

Council Regular Agenda

Council Chambers, 3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC **Tuesday, January 8, 2019** Time: 6:00p.m.

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda <u>Recommendation:</u> That the January 8, 2019, Regular Council Meeting Agenda be adopted as circulated.

3. CONFIRMATION OF MINUTES

3.1 Minutes of Council Meetings

Recommendation:

That the minutes of the following Council Meetings be adopted:

- November 6, 2018, Regular Council Meeting
- November 13, 2018, Regular Council Meeting
- November 13, 2018, Special Council Meeting
- November 27, 2018, Regular Council Meeting
- December 4, 2018, Special Council Meeting
- December 11, 2018, Regular Council Meeting.

4. BYLAWS

- 4.1 Bylaw 4069 Repeal of Bylaws 2497 & 2619 Final Reading <u>Recommendation:</u> That Council give Bylaw 4069 final reading.
- **4.2** Bylaw 4097 2018 Financial Plan Amendment Final Reading <u>Recommendation:</u> *That Council give Bylaw 4097 final reading.*

5. REPORTS

5.1 Cannabis Regulations & Policy

Recommendation:

That Council:

- 1. Give 1st and 2nd reading to Zoning Bylaw Amendment Bylaw 4099:
- 2. Give first three readings to:
 - a) Development Procedures Bylaw Amendment Bylaw 4100;
 - b) Fees and Charges Bylaw Amendment Bylaw 4101;
 - c) Business Bylaw Amendment Bylaw 4102;
 - d) Delegation of Authority Bylaw Amendment Bylaw 4103;
 - e) Notice of Enforcement Bylaw Amendment Bylaw 4104; and
- 3. Approve the Cannabis Establishment Policy (as presented in Attachment #1 of this report).

5.2 Grant Applications for Child Care Planning and Licensed Preschool Spaces Recommendation:

That Council support the following grant applications:

- 1. Application to the Community Child Care Planning Program for a grant for \$25,000 to support the creation of a child care space inventory and action plan; and
- 2. Application to the Community Child Care Space Creation Program for a grant for \$360,000 to support the development of up to 20 licensed preschool spaces in the Port Coquitlam Community Centre.
- 5.3 Mayor's Year in Review Verbal Recommendation: None.
- 6. NEW BUSINESS
- 7. OPEN QUESTION PERIOD
- 8. ADJOURNMENT

8.1 Adjournment of the Meeting

Recommendation: That the January 8, 2019, Regular Council Meeting be adjourned.

Council Regular Minutes

Terry Fox Theatre, 1260 Riverside Gate, Port Coquitlam, BC November 6, 2018

Present:

Chair – Mayor West Councillor Darling Councillor Dupont Councillor McCurrach Councillor Penner Councillor Pollock Councillor Washington

1. ORDER OF MARCH

Piper Noreen Applegath escorted the RCMP Red Serge, Administrative Judge Anja Brown, Council Members and the Fire Service Honor Guard into the ceremony area.

2. O' Canada

Mikealah Unso led the audience in O Canada.

3. CALL TO ORDER

Mayor-Elect Mayor Brad West called the meeting to order 7:00 p.m..

4. OATH OF OFFICE

Mayor-Elect West introduced Administrative Judge Anja Brown to administer the Oath of Office and solemn affirmation to the newly elected Mayor and Councillors for the next four-year term.

Brad West, Mayor Councillor Steve Darling Councillor Laura Dupont Councillor Nancy McCurrach Councillor Darrell Penner Councillor Glenn Pollock Councillor Dean Washington

5. OFFICIALS PLACES

The Mayor and Councillors officially took their places as members of Port Coquitlam's City Council.

6. PRAYER

Reverend David Cathcart led the audience in a prayer.

7. OFFICIAL WELCOME

His Worship, Mayor Brad West, welcomed the special guests in attendance.

8. INAUGURAL REMARKS BY CITY COUNCILLORS

Each Councillor gave a brief address to the audience.

9. INAUGURAL SPEECH BY HIS WORSHIP, MAYOR B. WEST

His Worship, Mayor Brad West, gave his inaugural speech to the audience.

10. ADJOURNMENT

<u>Moved - Seconded:</u> *That the November 6, 2018, Council Meeting be adjourned.* <u>Carried</u>

Certified Correct,

Mayor

COQUITLAM

Council Regular Minutes

Council Chambers, 3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC November 13, 2018

Present:

Chair – Mayor West Councillor Darling Councillor Dupont Councillor McCurrach Councillor Penner Councillor Pollock Councillor Washington

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved - Seconded:

That the November 13, 2018, Regular Council Meeting Agenda be adopted with the following changes:

• Deletion of Item 11. Resolution to Close. Carried

3. CONFIRMATION OF MINUTES

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3.1 Minutes of Council and Committee Meetings

Moved - Seconded:

That the minutes of the following Council and Committee Meetings be adopted:

- April 5, 2018, Regular Community Safety Committee
- July 16, 2018, Regular Downtown Oversight Committee
- July 25, 2018, Regular Sustainability & Environment Committee
- September 19, 2018, Regular Healthy Community Committee
- September 19, 2018, Regular Transportation & Public Works Solutions Committee
- October 2, 2018, Special Community & Intergovernmental Committee
- October 2, 2018, Special Council Meeting
- October 9, 2018, Regular Community & Intergovernmental Committee
- October 9, 2018, Regular Council Meeting
 - October 9, 2018, Regular Finance & Budget Committee
- October 9, 2018, Special Smart Growth Committee.

Carried

4. PRESENTATIONS

- 4.1 PoCo Marlins Swimming Club
- 4.2 Tri-City Thunder (PoCo Minor Baseball)

5. DELEGATIONS

5.1 PoCo Heritage - 6th Annual Christmas Tree Festival (November 24 - December 31) President Linda Sliworsky provided an overview of the 6th Annual Christmas Tree Festival.

6. PUBLIC HEARINGS

6.1 **Zoning Amendment Bylaw No. 4092 for 1940 Brown Street** No public comments.

7. BYLAWS

7.1 Zoning Amendment Bylaw No. 4092 for 1940 Brown Street - Third Reading <u>Moved - Seconded:</u> *That Council give Zoning Amendment Bylaw No. 4092 for 1940 Brown Street third reading.* <u>Carried</u>

7.2 Zoning Amendment Bylaw No. 4093 for #3190 - 2850 Shaughnessy Street (Shaughnessy Station Childcare) - First Two Readings

Moved - Seconded:

That Council:

- 1. Give 1st & 2nd Readings to Zoning Bylaw Amendment Bylaw 4093 to permit a child care facility having a capacity of 136 children at #3190 2850 Shaughnessy Street and allow a 2.4m fence height surrounding the outdoor play space; and
- 2. That the following conditions be met prior to adoption of the bylaw amendments:
 - a. Receipt of information from Fraser Health as to its licence requirements for a large child care facility at this location;
 - b. Receipt of information regarding fencing impacts, including the Shaughnessy Street streetscape and sunlight within the outdoor play space;
 - c. Receipt of a building code analysis and identification of building design changes as may be required to comply with daycare guidelines;
 - d. Renewal of an encroachment agreement for the encroachments within the Shaughnessy Street right of way; and,
 - e. Completion of design and submission of fees and securities for required off-site works and services to the satisfaction of the Director of Development Services.

Carried

7.3 Delegation of Authority Amendment Bylaw No. 4094 and Council & Committee Procedural Amendment Bylaw No. 4095- First Three Readings Moved - Seconded:

That Council give Delegation of Authority Amendment Bylaw No. 4094 and Council & Committee Procedural Amendment Bylaw No. 4095 first three readings. Carried

8. **REPORTS**

8.1 2018 Local Government & School Trustee Election Results Committee discussed the Elections.

8.2 Acting Mayor Draft Resolution for the Month of December 2018 Moved - Seconded:

That Councillor D. Penner be appointed as Acting Mayor for the month of December 2018. Carried

8.3 2019 Council Meeting Schedule and 2019 Acting Mayor Schedule

Moved - Seconded:

That the 2019 Council Meeting Schedule and 2019 Acting Mayor Schedule be adopted. <u>Carried</u>

8.4 Metro Vancouver Regional District – Appointment of Municipal Directors <u>Moved - Seconded:</u>

That Mayor West be appointed as the City's municipal Director to the Metro Vancouver Regional District (MVRD) Board and that the Director be distributed 3 votes; and That Councillor Penner be appointed as the Alternative Director. <u>Carried</u>

9. NEW BUSINESS

Mayor West announced the creation of a new committee, which will be known as Committee of Council, and which will replace all previous committees.

Mayor West also announced a new Mayor's Citizen Advisory Roundtable, which will be made up of 12 volunteers who will have input on city matters. A formal call-out for applications from people representing various sectors of the community will go out in January 2019.

Council designates for were appointed for the following areas:

- Councillor Steve Darling: community safety (bylaw enforcement, fire, RCMP, emergency preparedness).
- Councillor Laura Dupont: environment, climate action, parks.
- Councillor Nancy McCurrach: arts, culture and heritage.
- Councillor Darrell Penner: public works and transportation.
- Councillor Glenn Pollock: housing, sports and recreation.
- Councillor Dean Washington: budget and finance and vice-chair of Committee of Council.
- Mayor Brad West: development, planning, downtown and economic development.

The following changes were announced for meeting schedules:

- Committee of Council meetings will start at 2:00 p.m. and take place the first four Tuesdays of the month,
- Council meetings also start one hour earlier at 6:00 p.m. with public hearings, and take place every second and fourth Tuesday of the month.

The following appointments were also made to external committees:

- Metro Vancouver Mayor West (alternate Councillor Penner)
- Translink Mayor's Council Mayor West (alternate Councillor Washington)
- Port Coquitlam Community Foundation Councillor Pollock
- Fraser Valley Regional Library Councillor McCurrach
- Fraser Health Municipal Government Advisory Group Councillor Pollock
- School District #43 Liaison Councillor Darling
- Tri-Cities Healthy Communities Partnership Councillor Pollock
- Coquitlam Watershed Roundtable Councillor Dupont
- Port Coquitlam Arts Councillor McCurrach

Time-stated community advisory groups or task forces will also be created on an as-needed basis to deal with emerging or key community issues.

10. OPEN QUESTION PERIOD

No public comments.

11. ADJOURNMENT

11.1 Adjournment of the Meeting

<u>Moved - Seconded:</u> *That the November 13, 2018, Regular Council Meeting be adjourned at 7:38 p.m.* <u>Carried</u>

Certified Correct,

Mayor

COQUITLAM

Council Special Minutes

Absent:

Councillor McCurrach

Heritage Room, 3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC November 13, 2018

Present: Chair – Mayor West Councillor Darling Councillor Dupont Councillor Penner Councillor Pollock Councillor Washington (arrived at 2:18pm)

1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

<u>Moved - Seconded:</u> *That the November 13, 2018, Special Council Meeting Agenda be adopted as circulated.* <u>Carried</u>

3. RESOLUTION TO CLOSE

3.1 Resolution to Close the November 13, 2018, Special Council Meeting to the Public Moved - Seconded:

That the Special Council Meeting of November 13, 2018, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter: Item 4.1

g) litigation or potential litigation affecting the municipality <u>Carried</u>

4. MOTION TO RECONVENE

4.1 <u>Motion</u>

<u>Moved - Seconded:</u> *That the open portion of the Special Council Meeting reconvene at 2:13 p.m.* <u>Carried</u>

5. MOTION TO RECESS

5.1 <u>Motion</u>

<u>Moved - Seconded:</u> *That the Special Council Meeting recess at 2:14 p.m.* <u>Carried</u>

Councillor Washington arrived at 2:18 p.m.

6. MOTION TO RECONVENE

6.1 <u>Motion</u>

<u>Moved - Seconded:</u> *That the open portion of the Special Council Meeting reconvene at 3:13 p.m.* <u>Carried</u>

7. **REPORTS**

7.1 Rezoning Application RZ000142 – 3243/3245 Fox Street Extension

Moved - Seconded:

That Council approve the date of expiry for adoption of Zoning Amendment Bylaw No. 4030 be extended to October 24, 2019. Carried

7.2 Development Permit DP000350 – 1607 Manning Avenue <u>Moved - Seconded:</u> That Council approve Development Permit DP000350 to regulate a duplex development at 1607 Manning Avenue.

Carried

7.3 Development Variance Permit DVP00055 for 3590 Inverness Street

Moved - Seconded:

That Council approve:

- 1) Pursuant to s. 498 of the Local Government Act, authorize staff to provide notice of an application to vary the regulations of the Zoning Bylaw to facilitate subdivision and road dedication at 3590 Inverness Street, and
- 2) Advise Council it supports approval of Development Variance Permit DVP00055. Carried

8. ADJOURNEMENT

8.1 Adjournment of the Meeting

Moved - Seconded:

That the November 13, 2018, Special Council Meeting be adjourned at 3:20 p.m. Carried

Certified Correct,

Mayor



Council Regular Minutes

Council Chambers, 3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC November 27, 2018

Present:

Absent:

Chair – Mayor West Councillor Darling Councillor Dupont Councillor McCurrach Councillor Penner Councillor Pollock Councillor Washington

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved - Seconded:

That the November 27, 2018, Regular Council Meeting Agenda be adopted with the following changes:

• Replacement of Item 9 with Resolution to Close.

Carried

3. PRESENTATIONS

3.1 PoCo EFC U17 Girls Soccer

4. BYLAWS

4.1 Bylaw Notice Enforcement Amendment Bylaw No. 4096 - First Three Readings Moved - Seconded:

That Council give Bylaw Notice Enforcement Amendment Bylaw No. 4096 first three readings. Carried

4.2 Zoning Amendment Bylaw No. 4093 for #3190-2850 Shaughnessy Street (Shaughnessy Station Childcare) - Third Reading

Moved - Seconded:

That Council give Zoning Amendment Bylaw No. 4093 for #3190-2850 Shaughnessy Street (Shaughnessy Station Childcare) third reading.

<u>Carried</u> Opposed: Councillor McCurrach

4.3 Delegation of Authority Amendment Bylaw No. 4094 & Council and Committee Procedures Amendment Bylaw No. 4095 - Final Reading

Moved - Seconded:

That Council give Delegation of Authority Amendment Bylaw No. 4094 & Council and Committee Procedures Amendment Bylaw No. 4095 final reading.

Carried

5. REPORTS

5.1 Development Variance Permit DVP00055 for 3590 Inverness Street Moved - Seconded:

That Council approve Development Variance Permit DVP00055 for 3590 Inverness Street.

Carried

6. NEW BUSINESS

6.1 Council provided updates related to community events.

7. OPEN QUESTION PERIOD

No public comments.

8. CLOSED ITEMS RELEASED TO PUBLIC

The following resolutions from closed meetings have been released to the public:

October 2, 2018, Closed Council

That the City of Port Coquitlam enter into a renewal contract to continue to provide recycling collection services for Recycle BC.

9. **RESOLUTION TO CLOSE**

9.1 Resolution to Close the November 27, 2018, Regular Council Meeting to the Public Moved - Seconded:

That the Regular Council Meeting of November 27, 2018, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:

i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Certified Correct,

Mayor



Council Special Minutes

Council Chambers, 3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC **December 4, 2018**

Present:

Chair – Mayor West Councillor Dupont Councillor McCurrach Councillor Penner Councillor Pollock Councillor Washington

Absent: Councillor Darling

1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved - Seconded:

That the December 4, 2018, Special Council Meeting Agenda be adopted with the following changes:

• Replacement of Item 4 with Resolution to Close.

Carried

Councillor Washington arrived at 2:02 p.m.

3. BYLAWS

3.1 Lounge Endorsement Area Amendment to Seating Capacity - First Two Readings <u>Moved - Seconded:</u>

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 to provide for consideration of parking variances for liquor manufacturing establishments with lounge endorsement areas. Carried

Opposed: Councillor Penner

4. **RESOLUTION TO CLOSE**

4.1 Resolution to Close the December 4, 2018, Special Council Meeting to the Public <u>Moved - Seconded:</u>

That the Special Council Meeting of December 4, 2018, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:

e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

Carried

Certified Correct,

COQUITLAM

Council Regular Minutes

Council Chambers, 3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC **December 11, 2018**

Present:

Chair – Mayor West Councillor Darling Councillor Dupont Councillor McCurrach Councillor Penner Councillor Pollock Councillor Washington

1. CALL TO ORDER

The meeting was called to order at 6:55 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved - Seconded:

That the December 11, 2018, Regular Council Meeting Agenda be adopted with the following changes:

• Addition of Item 4.1 Community Cultural Development Investment Grant – Fall Intake 2018 and re-number items accordingly.

<u>Carried</u>

3. BYLAWS

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

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

<u>Carried</u> Opposed: Councillor Penner

3.2 Repeal Bylaw No. 4069 - First Three Readings

Moved - Seconded:

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

Carried

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

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

Carried

3.4 Bylaw Notice Enforcement Amendment Bylaw No. 4096 - Final Reading Moved - Seconded:

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

Carried

4. REPORTS

4.1 Community Cultural Development Investment Grant – Fall Intake 2018

Moved - Seconded:

That Council approve the following Community Cultural Development Investment Program grant applications for the following amounts:

Project and Festival Category

- Foolish Operations Society \$5,000
- Polonez Tri-City Polish Association \$5,000
- Art Focus Artists' Association \$2,595
- Tricities Iranian Mini Soccer Festival \$3,095

Development Category - Community Initiatives

• Kim Dinh, Vietnamese Moon Festival - \$900

Carried

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

Moved - Seconded:

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.

Carried

5. NEW BUSINESS

5.1 Council provided updates related to community events.

6. OPEN QUESTION PERIOD

Three members of the public asked questions.

7. ADJOURNMENT

7.1 Adjournment of the Meeting

Moved - Seconded:

That the December 11, 2018, Regular Council Meeting be adjourned at 8:44 p.m.

Carried

Certified Correct,

Mayor

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. <u>CITATION</u>

This Bylaw is cited as "Repeal Bylaw, 2018, No. 4069".

2. <u>ADMINISTRATION</u>

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	11 th day of	December, 2018
READ A SECOND TIME this	11 th day of	December, 2018
READ A THIRD TIME this	11 th day of	December, 2018

Mayor

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. <u>CITATION</u>

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	11 th day of	December, 2018
READ A SECOND TIME this	11 th day of	December, 2018
READ A THIRD TIME this	11 th day of	December, 2018

Mayor

		2018		2019		2020		2021		2022
		Budget		Budget		Budget		Budget		Budget
Revenues	() 	1000		1222				1127-1		112-1
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)	S	(107,082,550)	S	(109,583,200)	S	(112,198,300)	S	(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	S	95,038,400	S	95,448,700	S	97,713,100	S	100,738,400	S	103,684,600
Net (Revenue) Expenditure	s	(20,511,900)	S	(11,633,850)	S	(11,870,100)	S	(11,459,900)	S	(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)		(-)		111
External Debt Principle Repayment		445,800		445,800		445,800		1,538,800		1,538,800
Total Allocations	S	20,511,900	S	11,633,850	S	11,870,100	S	11,459,900	S	12,282,200
Financial Plan Balance	S	-	S	-	S	-	S	-	S	

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

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

Transfers from Reserve Funds General Capital Land Sale Community Recreation Complex	<u>.</u>	Budget				
General Capital Land Sale			Budget	Budget	Budget	Budget
Land Sale	\$	19,373,900	11.090.445	7,927,750	8,228,250	8,228,250
	*				C15/3 P C3/3 P C3/2	
Community Recreation Complex		13,056,800	8,000,000	4,000,000	2,000,000	2,000,000
		11,653,400	4,352,805	2,500,000	((=)	: .
Long Term General Infrastructure		8,656,000		1000000		
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		3,059,400	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	() , _ ()	, 1 8		38
Parking		1,016,000	(-)	-	2 - - 2	1
RCMP		600,000	600,000	600,000	600,000	600,000
Information Systems		597,500	650,000	65,500	33 7 77	17
Cart Replacement		432,200	50,000	50,000	50,000	50,000
Building Maintenance		427,200	235,000	235,000	10000000000000000000000000000000000000	
Roads (MRN)		256,600		10.000 <u>-</u> 00	1243	<u>-4</u>
Parks & Recreation		157,000	0720	20	(122)	10
Public Safety Building		144,700	-	-		
Election		100,000	V3530 36 - 2	-	90000 30 0 0	100.000
Arts & Culture		91,900	2002	-	2393) 19 - 1	
Cemetery		61,700	100			
			-	- 77.000	120	
Allocated Accumulated Surplus - General		5,238,300	77,000		200 - 00	-
Allocated Accumulated Surplus - Water		5,425,000	100-00	-	34-8	-
Allocated Accumulated Surplus - Sewer	3000	1,856,900				-11-77801215972-5
lotal Transfers from Reserves	+	90,465,700	\$ 29,101,250	\$ 19,501,250	\$ 14,924,250	\$ 15,024,250
Fransfers to Reserve Funds						
General Capital	\$	(9,499,700)	(9,422,500)	(8,952,500)	(4,478,000)	(4,478,000
Water Infrastructure		(9,559,000)	(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	\$		\$ (22,198,900)		\$ (19,152,700)	\$ (20,097,900

Transfers from (to) Reserves



Committee of Council Report

Regulations & Policy for Cannabis

Committee Recommendation

At the December 04, 2018 Committee of Council meeting, the Development Services Report, Cannabis Retail Zoning & Policy, was considered, and the following motion was passed:

That Committee of Council recommend that Council:

- 1. Give 1st and 2nd reading to the Zoning Bylaw Amendment Bylaw;
- 2. Give first three readings to amendments to the Development Procedures Bylaw, Fees and Charges Bylaw, Business Bylaw, Delegation of Authority Bylaw, and Notice of Enforcement Bylaw; and
- 3. Approve the Cannabis Establishment Policy prior to adoption of the bylaw amendments.

The following motion is now before Council for decision:

That Council:

- 1. Give 1st and 2nd reading to Zoning Bylaw Amendment Bylaw 4099:
- 2. Give first three readings to:
 - a) Development Procedures Bylaw Amendment Bylaw 4100;
 - b) Fees and Charges Bylaw Amendment Bylaw 4101;
 - c) Business Bylaw Amendment Bylaw 4102;
 - d) Delegation of Authority Bylaw Amendment Bylaw 4103;
 - e) Notice of Enforcement Bylaw Amendment Bylaw 4104; and
- 3. Approve the Cannabis Establishment Policy (as presented in Attachment #1 of this report).

ATTACHMENTS

Attachment #1: Cannabis Establishment Policy

Attachment #2: Zoning Bylaw Amendment Bylaw 4099

Attachment #3: Development Procedures Bylaw Amendment Bylaw 4100

Attachment #4: Fees and Charges Bylaw Amendment Bylaw 4101

Attachment #5: Business Bylaw Amendment Bylaw 4102

Attachment #6: Delegation of Authority Bylaw Amendment Bylaw 4103

Attachment #7: Notice of Enforcement Bylaw Amendment Bylaw 4104

<u>Attachment #8</u>: December 04, 2018 report to Committee, "Cannabis Retail Zoning & Policy" (*excluding attachments*)

		POLICY			
Planning	Planning F				
Cannabis Establish	Cannabis Establishment Policy				
Legislative	X	Effective Date: 2019-xx-xx			
Administrative		Review Date: 2024-xx-xx			
elopment Services		Issue Date: 2019-xx-xx			
older					
	Cannabis Establish Legislative Administrative	Cannabis Establishment Polic Legislative X Administrative Image: Services			

Purpose:

The Cannabis Establishment Policy provides a framework for consideration of applications to amend the Zoning Bylaw to permit a cannabis use, including new cannabis retail outlets, cannabis manufacturing, and cannabis distribution facilities.

The policy also informs the City's response to a request for comment on an application for a cannabis retail outlet licence from the Liquor & Cannabis Regulation Branch (LCRB).

Associated Regulations and Policy Documents:

This policy is to be applied in conjunction with:

- policies and land use designations of the Official Community Plan
- regulations of the Development Procedures Bylaw
- regulations of the Business Bylaw
- regulations of the Smoking Bylaw
- regulations of the Sign Bylaw
- any other relevant bylaws or policies as may be adopted by Council from time to time.

Policy

1. Site specific rezoning to permit a cannabis retail outlet use

- a) A site proposed for a cannabis retail outlet should be:
 - i. designated as Downtown Commercial, Neighbourhood Commercial, Highway Commercial or Transit Corridor Commercial by the land use designations map of the Official Community Plan;
 - ii. located at least 1 kilometre from a property zoned to permit a cannabis retail sales use. For clarity, this distance criterion applies to private cannabis retail outlets and outlets owned or operated by a government agency. It also applies if a site is zoned to permit a cannabis retail sales use but does not include a cannabis retail sales business; and,

- iii. located at least 250 metres from a school, playground, community centre or sports field.
- b) In addition to the siting criteria defined in section 1(a), the following factors will be considered in evaluation of a rezoning application for a cannabis retail sales use:
 - i. Distance to other uses, such as child care facilities, community gathering spaces, recovery homes and emergency shelters;
 - ii. Potential impacts to residents, if the proposed use is to be located in a building with a mix of commercial and residential uses;
 - iii. Access for vehicles, including potential traffic impacts and parking availability;
 - iv. Access for pedestrians and cyclists, including proximity to public transit;
 - v. The proposed size of the outlet is appropriate to the site's context;
 - vi. The proposed interior layout does not include space that could accommodate product sampling;
 - vii. The proposed exterior design is sensitive to the design and character of surrounding land uses, location and design of signage is discreet and the overall design character is visually appealing; and
 - viii. Storefronts do not include opaque window coverings, bars on windows, metal shutters or signage in windows.
- c) In evaluating the distance criteria of section 1(a), consideration will be given to potential impacts of geographical and physical barriers such as rail corridors, bridges, rivers and highways.

2. Site specific rezoning to permit a cannabis manufacturing or distribution facility use

- a) A site proposed for a cannabis manufacturing or distribution facility use should be:
 - i. Designated as Heavy Industrial or General Industrial by the land use designations map of the Official Community Plan; and,
 - ii. Located at least 250 metres from a school, playground, community center or sports field, if the proposal includes a manufacturing or processing function. For clarity, this requirement does not apply to a distribution facility.
- b) In addition to the siting criteria defined in section 2(a), the following factors will be considered in the evaluation of a rezoning application for a cannabis manufacturing or distribution facility use:
 - i. Distance to other uses, such as child care facilities, community gathering spaces, recovery homes, emergency shelters and residential uses;
 - ii. Potential impacts to the community, including residents and businesses adjacent to the proposed location;
 - iii. Access for vehicles, including potential traffic impacts and parking and loading availability; and
 - iv. The proposed size and scale of the manufacturing or processing uses.

c) In evaluating the distance criteria of section 2(a), consideration will be given to potential impacts of geographical and physical barriers such as rail corridors, bridges, rivers and highways.

3. Licence Amendments

a) The siting criteria and factors applicable to evaluation of a rezoning application will also be applied in the evaluation of an application to amend a non-medical cannabis retail licence.

4. Public Consultation

- a) An application for rezoning to permit a cannabis use must include documentation of input gathered from surrounding residents and businesses.
- b) Council or Committee may direct that an applicant hold an advertised public information meeting in its consideration of a rezoning application or request for comment on a cannabis licence.

5. Conditions of Rezoning

Council may require that one or more of the following conditions must be met prior to the adoption of a rezoning bylaw:

- (i) The posting of a minimum of two signs within the interior of the building and a minimum of one sign on the exterior of the building, with all signs having dimensions of at least 12" x 18". The signage shall provide the public with information on the Smoking Bylaw;
- (ii) The installation of a filtration system designed to eliminate odor impacts on surrounding lands and a requirement to maintain this system;
- (iii) Funding for off-site improvements (e.g., sidewalks, crosswalks, street lighting, street trees, road works);
- (iv) Specified hours of operation;
- (v) Implementation of measures to create a community benefit; and
- (vi) Any other conditions as may be required by Council.

Responsibility:

Director of Development Services

END OF POLICY

CITY OF PORT COQUITLAM

ZONING AMENDMENT BYLAW, 2019

Bylaw No. 4099

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

1. <u>CITATION</u>

This Bylaw is cited as "Zoning Bylaw, 2008, No.3630, 2019, Amendment Bylaw, 2019 No. 4099".

2. <u>ADMINISTRATION</u>

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

2.1 In Section I – Definitions, by deleting the definition for medical marihuana production and inserting the following:

"**Cannabis production facility** means premises used for the cultivation of cannabis, but only to the extent authorized by a licence under section 62 of the Cannabis Act, and may include related accessory activities such as processing, testing, research and development, packaging and storage."

- 2.2 In Section II Zones and Zone Regulations, by replacing Clause 6(d) with the following:
 - "6(d) Cannabis dispensaries, compassion clubs, and all other premises in which cannabis product is kept or offered for sale or consumption on the premises other than residential premises in which cannabis is produced as authorized by the *Cannabis Distribution Act*, a licensed pharmacy, or a cannabis production facility."
- 2.3 In Section II Zones and Zone Regulations, Notes 2 and 5(c) to Table 1.4, by replacing "medical marihuana" with "cannabis";
- 2.4 In Section II Zones and Zone Regulations, Table 4.3 and Note 19 to Table 4.3, by replacing "medical marihuana" with "cannabis" wherever it occurs.

READ A FIRST TIME this

READ A SECOND TIME this

PUBLIC HEARING held this

READ A THIRD TIME this

ADOPTED this

Mayor

CITY OF PORT COQUITLAM

DEVELOPMENT PROCEDURES AMENDMENT BYLAW, 2019

Bylaw No. 4100

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

1. <u>CITATION</u>

This Bylaw is cited as "Development Procedures Bylaw, 2013, No. 3849, Amendment Bylaw, 2019, No. 4100".

2. <u>ADMINISTRATION</u>

Development Procedures Bylaw, 2013, No. 3849 is amended as follows:

- 2.1 In Section 1 Definitions, definition for "Application", by adding the following new subsection 7):
 - "7) obtain a decision on a cannabis retail licence in accordance with the *Cannabis Control and Licensing Act* and Regulation;"
- 2.2 In Section 5 Notification and Signage, by inserting ", cannabis licence" after "liquor licence".
- 2.3 In Section 11 Licensed Establishment Procedures,
 - 2.3.1 By replacing subsection 1 with the following:

"This Division applies to all liquor licence applications and cannabis licence applications referred to Council under the *Liquor Control and Licensing Act* and Regulation and *Cannabis Control and Licensing Act* and Regulation and which do not require a rezoning under the Zoning Bylaw.";

- 2.3.2 In subsection 2, by replacing "liquor license" with "or liquor or cannabis licence";
- 2.3.3 In subsection 4 a) by inserting "and *Cannabis Control and Licensing Act* and Regulation" after "and Regulation"; and,
- 2.3.4 In subsection 7 a) by inserting "and *Cannabis Control and Licensing Act* and Regulation" after "and Regulation".

READ A FIRST TIME this READ A SECOND TIME this READ A THIRD TIME this ADOPTED this

Mayor

CITY OF PORT COQUITLAM

FEES AND CHARGES AMENDMENT BYLAW, 2019

Bylaw No. 4101

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

1. <u>CITATION</u>

This Bylaw is cited as "Fees and Charges Bylaw, 2015, No. 3892, Amendment Bylaw, 2019, No. 4101".

2. ADMINISTRATION

Fees and Charges Bylaw, 2015, No. 3892 is amended as follows:

In Schedule "D", Development Application Fees & Charges, by adding the following fees to Table 7, Additional Charges and Fees:

	Non-refundable Fee	Refundable Fee
Cannabis Retail Licence		
New licence	\$1000	\$1200
Amendment to licence	\$ 300	\$1200

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

ADOPTED this

Mayor

CITY OF PORT COQUITLAM

BUSINESS AMENDMENT BYLAW, 2019

Bylaw No. 4102

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

1. <u>CITATION</u>

This Bylaw is cited as "Business Bylaw, 2010, No. 3725, Amendment Bylaw, 2019, No. 4102".

2. ADMINISTRATION

Business Bylaw, 2010, No. 3725 is amended as follows:

2.1 By adding the following definition of cannabis retail outlet to Section 2. Definitions:

"Cannabis retail outlet means premises licensed under the *Cannabis Control* and *Licensing Act* to provide for the sale of cannabis for consumption off premises."

2.2 By adding "cannabis" to the definition of mobile vendor, as follows:

"Mobile Vendor means a person who, either on his or her own account or as an officer, servant, or agent of another, sells or offers for sale goods (including food and beverages but excluding liquor and cannabis), or services from a motor vehicle."

2.3 By adding "cannabis" to the definition of street vendor, as follows:

"Street Vendor means a person who, either on his or her own account or as an officer, servant, or agent of another, sells or offers for sale food items, excluding liquor and cannabis, from a Vending Cart."

- 2.4 By adding cannabis to subsection (k) in Section 39 Street Vendors as follows:
 - "(k) shall only sell food items, excluding liquor and cannabis;"
- 2.3 By adding cannabis to subsection (f) in Section 40 Mobile Vendors, as follows:
 - "(f) shall only sell food items, excluding liquor and cannabis;"

2.4 By adding the following under Schedule A, Part I - Category A:

CLASSIFICATION OF BUSINESS	FEE CLASSIFICATIONS	ANNUAL LICENCE FEES PAYABLE
Cannabis Retail Outlet	For each business	\$1500

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

ADOPTED this

Mayor

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

1. <u>CITATION</u>

This Bylaw is cited as "Delegation of Authority Bylaw, 2014, No. 3876, Amendment Bylaw, 2019, No. 4103".

2. ADMINISTRATION

- 2.1 That the title, "Director of Engineering and Operations" be replaced with "Director of Engineering and Public Works"; the title, Director of Parks and Recreation" be replaced with "Director of Recreation"; and the title "Manager of Transportation" be replaced with "Manager of Infrastructure Planning" wherever the title occurs;
- 2.2 That the spelling of "license" be corrected to "licence" wherever it occurs;
- 2.3 That Business Licensing subsections 4, 5 and 6 be amended to replace "Manager of Bylaw Services" with "Manager of Planning";
- 2.4 That section title "Liquor Licences" be replaced with "Liquor and Cannabis Licences"
- 2.5 That subsections 24 and 25 be amended to replace "*Liquor Control and Licensing* Branch" with "Liquor and Cannabis Regulation Branch"
- 2.4 That the following new subsection 26 be inserted and subsequent subsections renumbered accordingly:

"CANNABIS RETAIL LICENCES

26. The Committee of Council is delegated the authority to adopt a resolution on a cannabis licence application submitted in accordance with the *Cannabis Control and Licensing Act* to the Liquor and Cannabis Regulation Branch or to make a decision to opt out of providing comment on the application."

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

ADOPTED this

Mayor

ATT#7

BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW, 2019

Bylaw No. 4104

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

1. <u>CITATION</u>

This Bylaw is cited as "Bylaw Notice Enforcement Bylaw, 2013, No. 3814, Amendment Bylaw, 2019, No. 4104".

2. <u>ADMINISTRATION</u>

That Bylaw Notice Enforcement Bylaw, 2013, No. 3814 be amended as follows:

2.1 By adding in the following under Schedule A: Designated Bylaw Contraventions and Penalties:

Zoning Bylaw No. 3630

DESCRIPTION	SECTION NO. IN BYLAW	DISCOUNTED PENALTY IN \$ (within 14 days)	FULL PENALTY IN \$ (after 14 days)	COMPLIANCE AGREEMENT DISCOUNT(1)
Prohibited	ll 6(d)	100.00	150.00	n/a
use in				
cannabis				
establishment				

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

ADOPTED this

Mayor

Retail Sale of Cannabis – Public Input Summary and Recommendations

RECOMMENDATION:

That Committee of Council recommend that Council:

- 1. Give 1st and 2nd reading to the Zoning Bylaw Amendment Bylaw;
- 2. Give first three readings to amendments to the Development Procedures Bylaw, Fees and Charges Bylaw, Business Bylaw, Delegation of Powers Bylaw, and Notice of Enforcement Bylaw, as outlined in Attachments # 3, 4, 5, 6, and 7; and
- 3. Approve the Cannabis Establishment Policy prior to adoption of the bylaw amendments.

PREVIOUS COUNCIL/COMMITTEE ACTION

At the July 24th, 2018 Community & Intergovernmental Committee meeting, the following motion was passed:

That the Community and Intergovernmental Committee authorize staff to consult with cannabis industry representatives, local businesses and the broader community on regulations and policies proposed to be applied to land use decisions related to the production and retail sale of cannabis in Port Coquitlam.

REPORT SUMMARY

To answer the question "How do you think Port Coquitlam should regulate the retail sale of nonmedical cannabis?", the City conducted a public consultation process during the month of September 2018. The comments received through this process were generally supportive of the direction proposed in the July staff report, including separation of sales outlets by at least 1 km, although some residents would prefer to prohibit the use entirely. The consultation revealed a number of concerns with respect to how the City could enforce its smoking regulations, ensure children's safety, promote storefronts with a high quality of design, and provide education related not only to the City's regulations but also health and safety aspects associated with use of cannabis.

In view of the feedback received, this report recommends Council introduce a Zoning Bylaw amendment that would permit cannabis uses on a site-specific basis. It further recommends that a Cannabis Establishment Policy be approved to inform prospective applicants and guide Council in its consideration of rezoning applications. In response to the feedback obtained through the consultation process, the recommended policy incorporates amendments to increase the distance between a cannabis retail facility and sites such as schools and playgrounds, includes additional locational considerations such as major roads, watercourses and gathering places in the siting criteria, and require information on signage.

BACKGROUND

Further to Committee's direction to proceed with the public consultation, a Cannabis Retail Sales information webpage was posted on the City's website to provide the public with information and



Retail Sale of Cannabis – Public Input Summary and Recommendations

promote participation in an online survey, which was open from September 1 to October 1, 2018. An advertisement in the Tri-City News and press release were also issued to promote awareness of the survey. An open house was held on September 26, 2018 from 5pm-7pm in the Gathering Place, at which there were storyboards outlining the proposed regulatory and policy framework and handouts encouraging attendees to respond to the survey. For stakeholders who could not attend the open house, staff also sent a request for comment by email. The stakeholders identified for this purpose included various levels of government, industry and health professionals, private cannabis producers and the Downtown Port Coquitlam Business Improvement Association. Over 900 community members and stakeholders responded to the online survey, approximately 40 attended the open house, and 6 provided written comments additional to the survey.

DISCUSSION

Feedback relevant to the proposed municipal regulations is summarized as follows:

- 75% of respondents agreed with the City permitting retail sale of cannabis through a sitespecific rezoning process, where consideration would rest with Council based on whether the outlet meets locational and design guidelines
- 35% of respondents believed that a 1 km separation between cannabis retail outlets would make sense, while 30% suggested outlets be limited to one per commercial area instead of using a distance criteria and 28% did not support imposing a minimum separation
- 55% of respondents agreed with the proposal that a cannabis sales use could be approved next door to liquor sales, while 25% felt there should be a distance requirement
- 54% of respondents suggested the distance between a cannabis retail outlet and schools, sports fields, playgrounds and other public spaces where children gather should be greater than the proposed 200 metres; 37% said this separation made sense
- 63% of respondents felt that no further criteria to that proposed would be needed, while 37% suggested adding guidelines for hours of operation (e.g., same as liquor sales), ensuring a well-lit storefront, and appropriate signage
- Other suggestions included that the City:
 - prohibit the use,
 - apply similar conditions as for liquor sales
 - educate as to where the public can ingest cannabis in public
 - limit the number of retail sales outlets within the city to a maximum of only 2 or 3; and
 - remove buffers to sensitive land use

The majority of comments from respondents addressed issues outside of powers delegated to local governments, such as the sale of cannabis to minors, the quality of the product within a retail outlet, and the need for educated, knowledgeable staff. Another key concern was the potential for loitering or consumption issues around outlets.

Survey respondents identified as follows:

• 80% Port Coquitlam residents;



- 17% employees or owners of a Port Coquitlam business; and
- 2% prospective cannabis retail outlet operators.

Other respondents included other Tri-City residents, community volunteers and past Port Coquitlam residents.

Attendees at the open house ranged from local residents requesting clarification on the proposed regulatory framework to interested cannabis retail operators looking at potential locations within Port Coquitlam. Staff provided clarification on the proposed timeline for Council to adopt a policy and amend its bylaws, as well as the proposed initial 30-day intake of applications before initiating evaluation. Similar to the online survey, there was concern about public consumption, access by minors, and allowing retail outlets.

In response to the feedback, the following changes are incorporated into the recommended Cannabis Establishment Policy:

- An increase from 200m to 250m as the distance required between a retail cannabis outlet and schools, playgrounds, community centres and sports fields.
- Providing clarification that in evaluating distance criteria, consideration will be given to potential impacts of geographical and physical barriers, such as rail corridors, bridges, rivers and highways.
- Adding a policy that proximity to community gathering spaces such as Leigh Square be considered in addition to shelters and recovery homes on a case-by-case basis as may be relevant.
- Including a policy that signage be regulated through the rezoning process to avoid flashy and inappropriate signage on store fronts.

While a larger number of respondents suggested that the City allow one retail sales outlet in each of its commercial districts rather than requiring a 1km separation, this is not proposed as there is no accepted definition of a commercial district and acceptable locations may be found where a site is designated for commercial uses but not within a defined district.

Implementation of the proposed bylaw amendments and new policy will address many of the concerns voiced by the community, and staff will monitor impacts as this use becomes established to determine what initiatives may be need to better inform the public as well as enforce regulations. Specific information will be developed to guide prospective applicants for retail cannabis facilities on requirements to apply for the pre-requisite site-specific rezoning.

FINANCIAL IMPLICATIONS

None

OPTIONS (Check = Staff Recommendation)



#	Description
1	Recommend that Council amend the Zoning Bylaw, Development Procedures Bylaw, Fees and Charges Bylaw, Business Bylaw, Delegation of Powers Bylaw, Bylaw Notice of Enforcement Bylaw and adopt a new Cannabis Establishment Policy.
2	Request amendment of the draft bylaw amendments and proposed policy or obtain additional information prior to their consideration.
3	Determine that no changes will be made to existing policies and regulations at this time.

ATTACHMENTS

Attachment #1: July 24, 2018 Cannabis Uses Regulatory and Policy Review report to the Community and Intergovernmental Committee

Attachment #2: Proposed Zoning Bylaw Amendment

Attachment #3: Proposed Development Procedures Bylaw Amendment

Attachment #4: Proposed Fees and Charges Bylaw Amendment

Attachment #5: Proposed Business Bylaw Amendment

Attachment #6: Proposed Delegation of Powers Bylaw Amendment

Attachment #7: Proposed Bylaw Notice Enforcement Bylaw Amendment

Attachment #8: Proposed Cannabis Establishment Policy

Attachment #9: Summary of Questionnaire Responses

Lead author(s): Graeme Muir, Jennifer Little



RECOMMENDATION:

That the Community and Intergovernmental Committee authorize staff to consult with cannabis industry representatives, local businesses and the broader community on regulations and policies proposed to be applied to land use decisions related to the production and retail sale of cannabis in Port Coquitlam.

PREVIOUS COUNCIL/COMMITTEE ACTION

At the February 20, 2018 meeting of the Finance and Budget Committee, staff were directed to examine appropriate bylaw licencing fees & regulations for cannabis businesses.

REPORT SUMMARY

With the impending changes in federal and provincial legislation which will permit cannabis production and sale for non-medical purposes, this report brings forward a draft policy and regulatory framework to be applied to cannabis in Port Coquitlam. The Zoning Bylaw currently prohibits all cannabis-related sales, activities and paraphernalia other than a licensed pharmacy, residential premises and sites specifically zoned to permit a medical marihuana production facility. The proposed direction is to allow the retail sale of cannabis or its production if a site is specifically zoned for this use and to guide decisions by a policy applicable to cannabis establishments. This approach is similar to how the City currently regulates neighbourhood pubs and liquor sales and ensures that the appropriateness of a specific site from a land use perspective can be considered. The report seeks Committee approval to undertake a focused consultation process in review of a draft policy and proposed regulations.

BACKGROUND

A: Legislative Framework:

The Government of Canada recently adopted the *Cannabis Act* (Bill C-45). Once the Act comes into force on October 17, 2018, the production and distribution, sale and possession of non-medical cannabis throughout Canada will be authorized. The *Cannabis Act* will permit adults over a specific age to purchase non-medical cannabis from a retailer authorized by the province or territory in the form of dried cannabis, cannabis oils, fresh cannabis and seeds and has imposed a requirement that cannabis products must not be visible from outside a retail outlet. The federal government has detailed specific restrictions, while implicitly allowing both provincial and local governments to further supplement regulations. It will provide 75% excise tax revenue to provincial and territory governments, and has delegated decisions on revenue sharing with local governments to these bodies.

The following chart and an attachment, *Cannabis Legislation and Licencing*, depict jurisdictional authority and responsibility for the different aspects of cannabis legalization. Notably, the federal government will continue to licence medical and non-medical production and distribution facilities. It has established a framework which will allow for micro-growers as well as larger facilities.



JURISDICTIONAL AUTHORITY				
ACTIVITY	FEDERAL	PROVINCIAL	MUNICIPAL	
Possession limits*	1			
Trafficking	\checkmark			
Advertising & packaging*	√			
Impaired driving	\checkmark	\checkmark		
Medical cannabis	1			
Seed-to-sale tracking system	1			
Production (cultivation & processing)	1	1	1	
Age limit*	\checkmark			
Public health	1	1		
Education	\checkmark	\checkmark	\checkmark	
Taxation	\checkmark	\checkmark		
Personal cultivation*	\checkmark			
Workplace safety	\checkmark			
Distribution & wholesaling		√		
Retail model		\checkmark		
Public consumption		✓	\checkmark	

*Provinces will have the ability to impose additional restrictions to these areas of federal jurisdiction

Source: Based on information taken from City of New Westminster Council report dated January 29th, 2018.

The Access to Cannabis for Medical Purposes Regulation will continue to govern medicalcannabis uses which do not fall under the Cannabis Act.

In May 2018, the Legislative Assembly of British Columbia passed the *Cannabis Control and Licensing Act*. This Act provides a broad framework of provincial authoritative responsibilities including delegated powers to local governments. It augments federal legislation to regulate sales and the promotion of sales, supply and production, minimum age of purchase, personal possession limits, public consumption and areas prohibited for smoking, personal cultivation and public education. The Province has also included provisions for impaired drivers and work place safety surrounding the use of cannabis.

The *Cannabis Distribution Act* establishes a wholesale cannabis distribution monopoly through the British Columbia Liquor Distribution Branch and a retail model that will include both public (BC government-run) and private retail stores with in stores and online sales. Retail sales will be permitted in stand-alone, self-contained stores; online sales will only be permitted through the provincial government. Additional uses such as sampling or consumption on premise are prohibited. The Province has not yet defined a model of taxation or revenue sharing with municipalities.



Local governments have been delegated the ability to determine whether cannabis uses are a permitted land use within their community. Municipalities are also able to set regulations that enforce zoning bylaws as it relates to restrictions for cannabis-related businesses and restricting where cannabis can be consumed in public, personal cultivations, business licence regulations (such as hours), odours and security, application fees, certain signage requirements, public nuisance complaints and public education.

Municipalities are limited in their ability to control cannabis production on properties within the Agricultural Land Reserve as the Agricultural Land Commission has defined cannabis cultivation to be consistent with the definition of a "farm use" in the ALC Act. The province has recently clarified that municipalities may prohibit cannabis production in an industrial-style production facility or other non-soil based structure within agricultural areas.

B: Current policies, regulations and approval processes:

British Columbia Liquor and Cannabis Regulation Branch: The BC Liquor Control and Licencing Branch has been renamed, and its role expanded, to be the governing body that will take on the responsibility of licensing and monitoring the retail sale and distribution of non-medical cannabis as well as liquor. The Branch has announced it intends to begin accepting applications for retail outlets in early August, and will follow an application process similar to the one it uses for liquor retail outlets. This process includes a request for municipal comments on an application prior to the issuance of a licence. The Branch is still determining details on its application process and approval conditions, including security requirements and coordination with municipal approvals. It has advised it will not allow cannabis sales within the same premises as an outlet permitted to offer liquor sales or tobacco sales but will not otherwise require a cannabis retail sales use be separated from other uses. It is also not contemplating setting a limit on the number of licences it will issue. Additional information on provincial requirements is provided in the attached bulletin, *Local Government's Role in Licensing Non-Medical Cannabis Retail Stores*.

Official Community Plan: The policies of the Plan support a vibrant and strong economy with a mix of business sectors and direct commercial activities to areas designated for commercial uses. It includes policies to protect agricultural lands for farming uses and directs industrial uses such as production and manufacturing to areas designated for industrial uses. These policies are considered to be sufficient to guide Council's decisions on cannabis production and sales and no changes are proposed.

Zoning Bylaw: All cannabis related sales, activities and paraphernalia are prohibited other than a licensed pharmacy, residential premises and sites specifically zoned to permit a medical marihuana production facility and licensed under the *Access to Cannabis for Medical Purposes Regulation*. An amendment to the Zoning Bylaw would be required to permit any cannabis uses (retail or production).

Development Procedures Bylaw: This bylaw defines the process for consideration of applications under the BC Liquor Control and Licensing Act, including amendments to the



Zoning Bylaw and applications referred to the City. It would need to be amended to define the process for consideration of an application involving cannabis.

Business Bylaw: Businesses within the City which are compliant with municipal, provincial and federal legislation may be licensed pursuant to this regulation. It provides a general classification and fees for different business types, based on the level of administrative work and enforcement for each license and can set additional conditions on specific types of businesses to mitigate impacts. Liquor establishments are included in the bylaw as a distinct category and an annual fee of \$1500.00 is imposed for a licence. An amendment would be required to set an appropriate fee for a cannabis establishment.

Smoking Control Bylaw: Smoking, including cannabis, is prohibited in places of assembly, parks and playgrounds, outdoor public space and within proximity to building entrances. While it is unlikely an amendment to the bylaw would be needed due to the legalization of cannabis by senior governments, there may be more enforcement requests and any policy to permit cannabis will need to consider measures to ensure public awareness of the regulation.

Liquor Establishment Policy: Council adopted this policy to provide a framework for consideration of applications that are referred to the City for comment under *the Liquor Control and Licencing Act* and when a site-specific rezoning application is made to permit a liquor retail sales outlet. This policy serves as a valuable comparable to the potential policy and process to be applied to cannabis retail sales outlets.

C: Emerging Policy and Regulatory Frameworks for Cannabis Uses

Many BC municipalities have taken a precautionary approach to the impending legalization of non-medical cannabis by prohibiting the use until further details on the federal and provincial regimes were finalized. Some have drafted discussion papers or are exploring regulatory frameworks. These frameworks vary in approach as, for example, Vancouver is permitting cannabis retail stores in commercial zones subject to certain restrictions, while Victoria, Courtenay, New Westminster and Port Moody are considering site-specific rezonings. The City of Burnaby and District of Mission are exploring frameworks which would restrict the retail sale of cannabis to government-run stores. New Westminster has proposed a detailed framework including regulations on cannabis manufacturing and warehousing, staffing, public consumption and personal cultivation. Richmond, Pitt Meadows and Abbotsford are expecting the retail sale of cannabis will continue to be prohibited throughout their cities for the time being.

The attached *Municipal Framework Comparison Table* provides a sample of published approaches to regulating retail sales being taken or considered by municipalities in BC and Canada, and within US jurisdictions which have legalized marihuana. This information indicates a mixed approach being taken permitting cannabis retail uses. Several municipalities are proposing to limit to the number of stores they will permit, have defined specific geographic locations or properties where stores will be considered or are instituting lottery selection systems.



The province requires liquor retail outlets to be located 1km apart from each other. A few municipalities are mirroring this requirement in their proposed framework while others have set much lower separation. Some are also looking to set a minimum distance between cannabis and liquor retail outlets.

The minimum distance being proposed to separate uses where children and youth tend to congregate (schools, daycares, parks, playgrounds, youth centers, community centers) from cannabis uses is ranging from 150 m to 300m. Most municipalities are noting concerns with proximity to other potentially sensitive land uses, such as churches, shelters, transition or recovery homes, healthcare facilities, and libraries and may add proximity criteria encompassing these uses.

The Province has set hours of operation to be 9am to 11 pm; some municipalities are choosing to set more restrictive opening hours.

Some municipalities are requiring cannabis retail stores to include security measures such alarm systems, surveillance cameras, and a minimum number of employees on site at all times. Other municipalities have identified concerns with odour and are implementing requirements for air filtration systems.

Concerns about aesthetics of the storefront are being addressed through the adoption of guidelines with respect to acceptable window coverings, security bars or shutters, signage, and the visual display of product from outside the store (supplementing federal regulations which prohibit such display).

The Province is prohibiting sampling, consumption, edibles and online sales; requires criminal record checks and mandates employee training. Some municipalities are choosing to duplicate provincial requirements within their regulatory approach.

DISCUSSION:

A. Site Specific Zoning in accordance with Council Policy:

This report proposes that applications for cannabis-related uses be considered through a site specific zoning bylaw amendment process, similar to the approach the City uses to regulate liquor establishments.

The report further proposes that the review of rezoning applications for cannabis establishments be guided by a policy to be adopted by Council that would detail the City's criteria for evaluation of the application, including location, potential impacts to the community, size and layout and meet the requirements for comment set by the British Columbia Liquor and Cannabis Regulation Branch. For discussion purposes, the attached policy has been drafted.

The policy proposes that the following criteria and application submission requirements apply to retail cannabis sales uses:

• Locate in areas designated for commercial land uses in the Official Community Plan



- Separate outlets by a minimum distance of 1 kilometre (which is the same requirement as applicable to liquor retail outlets)
- Not impose a distance requirement between cannabis and liquor premises (they cannot be the same premises per provincial rules but may be next door to each other)
- Impose a 200-metre distance requirement from schools, playgrounds, community centers and sports fields
- Not locate within the Downtown core, in keeping with the *Recommendations for a Downtown Action Plan*¹
- Consider the location of other facilities such as child care facilities, churches, shelters and recovery homes on a case-by-case basis as may be relevant
- Obtain input from residents and businesses, which may be particularly relevant if a location is proposed within a mixed-use buildings
- Consider vehicular and pedestrian routes/access and evaluate potential impact (for example, a relatively large cannabis retail sales outlet may require improvements)
- Design the interior space layout to discourage sampling or consumption on the premises (these activities are prohibited)
- Design the storefront to be visually appealing and sensitive to the character of surrounding land uses

To mitigate potential impacts of the use, conditions of zoning bylaw adoption would be considered by Council as appropriate for the application. These conditions could include one or more of the following requirements:

- signage to inform clients of the City's smoking restriction
- an air filtration system designed to mitigate odours to surrounding uses
- measures to address site impacts (e.g., offsite improvements) as identified in review of the application
- measures to address concerns as may be identified by the public such as limited hours of operation
- implementation of any measures that may be proposed to create a community benefit.

The draft policy does not set criteria or propose conditions of approval that would duplicate requirements of the senior levels of government.

The draft policy also sets out criteria for applications to manufacture and distribute cannabis is also proposed (medical and non-medical). These are similar to those proposed for a retail cannabis sales outlet with the primary exception that the permitted land use designations are light, general or heavy industrial designations and a 500m distance from community facilities.

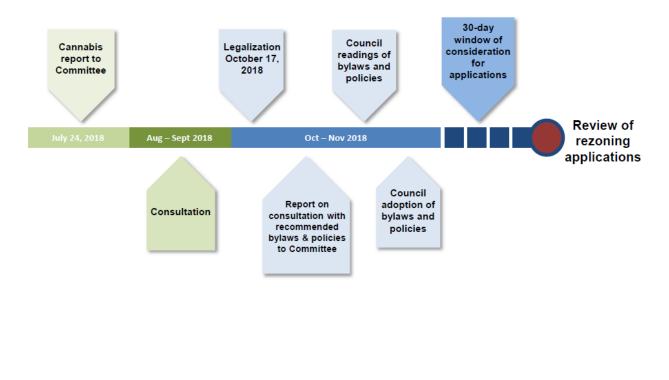
¹ This Plan specifically notes the intent to attract business of a high quality to the Downtown, creating a vibrant street presence. As cannabis retail sales are to be highly restricted in terms of who can enter the premises, no display of product, and signage, the use would be incompatible with this intent.



B. Rezoning Application Process

There is significant interest being expressed by both local and national firms wishing to open a cannabis retail outlet in the City. Although an application to amend the Zoning Bylaw may be submitted at any time, potential applicants are being advised that staff are not in a position to evaluate an application to permit a cannabis retail use until such time as Council has adopted a policy to guide decisions on retail locations and amended its bylaws to establish appropriate regulations.

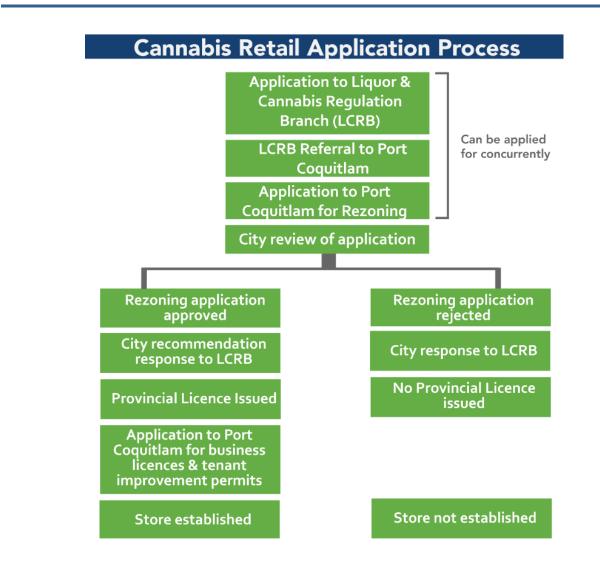
Once Council adopts the proposed bylaw amendment and policy, a concurrent review process is recommended to apply to all rezoning applications for cannabis retail outlets. This approach would defer consideration of all applications until 30 days after the date of adoption. Staff would then review all applications commencing on that date rather than review of applications in date order. This process is intended to permit the City to evaluate each application before giving approval to rezone a specific location, ensuring that the distance criteria does not impact which of the initial applications may be approved but allowing for all initial applications to be considered on their merits. Applications for new cannabis retail outlets received after the 30-day period would be considered in date order, allowing for Council to make its decisions on the initial applications and establish permitted locations.



Timeframe for Approval of Cannabis Policy & Bylaw Amendments



Report To: Department: Approved by: Meeting Date: Committee of Council Development Services L.L. Richard December 4, 2018; July 24, 2018



The Cannabis Retail Application Process diagram illustrates how the provincial process is tied to the municipal process. The Branch will not issue a licence until it has received a submission from the City indicating the City's response to its referral. The City would be in a position to provide the response after the rezoning bylaw is approved (or rejected). Additional clarification and refinement on how the municipal and provincial approval processes are to be coordinated is anticipated after the Province has gained experience in application processing.

C. Implementation Requirements:

The following bylaws would need to be amended to implement the proposed changes:

- amendment of the Zoning Bylaw to allow cannabis uses
- amendment of the Development Procedures Bylaw to set out the process for consideration of Branch referrals, including application requirements



- amendment of the Fees and Charges bylaw to set fees for applications
- amendment of enforcement bylaws to set penalties for infractions
- amendment of the Business Licence bylaw to permit issuance of a business licence for a cannabis retail sales use.

If Committee approves the recommendations of this report, the bylaw amendments would be drafted over the summer months.

D. Consultation

This report recommends a focused public consultation process be undertaken prior to finalizing the cannabis establishment policy and that it take place during the months of August and September for report back to the Community and Intergovernmental Committee in early fall. The proposed consultation includes:

- posting information on the City's website including this report and the draft policy
- issuing a press release
- placing an advertisement in the Tri-City News to inform the public (residents and businesses) that the City is seeking feedback on the draft policy and will be hosting a public input opportunity for this purpose
- holding an open house / public input opportunity in mid-September
- soliciting input on the draft policy from stakeholders such as UBCM, the Liquor and Cannabis Licensing Branch, cannabis industry representatives and the Downtown Business Improvement Association.

FINANCIAL IMPLICATIONS:

Allowing for consideration of cannabis uses is not expected to have significant financial implications (rezoning and business licence fees will be set to cover processing costs). There may be a financial benefit to the City through senior government taxation, but how the tax revenue will be shared is yet to be determined.

OPTIONS

(Check = Staff Recommendation)

#	Description
1	Authorize staff to consult with cannabis industry representatives, local businesses and the broader community on regulations and policies proposed to be applied to land use decisions related to the production and retail sale of cannabis in Port Coquitlam. If this option is selected, it is anticipated that a Public Hearing could be held in November.



2	Direct staff to bring forward a proposed Cannabis Establishment Policy and amending bylaws to be applied to land use decisions related to the production and retail sale of cannabis to Council for its consideration of approval. If this option is selected, the earliest date that a Public Hearing could be held would be October 9 th and adoption in November.
3	Request amendments to the draft policy or further information be brought back to Committee when it next meets in September.

ATTACHMENTS

Attachment #1: Cannabis Legislation and Licencing

Attachment #2: Local Government's Role in Licensing Non-Medical Cannabis Retail Stores

Attachment #3: Municipal Framework Comparison Table

Attachment #4: Proposed Cannabis Establishment Policy

Lead author(s): Jennifer Little, Graeme Muir



Grant Applications for Child Care Planning and Licensed Preschool Spaces

RECOMMENDATION:

That Council support the following grant applications:

- 1. Application to the Community Child Care Planning Program for a grant for \$25,000 to support the creation of a child care space inventory and action plan; and
- Application to the Community Child Care Space Creation Program for a grant for \$360,000 to support the development of up to 20 licensed preschool spaces in the Port Coquitlam Community Centre.

PREVIOUS COUNCIL/COMMITTEE ACTION

None

REPORT SUMMARY

This report recommends Council endorse submitting the following applications to obtain funding from the Province in support of child care planning and spaces:

- (1) Planning grant application for \$25,000 to develop an action plan that would facilitate additional spaces. If approved, the work would be completed by a consultant working with Planning Division staff.
- (2) Space creation grant application for \$360,000 to outfit an area in the community centre to accommodate 20 licensed preschool spaces. The community centre is being designed to include an area for preschool programs and childminding. The grant could facilitate enhancing a portion of the space in order to meet the requirements for licensed preschool programs, by funding necessary equipment and furnishings, modifying the interior space design as needed and including a fenced outdoor play area.

The programs are being administered by the Union of BC Municipalities and a decision from Council in support of submitting the applications is required before the deadline of January 18th, 2019.

BACKGROUND & DISCUSSION

In September 2018, the province announced significant funding for child care spaces operated by local governments (or their non-profit partners) as well as funding for the creation of action plans that identify specific community needs. This funding is being administered through UBCM, and applications are due on January 18th, 2019.

(1) **Community Child Care Planning Program**: Obtaining funding through this program would support the development of a child care action plan and submission of an application is recommended.

In 2017, the Smart Growth Committee considered a comprehensive review of regulations pertaining to child care, endorsed Zoning Bylaw amendments to better support child care



Grant Applications for Child Care Planning and Licensed Preschool Spaces

facilities and requested staff bring forward proposals intended to assist the community in developing child care facilities in appropriate locations. To date, this work has been deferred due to staff resources but it is included in the Planning Division's 2019 work program. In addition, a child care needs assessment was conducted in the Tri-Cities as part of the Coquitlam River United Way Avenues of Change project. This assessment recommends that municipalities set targets for child care service levels and establish policy frameworks in support of creating high quality spaces in the right locations.

Should the City be successful in obtaining the grant, the City would engage a contractor to assist staff in the work. Potential activities include the following:

- Completion of a child care space inventory, including identification of how this inventory would be kept up-to-date;
- Consultation with parents to seek their feedback regarding gaps and how they may be addressed;
- Consultation with child care operators to seek their feedback on options to expand facilities, increase operating hours, and offer child care services to children with special needs;
- Co-hosting a workshop with Fraser Health to invite input from community organizations and service providers on viable solutions and potential actions, and

The outcome of these activities would be the creation of an action plan which will facilitate the creation of more child care spaces by identifying how the City could better support the creation of new spaces and defining actions which may be taken by the service providers.

(2) **Space Creation Grant:** Obtaining funding through this program would support the provision of licenced preschool spaces within the Port Coquitlam Community Centre and is also recommended.

The current provincial funding opportunity applies to the creation of licensed preschool program spaces. Preschool programs typically operate from one to four hours a day during the school-year (September to June) and serve children between the ages of 30 months and school age (Kindergarten). The Recreation Department currently offers preschool programs (as well as before and after school care) but these programs are not in licensed spaces and are limited to a maximum of two hours. The Department is currently exploring options to design and outfit a preschool and activity room in the new community centre with the intent that this room could be suitable to offer licensed preschool programs. If approved, the funding would go towards capital purchases to furnish and equip the space, modify and/or enhance the interior design and include a fenced outdoor playground.

If the City obtains a licence for a preschool program, qualifying families would have access to subsidies available through the province and the programs could be up to four hours long. The grant would require the City to commit to providing licensed preschool programs for a minimum of ten years, but this is not expected to be an issue given the current demand and number of waitlisted preschool programs.



Grant Applications for Child Care Planning and Licensed Preschool Spaces

FINANCIAL IMPLICATIONS

The child care planning grant would allow for reallocation of staff resources currently scheduled to develop policy in support of child care within the community for other work; it would also fund an expanded scope of work to result in a child care action plan.

Funding for space enhancements to support a licensed preschool program will increase services provided for the community, particularly for families who qualify for subsidized child care programs. Additional costs for the increased service level would be covered by program fees and may include: additional ongoing operating costs for the enhanced space and outdoor play area, certified early childhood education staff training, higher wages, and costs for subsidy application processing.

OPTIONS

(Check = Staff Recommendation)

#	Description
1	Support the submission of grant applications for child care planning and space creation.
2	Not support the submission of one or both grant applications for child care planning and/or space creation.

