

**1. CALL TO ORDER**

**2. ADOPTION OF THE AGENDA**

**2.1 Adoption of the Agenda**

Recommendation:

*That the January 22, 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:*

- *January 8, 2019, Special Council Meeting*
- *January 8, 2019, Regular Council Meeting.*

**4. PROCLAMATIONS**

**4.1 Alzheimer's Awareness Month – January 2019**

**4.2 United Nations World Interfaith Harmony Week - February 1-7, 2019**

**4.3 Real Acts of Caring Week - February 10-16, 2019**

**5. PRESENTATIONS**

**5.1 Riverside Secondary's Grade 9 Girls' Volleyball Team – Provincial Champions**

**6. DELEGATION**

**6.1 Art Focus Artists' Association**

**7. BYLAWS**

**7.1 Zoning Amendment Bylaw No. 4107 for 1611 Manning Avenue - First Two Readings**

Recommendation:

*That Council give Zoning Amendment Bylaw No. 4107 for 1611 Manning Avenue first two readings.*

**7.2 2019 Water and Sewer Rate Amendment Bylaws - First Three Readings**

Recommendation:

*That Council give Waterworks Regulation Amendment Bylaw No. 4105 and Sewer Regulation Amendment Bylaw No. 4106 first three readings.*

**7.3 Zoning Amendment Bylaw No. 3995 for 1161 Kingsway Avenue - Final Reading**

Recommendation:

*That Council give Zoning Amendment Bylaw No. 3995 for 1161 Kingsway Avenue final reading.*

## 8. REPORTS

### 8.1 1720 Fremont Drive – Remedial Action Order

#### Recommendation:

*That Council adopt the following resolution:*

*WHEREAS the City Council considers the condition of the Buildings located at 1720 Fremont Drive, Port Coquitlam, B.C. (the "Property") to be unsafe; in violation of the City of Port Coquitlam Bylaw 3710 as no building permits have been issued for the construction or alteration of these Buildings; and that the Buildings are so dilapidated so as to be offensive to the community;*

*AND WHEREAS Council considers the Buildings a hazard so as to creates an unsafe condition and a danger to the health and safety of the registered owner, occupants and visitors to the Property;*

*NOW THEREFORE, pursuant to Sections 72, 73 and 74 of the Community Charter, City Council of the City of Port Coquitlam in open meeting assembled, resolves as follows:*

- 1. That the Buildings identified in Attachment #1 to this report located on the Property each:
  - A. Create an unsafe condition for the reasons as detailed in Attachment #1;*
  - B. Violate the provisions of City of Port Coquitlam Bylaw 3710 as they were constructed or altered without building permits as detailed in Attachment #1; and*
  - C. Are dilapidated to an extent that they are offensive to the community as depicted in the photographs in Attachment #1.**
- 2. That the registered owner of the Property (the "Owner") be required to completely demolish the Buildings and remove from the Property all demolition debris and restore the Property to a safe condition;*
- 3. That the Owner be required to apply for and obtain all City permits that are required to demolish the Buildings by no later than 30 days after notice of this resolution is served or provided by registered mail;*
- 4. That the Owner be required to demolish the Buildings and remove all demolition debris by no later than 30 days after the date the City has issued the necessary permits to permit the demolitions of the Buildings as noted in #3 above; and*
- 5. That if the Owner has not complied with this resolution within the specified timeframes in #3 and #4 above, the City by its employees, contractors or others, may enter onto the Property without further notice to the Owner and perform the work specified in this resolution; the cost of performing the work shall immediately become a debt owed by the Owner to the City; and such debt, if unpaid by December 31, 2019, may be recovered by transferring the debt to the property tax account for the Property pursuant to Section 258 of the Community Charter.*

## 9. NOTICE OF MOTION

- 9.1** At the January 15, 2019, Committee of Council meeting, Councillor McCurrach gave Notice of Motion for the following motion for the January 22, 2019, Meeting of Council:

*THAT Council support the BC Poverty Reduction Coalition's ABC Plan for an accountable, bold and comprehensive poverty reduction plan for BC; and*

*THAT Council advocate to the provincial government to develop and implement a provincial poverty reduction strategy that includes the measures within the ABC Plan before February 2019, with the commitment that this council will work with the provincial government in implementing this plan.*

**10. NEW BUSINESS**

**11. OPEN QUESTION PERIOD**

**12. ADJOURNMENT**

**12.1 Adjournment of the Meeting**

Recommendation:

*That the January 22, 2019, Regular Council Meeting be adjourned.*

**Present:**

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

**Absent:**

Councillor Washington

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**1. CALL TO ORDER**

The meeting was called to order at 3:00 p.m.

**2. ADOPTION OF THE AGENDA**

**2.1 Adoption of the Agenda**

Moved - Seconded:

*That the January 8, 2019, Special Council Meeting Agenda be adopted as circulated.*

Carried

**3. REPORTS**

**3.1 Motion to Adjourn 2014 Council Meetings**

Moved - Seconded:

*That the following 2014 Council meetings be adjourned:*

- January 13, 2014
- January 27, 2014
- February 11, 2014
- February 24, 2014
- March 10, 2014
- April 14, 2014
- April 28, 2014
- May 12, 2014
- May 26, 2014
- July 14, 2014
- July 28, 2014
- September 8, 2014
- October 14, 2014
- October 27, 2014
- November 24, 2014
- December 8, 2014

Carried

**3.2 Adoption of 2014 Council Minutes**

Moved - Seconded:

*That the following regular Council meeting minutes be approved:*

- January 13, 2014
- January 27, 2014
- February 11, 2014
- February 24, 2014
- March 10, 2014



- April 14, 2014
- April 28, 2014
- May 12, 2014
- May 26, 2014
- July 14, 2014
- July 28, 2014
- September 8, 2014
- October 14, 2014
- October 27, 2014
- November 24, 2014
- December 8, 2014

Carried

#### 4. RESOLUTION TO CLOSE

##### 4.1 Resolution to Close the January 8, 2019, Special Council Meeting to the Public

Moved - Seconded:

*That the Special Council Meeting of January 8, 2019, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:*

##### Item 5.1

- g) litigation or potential litigation affecting the municipality;*
- k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;*

##### Item 5.2

- 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,

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**Present:**

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

**Absent:**

Councillor Washington

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**1. CALL TO ORDER**

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

**2. ADOPTION OF THE AGENDA**

**2.1 Adoption of the Agenda**

Moved - Seconded:

*That the January 8, 2019, Regular Council Meeting Agenda be adopted as circulated.*  
Carried

**3. CONFIRMATION OF MINUTES**

**3.1 Minutes of Council Meetings**

Moved - Seconded:

*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.

Carried

**4. BYLAWS**

**4.1 Bylaw 4069 – Repeal of Bylaws 2497 & 2619 - Final Reading**

Moved - Seconded:

*That Council give Bylaw 4069 final reading.*

Carried

**4.2 Bylaw 4097 – 2018 Financial Plan Amendment - Final Reading**

Moved - Seconded:

*That Council give Bylaw 4097 final reading.*

Carried

**5. REPORTS****5.1 Cannabis Regulations & Policy**

Moved – Seconded:

*That Council:*

1. Give 1<sup>st</sup> and 2<sup>nd</sup> 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).

Carried

**5.2 Grant Applications for Child Care Planning and Licensed Preschool Spaces**

Moved - Seconded:

*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.

Carried

**5.3 Mayor's Year in Review**

Mayor West delivered the annual review.

**6. NEW BUSINESS**

- 6.1 Council provided updates related to community events.

**7. OPEN QUESTION PERIOD**

No public comments.

**8. ADJOURNMENT****8.1 Adjournment of the Meeting**

Moved - Seconded:

*That the January 8, 2019, Regular Council Meeting be adjourned at 7:04 p.m.*

Carried

Certified Correct,

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Mayor

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Corporate Officer

# PROCLAMATION

**WHEREAS:** Alzheimer's disease and other dementias are degenerative brain disorders that affect people across British Columbia; and

the social, financial and health impacts of dementia are felt by everyone – including: people living with dementia, their families, caregivers and communities; and

**WHEREAS:** Stigma leads many people living with dementia, and their families, to fear exclusion and differential treatment, preventing them from seeking help and disclosing their diagnosis; and

Early detection provides individuals and families the chance to adjust to the diagnosis and plan for the future; and

All British Columbians need to be better informed about Alzheimer's disease and other dementias, and work to create more supportive and inclusive communities; and

**WHEREAS:** The Alzheimer Society of B.C. is committed to building a dementia-friendly B.C., where people living with the disease, their caregivers and their families are welcomed, included and supported, and

The City of Port Coquitlam is committed to achieving meaningful outcomes for people living with dementia and their caregivers that are person centered and effective.

**NOW THEREFORE:** I, Brad West, Mayor of the Corporation of the City of Port Coquitlam,

**DO HEREBY PROCLAIM  
January 2019 as  
"Alzheimer's Awareness Month"  
in the City of Port Coquitlam**

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Brad West  
Mayor



# PROCLAMATION

**WHEREAS:** United Nations World Interfaith Harmony Week is an opportunity to raise awareness of religious intolerance, misunderstanding or ignorance, and bring opportunity for mutual self-reflection, open-mindedness and respect to all spiritual paths; and

**WHEREAS:** the City of Port Coquitlam respects the equality of rights and privileges of residents from all its diverse communities, and encourages dialogue among different faiths to enhance mutual understanding, harmony and cooperation among its people; and

**WHEREAS:** upholding a zero tolerance for discrimination and supporting programs and projects that inspire residents to practice and observe one's spirituality, individual conviction, or beliefs without fear is a priority of the municipality and community partners in the City of Port Coquitlam.

**NOW THEREFORE:** I, Brad West, Mayor of the Corporation of the City of Port Coquitlam,

**DO HEREBY PROCLAIM**

**February 1<sup>st</sup> to February 7<sup>th</sup>, 2019 as**

**"United Nations World Interfaith Harmony Week"**

**in the City of Port Coquitlam**

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Brad West  
Mayor



# PROCLAMATION

**WHEREAS:** Real Acts of Caring (RAC) is doing something nice for a complete stranger without expecting any reward. It is the expression of our empathy and compassion for one another; and

**WHEREAS:** the daily acts of caring and kindness of most of the citizens of Port Coquitlam often go unrecognized; and

**WHEREAS:** by recognizing these daily acts of caring and kindness during this week, all citizens of Port Coquitlam will become more aware of being kind to others throughout the year; and

**WHEREAS:** by recognizing these acts of caring and kindness during this week, everyone will be encouraged to participate in making Port Coquitlam a kinder, safer and better place to live; and

**WHEREAS:** a caring and kindness week is being observed in many cities and towns across this nation;

**NOW THEREFORE:** I, Brad West, Mayor of the Corporation of the City of Port Coquitlam,

## DO HEREBY PROCLAIM

**February 10<sup>th</sup> to February 16<sup>th</sup>, 2019 as**

**“Real Acts of Caring Week”**

**in the City of Port Coquitlam**

*and I encourage everyone to participate in spreading and practicing generosity, patience, and consideration of others at all times in order to create a better, kinder, safer and more peaceful City.*

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Brad West  
Mayor





### Committee of Council Report

#### Zoning Amendment Bylaw No. 4107 for 1611 Manning Avenue

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##### **Committee Recommendation**

At the January 8, 2019, Committee of Council Meeting, the Development Services Report, "Rezoning Application RZ000165 – 1611 Manning Avenue" was considered, and the following motion was passed:

*That Committee of Council recommend to Council that:*

1. *The zoning of 1611 Manning Avenue be amended from RD (Residential Duplex) to RS4 (Residential Single Dwelling 4); and*
2. *Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:*
  - a. *Completion of design and submission of fees and securities for off-site works and services.*

The following motion is now before Council for decision:

*That Council give first two readings to Bylaw No.4107.*

##### **ATTACHMENTS**

Attachment #1: Zoning Amendment Bylaw No. 4107

Attachment #2: 2019-01-08 Committee of Council Report

CITY OF PORT COQUITLAM  
ZONING AMENDMENT BYLAW, 2019

Bylaw No. 4107

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

1. CITATION

This Bylaw may be cited as "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2019, No. 4107.

2. ADMINISTRATION

2.1 The Zoning Map of the "Zoning Bylaw, 2008, No. 3630" be amended to reflect the following rezoning:

**Civic:** 1611 Manning Avenue

**Legal:** Lot 19, Block "C", District Lot 466, Group 1, New Westminster District, Plan 2253

**From:** RD (Residential Duplex)

**To:** RS4 (Residential Single Dwelling 4)

as shown on Schedule 1 attached to and forming part of this Bylaw.

READ A FIRST TIME this                      day of                      , 2019

READ A SECOND TIME this                      day of                      , 2019

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Mayor

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Corporate Officer



Schedule 1



## Rezoning Application RZ000165 – 1611 Manning Avenue

### RECOMMENDATIONS:

That Committee of Council recommend to Council that:

1. The zoning of 1611 Manning Avenue be amended from RD (Residential Duplex) to RS4 (Residential Single Dwelling 4); and
2. Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:
  - a. Completion of design and submission of fees and securities for off-site works and services.

### PREVIOUS COUNCIL/COMMITTEE ACTION

None.

### REPORT SUMMARY

This report provides for Committee's consideration of an application to rezone a small, duplex-zoned lot at 1611 Manning Avenue. The lot was formerly part of a two-lot site with a duplex that straddled the interior lot line; the duplex was recently demolished and the development of a new duplex has been approved for the lot to the east. Although a single detached residence is a permitted use in the current zone, the duplex zone does not permit secondary suites and the setbacks are more restrictive. If rezoned, the new home would be subject to compliance with the building and landscaping design guidelines that apply to the development of small lots.

### BACKGROUND



Current OCP Land Designation

Current Zoning

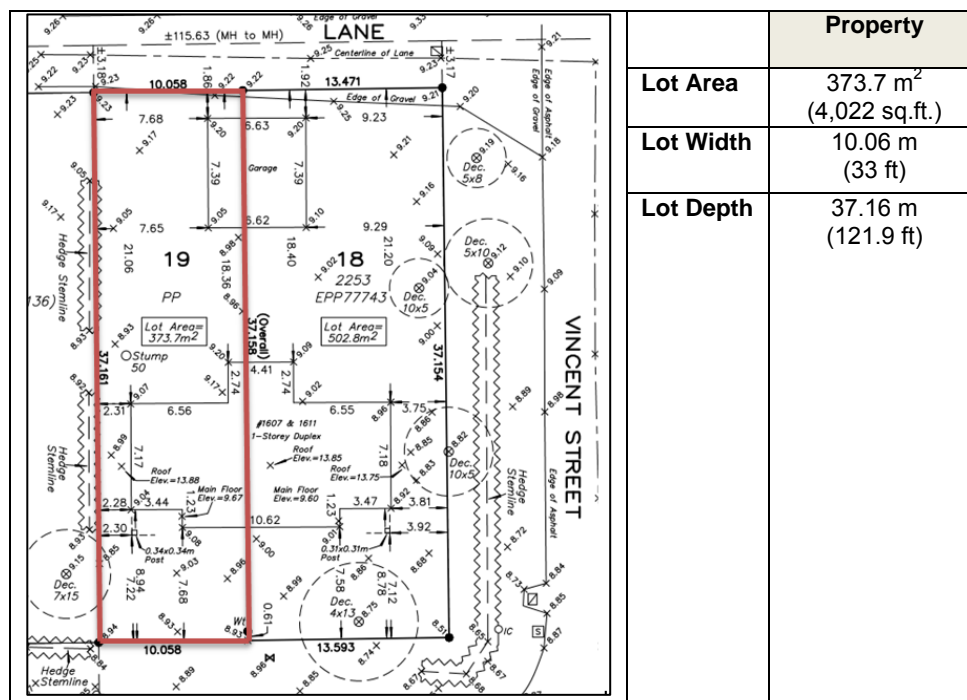
The subject property is a narrow, vacant lot (10m wide) located on the north side of Manning Avenue. The property is designated Small Lot Residential in the OCP and currently zoned Residential Duplex RD; the proposed zoning is Residential Detached RS4. While the RD zone allows for both duplexes and detached single residential uses, the siting regulations of this zone impose larger setbacks and limitations on lot coverage for a single residential use than would be

## Rezoning Application RZ000165 – 1611 Manning Avenue

the case if the lot had a single residential zoning. The duplex zone also does not permit secondary suites or coach houses whereas these uses may be permitted in the RS4 zone.

The lot is now vacant following the demolition of an older two-story duplex which had straddled the lot line between the subject site and the larger, corner lot at 1607 Manning Avenue. Development Permit DP000350 was recently issued to regulate a new duplex to be constructed on this lot.

The area is developed with a mix of older and new single residential homes, many on 10m wide lots. There are no trees on the site and it is not within the floodplain. A site plan of the subject lot and summary of dimensions is provided below:



Topographic Site Plan of 1611 Manning Avenue (outlined in red)

### DISCUSSION

The applicants wish to develop the property with a new home that would comply with the regulations of the RS4 zone. Lots within this zone are designated as a development permit area to ensure a high quality of design, street-front orientation, and landscaping is achieved on small lot developments.

As a condition of rezoning, it is recommended that this development be required to provide off-site upgrades to meet the standards of the Subdivision Servicing Bylaw including reconstruction of Manning Avenue (½ road plus one meter) and the lane behind the property (to be paved with storm drainage), curb and gutter, sidewalk, street lighting and street tree. Connection upgrades

## Rezoning Application RZ000165 – 1611 Manning Avenue

(water, sanitary and storm) would also be required to service the lot. Submission of civil engineering design, fees and securities for off-site works and services is a recommended condition of approval prior to adoption of the amending bylaw.

The proposed rezoning is in keeping with the land use designation of the Official Community Plan. Staff recommend approval.

### **FINANCIAL IMPLICATIONS**


None.

### **PUBLIC CONSULTATION**

A development sign is posted on the property. To date, staff have not received any comments.

### **OPTIONS**

(Check = Staff Recommendation)

#	Description
1 	Recommend to Council that the zoning of 1611 Manning Avenue be amended from RD (Duplex) to RS4 (Single Residential) and that off-site improvements be required as a condition of approval prior to adoption.
2	Request additional information or amendments to the application to address specified issues prior to making a decision on the application
3	Recommend to Council that the rezoning application be refused. A single residential home could still be built on the lot.

### **ATTACHMENT**

Attachment #1: Location Map

### Committee of Council Report

#### 2019 Water and Sewer Rate Amendment Bylaws

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##### **Committee Recommendation**

At the January 8, 2019, Committee of Council Meeting, the Finance Report, “2019 Draft Utility Rates” was considered, and the following motion was passed:

*That Committee of Council direct staff to:*

*Prepare the 2019 utility rate bylaws based on the draft budget as presented in the January 8, 2019, staff report, “2019 Draft Utility Rates”*

The following motion is now before Council for decision:

*That Council give first three readings to Bylaws 4105 and 4106.*

##### **ATTACHMENTS**

Attachment #1: Water Regulation Amendment Bylaw No. 4105

Attachment #2: Sewer Regulation Amendment Bylaw No. 4106

Attachment #3: January 8, 2019, report to Committee of Council, “2019 Draft Utility Rates”

Attachment #4: Water Regulation Bylaw with tracked changes

Attachment #5: Sewer Regulation Bylaw with tracked changes

Waterworks Regulation Amendment Bylaw, 2019  
Bylaw No. 4105

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

1. CITATION

This Bylaw is cited as “Waterworks Regulation Bylaw, 2016, No. 3935, Amendment Bylaw, 2019, No. 4105”.

2. ADMINISTRATION

2.1 That “Waterworks Regulation Bylaw, 2016, No. 3935” be amended by replacing Schedule “B” and Schedule “E” with the Schedule “B” and Schedule “E”, attached hereto, and forming part of this Bylaw.

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

ADOPTED this

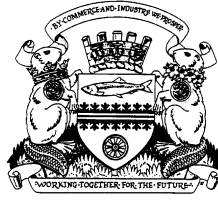
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Mayor

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Corporate Officer

## Schedule "B"



### A. Residential Properties:

	Rate
(a) Single Residential dwelling unit	\$448.05
(b) Each additional dwelling unit*	\$448.05
(c) Each townhouse unit	\$419.72
(d) Each apartment unit	\$398.74

\* For each suite or additional dwelling unit located in a duplex or any form of multiple housing including manufactured home parks or individual guest rooms in motels, hotels, boarding houses, rooming houses, bed and breakfast businesses, and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies and not covered in parts (c) or (d) of Sections A and B.

### B. Meter Rates:

Rates for water shall be for the quantity used in any three (3) month period as indicated by meter, which shall be installed on the water service for the purpose of registering the quantity of water used. All rates for water shall become due and payable the first day of January, the first day of April, the first day of July, the first day of October, each and every year.

0 - 1,500 cubic feet	\$155.90 minimum charge
For the next 3,000 cubic feet	\$4.9949 per hundred cu.ft.
For the next 15,000 cubic feet	\$4.0925 per hundred cu.ft.
Over 19,500 cubic feet	\$2.5289 per hundred cu.ft.

### C. Other Rates:

For premises used solely for residential purposes and which have an unfiltered swimming pool situated thereon:

The rates and penalties provided in Section B of this schedule.

## ***Schedule "B" Cont'd***

### **D. Fire Lines:**

For each connection made to the water utility system to provide a standby for fire protection only and not used except in the case of fire:

- |     |                                   |                     |
|-----|-----------------------------------|---------------------|
| (a) | For a Ten Inch (10") connection   | \$ 909.00 per annum |
| (b) | For an Eight Inch (8") connection | \$ 785.00 per annum |
| (c) | For a Six Inch (6") connection    | \$ 603.00 per annum |
| (d) | For a Four Inch (4") connection   | \$ 460.00 per annum |
| (e) | For a Two Inch (2") connection    | \$ 377.00 per annum |

### **E. Premises Used for Mixed Purposes:**

For premises used for mixed or multiple purposes which include a connection or service to a residential premise as well as another use, the Owner shall pay:

- (i) the rate prescribed under Section A of this schedule for each Residential Premise that, directly or indirectly, receives water from the Water System; plus
- (ii) the rate prescribed under Section B of this schedule for the Non-Residential premises.

The City may send a single invoice covering all non-residential strata lots to the Strata Corporation, or Strata Lot 1, as the City may on a case by case basis decide. If the Rates as set out on the invoice remain unpaid as of December 31 of the billing year, the Director of Engineering & Public Works or designate shall allocate volume of water as set out on the invoice among properties that shall pay the Metered rates as set out above, and determine the charges and penalties owing by the Owners of each strata title lot. Such charges shall be deemed to have been due and payable by each owner as of December 31 and the provisions of Section 231 of the *Community Charter* shall apply.

### **F. Recent purchase or sale**

To meet the eligibility requirements in Section 6 (b) and (c) of the Bylaw, the claimant must be the registered owner of the eligible residence and living on the property as his/her principal residence at the time the application is made. Therefore, the application for the waiver must be made prior to the conveyance of the dwelling. This is because sale of the property is conclusive evidence that it has ceased to be the principal residence of the vendor. Once a conveyance is completed, the vendor is no longer eligible for the waiver.



## ***Schedule "B" Cont'd***

Circumstances may arise in which full utilities are paid by the vendor but no waiver is claimed. The waiver is a reduction of indebtedness for current year utilities and must be claimed by the individual who actually paid that debt. Since the indebtedness was paid by the vendor, no waiver can be allowed to the purchaser. The waiver cannot be prorated.

### **G. Late Payment Penalties:**

#### ***Accounts billed for Residential purposes***

*A penalty of 5% shall be added to the outstanding balances levied for the current year after:*

- (a) the close of business on March 31<sup>st</sup> in each year; or
- (b) the close of business on May 31<sup>st</sup> in each year.

#### ***Accounts billed for Metered purposes***

*A penalty of 10% shall be added to the outstanding balances levied for the current year after:*

- (a) the penalty date established for the quarter period; or
- (b) thirty (30) days from the billing date.

### **H. Senior Citizen's Waiver:**

Every owner and occupier of property who:

- (a) Sixty-five years of age or over at any time during the calendar year in which the charge is assessed; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income (line 236) does not exceed the threshold of \$25,217 per person if they are the sole occupier of the residence or the threshold of \$31,396 if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule E to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2017 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

## ***Schedule "B" Cont'd***

### **I. Disability Waiver:**

Every owner and occupier of property who:

- (a) Designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities, and the person with disabilities resides with the owner and the collector has been provided with the required Schedule D; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income (line 236) does not exceed the threshold of \$25,217 per person if they are the sole occupier of the residence or the threshold of \$31,396, if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule E to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2017 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

**Schedule "E"**  
**APPLICATION FOR A SEWER AND WATER USER FEE SUBSIDY.**

I am the owner and occupier of \_\_\_\_\_  
(Address)

I am 65 years of age (or over): my date of birth is \_\_\_\_\_ or I am a designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for Persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities and the person with disabilities reside with the owner.

I live on the property and consider it to be my principal residence and the property does not contain a suite.

I do not own any other property as defined in the Assessment Act.

There are (including myself) \_\_\_\_\_ person(s) living at the above address. The following is my (our) 2017 income.

All income must be shown below, including Pensions, Interest, rent etc.

My total annual net income does not exceed \$25,217 or our household annual net income does not exceed \$31,396.

**Source of Income**

		Amount
1. Owner	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
2. Spouse and all other occupants of the household	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
<b>Total Net Income(Line 236)</b>		=====

I have attached a copy of my (our) 2017 Canada Revenue Agency Notice of Assessment(s) ☐

I understand that I will be required to sign this form each year, as long as I remain eligible for this waiver. I agree to provide the collector with any documentation necessary to establish my eligibility for the waiver, including the 2017 Revenue Canada Notice of Assessment.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH AND BY VIRTUE OF THE 'CANADA EVIDENCE ACT'.

Print Name \_\_\_\_\_ Signature of Registered Owner \_\_\_\_\_

Phone Number \_\_\_\_\_ Dated at Port Coquitlam, BC this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PLEASE COMPLETE AND RETURN BEFORE DUE DATE TO AVOID PENALTIES.

The personal information on this form is collected under the authority of the Municipalities Enabling and Validating Act and will be used for the purpose of determining eligibility for a waiver as per Bylaw No. 3935. If you have any questions about the use and collection of this information, contact the Tax Collector at 604-927-5426.

## CITY OF PORT COQUITLAM

Sewer Regulation Amendment Bylaw, 2019  
Bylaw No. 4106

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

1. CITATION

This Bylaw is cited as "Sewer Regulation Bylaw, 2016, No. 3936, Amendment Bylaw, 2019, No. 4106".

2. ADMINISTRATION

2.1 That "Waterworks Regulation Bylaw, 2016, No. 3936" be amended by replacing Schedule "A" and Schedule "D" with the Schedule "A" and Schedule "D", attached hereto, and forming part of this Bylaw.

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

ADOPTED this

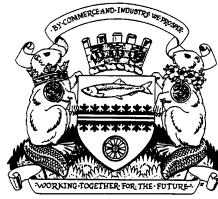
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Mayor

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Corporate Officer

## SCHEDULE "A"



### A. Residential Properties:

	Rate
(a) Single Residential dwelling unit	\$332.43
(b) Each additional dwelling unit *	\$332.43
(c) Each townhouse unit	\$311.78
(d) Each apartment unit	\$295.49

- \* For each suite or additional dwelling unit located in a duplex or any form of multiple housing including manufactured home parks or individual guest rooms in motels, hotels, boarding houses, rooming houses, bed and breakfast businesses, and dormitories, as well as individual stores and individual or complementary rooms for business and personal services occupancies and not covered in parts (c) or (d) of Sections A and B.

### B. Metered Rates:

- |  |          |
|--|----------|
| (a) Metered users  |          |
| (i) 0 to 1,500 cubic feet (minimum charge)               | \$90.59  |
| (ii) over 1,500 cubic feet (rate per hundred cubic feet) | \$2.3140 |

Any owner or occupier of real property other than residential users shall be charged for the use of the sewerage system on the basis of the quantity of water delivered to the real property by the City waterworks system. All rates for sewer shall become due and payable the first day of January, the first day of April, the first day of July, the first day of October, each and every year.

A user of the sewerage system who establishes to the satisfaction of the Director of Engineering & Public Works or designate that the discharge into the sewerage system is less than seventy five percent of the water delivered by the municipal waterworks system to his parcel of real property, by using in whole or in part the water so delivered in an industrial or commercial process or product, or in irrigation; or by discharging the water so delivered or part thereof directly into a natural water course or body of water; shall have the user charge reduced corresponding to the actual quantity of discharge.

### C. Premises Used for Mixed Purposes

For premises used for mixed or multiple purposes which include a connection or service to a residential premise as well as another use, the Owner shall pay:

- (i) the rate prescribed under Section A of this schedule for each Residential Premise that, directly or indirectly, receives water from the Water System; plus

- (ii) the rate prescribed under Section B of this schedule for the Non-Residential premises.

The City may send a single invoice covering all non-residential strata lots to the Strata Corporation, or Strata Lot 1, as the City may on a case by case basis decide. If the Rates as set out on the invoice remain unpaid as of December 31 of the billing year, the Director of Engineering & Public Works or designate shall allocate volume of water as set out on the invoice among properties that shall pay the Metered rates as set out above, and determine the charges and penalties owing by the Owners of each strata title lot. Such charges shall be deemed to have been due and payable by each owner as of December 31 and the provisions of Section 231 of the *Community Charter* shall apply.

#### **D. Recent purchase or sale**

To meet the eligibility requirements in Section 5(b) or (c) of the Bylaw, the claimant must be the registered owner of the eligible residence and living on the property as his/her principal residence at the time the application is made. Therefore, the application for the waiver must be made prior to the conveyance of the dwelling. This is because sale of the property is conclusive evidence that it has ceased to be the principal residence of the vendor. Once a conveyance is completed, the vendor is no longer eligible for the waiver.

Circumstances may arise in which full utilities are paid by the vendor but no waiver is claimed. The waiver is a reduction of indebtedness for current year utilities and must be claimed by the individual who actually paid that debt. Since the indebtedness was paid by the vendor, no waiver can be allowed to the purchaser. The waiver cannot be prorated.

#### **E. Late Payment Penalties:**

##### ***Accounts billed for Residential purposes***

*A penalty of 5% shall be added to the outstanding flat rate balances levied for the current year under Sections A and C of this Schedule after:*

- (a) the close of business on March 31<sup>st</sup> in each year; and
- (b) the close of business on May 31<sup>st</sup> in each year.

##### ***Accounts billed for Metered purposes***

*A penalty of 10% shall be added to the outstanding balances levied for the current year under Section B of this Schedule, after:*

- (a) the penalty date established for the quarter period; or
- (b) thirty (30) days from the billing date.

## ***SCHEDULE "A" Cont'd***

### **F. Senior Citizen's Waiver:**

Every owner and occupier of property who:

- (a) Sixty-five years of age or over at any time during the calendar year in which the charge is assessed; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income (line 236) does not exceed the threshold of \$25,217 per person if they are the sole occupier of the residence or the threshold of \$31,396, if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule D to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2017 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

### **G. Disability Waiver:**

Every owner and occupier of property who:

- (a) Designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities, and the person with disabilities resides with the owner and the collector has been provided with the required Schedule C; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and

## ***SCHEDULE "A" Cont'd***

- (g) Whose total annual net income (line 236) does not exceed the threshold of \$25,217 per person if they are the sole occupier of the residence or the threshold of \$31,396, if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule D to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2017 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.



**SCHEDULE "D"**  
**APPLICATION FOR A SEWER AND WATER USER FEE SUBSIDY.**

I am the owner and occupier of \_\_\_\_\_ (address)

I am 65 years of age (or over): my date of birth is \_\_\_\_\_ or I am designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for Persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities and the person with disabilities reside with the owner.

I live on the property and consider it to be my principal residence and the property does not contain a suite.

I do not own any other property as defined in the Assessment Act.

There are (including myself) \_\_\_\_\_ person(s) living at the above address. The following is my (our) 2017 income.

All income must be shown below, including Pensions, Interest, rent etc.

My total annual net income does not exceed \$25,217 or our household annual net income does not exceed \$31,396.

I have not applied for a sewer or water user fee subsidy on any other property during this calendar year.

**Source of Income**

		Amount
1. Owner	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
2. Spouse and all other occupants of the household	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
<b>Total Net Income(Line 236)</b>		_____

**I have attached a copy of my (our) 2017 Canada Revenue Agency Notice of Assessment(s)** ☐

I understand that I will be required to sign this form each year, as long as I remain eligible for this waiver. I agree to provide the collector with any documentation necessary to establish my eligibility for the waiver, including the 2017 Revenue Canada Notice of Assessment.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH AND BY VIRTUE OF THE 'CANADA EVIDENCE ACT'.

Print Name \_\_\_\_\_ Signature of Registered Owner \_\_\_\_\_

Phone Number \_\_\_\_\_ Dated at Port Coquitlam, BC this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PLEASE COMPLETE AND RETURN BEFORE DUE DATE TO AVOID PENALTIES.

The personal information on this form is collected under the authority of the Municipalities Enabling and Validating Act and will be used for the purpose of determining eligibility for a waiver as per Bylaw No. 3936. If you have any questions about the use and collection of this information, contact the Tax Collector at 604-927-5426.

## 2019 Draft Utility Rates

### **RECOMMENDATION:**

That Committee of Council direct staff to:

1. Prepare the 2019 utility rate bylaws based on the draft budget as presented in the January 8, 2019, staff report, "2019 Draft Utility Rates", and
2. Prepare a policy governing the use of the rate stabilization reserves based on the guidelines outlined in the January 8, 2019, staff report, "2019 Draft Utility Rates".

### **PREVIOUS COUNCIL/COMMITTEE ACTION**

None

### **REPORT SUMMARY**

The 2019 draft utility budgets represent a 4.05% increase in water and 0.82% in sewer rates over 2018. The principal factors driving this increase are an increase in Metro Vancouver charges for bulk water purchases and sanitary sewer discharge, and an increase in the amount transferred to the long term infrastructure reserves. As Metro Vancouver is forecasting increases in excess of 6% over the next 5 years, this report also recommends some policy guidelines for the use of the rate stabilization reserves to help offset the impact of Metro Vancouver rate increases.

### **BACKGROUND**

Annually the utilities section safely delivers approximately 9.2 million cubic meters of high quality potable water to its 24,887 serviced customers within the City. Employees operate, maintain and construct a city-wide transmission and distribution system that delivers safe and reliable drinking water and ensures adequate flows and pressures are maintained for the City's fire protection needs. The utilities section also provides an essential service for the collection and disposal of liquid wastewater. Employees in this area operate, maintain and construct collection infrastructure that mitigates environmental impact as a result of blockages and overflows, and transfer of wastewater to treatment facilities.

To pay for these services, the city charges utility rates on a user pay basis. Residential units pay a flat rate whereas commercial units are metered and pay based on usage. Water and sewer regulation bylaws are brought to Council in advance of the remainder of the City's budget in order to ensure that utility bills are mailed out to property owners by the second week of February, to be paid by March 31st. This results in cash for the year being available in advance of property tax collection in July.

For a number of years, Metro Vancouver has been forecasting increases to its rates to offset borrowing costs related to capital construction. Until recently, those increases hadn't come to fruition and accordingly, the City's water rate has been flat from 2014-2016 and 2018; and the

## 2019 Draft Utility Rates

City's sewer rate has been flat from 2013-2017. While City rates have been flat, the City has been setting aside \$80,000 annually in water and sewer rate stabilization reserves to smooth the impact of future increases. As of the end of 2018 the water rate stabilization reserve is projected to have \$1.02 million and the sewer rate stabilization reserve is projected to have \$325 thousand (the sewer reserve balance is lower as contributions did not start until 2015).

Utility budgets also include contributions to water and sewer infrastructure reserves. These annual contributions of \$2.0 million and \$702 thousand respectively are to fund the replacement/enhancement of utility infrastructure (pipes, pumps, valves, etc); major repairs and maintenance; studies; and other expenditures that are not part of regular operations. Contributions can either be spent in the year they are made, or used in a future year.

The city has also been setting aside 1% of the prior year's utility levy revenue on a cumulative basis for long term infrastructure replacement. This funding is intended to help fund the anticipated replacement of aging infrastructure as major portions of the City's older infrastructure comes up for replacement.

### **DISCUSSION**

The 2019 draft utility budget is based on maintaining 2018 service levels. As such, changes reflect inflation and other contractual increases and do not contain any proposed enhancements or reductions to services. To offset the impact of increases in water rates, staff propose removing the 2019 contribution to the water rate stabilization reserve.

### **FINANCIAL IMPLICATIONS**

The following table provides a breakdown of the 2019 draft water utility budget by program area.

**Figure 1: Water Utility Budget By Program**

	2018 Approved Budget	2019 Draft Budget	\$ Change	% Change
<b>Revenues</b>				
Utility Levies	\$ 11,489,400	\$12,159,500	\$670,100	5.83%
Other Revenues	143,000	168,200	25,200	17.62%
	<b>\$ 11,632,400</b>	<b>\$ 12,327,700</b>	<b>\$ 695,300</b>	
<b>Expenses</b>				
Administration and Overhead	\$ 1,244,100	1,246,400	2,300	0.18%
General Maintenance	778,900	797,200	18,300	2.35%
Fire Hydrant Maintenance	106,400	109,000	2,600	2.44%
Valve Maintenance	70,100	71,700	1,600	2.28%
Pump Station Maintenance	84,600	85,600	1,000	1.18%

## 2019 Draft Utility Rates

Water Meters	98,700	99,900	1,200	1.22%
Miscellaneous Water Work	65,500	67,000	1,500	2.29%
Purchased Water	6,151,200	6,783,300	632,100	10.28%
	<b>\$ 8,599,500</b>	<b>\$ 9,260,100</b>	<b>\$660,600</b>	

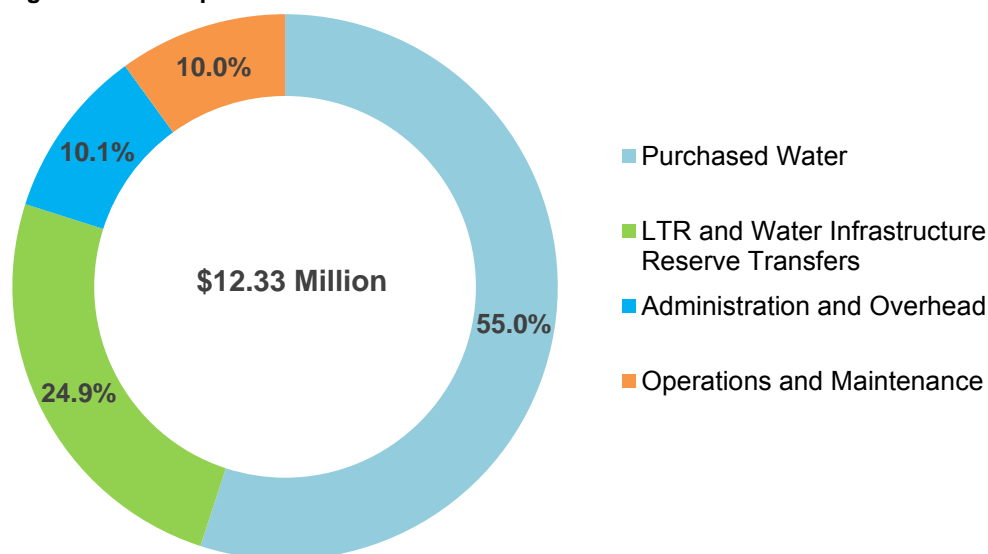
### Net Reserve Transfers

To LTR and Water Infrastructure	\$ 2,952,900	\$ 3,067,600	\$ 114,700	3.88%
To (From) Rate Stabilization	80,000	-	(80,000)	-100.00%
	<b>\$ 3,032,900</b>	<b>\$ 3,067,600</b>	<b>\$ 34,700</b>	

<b>Net Water Budget</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>	<b>%</b>
-------------------------	-------------	-------------	-------------	----------	----------

The Community Charter requires that proposed expenditures and transfers to other funds must not exceed the total of the proposed funding sources and transfers from other funds for the year (i.e. the organization cannot budget for a surplus/deficit). As such, after factoring revenues, expenses and transfers to and from reserve, the net water budget balances to \$0.

Figure 2: 2019 Budgeted Water Expenditures



Payments to Metro Vancouver represent over 55% of the expenses while transfers to the Water LTR & Infrastructure reserves make up a further 25% of the total. Operations and maintenance represent 10% of the total.

## 2019 Draft Utility Rates

The draft 2019 water budget results in the following impact to residential and commercial properties.

**Figure 3: Impact to Residential Properties**

Rate Class	2018 Levy	2019 Proposed Levy	2019 \$ Increase	2019 % Increase
Single Family Dwelling	\$ 430.63	\$ 448.05	\$ 17.42	4.05%
Secondary Suite	\$ 430.63	\$ 448.05	\$ 17.42	4.05%
Townhouse	\$ 403.40	\$ 419.72	\$ 16.32	4.05%
Apartment	\$ 383.23	\$ 398.74	\$ 15.51	4.05%

**Figure 4: Impact to Commercial Properties**

Rate Class	2018 Example Levy	2019 Estimated Levy	2019 \$ Increase	2019 % Increase
Low Volume Retail	\$ 1,953.14	\$ 2,032.24	\$ 79.10	4.05%
Medium Volume Retail	\$ 6,145.21	\$ 6,394.08	\$ 248.87	4.05%
High Volume Retail	\$ 22,637.94	\$ 23,554.76	\$ 916.82	4.05%
Large Industrial	\$ 363,390.05	\$ 378,107.36	\$ 14,717.31	4.05%

The following table provides a breakdown of the 2019 draft sewer utility budget by program area.

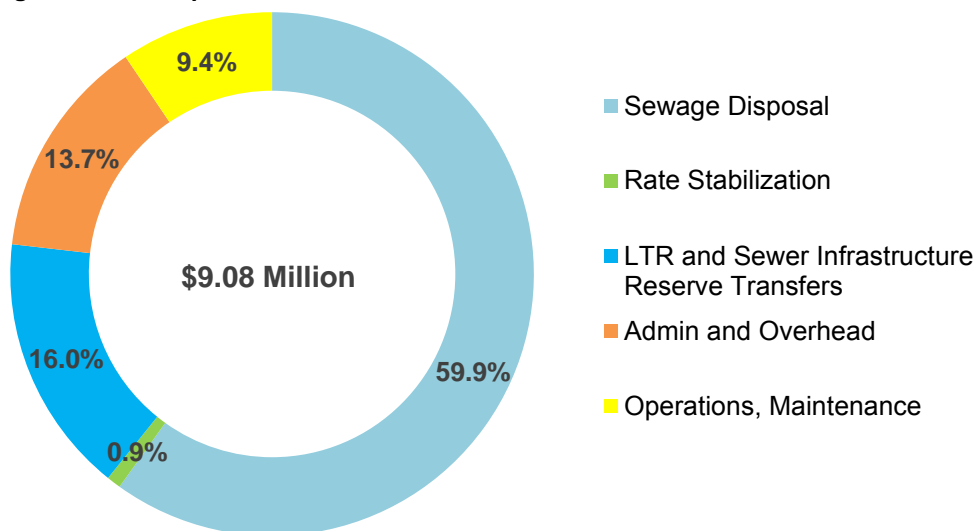
**Figure 5: Sewer Utility Budget By Program**

	2018 Approved Budget	2019 Draft Budget	\$ Change	% Change
<b>Revenues</b>				
Utility Levies	\$ 8,588,800	\$ 9,021,100	\$ 432,300	5.03%
Other Revenues	56,800	63,000	6,200	10.92%
	<b>\$ 8,645,600</b>	<b>\$ 9,084,100</b>	<b>\$ 438,500</b>	
<b>Expenses</b>				
Administration and Overhead	\$ 1,245,400	\$ 1,247,700	\$ 2,300	0.18%
General Maintenance	478,000	489,200	11,200	2.34%
Lift Station Maintenance	362,900	369,200	6,300	1.74%
Sewage Disposal	5,108,300	5,441,300	333,000	6.52%
	<b>\$ 7,194,600</b>	<b>\$ 7,547,400</b>	<b>\$ 352,800</b>	
<b>Net Reserve Transfers</b>				
To LTR and Water Infrastructure	1,371,000	1,456,700	\$ 85,700	6.25%
To (From) Rate Stabilization	80,000	80,000	-	0.00%
	<b>\$ 1,451,000</b>	<b>\$ 1,536,700</b>	<b>\$ 85,700</b>	
<b>Net Sewer Budget</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>- %</b>

## 2019 Draft Utility Rates

The Community Charter requires that proposed expenditures and transfers to other funds must not exceed the total of the proposed funding sources and transfers from other funds for the year (i.e. the organization cannot budget for a surplus). As such, after factoring revenues, expenses and transfers to and from reserve, the net sewer budget balances to \$0.

**Figure 6: 2019 Budgeted Sewer Expenditures**



Payments to Metro Vancouver represent over 59% of the expenses while transfers to the Sewer LTR & Infrastructure reserves make up a further 16% of the total. Operations and maintenance represent 9.4% of the total.

The draft 2019 utility budget results in the following impact to residential and commercial properties.

**Figure 7: Impact to Residential Properties**

Rate Class	2018 Levy	2019 Proposed Levy	2019 \$ Increase	2019 % Increase
Single Family Dwelling	\$ 329.72	\$ 332.43	\$ 2.71	0.82%
Secondary Suite	\$ 329.72	\$ 332.43	\$ 2.71	0.82%
Townhouse	\$ 309.24	\$ 311.78	\$ 2.54	0.82%
Apartment	\$ 293.08	\$ 295.49	\$ 2.41	0.82%

**Figure 8: Impact to Commercial Properties**

Rate Class	2018 Example Levy	2019 Estimated Levy	2019 \$ Increase	2019 % Increase
Low Volume Retail	\$ 520.06	\$ 524.32	\$ 4.26	0.82%
Medium Volume Retail	\$ 4,483.51	\$ 4,520.28	\$ 36.77	0.82%
High Volume Retail	\$ 20,076.73	\$ 20,241.36	\$ 164.63	0.82%
Large Industrial	\$ 342,244.40	\$ 345,050.80	\$ 2,806.40	0.82%

### Seniors' Discount

In 2018 the seniors' discount was given to seniors whose income did not exceed \$24,602 or had a household income that did not exceed \$30,630. Historically the uptake of the seniors' discount has been consistent, however 2018 saw a 16% increase in the number of properties claiming the discount.

**Figure 9: Senior's Discount - Five Year Trend**

Rate Class	2015	2016	2017	2018
# of Senior's Discounts	125	123	125	145
Total Cost	\$ 91,949	\$90,298	\$ 93,549	\$ 110,347

The 2019 seniors' waiver is based on the taxpayer's 2017 Revenue Canada Notice of Assessment, which will be the most recent information available in February and March when the discounts are being processed. Since Statistics Canada no longer publishes the low-income threshold, the annual threshold for the seniors' discount will be increased by the amount of the Statistics Canada CPI increase for Vancouver each year. In this case, the increase was 2.5% for 2017.

### Offsetting Future Impact to Residents and Businesses

Metro Vancouver's five year financial plan includes the following projections for rate increases:

**Figure 10: Metro Vancouver Five Year Forecast**

Rate	2019	2020	2021	2022	2023
Water	5.81%	10.0%	9.5%	10.5%	10.5%
Sewer	6.52%	7.1%	10.4%	10.6%	6.5%

To offset the impact of upcoming rate increases, staff propose the use of the water and sewer rate stabilization reserves under the following guidelines:

- Target utility rate: The city will target a utility rate increase between 2.0% to 4.5%.
- Use of rate stabilization reserve: The city will use the reserve to reduce the rate increase to 4.5% in years where it would otherwise exceed 4.5%. To smooth rate increases over a three year period, withdrawals from the reserve in a given year should not exceed 1/3 of the opening balance.
- Contribution to rate stabilization reserve: In years where the rate increase falls below 2.0% the city will make a contribution of up to \$80,000 to the reserve with a cap such that the rate increase does not exceed 2.0%. No contribution will be made in years where the rate increase exceeds 2.0%.


Utilization of the rate stabilization reserve provides only temporary relieve from rate increases. Based on Metro Vancouver's five year forecast, using the aforementioned guidelines for rate stabilization, the water reserve would be depleted in 2022 and the sewer reserve would be

## 2019 Draft Utility Rates

depleted by 2023. At the point the reserve is depleted, the funding previously provided by the rate stabilization reserve would need to be offset by a rate increase. This means that increases in 2022 and onwards would potentially exceed the 4.5% cap. However, ideally, Metro Vancouver costs would subside prior to the depletion of the rate stabilization reserves, thereby allowing those balances to replenish and become available to offset future increases.

### **OPTIONS**

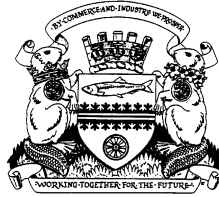
(Check = Staff Recommendation)

#	Description
1 	Direct staff to prepare the utility rate bylaws for 2019 based on the draft budget and direct staff to draft a policy based on the guidelines noted in this report.
2	Direct staff to prepare the utility rate bylaws for 2019 based on an amended budget.
3	Direct staff to bring back additional information to committee for consideration.

**Lead author(s):** Farouk Zaba



## Schedule "B"



## ANNUAL RATES

Total  
Rate

**A. Residential Properties:**

(a) Single Residential dwelling unit	\$ <del>448.05</del> <u>430.63</u>
(b) Each additional dwelling unit*	\$ <del>448.05</del> <u>430.63</u>
(c) Each townhouse unit	\$ <del>419.72</del> <u>403.40</u>
(d) Each apartment unit	\$ <del>398.74</del> <u>383.23</u>

\* For each suite or additional dwelling unit located in a duplex or any form of multiple housing including manufactured home parks or individual guest rooms in motels, hotels, boarding houses, rooming houses, bed and breakfast businesses, and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies and not covered in parts (c) or (d) of Sections A and B.

**B. Meter Rates:**

Rates for water shall be for the quantity used in any three (3) month period as indicated by meter, which shall be installed on the water service for the purpose of registering the quantity of water used. All rates for water shall become due and payable the first day of January, the first day of April, the first day of July, the first day of October, each and every year, ~~and a penalty of 10% shall be added on the gross quarterly metered water rates outstanding after:~~

~~(a) the penalty date established for the quarter period; or~~  
~~(b) (a) thirty (30) days from billing date.~~

0 - 1,500 cubic feet	\$ <del>155.90</del> <u>149.83</u> minimum charge
For the next 3,000 cubic feet	\$ <del>4.99</del> <u>4.80</u> per hundred cu.ft.
For the next 15,000 cubic feet	\$ <del>4.09</del> <u>3.93</u> per hundred cu.ft.
Over 19,500 cubic feet	\$ <del>2.52</del> <u>2.43</u> per hundred cu.ft.

**C. Other Rates:**

For premises used solely for residential purposes and which have an unfiltered swimming pool situated thereon:

The rates and penalties provided in Section B of this schedule.

## Schedule "B" Cont'd

### D. Fire Lines:

For each connection made to the water utility system to provide a standby for fire protection only and not used except in the case of fire:

(a)	For a Ten Inch (10") connection	<del>\$-909.00</del> <del>874.00</del> per annum
(b)	For an Eight Inch (8") connection	<del>\$-785.00</del> <del>754.00</del> per annum
(c)	For a Six Inch (6") connection	<del>\$603.00</del> <del>580.00</del> per annum
(d)	For a Four Inch (4") connection	<del>\$460.00</del> <del>442.00</del> per annum
(e)	For a Two Inch (2") connection	<del>\$377.00</del> <del>362.00</del> per annum

### ~~E. Premises Used for Mixed Purposes:~~

~~For premises used for mixed or multiple purposes which include a connection or service to a residential premise as well as another use, the Owner shall pay:~~

~~-~~

~~(i) the Fixed Rate for each Residential Premise that, directly or indirectly, receives water from the Water System; plus~~

~~(ii) the Metered rates set out above for the Non-Residential premises.~~

~~The City may send a single invoice covering all non-residential strata lots to the Strata Corporation, or Strata Lot 1, as the City may on a case by case basis decide. If the Rates as set out on the invoice remain unpaid as of December 31 of the billing year, the Director of Engineering and Operations or designate shall allocate volume of water as set out on the invoice among properties that shall pay the Metered rates as set out above, and determine the charges and penalties owing by the Owners of each strata title lot. Such charges shall be deemed to have been due and payable by each owner as of December 31 and the provisions of Section 231 of the Community Charter shall apply.~~

### ~~F. Strata Title Properties:~~

~~(a) for strata title properties used solely for Residential purposes, each individual owner shall pay the rate prescribed under Section A of this schedule;~~

~~(a) For strata title properties used solely for non-residential purposes, the meter rates as prescribed under Section B of this schedule shall be levied subject also to the provisions set out under Section E above.~~

~~(c) For strata title properties used for mixed or multiple purposes including a connection or service to a Residential premise, the provisions set out under Section E of this schedule shall apply.~~

### ~~E. Premises Used for Mixed Purposes:~~

~~For premises used for mixed or multiple purposes which include a connection or service to a residential premise as well as another use, the Owner shall pay:~~

~~-~~

~~(i) the rate prescribed under Section A of this schedule for each Residential Premise that, directly or indirectly, receives water from the Water System; plus~~

(ii) the rate prescribed under Section B of this schedule for the Non-Residential premises.

The City may send a single invoice covering all non-residential strata lots to the Strata Corporation, or Strata Lot 1, as the City may on a case by case basis decide. If the Rates as set out on the invoice remain unpaid as of December 31 of the billing year, the Director of Engineering & Public Works or designate shall allocate volume of water as set out on the invoice among properties that shall pay the Metered rates as set out above, and determine the charges and penalties owing by the Owners of each strata title lot. Such charges shall be deemed to have been due and payable by each owner as of December 31 and the provisions of Section 231 of the Community Charter shall apply.

**FG. Recent purchase or sale**

To meet the eligibility requirements in Section 6 (b) and (c) of the Bylaw, the claimant must be the registered owner of the eligible residence and living on the property as his/her principal residence at the time the application is made. Therefore, the application for the waiver must be made prior to the conveyance of the dwelling. This is because sale of the property is conclusive evidence that it has ceased to be the principal residence of the vendor. Once a conveyance is completed, the vendor is no longer eligible for the waiver.

***Schedule "B" Cont'd***

Circumstances may arise in which full utilities are paid by the vendor but no waiver is claimed. The waiver is a reduction of indebtedness for current year utilities and must be claimed by the individual who actually paid that debt. Since the indebtedness was paid by the vendor, no waiver can be allowed to the purchaser. The waiver can-not be prorated.

**GH. Late Payment Penalties:**

**Accounts billed for Residential purposes**

*A penalty of 5% shall be added to the outstanding balances levied for the current year ~~under Sections A, C, D and E of this Schedule,~~ after:*

- (a) the close of business on March 31<sup>st</sup> in each year; or
- (b) the close of business on May 31<sup>st</sup> in each year.

**Accounts billed for Metered purposes**

A penalty of 10% shall be added to the outstanding balances levied for the current year after:

- (i) the penalty date established for the quarter period; or
- (ii) thirty (30) days from the billing date.

**HI. Senior Citizen's Waiver:**

Every owner and occupier of property who:

- (a) Sixty-five years of age or over at any time during the calendar year in which the charge is assessed; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income (line 236) does not exceed the threshold of \$~~25,217~~~~24,602~~ per person if they are the sole occupier of the residence or the threshold of \$~~31,396~~~~30,630~~ if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule E to this Bylaw to the Manager of Revenue and Collections.

A copy of the ~~2017~~~~2014~~ Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

### ***Schedule "B" Cont'd***

#### ***1. Disability Waiver:***

Every owner and occupier of property who:

- (a) Designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities, and the person with disabilities resides with the owner and the collector has been provided with the required Schedule D; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and

(f) The property does not contain a suite; and

(g) Whose total annual net income (line 236) does not exceed the threshold of ~~\$25,217~~<sup>\$24,602</sup> per person if they are the sole occupier of the residence or the threshold of ~~\$31,396~~<sup>\$30,630</sup>, if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule E to this Bylaw to the Manager of Revenue and Collections.

A copy of the ~~2017~~<sup>2014</sup> Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

**Schedule "E"**  
**APPLICATION FOR A SEWER AND WATER USER FEE SUBSIDY.**

I am the owner and occupier of \_\_\_\_\_  
(Address)

I am 65 years of age (or over): my date of birth is \_\_\_\_\_ or I am a designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for Persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities and the person with disabilities reside with the owner.

I live on the property and consider it to be my principal residence and the property does not contain a suite.

I do not own any other property as defined in the Assessment Act.

There are (including myself) \_\_\_\_\_ person(s) living at the above address. The following is my (our) ~~2017~~2016 income.

All income must be shown below, including Pensions, Interest, rent etc.

My total annual net income does not exceed \$~~25,217~~24,602 or our household annual net income does not exceed \$~~31,396~~30,630.

**Source of Income**

		Amount
1. Owner	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
2. Spouse and all other occupants of the household	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
Total Net Income(Line 236)		=====

I have attached a copy of my (our) ~~2017~~2016 Canada Revenue Agency Notice of Assessment(s) ☐

I understand that I will be required to sign this form each year, as long as I remain eligible for this waiver. I agree to provide the collector with any documentation necessary to establish my eligibility for the waiver, including the ~~2017~~2016 Revenue Canada Notice of Assessment.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH AND BY VIRTUE OF THE 'CANADA EVIDENCE ACT'.

Print Name \_\_\_\_\_ Signature of Registered Owner \_\_\_\_\_

Phone Number \_\_\_\_\_ Dated at Port Coquitlam, BC this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PLEASE COMPLETE AND RETURN BEFORE DUE DATE TO AVOID PENALTIES.

The personal information on this form is collected under the authority of the Municipalities Enabling and Validating Act and will be used for the purpose of determining eligibility for a waiver as per Bylaw No. 3935. If you have any questions about the use and collection of this information, contact the Tax Collector at 604-927-5426.

**SCHEDULE "A"****~~City of Port Coquitlam "Sewer Rates Bylaw, 2016, No. 3936"~~****ANNUAL RATES****A. Residential Properties:**

	Rate
(a) Single Residential dwelling unit	\$ <del>332.43</del> <u>329.72</u>
(b) Each additional dwelling unit *	\$ <del>332.43</del> <u>329.72</u>
(c) Each townhouse unit	\$ <del>311.78</del> <u>309.24</u>
(d) Each apartment unit	\$ <del>295.49</del> <u>293.08</u>

\* For each suite or additional dwelling unit located in a duplex or any form of multiple housing including manufactured home parks or individual guest rooms in motels, hotels, boarding houses, rooming houses, bed and breakfast businesses, and dormitories, as well as individual stores and individual or complementary rooms for business and personal services occupancies and not covered in parts (c) or (d) of Sections A and B.

**B. Metered Rates:**

- |  |                                  |
|--|----------------------------------|
| (a) Metered users  |                                  |
| (i) 0 to 1,500 cubic feet (minimum charge)               | \$ <del>90.59</del> <u>89.85</u> |
| (ii) over 1,500 cubic feet (rate per hundred cubic feet) | 2. <del>3140</del> <u>2952</u>   |

Any owner or occupier of real property other than residential users shall be charged for the use of the sewerage system on the basis of the quantity of water delivered to the real property by the City waterworks system. All rates for sewer shall become due and payable the first day of January, the first day of April, the first day of July, the first day of October, each and every year, and a penalty of 10% shall be added on the gross quarterly metered water rates outstanding after:

- the penalty date established for the quarter period, or
- thirty (30) days from billing date.

## SCHEDULE "A" Cont'd

### ~~City of Port Coquitlam "Sewer Regulation Bylaw, 2016 No. 3936"~~

A user of the sewerage system who establishes to the satisfaction of the City Engineer that the discharge into the sewerage system is less than seventy five percent of the water delivered by the municipal waterworks system to his parcel of real property, by using in whole or in part the water so delivered in an industrial or commercial process or product, or in irrigation; or by discharging the water so delivered or part thereof directly into a natural water course or body of water; shall have the user charge reduced corresponding to the actual quantity of discharge.

#### ~~C. Premises Used for Mixed Purposes~~

~~For premises used for mixed or multiple purposes which include a connection or service to a residential premise as well as another use, the Owner shall pay:~~

~~The Fixed Rate for each Residential Premise that, directly or indirectly, uses the Sewer System; plus~~

~~The City may send a single invoice covering all non-residential strata lots to the Strata Corporation or Strata Lot 1, as the City may on a case by case basis decide. If the as set out on the invoice remain unpaid as of December 31 of the billing year, the City Engineer shall allocate volume of water as set out on the invoice among properties that shall pay the Metered rates as set out above, and determine the charges and penalties owing by the Owners of each strata title lot. Such charges shall be deemed to have been due and payable by each owner as of December 31 and the provisions of Section 231 of the Community Charter shall apply.~~

#### ~~D. Strata Title Properties~~

- ~~(a) for strata title properties used solely for Residential purposes, each individual owner shall pay the rate prescribed under Section A of this Schedule;~~
- ~~(b) For strata title properties used solely for mixed or multiple purposes, the meter rates as prescribed under Section B of this schedule shall be levied subject also to the provisions set out under Section C of this schedule shall apply.~~

#### C. Premises Used for Mixed Purposes:

For premises used for mixed or multiple purposes which include a connection or service to a residential premise as well as another use, the Owner shall pay:

- (i) the rate prescribed under Section A of this schedule for each Residential Premise that, directly or indirectly, receives water from the Water System; plus
- (ii) the rate prescribed under Section B of this schedule for the Non-Residential premises.

The City may send a single invoice covering all non-residential strata lots to the Strata Corporation, or Strata Lot 1, as the City may on a case by case basis decide. If the Rates as set out on the invoice remain unpaid as of December 31 of the billing year, the Director of Engineering & Public Works or designate shall allocate volume of water as set out on the invoice among properties that shall pay the Metered rates as set out above, and determine the charges and penalties owing by the Owners of each strata title lot. Such charges shall be deemed to have been due and payable by each owner as of December 31 and the provisions of Section 231 of the Community Charter shall apply.



**DE. Recent purchase or sale**

To meet the eligibility requirements in Section 5(b) or (c) of the Bylaw, the claimant must be the registered owner of the eligible residence and living on the property as his/her principal residence at the time the application is made. Therefore, the application for the waiver must be made prior to the conveyance of the dwelling. This is because sale of the property is conclusive evidence that it has ceased to be the principal residence of the vendor. Once a conveyance is completed, the vendor is no longer eligible for the waiver.

Circumstances may arise in which full utilities are paid by the vendor but no waiver is claimed. The waiver is a reduction of indebtedness for current year utilities and must be claimed by the individual who actually paid that debt. Since the indebtedness was paid by the vendor, no waiver can be allowed to the purchaser. The waiver can-not be prorated.

## ***SCHEDULE "A" Cont'd***

***~~City of Port Coquitlam "Sewer Regulation Bylaw, 2016, No. 3936"~~***

**EF. Late Payment Penalties:**

**Accounts billed for Residential purposes**

A penalty of 5% shall be added to the outstanding balances levied for the current year after:

(a) the close of business on March 31<sup>st</sup> in each year; or

(b) the close of business on May 31<sup>st</sup> in each year.

**Accounts billed for Metered purposes**

A penalty of 10% shall be added to the outstanding balances levied for the current year after:

(a) the penalty date established for the quarter period; or

(b) thirty (30) days from the billing date.

**EG. Senior Citizen's Waiver:**

Every owner and occupier of property who:

- (a) Sixty-five years of age or over at any time during the calendar year in which the charge is assessed; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and

- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income (line 236) does not exceed the threshold of ~~\$25,217~~~~24,602~~ per person if they are the sole occupier of the residence or the threshold of ~~\$31,396~~~~30,630~~, if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule D to this Bylaw to the Manager of Revenue and Collections.

A copy of the ~~2017~~~~2014~~ Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

## ***SCHEDULE "A" Cont'd***

~~*City of Port Coquitlam "Sewer Regulation Bylaw, 2016, No. 3936"*~~

### **GH. Disability Waiver:**

Every owner and occupier of property who:

- (a) Designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities, and the person with disabilities resides with the owner and the collector has been provided with the required Schedule C; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income (line 236) does not exceed the threshold of ~~\$25,217~~~~24,602~~ per person if they are the sole occupier of the residence or the threshold of ~~\$31,396~~~~30,630~~, if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule D to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2014 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

***SCHEDULE "D"***  
**APPLICATION FOR A SEWER AND WATER USER FEE SUBSIDY.**

I am the owner and occupier of

\_\_\_\_\_ (Address) \_\_\_\_\_

I am 65 years of age (or over): my date of birth is \_\_\_\_\_ or I am a designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for Persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities and the person with disabilities reside with the owner.

I live on the property and consider it to be my principal residence and the property does not contain a suite.

I do not own any other property as defined in the Assessment Act.

There are (including myself) \_\_\_\_\_ person(s) living at the above address. The following is my (our) ~~2017~~2014 income.

All income must be shown below, including Pensions, Interest, rent etc.

My total annual net income does not exceed \$~~25,217~~24,602 or our household annual net income does not exceed \$~~31,396~~30,630.

I have not applied for a sewer or water user fee subsidy on any other property during this calendar year.

**Source of Income**

		Amount
1. Owner	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
2. Spouse and all other occupants of the household	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
<b>Total Net Income(Line 236)</b>		_____

I have attached a copy of my (our) ~~2017~~2016 Canada Revenue Agency Notice of Assessment(s) ☐

I understand that I will be required to sign this form each year, as long as I remain eligible for this waiver. I agree to provide the collector with any documentation necessary to establish my eligibility for the waiver, including the ~~2017~~2016 Revenue Canada Notice of Assessment.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH AND BY VIRTUE OF THE 'CANADA EVIDENCE ACT'.

Print Name \_\_\_\_\_ Signature of Registered Owner \_\_\_\_\_

Phone Number \_\_\_\_\_ Dated at Port Coquitlam, BC this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PLEASE COMPLETE AND RETURN BEFORE DUE DATE TO AVOID PENALTIES.

The personal information on this form is collected under the authority of the Municipalities Enabling and Validating Act and will be used for the purpose of determining eligibility for a waiver as per Bylaw No. 3936. If you have any questions about the use and collection of this information, contact the Tax Collector at 604-927-5426.

*A Bylaw to amend "Zoning Bylaw, 2008, No. 3630"*

---

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

**Citation**

1. This Bylaw may be cited for all purposes as "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2017, No. 3995".

**Administration**

2. The Zoning Map of the "Zoning Bylaw, 2008, No. 3630" be amended to reflect the following rezoning:

**Civic:** 1161 Kingsway Avenue

**Legal:** Lot A, Section 17 & 18, Block 6 North, Range 1 East, New Westminster District, Plan BCP 19376

**From:** M2 (Heavy Industrial)

**To:** M1 (General Industrial)

all as shown on Schedule 1 attached to and forming part of this Bylaw.

3. That Zoning Bylaw, 2008, No. 3630, INDUSTRIAL ZONES, 4.3 Permitted Uses, by replacing Note 3 with the following Note 3:

Note 3: Restaurant uses in the M zones are limited as follows:

- (1) A maximum 75m<sup>2</sup> (807.3 sq.ft.) in interior floor area except that on Lot 3, Section 18, NWD, Plan LMP1496 Exc. Plan LMP22527 (1320 Kingsway Avenue), one restaurant is permitted to be 140m<sup>2</sup> (1506.9 sq.ft.) and, for clarification, any additional restaurant on this property is limited to 75m<sup>2</sup> (807.3 sq.ft.) in interior floor area; and,

- (2) At Lot A, Section 17 & 18, Block 6 North, Range 1 East, NWD, Plan BCP 19376 (1161 Kingsway Avenue) a restaurant is not a permitted use.

***Read a first time by the Municipal Council this 14<sup>th</sup> day of March, 2017.***

***Read a second time by the Municipal Council this 14<sup>th</sup> day of March, 2017.***

***Public Hearing held this 28<sup>th</sup> day of March, 2017.***

***Read a third time by the Municipal Council this 28<sup>th</sup> day of March, 2017.***

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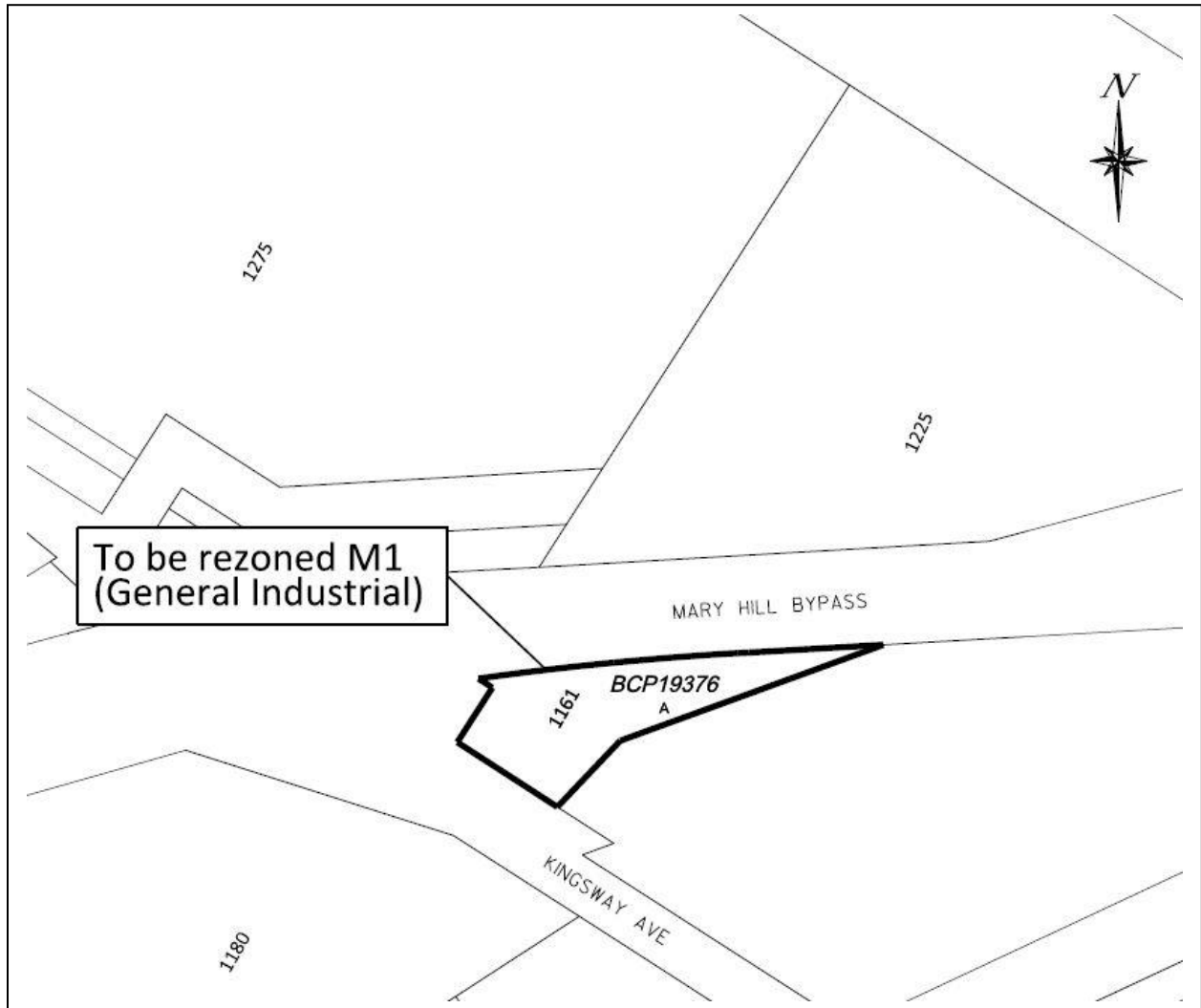
Mayor

---

Corporate Officer

**BYLAW 3995**

**Schedule 1**



## 1720 Fremont Drive - Remedial Action Order

### RECOMMENDATION:

That Council adopt the following resolution:

WHEREAS the City Council considers the condition of the Buildings located at 1720 Fremont Drive, Port Coquitlam, B.C. (the "Property") to be unsafe; in violation of the City of Port Coquitlam Bylaw 3710 as no building permits have been issued for the construction or alteration of these Buildings; and that the Buildings are so dilapidated so as to be offensive to the community;

AND WHEREAS Council considers the Buildings a hazard so as to creates an unsafe condition and a danger to the health and safety of the registered owner, occupants and visitors to the Property;

NOW THEREFORE, pursuant to Sections 72, 73 and 74 of the Community Charter, City Council of the City of Port Coquitlam in open meeting assembled, resolves as follows:

1. That the Buildings identified in Attachment #1 to this report located on the Property each:
  - A. Create an unsafe condition for the reasons as detailed in Attachment #1;
  - B. Violate the provisions of City of Port Coquitlam Bylaw 3710 as they were constructed or altered without building permits as detailed in Attachment #1; and
  - C. Are dilapidated to an extent that they are offensive to the community as depicted in the photographs in Attachment #1.
2. That the registered owner of the Property (the "Owner") be required to completely demolish the Buildings and remove from the Property all demolition debris and restore the Property to a safe condition;
3. That the Owner be required to apply for and obtain all City permits that are required to demolish the Buildings by no later than 30 days after notice of this resolution is served or provided by registered mail;
4. That the Owner be required to demolish the Buildings and remove all demolition debris by no later than 30 days after the date the City has issued the necessary permits to permit the demolitions of the Buildings as noted in #3 above; and
5. That if the Owner has not complied with this resolution within the specified timeframes in #3 and #4 above, the City by its employees, contractors or others, may enter onto the Property without further notice to the Owner and perform the work specified in this resolution; the cost of performing the work shall immediately become a debt owed by the Owner to the City; and such debt, if unpaid by December 31, 2019, may be recovered by transferring the debt to the property tax account for the Property pursuant to Section 258 of the Community Charter.



# 1720 Fremont Drive - Remedial Action Order

## **PREVIOUS COUNCIL/COMMITTEE ACTION**

None

## **REPORT SUMMARY**

This report presents to Council the nuisance and unsafe condition of the property at 1720 Fremont Drive, due to the contravention of the Building and Plumbing Bylaw #3710, and proposes that a remedial action requirement be imposed to have unsafe and hazardous buildings demolished within 60 days.

## **BACKGROUND**

The *Community Charter* regulates remedial action requirements for hazardous conditions and declared nuisances. Remedial action may include removing or demolishing a building or otherwise dealing with it in accordance with the direction of Council. A hazardous condition includes anything Council considers is in or creates an unsafe condition or that contravenes building regulations.

Council may declare that it considers a building or structure a nuisance and may impose a remedial action requirement in relation to the declared nuisance. Council may also declare a nuisance in relation to a thing that Council considers is so dilapidated as to be offensive to the community.

## **DISCUSSION**

The Building Inspector Memorandum (Attachment #1) clearly identifies four buildings of significant concern on the property located at 1720 Freemont Drive. These four buildings are severely dilapidated and include additions and alterations that have been completed without the required permits or inspections. The buildings have not been maintained, are unsafe for occupancy and contravene the BC Building Code. These buildings pose safety risks to occupants, persons visiting the property, first responders and anyone else who may be in or near these buildings.

Due to safety concerns and the unsightly condition of the buildings, staff is recommending that Council order remedial action on the property. This resolution will provide the City the appropriate legal authority to step in and address the issues identified, if the property owner fails to do the required work.


## **FINANCIAL IMPLICATIONS**

Any expenses incurred as a result of action taken by the City in the demolition, removal and disposal of the building material after the 60-day period can be recovered as a debt or as taxes against the owner of the Property pursuant to sections 17 and 258 Community Charter.

## 1720 Fremont Drive - Remedial Action Order

### **OPTIONS**

(Check = Staff Recommendation)

#	Description
1 	Declare the buildings unsafe and that they constitute a nuisance and order remedial action on the property.
2	Make no declaration regarding the property and request information on alternative enforcement actions to achieve compliance (placing a Sec.57 notice on title).

### **ATTACHMENTS**

Attachment #1: 2019-01-16 Building Inspector Memorandum Re: 1720 Fremont Drive

Attachment #2: 2018-09-05 – Letter to Owner

Attachment #3: 2018-12-07 – Unsightly Premises Letter to Owner

## MEMORANDUM

**DATE:** January 16, 2019  
**TO:** Gabryel Joseph, Corporate Officer  
**FROM:** Shawn Hagan, Manager of Building  
**SUBJECT:** Remedial Action Recommendation - 1720 Fremont Drive

### STATUTORY AUTHORITY

This report is generated under statutory authority granted per Sections 72, 73 and 74 of the BC Community Charter. Relevant excerpts are reproduced below:

- 72** (1) *A council may impose remedial action requirements in relation to*
- (a) *matters or things referred to in section 73 [hazardous conditions],*
  - (b) *matters or things referred to in section 74 [declared nuisances],*
- ...
- (2) *In the case of matters or things referred to in section 73 or 74, a remedial action requirement...*
- (b) *may require the person to*
    - (i) *remove or demolish the matter or thing,*
    - (ii) *fill it in, cover it over or alter it,*
    - (iii) *bring it up to a standard specified by bylaw, or*
    - (iv) *otherwise deal with it in accordance with the directions of council or a person authorized by council.*
- ...
- 73** (1) *Subject to subsection (2), a council may impose a remedial action requirement in relation to any of the following:*
- (a) *a building or other structure, an erection of any kind, or a similar matter or thing;*
- ...
- (2) *A council may only impose the remedial action requirement if*
- (a) *the council considers that the matter or thing is in or creates an unsafe condition, or*
  - (b) *the matter or thing contravenes the Provincial building regulations or a bylaw under section 8*
- (3) (l) *[spheres of authority — buildings and other structures] or Division 8 [Building Regulation] of this Part.*
- 74** (1) *A council may declare that any of the following is a nuisance and may impose a remedial action requirement in relation to the declared nuisance:*
- (a) *a building or other structure, an erection of any kind, or a similar matter or thing;*
- ...
- (2) *Subsection (1) also applies in relation to a thing that council considers is so dilapidated or unclean as to be offensive to the community.*

**BACKGROUND**

The City of Port Coquitlam Building Division and Bylaw Division have identified hazardous conditions and nuisances at 1720 Fremont Drive.

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

June/ July 2017	Inspections by Bylaw Officer, Building Inspector and Fire Inspector to address a complaint about people living on the property in recreational vehicles and trailers.
January 2018	Inspections conducted by with Fire Department, Building Inspector and Bylaw Officer.
April 2018	Site visit by the Building Inspector to inspect buildings on the property for safety. Occupants of Buildings #1 and # 3 are advised of safety concerns on the property.
May 2018	Tenant of Building #4 is advised of safety concerns on the property.
July 2018	The property owner is contacted and informed that the City may seek remedial action for buildings.
September 2018	Bylaw Officer, Building Inspector and Fire Department meet with the property owner to advise of the city's intention to seek remedial order for the property. A letter was delivered to the property owner identifying safety concerns and the intention to seek remedial action.
December 2018	Correspondence sent to property owner, reminding of the city's intent to seek remedial action. Letter sent to property owner citing unsightly premises for remaining and new accumulations of debris.
January 2019	Debris has not been removed from the property; Bylaw Dept arranging clean up.

## **UNAUTHORIZED CONSTRUCTION**

A Building Inspector has identified three bylaw violations where unauthorized construction has occurred at 1720 Fremont Drive. These buildings are noted as Areas #1, #3 and #4 on the Site Photo below.

A Building Inspector has identified that the building in Area #2 is so deteriorated and damaged due to the inflow of water, that it is a nuisance and unsafe.

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

### **8. Permit Applications**

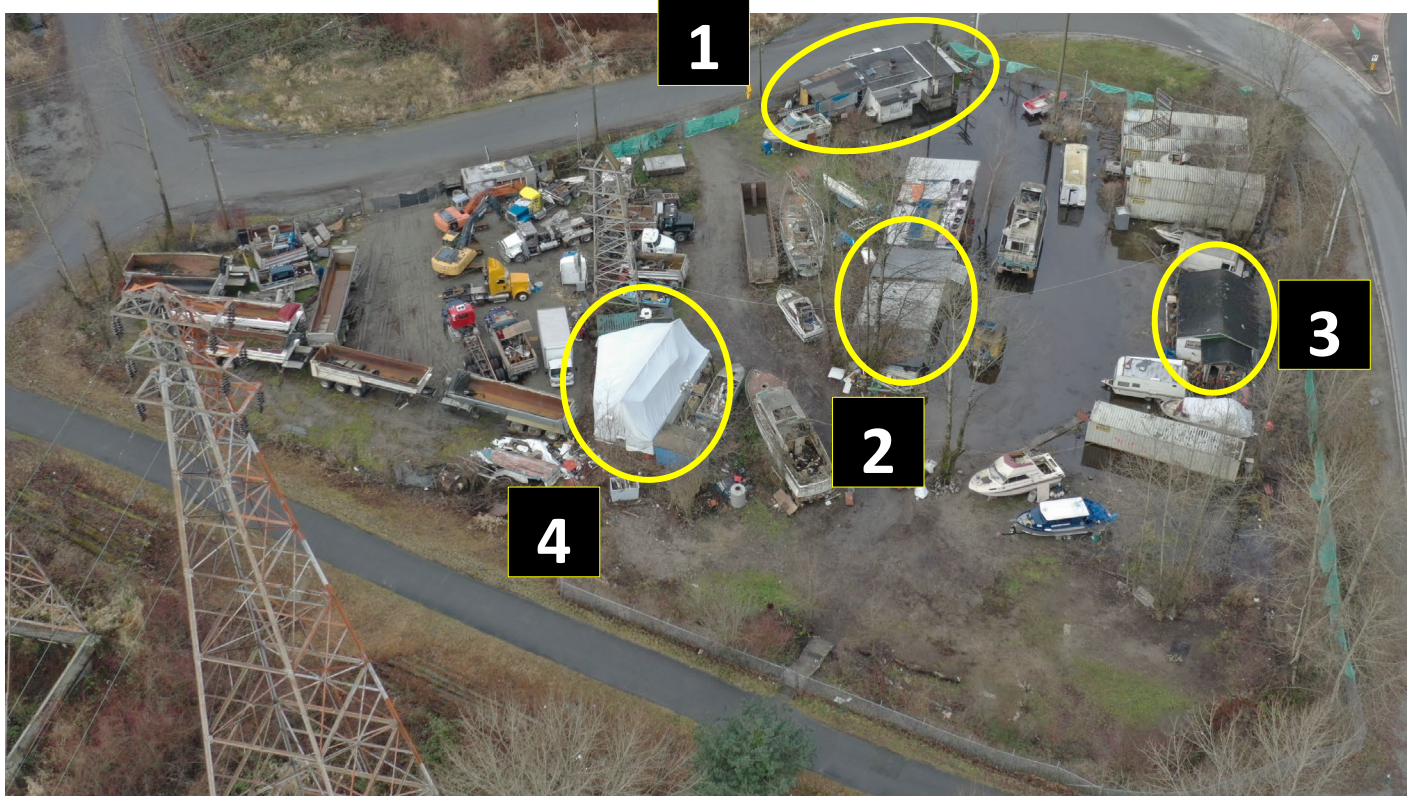
8.1 Every person shall apply for and obtain:

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;

### **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 Photo: 1720 Fremont Drive**





## **AREA #1**

### **Violations:**

- *Community Charter Sec. 73 [hazardous conditions]*
- *Community Charter Sec. 74 [declared nuisances]*
- *Port Coquitlam Building and Plumbing Bylaw 3710, Sec 6.1 & 8.1 (required permits)*

### **Hazardous Conditions**

- Electrical extension cords have been observed on site that lead from this building to other buildings on the property and appear to be the source of electrical power for this building when connected. There is no power to the building, except for one functioning interior light bulb in the kitchen area. The power source for this light is provided by vehicle batteries located on the kitchen floor. There are three other rooms within the building and two exterior spaces that would require lighting. There is no functioning light source in these areas. The BC Building Code Section 9.34 requires where electrical services are available that electrical facilities shall be provided for every building. Section 9.34 also requires that a lighting outlet with fixture controlled by a wall switch shall be provided in kitchens, bedrooms, living rooms, utility rooms, laundry rooms, dining rooms, bathrooms, water-closet rooms, vestibules and hallways in dwelling units as well as at the exterior for all entrances.
- The heat source for this building is provided entirely by an old, freestanding wood stove located in the main living area for the building. The BC Building Code Section 9.33 requires that residential buildings intended for use in the winter months on a continuing basis shall be equipped with heating facilities capable of maintaining 22°C in all living spaces. The wood stove in the building would not be able to meet this requirement.
- Cooking facilities are provided by way of appliances connected to propane. The installation and use of the appliances as noted by the Building Inspector are a concern due to the risk of fire and improper ventilation.
- The source of potable water as required by the building code to this building appears to be compromised. The BC Building Code Section 9.31 requires that every dwelling unit shall be provided with potable water. Garden hoses in and around this building are either providing water to this building or to other buildings on the property from this building. There is a risk of contamination of the potable water supply on this property, and this would pose a health risk to occupants.

### **Nuisance Conditions**

- This building is in such a dilapidated condition that, in addition to posing a safety risk for occupants, it is also offensive to the community.

### **Unpermitted Construction**

- This building has two additions that have been constructed without permits.

### **Unsound Construction**

- The two additions are structurally unsafe and do not comply with the framing standards of the BC Building Code Section 9.23.
- Framing, as installed, exceeds the maximum for allowable spans and spacing the building code allows. Thus, it is extremely unlikely that the additions would comply with either the snow load or wind load requirements for the area.
- The additions are structurally unsafe as they appear to have been constructed using miscellaneous pieces of building material.
- Occupants living there would be at risk of a building collapse.

**Residency**

- This building is currently occupied and is being used as a residence for one person. A Building Inspector observed a person in the building on April 5, 2018, as well as evidence of clothing, bedding, cooking equipment and food.

Photos 1.1-1.3 and 1.4 -1.6 show two additions to the building have been constructed using miscellaneous pieces of building material and are structurally unsafe. Photos 1.7-1.9 show unsafe electrical connections. Photos 1.10 & 1.11 show unsafe plumbing connections.

**Photo 1.1**  
**Addition without a  
permit – Structurally  
unsafe**



**Photo 1.2**  
**Addition without a  
permit – Structurally  
unsafe**





**Photo 1.3**

**Addition without a permit – Structurally unsafe**



**Photo 1.4**

**Addition without a permit – Structurally unsafe**





**Photo 1.5**  
**Addition without  
a permit –  
Structurally  
unsafe (exterior)**



**Photo 1.6**  
**Addition without a permit – Structurally  
unsafe (interior)**



**Area #1: Unsafe Electrical**

During a site visit on April 5, 2018, by the Building Inspector, there was no power to the building, except for one functioning interior light bulb in the kitchen area. The power source for this light was provided by vehicle batteries located on the kitchen floor. There are three other rooms within the building and two exterior spaces that would require lighting. There was no functioning light source in these areas.

The BC Building Code Section 9.34 requires that a lighting outlet with fixture controlled by a wall switch shall be provided for rooms and spaces within a building, as well as for the exterior at entrances.

**Photo 1.7****Unsafe condition – electrical**



**Photo 1.8**

**Unsafe condition – electrical**

Photo 1.8 is an example of one of numerous electrical extension cords observed throughout the building that are the source of power for appliances and lighting fixtures in the building.



**Photo 1.9**

**Unsafe condition – electrical**

Photo 1.9 is an example of unsafe electrical wiring issues observed by the Building Inspector.





**Area #1: Unsafe Plumbing**

The building has an unknown source of water. Numerous garden hoses have been noticed around this building that lead either to or from other buildings on the property. It is suspected that the hoses are being used to supply water from one building to another. This would pose a health risk to occupants.

**Photo 1.10: Unsafe condition - plumbing**



**Photo 1.11: Unsafe condition - plumbing**

Photo 1.11 shows garden hoses connected between buildings on the property.



## **AREA #2**

### **Violations:**

- *Community Charter Sec. 73 [hazardous conditions]*
- *Community Charter Sec. 74 [declared nuisances]*
- *Port Coquitlam Building and Plumbing Bylaw 3710, Sec 6.1 & 8.1 (required permits)*

### **Hazardous Conditions**

- The building is in severe disrepair due to water ingress into the building. The water ingress is caused by water ponding in the vicinity of the building and then entering and flooding the building as the water levels rise. The roof and exterior walls of the building are in such a state of disrepair that they can no longer prevent water from entering the building. The BC Building Code Sections 9.26 and 9.27 require walls and roofs to be protected with roofing and exterior cladding so as to shed rain effectively.
- The source of potable water as required by the building code to this building appears to be compromised. The BC Building Code Section 9.31 requires that every dwelling unit shall be provided with potable water. Garden hoses in and around this building are either providing water to this building or to other buildings on the property from this building. There is a risk of contamination of the potable water supply on this property, and this would pose a health risk to occupants.
- The Building Inspector was unable to locate a source of heat for this building. The BC Building Code Section 9.33 requires that residential buildings intended for use in the winter months on a continuing basis shall be equipped with heating facilities capable of maintaining 22°C in all living spaces.
- Electrical service is provided by extension cords from other buildings.
- This building does not appear to contain any washroom facilities for occupants.

### **Nuisance Conditions**

- This building is in such a dilapidated condition that in addition to posing a safety risk for occupants, it is also offensive to the community.

### **Unpermitted Construction**

- This City has no record of permits being issued for the construction of this building.



**Photo 2.1:**

**Unsafe building condition**





**Photo 2.2**

**Unsafe condition - plumbing**

Garden hoses found inside the building are being used to provide a water source for the building.



**Photo 2.3**

**Unsafe condition – electrical**

Photo 2.3 is an example of one of numerous electrical extension cords observed throughout the building that are the source of power for appliances and lighting fixtures in the building.



## **AREA #3**

### **Violations:**

- *Community Charter Sec. 73 [hazardous conditions]*
- *Community Charter Sec. 74 [declared nuisances]*
- *Port Coquitlam Building and Plumbing Bylaw 3710, Sec 6.1 & 8.1 (required permits)*

### **Hazardous Conditions**

- Electrical extension cords have been observed on site that lead from this building to other buildings on the property and appear to be the source of electrical power for this building when connected.
- The heat source for this building is provided by a freestanding wood stove located in the main living area for the building. The BC Building Code Section 9.33 requires that residential buildings intended for use in the winter months on a continuing basis shall be equipped with heating facilities capable of maintaining 22°C in all living spaces. The wood stove in the building would not be able to meet this requirement. The Building Inspector noted that the venting for the wood stove does not have the required clearance to combustible material where the vent penetrates the ceiling. The lack of the proper clearance from the vent poses a fire hazard.
- It is believed that the sanitary service for this building is not functioning properly. During the April 5, 2018 site visit, the Building Inspector observed a significant odour of sewage within the interior of the building and came to the conclusion that the sanitary sewer system for the building was not functioning as intended and that sewage was backing up into the crawl space of the building. The BC Building Code 9.31 requires building sewers to discharge into a public system where available or into a private sewage disposal system. To date, this concern has not been corrected.
- The source of potable water as required by the building code to this building appears to be compromised. The BC Building Code Section 9.31 requires that every dwelling unit shall be provided with potable water. Garden hoses in and around this building are either providing water to this building or to other buildings on the property from this building. There is a risk of contamination of the potable water supply on this property, and this would pose a health risk to occupants.

### **Nuisance Conditions**

- Access to and within the building is restricted due to large amounts of debris and personal effects.
- This building is in such a dilapidated condition, that in addition to posing a safety risk for occupants, it is also offensive to the community.

### **Unpermitted Construction**

- This building has two additions that have been constructed without permits.

### **Unsound Construction**

- The two additions are structurally unsafe and do not comply with the framing standards of the BC Building Code.
- Framing, as installed, exceeds the maximum for allowable spans and spacing the Building Code allows. Thus, it is extremely unlikely that the additions would comply with either the snow load or wind load requirements for the area.
- The additions are structurally unsafe as they appear to have been constructed using miscellaneous pieces of building material.
- The foundation support for the additions is unknown.
- Occupants living there would be at risk of a building collapse.



**Residency**

- This building is currently occupied and is being used year round as a residence for one person. A Building Inspector has observed a person in the building April 5, 2018) and evidence of clothing, bedding, cooking equipment and food.

**Photos 3.1**

**Addition without a permit – Structurally unsafe**



**Photo 3.2: Addition without a permit – Structurally unsafe**



**Photo 3.3: Unsafe heating installation**

A freestanding wood stove installed without the proper clearances poses a fire hazard.





## **AREA #4**

### **Violations:**

- *Community Charter Sec. 73 [hazardous conditions]*
- *Community Charter Sec. 74 [declared nuisances]*
- *Port Coquitlam Building and Plumbing Bylaw 3710, Sec 6.1 & 8.1 (required permits)*

### **Hazardous Conditions**

- A tent type building was constructed to house a boat under repair.
- Anyone working in the building or otherwise entering could be at risk of a building collapse as the building construction would not comply with either the snow load or wind load requirements of the area. A building constructed without the sufficient structural capacity to limit the probability that the loads and influences that may reasonably be anticipated during the expected service life of the building could exceed the capacities of the structure and its components and could lead to structural failure, which could lead to harm to anyone working in the building or otherwise entering.

### **Nuisance Conditions**

- The building is unsightly and offensive to the community.

### **Unpermitted Construction**

- This building has been constructed without a permit.

### **Photo 4.1**



## **RECOMMENDATION**

As of a site visit that I conducted on January 15, 2019, I can confirm that all structures and violations as noted and presented in this report remain in place. Also, I can confirm that the City has no record that permits have ever been issued for the alteration of or new construction of the 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 to impose a remedial action under Section 72 (1) (a) and (b) of the Community Charter relating to the property located at:

*Civic address:* 1720 Fremont Drive, Port Coquitlam BC, V3C 6K1

*Legal Description:* SECTION 16, NEW WEST DISTRICT, PLAN LMP5332 PARCEL A. P.I.D. 017-846-374

It is recommended that the property owner be required to complete the following under the remedial action requirement:

1. Completely demolish the Buildings and remove from the Property all demolition debris and restore the Property to a safe condition;
2. Apply for and obtain all City permits that are required to demolish the Buildings by no later than 30 days after notice of the Council resolution is served or provided by registered mail; and
3. Demolish the Buildings and remove all demolition debris by no later than 30 days after the date the City has issued the necessary permits to permit the demolitions of the Buildings.

Shawn Hagan  
Manager- Building Division  
City of Port Coquitlam



#200-2564 Shaughnessy St., Port Coquitlam BC, Canada, V3C 3G4  
Tel 604.927.5444 • Fax 604.927.5404  
building@portcoquitlam.ca



September 5, 2018

Wild Duck Inn-Pub Incorporated  
1337 Whitby Road  
West Vancouver, BC  
V7S 2N4  
Attention: Joe Carhoun

**SUBJECT: 1720 Fremont Drive in Port Coquitlam**

Our records indicate that you are the registered owners of the property located at 1720 Fremont Drive in Port Coquitlam. As part of the on-going remediation of your property, site visits have been completed for buildings located on the property.

There is a concern that buildings on the property being used as a residence may pose a health and safety risk to occupants. These buildings are noted on the attached site plan as Building #1, Building #2 and Building #3. Work for which a permit is required has also been completed to Building #1 and Building #3.

In addition, it appears that work has been completed to construct one new building on the property without the necessary permits. This building is noted on the attached site plan as Building #4.

The City of Port Coquitlam Building and Plumbing Bylaw #3710 states that *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.*

Please be advised that City Staff plan to submit a report to City Council seeking a remedial action order under the Community Charter to have all four of the buildings demolished. You will be notified in advance of the date that the report will be presented to Council.

Should you have any questions, you may contact me at the Building Division of the Development Services Department at 604-927-5444.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Hagan".

**Shawn Hagan** | City of Port Coquitlam | Building Division  
Manager of Building



# 1720 Fremont Drive



**Building #1 Residence**

**Building #2 Storage/Residence**

**Building #3 Residence**

**Building #4 Boat Storage/Repair**

## **Division 12 — Remedial Action Requirements**

### **Council may impose remedial action requirements**

- 72** (1) A council may impose remedial action requirements in relation to
- (a) matters or things referred to in section 73 [*hazardous conditions*],
  - (b) matters or things referred to in section 74 [*declared nuisances*], or
  - (c) circumstances referred to in section 75 [*harm to drainage or dike*].
- (2) In the case of matters or things referred to in section 73 or 74, a remedial action requirement
- (a) may be imposed on one or more of
    - (i) the owner or lessee of the matter or thing, and
    - (ii) the owner or occupier of the land on which it is located, and
  - (b) may require the person to
    - (i) remove or demolish the matter or thing,
    - (ii) fill it in, cover it over or alter it,
    - (iii) bring it up to a standard specified by bylaw, or
    - (iv) otherwise deal with it in accordance with the directions of council or a person authorized by council.
- (3) In the case of circumstances referred to in section 75, a remedial action requirement
- (a) may be imposed on the person referred to in that section, and
  - (b) may require the person to undertake restoration work in accordance with the directions of council or a person authorized by council.

### **Hazardous conditions**

- 73** (1) Subject to subsection (2), a council may impose a remedial action requirement in relation to any of the following:
- (a) a building or other structure, an erection of any kind, or a similar matter or thing;

- (b) a natural or artificial opening in the ground, or a similar matter or thing;
  - (c) a tree;
  - (d) wires, cables, or similar matters or things, that are on, in, over, under or along a highway;
  - (e) matters or things that are attached to a structure, erection or other matter or thing referred to in paragraph (a) that is on, in, over, under or along a highway.
- (2) A council may only impose the remedial action requirement if
- (a) the council considers that the matter or thing is in or creates an unsafe condition, or
  - (b) the matter or thing contravenes the Provincial building regulations or a bylaw under section 8 (3) (l) [*spheres of authority — buildings and other structures*] or Division 8 [*Building Regulation*] of this Part.

### **Declared nuisances**

- 74** (1) A council may declare that any of the following is a nuisance and may impose a remedial action requirement in relation to the declared nuisance:
- (a) a building or other structure, an erection of any kind, or a similar matter or thing;
  - (b) a natural or artificial opening in the ground, or a similar matter or thing;
  - (c) a drain, ditch, watercourse, pond, surface water, or a similar matter or thing;
  - (d) a matter or thing that is in or about any matter or thing referred to in paragraphs (a) to (c).
- (2) Subsection (1) also applies in relation to a thing that council considers is so dilapidated or unclean as to be offensive to the community.



Xpresspost: PG 449 340 120 CA

Via fax No. 604.926.8790

Via Email: [jcarhoun@hotmail.com](mailto:jcarhoun@hotmail.com)

## FINAL NOTICE

File No. 65550

December 7, 2018

**ATTENTION: Mr. JOE CARHOUN**

WILD DUCK INN-PUB INC

1337 WHITBY RD

WEST VANCOUVER BC V7S 2N4

Dear Property Owner,

**RE: Violation of *Property Maintenance Bylaw, 1994, No.2945: Unsightly Property***

**AT: 1720 Fremont Street, Port Coquitlam, BC**

Bylaw Officers attended your premises on December 5, 2018 to inspect for compliance of the Property Maintenance Bylaw. It was observed that after the City removed the accumulation of materials from the property, more materials arrived to the site.

Therefore, this is your **FINAL NOTICE** to remove these materials by **December 21, 2018**. Please see attached photos of the materials in question.

For your information, Bylaw No. 2945 states:

"Unsightly" includes but is not limited to:

an outdoor accumulation of building material on any property other than premises identified in a business licence for building material sales or storage, or premises where construction is in progress pursuant to a valid building permit;

b) an accumulation of motor vehicle parts or all or part of any motor vehicle which is not:

- (i) registered and licenced in accordance with the Motor Vehicle Act; or
- (ii) capable of movement under its own power; and

(c) any accumulation of filth, discarded materials or rubbish of any kind, including but not limited to ashes, dead animals, paper, cardboard, tin cans, leaves, wood, bedding, furniture, crockery, glass, bags and appliances.

December 7, 2018

Page 2

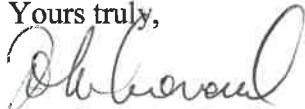
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**THIS IS YOUR FINAL NOTICE.** Pursuant to the terms of the Bylaw noted above, we hereby give you notice that this condition must be corrected by **December 21, 2018**.

Failure to comply will result in the city contracting services to remove the accumulated materials off the property on January 4, 2019, at your expense. A re-inspection of your property will be made on or about January 3, 2019 and we encourage you to comply with this directive.

If you require any further information or assistance, please call me at 604- 927-5419.

Yours truly,



John Leonard  
Bylaw Enforcement Officer

**Attachment:**

Photo 1 – Garbage of boat and other debris on West side of property

Photo 2 – Broken down unlicensed uninsured gray vehicle

Photo 3 – Accumulation of debris near Brent's space

Photo 3 – Further accumulation of debris at Brent's space

Cc: Bylaw Officers  
Paula Jones  
Ted Usher, Property Use Coordinator  
Shawn Hagan, Manager of Building  
Mr. Joe Carhoun – 5780 Telegraph Trail, West Vancouver, BC V7W 1R6 via Xpresspost PG 449 340 120 CA



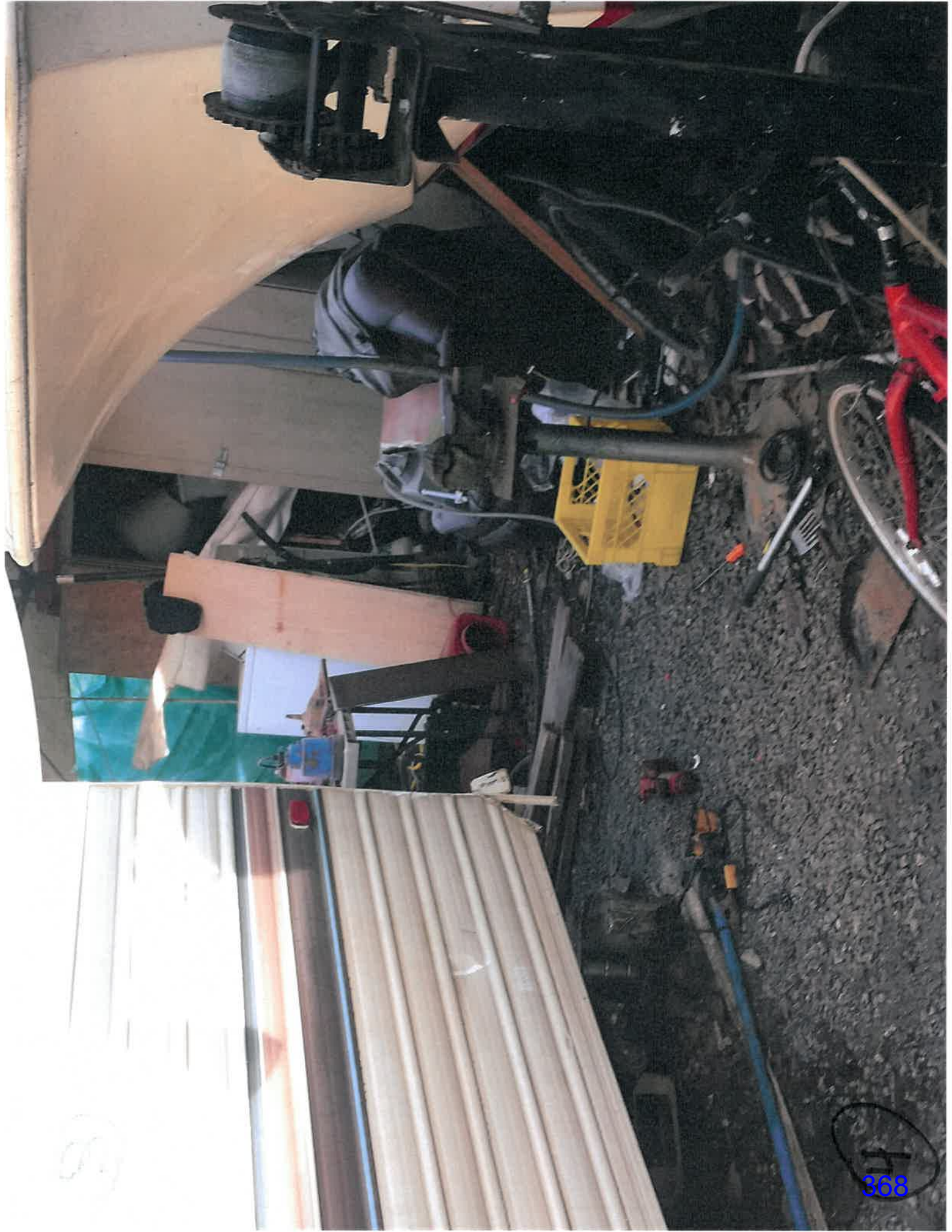












368

## **Municipal resolution: Call for the ABC Plan for an Accountable, Bold and Comprehensive poverty reduction plan for British Columbia**

### **WHEREAS:**

1. The poverty rate in British Columbia continues to be among the highest in Canada at approximately 1 in 8 using Canada's official poverty line (Market Basket Measure), and child poverty rates in BC are still 1 in 5;
2. Many impacts of poverty are experienced at the local level, and local residents pay for poverty in increased health care costs, higher crime, higher demand for community, social and charitable services, lack of school readiness, reduced school success, and lower economic productivity;
3. 4 people are dying every day in BC due to the opioid epidemic that the Provincial Health Officer of BC has declared a Public Health Emergency. Many more are sick from poverty with cancer, heart disease, diabetes, depression or other health issue; and the health of everyone is worse from living in such an unequal society;
4. A poverty reduction plan will save lives and money as it is a social and economic investment in our province;
5. There was unanimous support from all three provincial parties for legislated targets and timelines to reduce poverty in Bill 39: Poverty Reduction Strategy Act when it was passed on November 5, 2018;
6. BC is the last province in Canada to have a poverty reduction plan and is now developing a plan to be launched in March 2019;
7. The BC Poverty Reduction Coalition (the "Coalition") is a broad-based network of over 400 organizations including community and non-profit groups, faith groups, health organizations, indigenous organizations, businesses, labour organizations, and social policy groups;
8. The Coalition has renewed its call for a strong poverty reduction plan for BC by launching the ABC Plan, which outlines an accountable, bold and comprehensive poverty reduction plan to prevent and reduce poverty in BC.

### **THEREFORE BE IT RESOLVED:**

THAT this council support the Coalition's ABC Plan for an accountable, bold and comprehensive poverty reduction plan for BC; and

### **BE IT FURTHER RESOLVED:**

THAT this council advocate to the provincial government to develop and implement a provincial poverty reduction strategy that includes the measures within the ABC Plan before February 2019, with the commitment that this council will work with the provincial government in implementing this plan.

### **For more information:**

Contact: Trish Garner, Community Organizer, BC Poverty Reduction Coalition

Email: [trish@bcpovertyreduction.ca](mailto:trish@bcpovertyreduction.ca)

Phone: 604-877-4553

Website: [bcpovertyreduction.ca](http://bcpovertyreduction.ca) / [ABCplan.ca](http://ABCplan.ca)



## **An Effective Poverty Reduction Plan: It's as simple as ABC**

First Steps for an Accountable, Bold and Comprehensive Poverty Reduction Plan for BC

Over half a million British Columbians live in poverty: from youth aging out of care to sleeping on the streets to seniors struggling to buy food; from low-wage workers having to commute hours every day to people on income assistance trying to survive day by day; from newcomers to indigenous people who we welcome and acknowledge with words but not with enough financial support; from the homeless to those living one paycheque away from joining them; and from people with disabilities facing a lifetime of poverty to families trying to give their children the lives they never had.

**In a wealthy province like BC, we can do better.**

And the good news is that British Columbians want to do better. The majority of voters in BC's 2017 provincial election voted for bold action on poverty; and with all three major political parties now publicly committed to a poverty reduction plan, British Columbians can finally look forward to action to tackle poverty and the increasing levels of homelessness and inequality that we see in our communities.

This is a crisis that requires urgent action. 4 people are dying every day in BC due to the opioid epidemic that the Provincial Health Officer of BC has declared a Public Health Emergency. Many more are sick from poverty with cancer, heart disease, diabetes, depression or other health issue; and the health of all of us is worse from living in such an unequal society.

**A poverty reduction plan will save lives.**

It will also save money. It's an economic investment in our province. Initial funding should be provided by restoring tax fairness. Then, over the long term, a poverty reduction plan that puts in place strong, preventative measures to tackle both the depth and breadth of poverty costs far less than the cost of poverty, at \$8 to 9 billion per year for health and criminal justice costs, as well as lost tax revenue. Let's stop mopping the floor and fix the roof.

**An Accountable, Bold and Comprehensive poverty reduction plan for BC is the solution to save lives and promote equality.**

So far, the government has undertaken a poverty reduction consultation from October 2017 to March 2018. They visited communities throughout the province and heard consistent themes about the issues and the necessary solutions. They now plan to table legislation in the fall and launch the full plan in February 2019.

Now British Columbians expect action with an accountable, bold and comprehensive poverty reduction plan that reflects those themes. A plan needs to tackle immediate affordability challenges but, more importantly, go upstream to enhance our universal basic services to prevent these challenges in the first place and ensure healthy people and healthy communities throughout our province.



The over-arching vision and first steps matter in leading in the right direction.

That is why the BC Poverty Reduction Coalition with over 400 supporting organizations recommend the following first steps for the government's legislation and plan:

## ✓ **A is for Accountable.**

Embed strong accountability measures

- ◆ **Ensure long-term sustainability through legislated targets, timelines and accountability measures:**
  - ◆ Reduce BC's poverty rate by 30% within four years, and by 75% within 10 years.
  - ◆ Recognize that poverty is concentrated in particular marginalized groups and ensure concurrent declines in the poverty rates for these groups by 30% in four years, and by 75% in ten years.
  - ◆ Within two years, ensure that every British Columbian has an income that reaches at least 75% of the poverty line.
  - ◆ Within two years, ensure no one has to sleep outside, and end all homelessness within eight years (ensuring all homeless people have good quality, appropriate housing).
  - ◆ Commit to United Nations Sustainable Development Goal #1: "End poverty in all its forms everywhere" by 2030.
  - ◆ Create an independent, funded Office/Advocate to monitor the plan's implementation.
- ◆ **Make sure all Ministries are working together, including:**
  - ◆ Legislate a Poverty/Equity Lens at Treasury Board to ensure no Ministry can make decisions that will hurt people in poverty.
  - ◆ The Minister of Social Development and Poverty Reduction should present mandatory annual reports (including reports from all relevant Ministries) to the Legislature and to the public about actions taken, outcomes and advocacy to other levels of government.
- ◆ **Embed strong fundamental principles in the legislation and plan:**
  - ◆ Respect the human rights of people living in poverty.
  - ◆ Upstream approach focusing on the social determinants of health.
  - ◆ Poverty reduction as a social and economic investment for our province.

## ✓ **B is for Bold.**

Take bold, immediate action

- ◆ **Increase income supports, including raising welfare and disability rates to 75% of the poverty line (Market Basket Measure) immediately and to 100% of the MBM in 2 years.**

*The first step would cost \$365 million while lifting everyone on income assistance to the poverty line would cost \$1.16 billion, only 2% of the provincial budget*
- ◆ **Tie rent control to the unit (not the tenant), and build and protect affordable social and rental housing.**

*Affordable is defined as 30% of income. An appropriate percentage of the housing to be built should be at welfare shelter rates and another set target should be tied to the senior shelter level.*

## ✓ **C is for Comprehensive.**

Develop a comprehensive poverty reduction plan with short, medium and long-term actions in 7 policy areas:

- ◆ **Income assistance:** Provide adequate and accessible income support for the non-employed.
  - ◆ Increase and index income and disability assistance.
  - ◆ Increase earnings exemptions, and remove clawbacks and arbitrary barriers that discourage, delay and deny people in need.
- ◆ **Employment:** Improve the earnings & working conditions of those in the low-wage workforce.
  - ◆ Increase the minimum wage to \$15 an hour for all workers with no exemptions and index it to the cost of living.
  - ◆ Enhance and restore the coverage and enforcement of employment standards.
- ◆ **Equity:** Address the needs of those most likely to be living in poverty, including:
  - ◆ Restructure federal and provincial funding to better address the needs of all Indigenous people, including the large off-reserve population.
  - ◆ Guarantee access to income assistance for all regardless of citizenship status.
  - ◆ Provide free transit for children 0-18 years of age and a low-income transit pass for adults.
- ◆ **Housing:** End homelessness and adopt a comprehensive affordable housing and supportive housing plan.
  - ◆ Build 10,000 new social & co-op housing units per year that low income people can afford.
  - ◆ Introduce stronger tenant protections, including rent control on the unit (not the tenant), tighter limits on annual rent increases, adequately enforcing the Residential Tenancy Act (RTA) and the Manufactured Home Park Tenancy Act, and extending tenant rights to include all non-profit social housing currently exempt from the RTA.
- ◆ **Child care:** Provide universal, high quality, publicly-funded child care.
  - ◆ Improve the wages of early childhood educators.
  - ◆ Continue to increase the number of licensed spaces.
  - ◆ Prioritize expanding the fee reduction program so that the affordable child care benefit can be reduced over time, and ensure that low income families have access to free, high quality child care.
- ◆ **Education and training:** Enhance support for training and education for low-income people.
  - ◆ Reduce tuition fees by 50% and increase the availability of post-secondary grants for low-income students; allow welfare recipients to attend post-secondary education and get apprenticeships.
  - ◆ Adequately fund K-12 education to mitigate inequalities and to ensure adequate library staff and resources, and special needs assessment and support
- ◆ **Health and food security:** Enhance community mental health and home support services, and expand integrated approaches to prevention and health promotion services.
  - ◆ Expand essential health services in the public system, such as dental and optical care and community mental health services.

More information and take action at [ABCplan.ca](http://ABCplan.ca)



For more information, visit:

**ABCplan.ca**

The **BC Poverty Reduction Coalition** is a coalition that includes community and non-profit groups, faith groups, health organizations, indigenous organizations, immigrant service agencies, businesses, labour organizations, and social policy groups. We have come together around a campaign aimed at seeing the introduction of a bold and comprehensive poverty reduction plan from the government of British Columbia that would include legislated targets and timelines to significantly reduce poverty, inequality and homelessness. We have over **80 Coalition Members** and over **400 supporting organizations** that have joined the call for a poverty reduction plan.

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