation of seating capacity and site-specific consideration of how parking demands may be met.

BACKGROUND

In 2016, the City amended its regulations to allow for the establishment of liquor manufacturing businesses with accessory lounge endorsement areas and accessory liquor sales in the M1 General Industrial and M3 Light Industrial zones. The regulations provided for a maximum internal floor area of 75 m² and outdoor patio area of 10 m² for the lounge endorsement areas, and a combined maximum of 25 seats (or patron capacity). The regulations also provided for a limited amount of space for liquor sales and tasting. In addition to parking requirements for industrial and retail uses, liquor manufacturers with a lounge endorsement area were required to provide one parking stall for every 5 seats. The City's Liquor Establishment Policy, which provides a framework for factors to be considered when providing comment to the Liquor Control and Cannabis Regulation Branch (LCRB) on provincial liquor applications, was also amended at that time to define closing hours for lounge endorsement areas and expectations for community consultation.

Lounge Endorsement Area Amendment to Seating Capacity

There are now four craft liquor manufacturers in operation in the City of Port Coquitlam, with one expected to open in the coming months. These business owners are reporting that there is a demand for additional seating by their customers and they wish to be permitted to expand their operations. To date, the City has not received any complaints about the impacts or operations of these establishments.

DISCUSSION

An updated survey of liquor manufacturers with lounge endorsement areas across Metro Vancouver revealed there continues to be a significant range in seating capacities, from those with 25-30 seats to larger establishments where capacities exceed 200. Many establishments do not clearly separate their lounge endorsement areas from their tasting lounges and their patron capacity may be set by floor area limits, parking regulations or building code requirements such as number of washrooms, fire separations and occupant load calculation rather than seating capacity regulations.

Increasing the seating capacity of lounge endorsement areas to 50 seats would better align with business trends in the liquor manufacturing industry and better meet consumer demand. The permitted size of the lounge endorsement area would be sufficient to allow for these additional seats and it is expected that most of the current manufacturers with lounge endorsement areas would be in a position to comply with requirements set by the British Columbia Building Code without significant renovations. The City will be requested by the LCRB to provide comment on establishment of new lounge endorsement areas or increases to seating capacity; consideration of impacts to the community within the context of the particular location would be provided through this process.

A larger seating capacity, such as 75 or 100 seats, is not recommended as this capacity would not be in keeping with policies promoting industrial uses within industrial areas. Such a large size would be a significant departure from the original intent that liquor manufacturers be allowed to have accessory lounge areas and could have substantial impacts on surrounding businesses. If a business owner wishes to be permitted to have more than 50 seats and can demonstrate that the impacts of such a size could be addressed at their particular location, then the proposal could be considered through a site-specific Zoning Bylaw amendment process.

The major potential impact of allowing for any increase to the seating capacity is parking. However, it is not proposed that the current parking requirements be amended, as the current regulation is consistent with requirements for similar establishments such as restaurants and cafes. Furthermore, the requirement that a lounge endorsement area provide one stall per 5 seats is less than the requirement for a neighbourhood pub, which must provide one stall per 2 seats (outside the downtown) or 3 seats (in the downtown). As most businesses are unlikely to be able to provide additional parking, it is proposed that a policy be set which would allow Council to consider varying parking requirements on a site-specific basis. This proposal recognizes that the peak times for patrons at breweries tends to be late afternoon, evenings and weekends, which is after the typical

Lounge Endorsement Area Amendment to Seating Capacity

operating hours and peak parking demands of neighbouring industrial businesses. If patrons are allowed to use the spaces provided for the industrial uses, then the impacts to surrounding businesses would not be expected to be significant.

FINANCIAL IMPLICATIONS:


None

CONSULTATION

The current regulations were based on extensive community consultation conducted in the spring of 2016 which revealed, for the most part, substantial support for craft liquor manufacturing establishments to operate within the community. As the consultation did not reveal significant community opinion that the seating capacity should be limited to a specific number, no additional consultation process is recommended. Should a Zoning Bylaw amendment proceed, a public hearing would be scheduled.

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Amend the Zoning Bylaw and Liquor Establishment Policy to allow for up to 50 seats at liquor manufacturing businesses and provide for site-specific consideration of parking variances
2	Direct staff to initiate a public consultation process on the proposed amendments prior to making any decision
3	Request that staff bring forward an amending bylaw and policy that would allow for a different seating capacity or approach for further Committee consideration

ATTACHMENTS

Attachment #1: Zoning Bylaw Amendment

Attachment #2: Proposed Liquor Establishment Policy

Lead author(s): James Cummins, Jennifer Little

CITY OF PORT COQUITLAM

Zoning Amendment Bylaw, 2018

Bylaw No. 4098

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

1. CITATION

This Bylaw may be cited as the “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2018, No. 4098”.

2. ADMINISTRATION

Zoning Bylaw, 2008, No.3630 is amended as follows:

2.1 In Section I Definitions:

- a) by amending the definition for lounge endorsement area by replacing “brewery, distillery or winery” with “liquor manufacturing use”, and updating the name of the licensing branch as follows:

“**Lounge endorsement area** means an area licenced under the Liquor and Cannabis Regulation Branch to provide for the sale and service of beer, liquor or wine for on-site consumption in an indoor or patio area accessory to a liquor manufacturing use.”

- b) By amending the definition of Wine and Beer Making to update the name of the licensing branch as follows:

“**Wine and beer making** means a premises licenced under the Liquor and Cannabis Regulation Branch to provide for the fermentation and bottling of wine, beer, cider, mead and coolers for personal consumption and not for resale.”

2.2 In Section II Zones and Zone Regulations, 4. Industrial Zones:

- c) By amending Table 4.3 Industrial Zones Permitted Uses by removing “Lounge endorsement area” as a permitted principal use.
- d) By amending Note 21 to Table 4.3 Industrial Zones Permitted Uses to replace “25” with “50” and to add “including any seats or patron capacity for a tasting room” as follows:

“Note 21. A lounge endorsement area is only permitted where accessory to a liquor manufacturing use. The lounge endorsement area is limited to a maximum of 50 seats or patron capacity, including any seats or patron capacity for a tasting room, a maximum interior floor area of 75 m² and an outdoor patio area with a maximum size of 10 m².”

- e) By amending Note 23 to Table 4.3 Industrial Zones Permitted Uses to add “tasting room” as follows:

“Note 23. The total combined floor area used for the lounge endorsement area, tasting room, and packaged liquor sales in the M1 and M3 zones is limited to 25% of the floor area occupied by the liquor manufacturing business.”

READ A FIRST TIME this

READ A SECOND TIME this

PUBLIC HEARING HELD this

READ A THIRD TIME this

ADOPTED this

Mayor

Corporate Officer



POLICY

Subject Area:	Community Planning	Policy #5.04
Policy Title:	Liquor Establishment Policy	
Authority:	Legislative	Effective Date: 2016-10-24
	Administrative	Review Date: 2021-10
Issued By:	Laura Lee Richard Director of Development Services	Issue Date: 2016-10-24
		Distributed by: Department Heads

Purpose

To provide a framework for the factors Port Coquitlam will consider when reviewing a liquor establishment application as referred to the City for review and comment by the BC *Liquor and Cannabis Regulation Branch (LCRB)* and applications to amend the Zoning Bylaw to permit new establishments that will be subject to liquor licences. The policy will be used to evaluate merits of an application in conjunction with application of the City's Development Procedures Bylaw, Parking and Development Management Bylaw and any other relevant bylaws or policies. This policy is intended to provide information upfront to prospective applicants about the City's procedures in processing their applications for reasons of clarity and consistency. It applies to those who are applying for, or hold, licences for liquor primary establishments, food primary establishments, liquor retailers, and liquor manufacturers with endorsements.

Policy

1. Analysis of Applications

1.1 **New liquor primary licence applications** including applications for neighbourhood pubs and licensed manufacturing establishments seeking a lounge endorsement area; and amendments to liquor primary licences, food primary licences, and manufacturing licences with endorsements – included but not limited to, increasing or changing hours of operation during which liquor is served, increasing patron capacity, expanding an outside patio, adding a lounge or allowing patron participation entertainment.

The following factors will be considered in evaluation of an application:

- a. The location(s) of other establishments with liquor licences
- b. The distance to schools and any other uses that may be relevant to a specific application

-
- c. Traffic and parking impacts, including options to vary parking requirements for liquor manufacturing applications with a lounge endorsement area when written consent is provided to utilize neighbouring parking stalls or the business has access to additional parking in on-street or other locations during periods of peak demand.
 - d. Access for pedestrians and cyclists and to public transit
 - e. Impacts to residents or businesses
 - f. Comments by the RCMP and City staff with respect to any public safety, security, building or business licence concerns.

1.2 New and relocation of liquor retail stores – includes private liquor stores, BC liquor stores, private wine stores (VQA), stores within grocery stores, and wine on shelves in grocery stores.

In addition to the factors identified in Section 1.1, the following factors will be considered in evaluating an application:

- a. Confirmation that the proposed location is a minimum of 1 km from other liquor retail establishments, including liquor stores in a grocery store, wine on shelves in a grocery store, wine stores, and liquor retail stores. For clarification, this provision does not apply to a farmers market.

2. Opening Times

The City will evaluate the appropriate opening time for a liquor primary licence establishment application on a case-by-case basis.

3. Closing Times

The City's closing times for liquor manufacturing establishments with a lounge endorsement area will be no later than 9 pm Monday to Thursday, no later than 10 pm Friday to Saturday, and no later than 8 pm on Sunday.

All operating and liquor service hours are subject to *LCRB* licensing regulations and approval, as appropriate.

4. Public Consultation

- Application for new and relocated liquor retail stores and endorsements to manufacturing licences should include documented input gathered from neighbouring residents and businesses.
- For a liquor establishment application that does not require a rezoning process, Committee or Council may determine that a Public Hearing be held in accordance with the procedures identified in the Development Procedures Bylaw where concerns about a proposed location are identified during the review and early consultation process.

Responsibility:

Director of Development Services

Bylaw 4069 – Repeal of Bylaws 2497 & 2619

RECOMMENDATION:

That Council give Bylaw No. 4069 first three readings.

PREVIOUS COUNCIL/COMMITTEE ACTION

None.

REPORT SUMMARY

Bylaw 2497 Public Works Special Capital Reserve Fund and Bylaw 2618 Extraordinary Building Maintenance Reserve Fund have been depleted. Bylaw 4069 is a housekeeping bylaw to repeal both depleted bylaws.

DISCUSSION

Bylaw 2497, Public Works Special Capital Reserve Fund (Attachment 2) was established in 1990 to provide capital funds through interest earned to address localized road and/or drainage issues identified by residents in a timely and efficient manner. Funding was transferred from the Tax Sale Lands Reserve Fund in the amount of \$2,000,000. Only interest earned on the fund was to be used for expenditures. The amount of interest fluctuates from year to year and has significantly declined since the fund's inception. In order to allow for consistent funding of small community and Transportation Solutions and Public Works Committee initiatives, a budget of \$35,000 was moved into the operating budget in 2015, making the use of the Public Works Special Capital Reserve Fund redundant. Included in the 2017 to 2021 Financial Plan is the use of the balance of this reserve (approximately \$2.3 Million) to be used to fund the Community Recreation Complex, therefore the Public Works Special Capital reserve is now depleted.

Bylaw 2618, Extraordinary Building Maintenance Reserve Fund (Attachment 3) was established in 1991, to set aside funds for major repairs and other extraordinary items for city buildings. On July 25, 2016, the Budget and Infrastructure Committee provided direction to consolidate the capital funding envelopes into a general capital reserve, therefore no annual funding has been directed to the Extraordinary Building Maintenance Reserves in recent years. The reserve has since been depleted.

Bylaw 4069 is a housekeeping bylaw to repeal both depleted bylaws.


FINANCIAL IMPLICATIONS

None

Bylaw 4069 – Repeal of Bylaws 2497 & 2619

OPTIONS

(Check = Staff Recommendation)

#	Description
1	
	Give Bylaw 4069 first three readings.
2	Request more information from staff prior to giving the bylaw readings.

ATTACHMENTS

Attachment #1: Bylaw 4069

Attachment #2: Bylaw 2497

Attachment #3: Bylaw 2618

CITY OF PORT COQUITLAM

REPEAL BYLAW, 2018

Bylaw No. 4069

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

1. CITATION

This Bylaw is cited as “Repeal Bylaw, 2018, No. 4069”.

2. ADMINISTRATION

That following bylaws, including amendments, are hereby repealed:

- a) Public Works Special Capital Expenditure Reserve Fund Establishment and Transfer Bylaw, 1990, No. 2497
- b) Extraordinary Building Maintenance Reserve Fund Establishment and Transfer Bylaw, 1991, No. 2618.

READ A FIRST TIME this	day of	, 2018
READ A SECOND TIME this	day of	, 2018
READ A THIRD TIME this	day of	, 2018

Mayor

Corporate Officer

THE CORPORATION OF THE CITY OF PORT COQUITLAMBYLAW NO. 2497

A Bylaw to authorize the establishment of a Reserve Fund pursuant to the provisions of Section 378 of the Municipal Act and the transferring thereto of \$2,000,000.00 from the Tax Sale Lands Reserve Fund.

WHEREAS there is an unappropriated balance of \$11,123,583.00 as at December 31st, 1989 in the Tax Sale Lands Reserve Fund consisting of monies received from the sale of tax sale properties including interest earned thereon and set aside in accordance with the provisions of Section 380 of the "Municipal Act";

AND WHEREAS Bylaw No. 2460 has been passed to authorize the expenditure of funds in the amount of \$350,000.00 from the said amount in the Tax Sale Lands Reserve Fund;

AND WHEREAS Bylaw No. 2465 has been passed to authorize the expenditure of funds in the amount of \$154,000.00 from the said amount in the Tax Sale Lands Reserve Fund;

AND WHEREAS Bylaw No. 2489 has been passed to authorize the expenditure of funds in the amount of \$300,000.00 from the said amount in the Tax Sale Lands Reserve Fund;

AND WHEREAS Bylaw No. 2496 has been passed to authorize the expenditure of funds in the amount of \$390,000.00 from the said amount in the Tax Sale Lands Reserve Fund;

AND WHEREAS no sinking funds have been or were required to be established;

AND WHEREAS it is deemed desirable to transfer from the amount so set aside to the Public Works Capital Expenditure Fund hereinafter established the sum of \$2,000,000.00;

NOW THEREFORE the Municipal Council of The Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

1. A reserve fund to be known as the Public Works Special Capital Expenditure Reserve Fund is established pursuant to the provisions of Section 378 of the Municipal Act.
2. The transfer of \$2,000,000.00 from the Tax Sale Lands Reserve Fund to the Public Works Special Capital Expenditure Reserve Fund herein established is authorized.

3. No part of the \$2,000,000.00 transferred in accord with the provisions of Section 2 of this Bylaw shall be expended for any purpose but the Council may, by bylaw adopted by at least 2/3 of its members, provide for the expenditure of interest earned by the fund for the following purposes;
 - a. Construction or reconstruction of local roads,
 - b. Construction or reconstruction of storm sewers on local roads, and
 - c. Other ancillary works as may be necessary for the purposes aforesaid.
4. This Bylaw may be cited for all purposes as the "Public Works Special Capital Expenditure Reserve Fund Establishment and Transfer Bylaw, 1990, No. 2497".

Read a first time by the Municipal Council this 7th day of May, 1990.

Read a second time by the Municipal Council this 7th day of May, 1990.

Read a third time by the Municipal Council this 7th day of May, 1990.

Reconsidered, finally passed and adopted by a vote in favour thereof of at least two-thirds of all the members of the Municipal Council of the Corporation of The City of Port Coquitlam this 14th day of May, 1990.

Mayor

City Clerk

THE CORPORATION OF THE CITY OF PORT COQUITLAMBYLAW NO. 2618

A Bylaw to authorize the establishment of a Reserve Fund pursuant to the provisions of Section 378 of the Municipal Act and the transferring thereto of \$250,000.00 from the Tax Sale Lands Reserve Fund.

WHEREAS there is an unappropriated balance of \$8,743,809.74 as at December 31st, 1990 in the Tax Sale Lands Reserve Fund consisting of monies received from the sale of tax sale properties including interest earned thereon and set aside in accordance with the provisions of Section 380 of the "Municipal Act";

AND WHEREAS no sinking funds have been or were required to be established;

AND WHEREAS the following bylaws have been passed to authorize the expenditure of funds in the following amounts from the said amount in the Tax Sale Lands Reserve Fund:

Bylaw No. 2465 - Dyke Construction	\$154,000.00
Bylaw No. 2514 - Recycling Equipment	\$400,000.00
Bylaw No. 2539 - Coquitlam River Drainage	\$175,000.00
Bylaw No. 2543 - Lobb Avenue Construction	\$181,000.00
Bylaw No. 2552 - Trenton Avenue Sanitary Sewers & Waterworks	\$450,000.00
Bylaw No. 2560 - Purchase 2568 Pitt River	\$305,000.00
Bylaw No. 2588 - Langan Ave. Construction	\$190,130.00
Bylaw No. 2599 - Purchase 1675 Broadway	\$699,000.00
Bylaw No. 2613 - Purchase 2505 & 2517 Wilson Avenue	\$418,000.00
Bylaw No. 2617 - Purchase 2535 Wilson Avenue	\$242,000.00

<u>TOTAL</u>	<u>\$3,214,130.00</u>
--------------	-----------------------

AND WHEREAS it is deemed desirable to transfer from the amount so set aside to the Extraordinary Building Maintenance Reserve Fund hereinafter established the sum of \$250,000.00;

NOW THEREFORE the Municipal Council of The Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

1. A reserve fund to be known as the Extraordinary Building Maintenance Reserve Fund is established pursuant to the provisions of Section 378 of the Municipal Act.
2. The transfer of \$250,000.00 from the Tax Sale Lands Reserve Fund to the Extraordinary Building Maintenance Reserve Fund herein established is authorized.

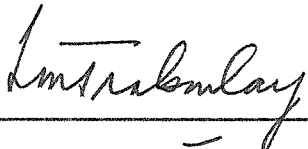
3. The Council may, by bylaw adopted by at least 2/3 of its members, provide for the expenditure of all or a portion of the \$250,000.00 transferred in accord with the provisions of Section 2 of this Bylaw and interest earned thereon for the purpose of maintenance or repair of buildings owned by the City.
4. This Bylaw may be cited for all purposes as the "Extraordinary Building Maintenance Reserve Fund Establishment and Transfer Bylaw, 1991, No. 2618".

Read a first time by the Municipal Council this 26th day of August, 1991.

Read a second time by the Municipal Council this 26th day of August, 1991.

Read a third time by the Municipal Council this 26th day of August, 1991.

Reconsidered, finally passed and adopted by a vote in favour thereof of at least two-thirds of all the members of the Municipal Council of the Corporation of The City of Port Coquitlam this 9th day of September, 1991.



Mayor



Acting City Clerk

2018-2022 Financial Plan Amendment

RECOMMENDATION:

That the 2018 to 2022 Financial Plan Amendment Bylaw, 2018, No. 4097 receive first three readings.

PREVIOUS COUNCIL/COMMITTEE ACTION

At the April 10, 2018 Council meeting, Bylaw No. 4049, the 2018-2022 Financial Plan Bylaw, 2018 was adopted.

REPORT SUMMARY

A number of expenditures and funding transfers have been approved by the Finance and Budget Committee since the 2018-2022 Financial Plan Bylaw was adopted in April. This Financial Plan Amendment Bylaw will fulfill the statutory requirements for the expenditures and reserve account transfers previously approved by Committee. The Bylaw will also include some additional housekeeping items that have arisen in the year.

BACKGROUND

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

DISCUSSION

Expenditures and reserve account transfers previously approved by Committee are as follows:

Date	Description	Amount
February 27, 2018	Add funding from General Accumulated Surplus for establishment of Tri-Cities Homeless & Housing Taskgroup	\$4,100
March 6, 2018	Transfer of excess 2017 Water Accumulated Surplus to Water Infrastructure Reserves	\$5,300,000
March 6, 2018	Transfer of excess 2017 Sewer Accumulated Surplus to Sewer Infrastructure Reserves	\$1,800,000
March 20, 2018	Add grant funding for Electric Vehicle Charging Station Pilot Project	\$29,800
March 20, 2018	Add funding from General Accumulated Surplus for Electric Vehicle Charging Station Pilot Project	\$6,200
March 27, 2018	Additional funding from Arts & Culture Reserve for Rainbow Project	\$11,000

2018-2022 Financial Plan Amendment

March 27, 2018	Additional funding from MRN Reserve for rehab of MRN Roads	\$250,000
April 4, 2018	Additional funding from General Accumulated surplus for grass cutting on Fremont Street	\$6,300
May 8, 2018	Transfer of Mayor Moore Campaign Surplus to PoCo Community Foundation	\$12,081
May 15, 2018	Transfer of revenue from digital signs to Downtown Reserve	\$300,000
May 22, 2018	Transfer of RCMP operating surplus to operating reserve	\$472,000
July 17, 2018	Add grant funding for Donald Street Path: Welcher Avenue to Central Avenue	\$600,000
July 17, 2018	Reduce funding from General Capital Reserve for Donald Street Path: Welcher Avenue to Central Avenue	(\$1,210,695)
July 17, 2018	Transfer of budget from Centennial Pool maintenance contingency to Centennial Pool Rehabilitation	\$200,000
July 17, 2018	Release of remainder of Centennial Pool maintenance contingency funded from General Accumulated Surplus	(\$50,000)
July 17, 2018	Add grant funding for 2018 Pedestrian Safety program	\$225,500
July 17, 2018	Release funding for 2018 Pedestrian Safety program from General Capital Reserve	(\$116,800)
July 17, 2018	Add grant funding for 2018 Active Transportation program	\$75,000
July 17, 2018	Increase funding from General Capital Reserve for 2018 Active Transportation program	\$50,000
July 17, 2018	Add grant funding for 2018 Sidewalk program	\$120,000
July 17, 2018	Increase funding from General Capital Reserve for 2018 Sidewalk program	\$280,000
July 17, 2018	Add grant funding for LED Replacement program	\$10,000
July 17, 2018	Release funding from General Capital Reserve for LED Replacement program	(\$10,000)
July 17, 2018	Reduce grant funding for Blakeburn Lagoons project	(\$160,000)
July 17, 2018	Increase funding increase funding from General Capital Reserve for Blakeburn Lagoons project	\$240,000
July 17, 2018	Add grant funding for Lougheed Highway Bridges study	\$45,000
July 17, 2018	Release funding from General Capital Reserve for Lougheed Highway Bridges study	(\$45,000)
July 17, 2018	Add grant funding for Traffic Calming program	\$25,000
July 17, 2018	Increase funding from General Capital Reserve for Traffic Calming program	\$175,000

2018-2022 Financial Plan Amendment

July 17, 2018	Remove Bedford Street Culvert replacement funded from General Capital Reserve	\$(113,000)
July 17, 2018	Increase funding from General Capital Reserve for Coast Meridian replacement	\$ 25,000
July 17, 2018	Add replacement of Fire Hall #2 Diesel Exhaust System funded from the Building Maintenance Reserve	\$150,000
July 17, 2018	Transfer funding from the Building Maintenance Reserve from 2019 to 2018 for Fire Hall #1 Diesel Exhaust System project to be completed at the same time as Fire Hall #2;	\$100,000
July 24, 2018	Increase funding from General Accumulated Surplus for 2018 Neighbourhood Rehabilitation Program for additional scope at Killarney and Somerset Streets	\$325,000
November 20, 2018	Transfer from Public Works Special Capital Reserve to Recreation Complex Reserve	\$2,352,600
November 20, 2018	Reclassify Community Recreation Complex funding from Public Works Special Capital Reserve to Recreation Complex Reserve	\$2,300,000

The financial plan amendment bylaw also includes a number of housekeeping items as noted below:

Adjustments to carry forwards as permitted by policy

Some project carry forward budgets need to be amended based on the final 2017 figures as the 2018-2022 Financial Plan Bylaw was passed prior to final 2017 balances being known. The carry forward amendments are as follows:

- Recreation Centre - \$2.3M
- Blackburn Lagoons – (\$133K)
- Lougheed Highway Widening Sherling Avenue to Ottawa Street – (\$83K)
- Community Police Station Renovations - \$74K
- Pooley Avenue High Pressure Watermain - \$64K
- West-side Coquitlam River Trail - \$49K
- PoCo Sports Hall of Fame - \$43K
- Parklets - \$30K
- Hawkins/Nicola Intersection Improvements - \$27K

2018-2022 Financial Plan Amendment

Other adjustments:

- Adjust interest projections on LTR reserves - \$229K

FINANCIAL IMPLICATIONS


The following table shows the net impact to the financial plan for the items listed above.

Financial Plan Item	Amount
Reserves	
Water Infrastructure Reserve	5,266,300
Sewer Infrastructure Reserve	1,772,800
RCMP Operating Reserve	472,000
Downtown Reserve	300,000
Building Maintenance Reserve	250,000
MRN Reserve	221,200
Public Safety Building Reserve	73,600
Parks & Recreation Reserve	43,800
Arts & Culture Reserve	31,000
Roads & Drainage Reserve	(17,900)
Recreation Complex Reserve	52,600
Public Works Special Capital Reserve	(52,600)
General Capital Reserve	(944,695)
LTR General	2,474,000
LTR Water	33,700
LTR Sewer	27,200
General Accumulated Surplus	(123,200)
Water Accumulated Surplus	(5,300,000)
Sewer Accumulated Surplus	(1,800,000)
Revenues / Expenditures	
Sale of Services Revenue	300,000
Grant funding – Contribution Revenue	(1,312,600)
DCC Parkland #1 – Contribution Revenue	2,500
DCC Parkland Interest – Contribution Revenue	800
DCC Parkland #2 - Contribution Revenue	(52,300)
Other Revenue	(12,100)
City Operating Expenses	58,500
Capital Expenditures	1,042,300

2018-2022 Financial Plan Amendment

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	That the 2018 to 2022 Financial Plan Amendment Bylaw, 2018, No. 4097 receive first three readings.
2	That Council direct the bylaw back to staff for further analysis and/or changes.

ATTACHMENTS

Attachment #1: 2018 to 2022 Financial Plan Amendment Bylaw, 2018, No. 4097

Lead author: Michelle Prefontaine

CITY OF PORT COQUITLAM
FINANCIAL PLAN AMENDMENT BYLAW

Bylaw No. 4097

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

1. CITATION

This Bylaw is cited as the “2018-2022 Financial Plan Bylaw, 2018, No. 4049, Amendment Bylaw, 2018, No. 4097”.

2. ADMINISTRATION

That “2018 to 2022 Financial Plan Bylaw, 2018 No. 4049”, is amended by removing Schedule “A” and Schedule “B” and replacing them with the following Schedule “A” and Schedule “B” pages attached hereto and forming part of this Bylaw.

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

Mayor

Corporate Officer

SCHEDULE "A"

Schedule A - 2018 to 2022 Financial Plan Bylaw Amendment, 2018, No. 4097

	2018 Budget	2019 Budget	2020 Budget	2021 Budget	2022 Budget
Revenues					
Taxation and other levies	\$ (66,161,800)	(69,088,300)	(71,665,500)	(73,528,400)	(76,406,900)
Utility charges	(22,791,200)	(23,568,400)	(24,405,500)	(25,283,700)	(26,173,700)
Sale of services	(6,430,800)	(5,357,750)	(5,021,600)	(4,895,600)	(4,895,600)
Contributions	(14,981,700)	(3,463,000)	(3,355,500)	(3,355,500)	(3,355,500)
Permits and licences	(2,668,900)	(2,418,900)	(2,148,900)	(2,148,900)	(2,148,900)
Investment income	(2,039,900)	(2,040,000)	(1,840,000)	(1,840,000)	(1,840,000)
Penalties and fines	(406,400)	(398,400)	(398,400)	(398,400)	(398,400)
Other Revenues	(69,600)	(747,800)	(747,800)	(747,800)	(747,800)
Total Revenues	\$ (115,550,300)	\$ (107,082,550)	\$ (109,583,200)	\$ (112,198,300)	\$ (115,966,800)
Expenditures					
City Operating Expenditures	\$ 82,005,900	81,909,200	83,900,600	85,755,900	88,702,100
External Debt Interest Expense	1,032,500	1,539,500	1,812,500	2,982,500	2,982,500
Amortization	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000
Total Operating Expenses	\$ 95,038,400	\$ 95,448,700	\$ 97,713,100	\$ 100,738,400	\$ 103,684,600
Net (Revenue) Expenditure	\$ (20,511,900)	\$ (11,633,850)	\$ (11,870,100)	\$ (11,459,900)	\$ (12,282,200)
Allocations					
Net Transfers to (from) Reserves	\$ (58,023,900)	(6,902,350)	(4,601,700)	(1,604,900)	(782,600)
Capital Expenditures	105,090,000	46,890,400	45,226,000	22,526,000	22,526,000
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)
Cash from External Borrowing	(16,000,000)	(17,800,000)	(18,200,000)	-	-
External Debt Principle Repayment	445,800	445,800	445,800	1,538,800	1,538,800
Total Allocations	\$ 20,511,900	\$ 11,633,850	\$ 11,870,100	\$ 11,459,900	\$ 12,282,200
Financial Plan Balance	\$ -	\$ -	\$ -	\$ -	\$ -

SCHEDULE "B"

Schedule B - 2018 to 2022 Financial Plan Bylaw Amendment, 2018, No. 4097

Transfers from (to) Reserves

	2018 Budget	2019 Budget	2020 Budget	2021 Budget	2022 Budget
Transfers from Reserve Funds					
General Capital	\$ 19,373,900	11,090,445	7,927,750	8,228,250	8,228,250
Land Sale	13,056,800	8,000,000	4,000,000	2,000,000	2,000,000
Community Recreation Complex	11,653,400	4,352,805	2,500,000	-	-
Long Term General Infrastructure	8,656,000	-	-	-	-
Water Infrastructure	6,166,700	2,155,000	2,155,000	2,155,000	2,155,000
Roads & Drainage	4,875,700	-	-	-	-
Sewer Infrastructure	3,769,700	510,000	510,000	510,000	510,000
Vehicles & Equipment	3,053,400	1,381,000	1,381,000	1,381,000	1,381,000
Public Works Special Capital	2,352,600	-	-	-	-
Federal Gas Tax	1,096,500	-	-	-	-
Parking	1,016,000	-	-	-	-
RCMP	600,000	600,000	600,000	600,000	600,000
Information Systems	597,500	650,000	65,500	-	-
Cart Replacement	432,200	50,000	50,000	50,000	50,000
Building Maintenance	427,200	235,000	235,000	-	-
Roads (MRN)	256,600	-	-	-	-
Parks & Recreation	157,000	-	-	-	-
Public Safety Building	144,700	-	-	-	-
Election	100,000	-	-	-	100,000
Arts & Culture	91,900	-	-	-	-
Cemetery	61,700	-	-	-	-
Allocated Accumulated Surplus - General	5,238,300	77,000	77,000	-	-
Allocated Accumulated Surplus - Water	5,425,000	-	-	-	-
Allocated Accumulated Surplus - Sewer	1,856,900	-	-	-	-
Total Transfers from Reserves	\$ 90,465,700	\$ 29,101,250	\$ 19,501,250	\$ 14,924,250	\$ 15,024,250
Transfers to Reserve Funds					
General Capital	\$ (9,499,700)	(9,422,500)	(8,952,500)	(4,478,000)	(4,478,000)
Water Infrastructure	(9,553,000)	(2,960,300)	(2,960,300)	(2,067,900)	(2,067,900)
Community Recreation Complex	(6,604,700)	(4,361,300)	(2,888,300)	-	-
Sewer Infrastructure	(3,211,300)	(1,431,200)	(1,431,200)	(762,200)	(762,200)
Vehicle & Equipment	(1,313,300)	(1,338,500)	(1,338,500)	(1,338,500)	(1,338,500)
RCMP	(489,000)	(24,400)	(24,400)	(24,400)	(24,400)
Land Sale	(336,600)	(317,400)	(317,400)	(317,400)	(317,400)
Downtown Projects	(300,000)	(304,800)	(304,800)	(304,800)	(304,800)
Roads (MRN)	(262,400)	(271,500)	(271,500)	(271,500)	(271,500)
Cart Replacement	(231,700)	(248,800)	(248,800)	(248,800)	(248,800)
Federal Gas Tax	(214,800)	(210,000)	(210,000)	(210,000)	(210,000)
Water Rate Stabilization	(90,100)	(97,000)	(97,000)	(97,000)	(97,000)
Sewer Tax Stabilization	(80,000)	(85,900)	(85,900)	(85,900)	(85,900)
Parking	(57,500)	(64,800)	(64,800)	(64,800)	(64,800)
Bus Shelters	(40,000)	(50,000)	(50,000)	(50,000)	(50,000)
Election	-	-	-	(21,400)	(21,400)
Long Term General Infrastructure	(89,500)	(709,000)	(1,377,300)	(6,521,900)	(7,241,500)
Long Term Water Infrastructure	(36,900)	(175,800)	(294,000)	(1,308,100)	(1,433,500)
Long Term Sewer Infrastructure	(25,300)	(125,700)	(216,000)	(980,100)	(1,080,300)
Total Transfers to Reserve Funds	\$ (32,441,800)	\$ (22,198,900)	\$ (21,132,700)	\$ (19,152,700)	\$ (20,097,900)
Total Transfers from (to) Reserve Fund	\$ 58,023,900	\$ 6,902,350	\$ (1,631,450)	\$ (4,228,450)	\$ (5,073,650)

CITY OF PORT COQUITLAM

BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW, 2018

Bylaw No. 4096

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

1. CITATION

This Bylaw is cited as "Bylaw Notice Enforcement Bylaw, 2013, No. 3814, Amendment Bylaw, 2018, No. 4096".

2. ADMINISTRATION

That the Bylaw Notice Enforcement Bylaw, 2013, No. 3814, Schedule "A" (Building and Plumbing Bylaw No. 3710) be amended by changing the Bylaw Section number indicated in Column 2 for the section "Fail to Comply Stop Work Order, from "253" to "26.3".

READ A FIRST TIME this 27th day of November, 2018

READ A SECOND TIME this 27th day of November, 2018

READ A THIRD TIME this 27th day of November, 2018

ADOPTED this

Mayor

Corporate Officer

SCHEDULE "A"

Designated Bylaw Contraventions and Penalties

Building and Plumbing Bylaw No. 3710

Column 1	Column 2	Column 3	Column 4	Column 5
DESCRIPTION	SECTION NO. IN BYLAW	DISCOUNTED PENALTY IN \$ (within 14 days)	FULL PENALTY IN \$ (after 14 days)	COMPLIANCE AGREEMENT DISCOUNT ⁽¹⁾
Construction without building permit	6.1	100.00	150.00	50%
Occupancy contrary to notice or permit	6.2	100.00	150.00	50%
Construction contrary to plans	6.5	100.00	150.00	n/a
Failure to obtain inspection	17.2	100.00	150.00	n/a
Unlawful disposal of pool water	21.2	100.00	150.00	n/a
Improper Maintenance of pool fence	21.5	100.00	150.00	50%
Moving Building without permit	23.1	100.00	150.00	n/a
Fail to Comply Stop Work order	26.3	200.00	300.00	n/a

(1) Where compliance agreement entered in accordance with section 8 (a)(v) of this bylaw.

RECOMMENDATION:

That Council, pursuant to the recommendation of the Building Inspector, direct the Corporate Officer to file a notice with the Land Title Office, stating that a resolution has been made under Section 57 of the Community Charter relating to the property located at:

Rem 57 Block 6N, Section 7, Range 1E, New West District, Plan 1033 Parcel G, except plan 9168, (S75682#), Lot 57 except part now road on SRW Plan 55863 & Sec 8; and,

That Council direct staff to make all information related to this matter available to the public.

PREVIOUS COUNCIL/COMMITTEE ACTION

April 24, 2018:

Staff provided an update to Council on 1300 Dominion Ave.

April 25, 2017:

Council discussed a report from the Building Inspector detailing safety issues and recommending a Section 57 notice be placed on title for the property at 1300 Dominion Ave (Art Knapps). Council passed a resolution requesting that City staff, the Fire Department and the land owner work together to resolve safety issues and report back to Council within one year.

REPORT SUMMARY

This report presents a recommendation from the Building Inspector that a Section 57 Notice on Title be filed at the Land Title Office for 1300 Dominion Avenue for construction work completed without a permit.

DISCUSSION

The Building Inspector of any city is charged with the responsibility of ensuring that any construction work that has been undertaken is completed according to all building standards. Building standards have been enacted to ensure the safety of all people who may be in or near a building or structure, including: property owners, residents, customers, employees, and visitors. The requirement of building permits for all construction allows building inspectors to maintain a record of construction works underway, to give feedback on construction requirements, and to inspect construction works that have been completed. Building inspectors thereby ensure that all construction works remain safe for all members of the public.

As per the City of Port Coquitlam Bylaw 3710 (Building and Plumbing), permits are required before any construction is undertaken:

6. Prohibitions

6.1 *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.*

8. Permit Applications

8.1 *Every person shall apply for and obtain:*

8.1.1 *a building permit before excavating for construction, constructing, relocating, reconstructing, repairing, or altering a building, retaining wall, swimming pool or other structure;*

The *Community Charter* provides that the City may register a Section 57 Notice on Title with the Land Title Office, based on a recommendation from the Building Inspector when construction works have been discovered to have been completed without permits.

Filing a Section 57 notice against the property title:

- Encourages a property owner to comply with the City's Building and Plumbing Bylaw, the BC Building Code and other building regulations; and
- Provides an accessible record of the outstanding issues related to the property for members of the public, including: property purchasers, real estate agents, mortgage lenders and insurers.

The property located at 1300 Dominion Avenue is recommended for a Section 57 (1)(b) Notice on Title, because of bylaw violations due to the following construction, renovations and alterations being completed without obtaining a building permit:

1. the construction of a tent-type structure;
2. alterations to provide for changing rooms within the main building;
3. the addition of a storage building adjacent to the east property line;
4. an addition of and alterations to the greenhouse canopy; and
5. the construction of a building located on the south portion of the property.

City staff from the Building Division has been actively engaging with the property owner of 1300 Dominion Avenue for building works completed without permits since November 2013. To date, the bylaw violations for the structures identified in the Building Inspector's Memorandum remain unresolved.

1300 Dominion Avenue – Notice on Title


In addition to the registration of the recommended Section 57 notice, staff will continue to work with the property owner to address the items identified in the Building Inspector's Memorandum (Attachment #1).

FINANCIAL IMPLICATIONS

None

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Direct staff to file a Section 57 notice
2	Request additional information (defer a decision)
3	Decline to file the notice

ATTACHMENTS

Attachment #1 – 2018-12-03 Building Inspector Memorandum Re: 1300 Dominion Ave

MEMORANDUM

DATE: December 3, 2018
TO: Gabryel Joseph, Corporate Officer
FROM: Shawn Hagan, Building Inspector
SUBJECT: Section 57 Recommendation - 1300 Dominion Avenue

STATUTORY AUTHORITY

This report is generated under statutory authority granted per Section 57 of the BC Community Charter:

- 57 (1) *A building inspector may recommend to the council that it consider a resolution under subsection (3) if, during the course of carrying out duties, the building inspector*
- (b) *discovers that*
- (i) *something was done with respect to a building or other structure, or the construction of a building or other structure, that required a permit or an inspection under a bylaw, regulation or enactment referred to in paragraph (a) (i), and*
 - (ii) *the permit was not obtained or the inspection not satisfactorily completed.*

BACKGROUND

The Office of the Building Inspector has identified five bylaw violations where unauthorized construction has occurred at 1300 Dominion Avenue.

The following is a history of actions undertaken to attain compliance from the property owner:

Nov 29, 2018	Emailed property owner regarding work without permit for structure located on the south side of the property (identified on November 20, 2018)
Nov 20, 2018	Site visit by Building Inspector and Fire Inspector with CFT Engineering Incorporated. Work without permit for a tunnel type structure with a fabric roof located on the south portion of the property was noted.
Oct 19, 2018	Director of Development Services sent letter to Shiloh Nurseries regarding ongoing concerns related to land use and licensing requirements in relation to Funland and any future amusement park use. Specifically, that the amusement park use for Funland or any other future amusement would not be a permitted use on the property.
Aug 24, 2018	Bylaw enforcement notice B0009201 issued for construction without a building permit. Letter and bylaw enforcement notice B0009201 mailed to Shiloh Nurseries Limited regarding work without permit for tent structure in the front parking area.
April 4, 2018	Email sent by the Building Division to remind the property owner of the April 25, 2017, Council resolution for a report on the property within one year.

Feb 6, 2018	A response to the exiting proposal was provided by Inspector Clarkson to again inform the property owner that permits would be required prior to beginning any work. Inspector Clarkson expressed concern that scaffolding would only be a temporary measure and that it is not intended for permanent use as a building exit.
Feb 2, 2018	An email from the property owner was received by Inspector Clarkson. The property owner believed he had found a solution to the exiting issue and was seeking an opinion. The plan proposed using a scaffolding system at the east side of the building. A rough sketch of the proposal was attached to the email.
Sept 22, 2017	The property owner was informed of the name of the person who posted the notices. The property owner was informed again that the notices would and should remain in place.
Sept 21, 2017	Property owner made another request that the posted notices needed to be "removed immediately".
Sept 20, 2017	Property owner made another request to the Building Division for removal of the posted notices. A request was also made for the name of the person who signed the posted notices on the tunnel.
Sept 12, 2017	Reply was provided to the September 11, 2017, email from the property owner. This email stated that the posted notices would and should remain in place. A reminder was provided that permits are required for agricultural zoned property.
Sept 11, 2017	A Stop Work Notice and a Do Not Occupy Notice were posted on the Halloween Tunnel structure.
Sept 11, 2017	Email was received from the property owner. This email stated: <ul style="list-style-type: none"> • That permits are not required as the tunnel is a temporary building. • That agricultural land has different regulations from commercial properties and that the City should be applying agricultural regulations, rather than commercial regulations going forward. • That the notices be removed prior to the opening of Funland on September 15, 2017. • That the property owner will be looking at a loss of income claim and further damages.
Sept 5, 2017	Building Division emailed the property owner, including a copy of the June 30, 2017, letter, as a reminder of safety issues and work without permit that had yet to be resolved. The property owner was advised at that time that a permit for the Halloween Tunnel was required and that failure to do so could result in the posting of a Stop Work Notice and a Do Not Occupy Notice.
Aug 30, 2017	Inspector Clarkson emailed the property owner in response to the proposal to spray fire retardant. Inspector Clarkson advised that a building permit should be obtained prior to any work and informed the property owner that it is important to follow the sequential process to ensure that the minimum level of life safety is met.
Aug 29, 2017	Property owner emailed Inspector Clarkson informing him that he had contracted a company to spray the entire tunnel, props and plastic with a fire retardant.

- Aug 25, 2017 Building Inspector, Larry Lorette and Inspector Clarkson inspected the property. Deficiency letter provided to the property owner.
- During this meeting, it was noted that the Halloween Tunnel was being decorated. Inspector Clarkson shared concerns with the property owner regarding the lack of a flame spread rating, the extensive use of extension cords for lighting, as well as the lack of illuminated exit signs for the tunnel structure.
- The property owner noted during the meeting that he believed Council:
- Wanted him to make the building safer than it is currently.
 - Did not intend that he spend a lot of money to do so.
 - In no way expected him to hire an Architect to achieve BC Building Code or BC Fire Code standards.
- July 24, 2017 Building Division emailed the property owner, indicating that all items listed in the June 30, 2017, letter were safety related.
- July 23, 2017 Property owner emailed the Building Division requesting that items from the June 30, 2017 letter, that are not safety related, be removed
- June 30, 2017 Letter sent to the property owner summarizing list of safety deficiencies (after a meeting held with the property owner on June 23, 2017)

UNAUTHORIZED CONSTRUCTION

The Office of the Building Inspector has identified five bylaw violations where unauthorized construction has occurred at 1300 Dominion Avenue.

As per the City of Port Coquitlam Bylaw 3710 (Building and Plumbing), permits are required before any construction is undertaken:

8. Permit Applications

8.1 Every person shall apply for and obtain:

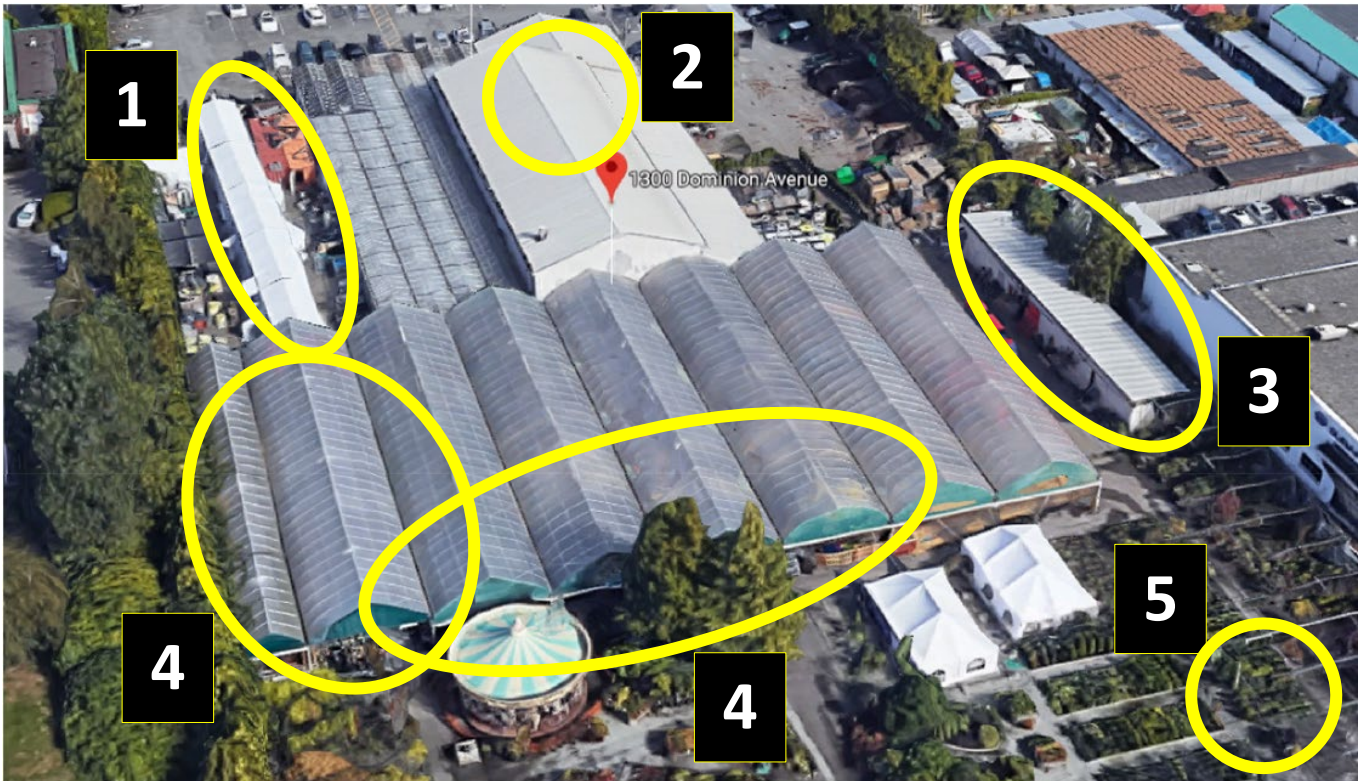
8.1.1 a building permit before excavating for construction, constructing, relocating, reconstructing, repairing, or altering a building, retaining wall, swimming pool or other structure;

The City of Port Coquitlam Bylaw 3710 (Building and Plumbing) also states:

6. Prohibitions

6.1 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.

Site Photos: 1300 Dominion Avenue



Violation #1: Tent Structure
Bylaw 3710: Sec 6.1 & 8.1

A tent-type structure has been built without a permit. The building is being used as a storage building and has also been used as a tunnel for a train amusement ride. The building is constructed of wood, with a fabric cover for the roof and walls. The structural integrity of the building is a concern, because the structure's ability to withstand a snow load or wind load has not been determined. The proximity of the building to other buildings on the property creates a risk of fire spreading from one building to another. Any commodity being stored in this building is unknown. The exiting and means of egress for this building would not comply with the requirements of the BC Building Code.

These concerns would have been addressed during the permitting process. As permits were neither applied for nor issued, these issues pose safety concerns.

Photo 1.1

The building shown was built without permits and is approximately 196 square meters in area.

The proximity of the building to other buildings on the property creates a risk of fire spreading from one building to another



Photo 1.2

The structural integrity of the building shown is a concern, because the structure's ability to withstand a snow load or wind load has not been determined.



Photo 1.3

Do Not Occupy and Stop Work Notices posted

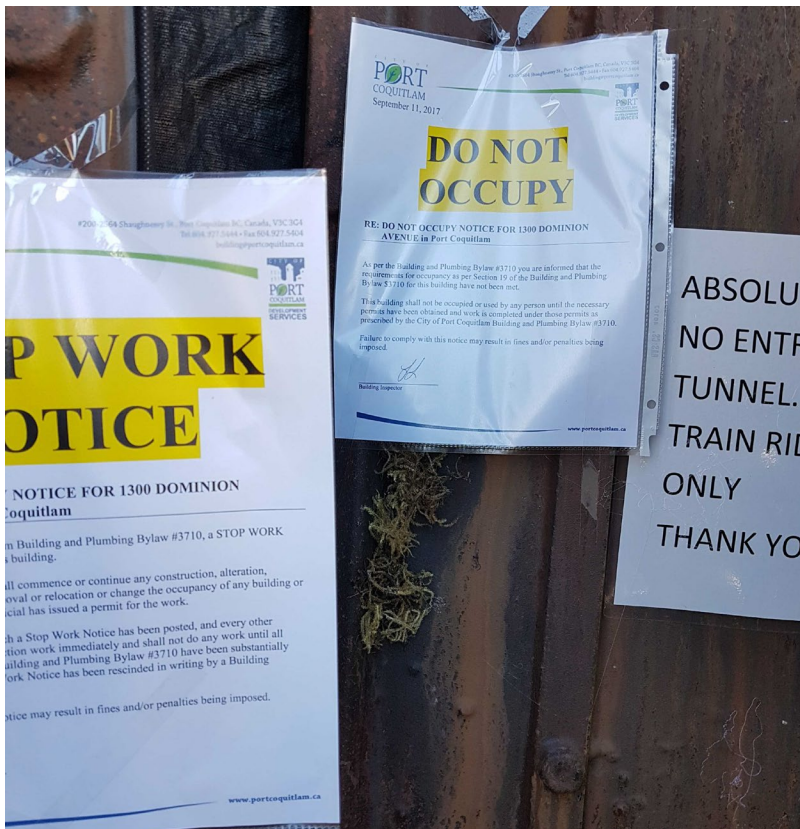
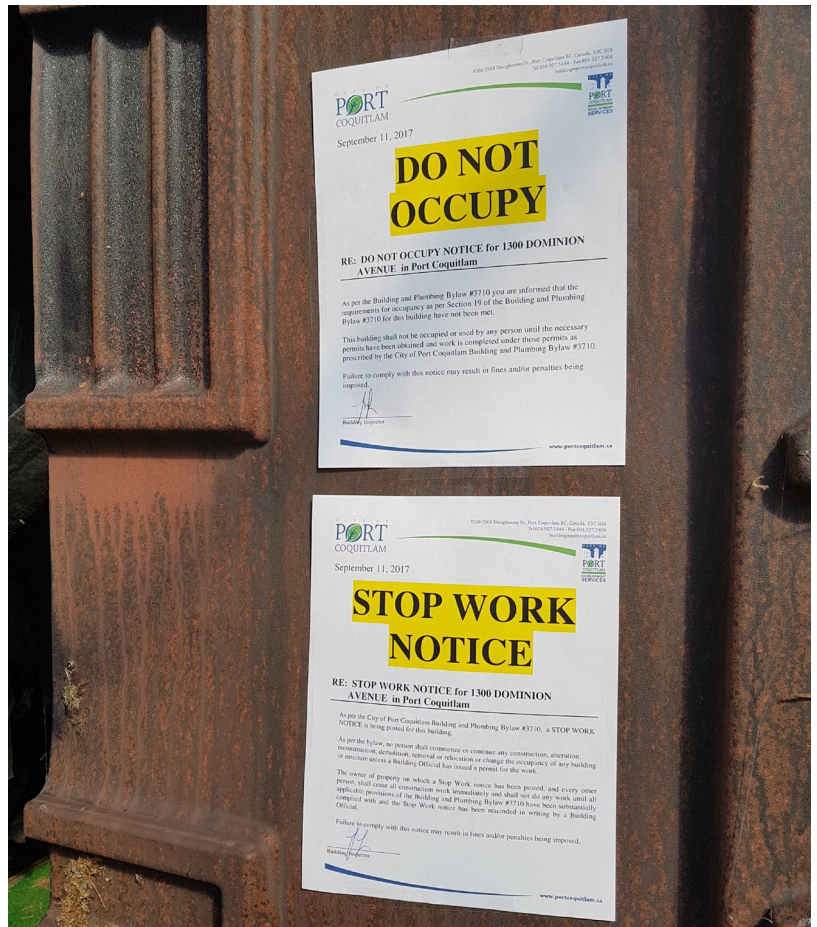


Photo 1.4

Do Not Occupy and Stop Work Notices posted

Violation #2: Interior Alterations

Bylaw 3710: Sec 6.1 & 8.1

Internal construction has taken place without a permit.

Photo 2.1

Change rooms have been constructed without a permit.



Violation #3: Storage Building
Bylaw 3710: Sec 6.1 & 8.1

A storage building of wood frame construction has been constructed without a building permit. The structural integrity of this building is a concern as the ability to withstand a snow load or wind load has not been determined. The proximity of this building to buildings on neighboring property poses a fire hazard. The building does not appear to have proper access or egress doors.

These concerns would have been addressed during the permitting process. As permits were neither applied for nor issued, these issues pose safety concerns.

Photo 3.1

The building shown was built without permits and is approximately 172 square meters in area.

The proximity of this building to buildings on the neighboring property poses a fire hazard.



Photo 3.2

The structural integrity of this building is a concern as the ability to withstand a snow load or wind load has not been determined.

Photo 3.3

The lumber grade and species of the framing material shown is unknown. As such, the ability of the frame to withstand snow load or wind load is unknown and poses a safety concern.

**Photo 3.4**

In this photo, there does not appear to be any mechanical connection to provide for anchorage between the wood post and the concrete foundation, creating a structural safety concern.

Additionally, the foundation does not extend a minimum of 150 millimeters above grade as required by BC Building Code.



Violation #4: Additions to Greenhouse Canopy
Bylaw 3710: Sec 6.1 & 8.1

Additions to the Greenhouse Canopy have been completed without a building permit. The photos below demonstrate that work to enlarge the greenhouse canopy area has been completed between 2006 and 2008. In the overhead photo taken in 2008, the highlighted areas show the additions that were constructed that did not exist in 2006. The structural integrity of this work is unknown, as is the ability of the structure to support snow loads or resist wind loads.

These concerns would have been addressed during the permitting process. As permits were neither applied for nor issued, these issues pose safety concerns.

Photo 4.1

Additions to the greenhouse canopy to the building shown below, completed between 2006 and 2008, resulted in an increased greenhouse area of approximately 678 square meters.

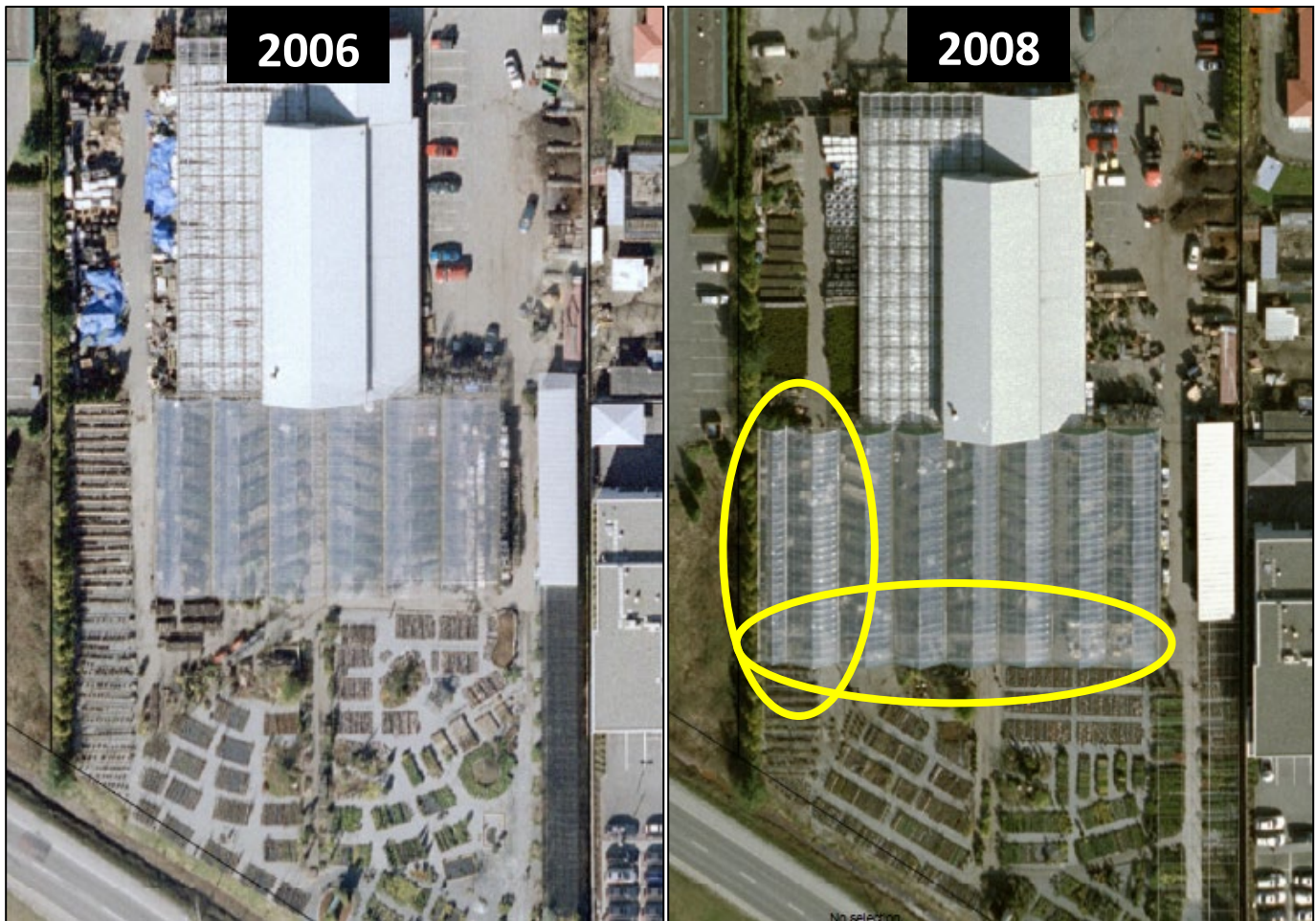


Photo 4.2

Photo shown was taken from below the added section of the greenhouse canopy.



Violation #5: Additions to Greenhouse Canopy
Bylaw 3710: Sec 6.1 & 8.1

A building has been constructed without a permit. The structure consists of wooden support walls that appear to be fencing panels. The roof framing consists of wood with a fabric cover. The structural integrity of this building is a concern as the ability to withstand a snow load or wind load has not been determined. The structure is open on each end.

These concerns would have been addressed during the permitting process. As permits were neither applied for nor issued, these issues pose safety concerns.

Photo 5.1

The building shown was built without a permit, and the grade and species of framing material is unknown. As such, the ability of the framing to withstand snow load or wind load is unknown, and poses a safety concern.



RECOMMENDATION

As of a site visit that I conducted on November 20, 2018, I can confirm that all structures and violations noted in this report remain in place. Also, I can confirm that the City has no record that permits have ever been issued for these structures, and as such, they are all in contravention of Bylaw 3710.

Based on the unresolved bylaw violations for building permits not being obtained, it is recommended that a report be drafted for Council consideration, directing the Corporate Officer to file a notice under Section 57(1)(b) of the Community Charter with the Land Title Office relating to the property located at:

Civic address: 1300 Dominion Avenue, Port Coquitlam BC, V3B 8G7

Legal Description: Rem 57 Block 6N, Section 7, Range 1E, New West District, Plan 1033 Parcel G, except plan 9168, (S75682#), Lot 57 except part now road on SRW Plan 55863 & Sec 8

Shawn Hagan
 Building Inspector
 City of Port Coquitlam