

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Recommendation:

That the March 12, 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:

- *February 19, 2019, Special Council Meeting*
- *February 26, 2019, Special Council Meeting*
- *February 26, 2019, Regular Council Meeting.*

4. BYLAWS

4.1 Zoning Amendment Bylaw No. 4113 for 2332 Marpole Avenue (Brewery) - Third Reading

Recommendation:

That Council give Zoning Amendment Bylaw No. 4113 for 2332 Marpole Avenue (Brewery) third reading.

4.2 Zoning Amendment Bylaw No. 4114 for Liquor Vendors - Third Reading and Adoption

Recommendation:

That Council give Zoning Amendment Bylaw No. 4114 for Liquor Vendors third reading and adoption.

4.3 Zoning Amendment Bylaw No. 4115 for Opioid Therapy - First Two Readings

Recommendation:

That Council give Zoning Amendment Bylaw No. 4115 for Opioid Therapy first two readings.

5. REPORTS

5.1 Development Variance Permit for 1539 Angelo Avenue - Issuance

Recommendation:

That Development Variance Permit DVP00058 for 1539 Angelo Avenue be approved for issuance.

6. NEW BUSINESS

7. OPEN QUESTION PERIOD

8. CLOSED ITEMS RELEASED TO PUBLIC

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

February 26, 2019, Closed Committee of Council

That Committee of Council direct staff to restrict north and south turns from Elgin Avenue onto Shaughnessy Street, using delineators and provide a dedicated left-turn signal at Shaughnessy Street and McAllister Avenue in 2019; and amend the Financial Plan Bylaw to include this project in 2019.

That Committee of Council direct staff to report back to Committee of Council with solutions for Whyte Avenue and Elgin Avenue pedestrian crossings.

9. ADJOURNMENT

9.1 Adjournment of the Meeting

Recommendation:

That the March 12, 2019, Regular Council Meeting be adjourned.

Present:

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

Absent:

Councillor Penner
Councillor Washington

1. CALL TO ORDER

The meeting was called to order at 2:42 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved - Seconded:

That the February 19, 2019, Special Council Meeting Agenda be adopted as circulated.

Carried

3. RESOLUTION TO CLOSE

3.1 Resolution to Close the February 19, 2019, Special Council Meeting to the Public

Moved - Seconded:

That the Special Council Meeting of February 19, 2019, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:

Item 4.1

- 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;*
- 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.*

Carried

Certified Correct,

Corporate Officer

Mayor

Present:

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

Absent:

1. CALL TO ORDER

The meeting was called to order at 7:40 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved - Seconded:

That the February 26, 2019, Special Council Meeting Agenda be adopted as circulated.

Carried

3. RESOLUTION TO CLOSE

3.1 Resolution to Close the February 26, 2019, Special Council Meeting to the Public

Moved - Seconded:

That the Special Council Meeting of February 26, 2019, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:

Item 3.1

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;

Item 3.2

b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

Carried

Certified Correct,

Mayor

Corporate Officer

Present:

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

Absent:

1. CALL TO ORDER

The meeting was called to order at 6:07 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved - Seconded:

That the February 26, 2019, Regular Council Meeting Agenda be adopted as circulated with the following changes:

- *Addition of item 6.3 Tree Bylaw No. 4108 - Adoption*
- *Addition of item 6.4 Delegation of Authority Amendment Bylaw No. 4109 - Adoption*
- *Addition of item 6.5 Bylaw Notice Enforcement Amendment Bylaw No. 4110 - Adoption*
- *Addition of item 6.6 Fees and Charges Amendment Bylaw No. 4111 - Adoption*
- *Addition of item 6.7 Ticket Information Utilization Amendment Bylaw No. 4112 – Adoption.*

Carried

3. CONFIRMATION OF MINUTES

3.1 Minutes of Council Meetings

Moved - Seconded:

That the minutes of the following Council Meetings be adopted:

- *February 5, 2019, Special Council Meeting.*

Carried

4. PRESENTATION

4.1 Port Coquitlam Midget Ice Hockey – League Champions

5. PROCLAMATIONS

5.1 Pink Shirk Stop-Bullying Day

5.2 Kinsmen and Kinettes Week, February 17-23, 2019

6. BYLAWS

6.1 Zoning Amendment Bylaw No. 4113 for 2332 Marpole (Brewery) - First Two Readings

Moved - Seconded:

That Council give Zoning Amendment Bylaw No. 4113 for 2332 Marpole (Brewery) first two readings.

Carried

- 6.2 **Zoning Amendment Bylaw No. 4114 for Vendors at Markets - First Two Readings**
Moved - Seconded:
That Council give Zoning Amendment Bylaw No. 4114 for vendors at markets first two readings.
Carried
- 6.3 **Tree Bylaw No. 4108 - Adoption**
Moved - Seconded:
That Council adopt Tree Bylaw No. 4108.
Carried
- 6.4 **Delegation of Authority Amendment Bylaw No. 4109 - Adoption**
Moved - Seconded:
That Council adopt Delegation of Authority Amendment Bylaw No. 4109.
Carried
- 6.5 **Bylaw Notice Enforcement Amendment Bylaw No. 4110 - Adoption**
Moved - Seconded:
That Council adopt Bylaw Notice Enforcement Amendment Bylaw No. 4110.
Carried
- 6.6 **Fees and Charges Amendment Bylaw No. 4111 - Adoption**
Moved - Seconded:
That Council adopt Fees and Charges Amendment Bylaw No. 4111.
Carried
- 6.7 **Ticket Information Utilization Amendment Bylaw No. 4112 - Adoption**
Moved - Seconded:
That Council adopt Ticket Information Utilization Amendment Bylaw No. 4112.
Carried

7. **REPORTS**

- 7.1 **Development Variance Permit DVP00060 for 1244 & 1248 Pitt River Road**
Moved - Seconded:
That Council approve Development Variance Permit DVP00060 for 1244 & 1248 Pitt River Road for issuance.
Carried
- 7.2 **Development Variance Permit DVP00062 for 402-1485 Coast Meridian Road**
Moved - Seconded:
That Council approve Development Variance Permit DVP00062 for 402-1485 Coast Meridian Road for issuance.
Carried
- 7.3 **Development Variance Permit DVP00063 for 2140 – 550 Sherling Place (Tinhouse)**
Moved - Seconded:
That Council approve Development Variance Permit DVP00063 for 2140 – 550 Sherling Place (Tinhouse) for issuance.
Carried

7.4 Development Variance Permit DVP00064 for 2150 – 570 Sherling Place (Northpaw)

Moved - Seconded:

That Council approve Development Variance Permit DVP00064 for 2150 – 570 Sherling Place (Northpaw) for issuance.

Carried

8. NEW BUSINESS

8.1 Council provided updates related to community events.

9. OPEN QUESTION PERIOD

Seven members of the public asked questions.

10. ADJOURNMENT

10.1 Adjournment of the Meeting

Moved - Seconded:

That the February 26, 2019, Regular Council Meeting be adjourned at 7:22 p.m.

Carried

Certified Correct,

Mayor

Corporate Officer

Zoning Amendment Bylaw No. 4113 for 2332 Marpole Avenue (Brewery) - Third Reading

RECOMMENDATION:

That Council give Zoning Amendment Bylaw No. 4113 for 2332 Marpole Avenue (Brewery) third reading.

REPORT SUMMARY

Upon conclusion of a public hearing scheduled for March 12, 2019, Zoning Amendment Bylaw No. 4113 will be available for Council to give third reading.

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Give third reading to the bylaw.
2	Request that additional information be received and determine next steps after receipt of that information.
3	Fail third reading.

CITY OF PORT COQUITLAM
 Zoning Amendment Bylaw, 2019
 Bylaw No. 4113

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

1. CITATION

This Bylaw may be cited as the “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2019, No. 4113”.

2. ADMINISTRATION

2.1 That Table 3.3 Commercial Zones Permitted Uses be amended by adding a new use, Liquor Manufacturing, and a new Note 33 as follows:

PERMITTED USES

Table 3.3: Commercial Zones Permitted Uses

Use	NC	CC	DC	SSC	RC
Liquor Manufacturing		S Note 33			
Packaged liquor sales		S Note 9 Note 33	S Note 9		

Note 33. Liquor manufacturing and packaged sale of on-site manufactured liquor products are permitted at 2332 Marpole Avenue when accessory to a restaurant use.

2.2 That Table 3.4 Commercial Zone Regulations be amended by adding a new Note 7 as follows:

REGULATIONS

Table 3.4: Commercial Zones Regulations

Zone	Building Height	Lot Coverage	Floor Area Ratio	Front Setback	Interior Side Setback	Exterior Side Setback	Rear Setback
CC	- Note 7	90%	1.5	- Note 1	0/1.8 m Note 1 Note 2	1.5 m Note 1	Note 1
					0 / 5.9 ft.	4.9 ft.	

Note 7. The building height at 2332 Marpole Avenue is restricted to one storey.

READ A FIRST TIME this 26th day of February, 2019
READ A SECOND TIME this 26th day of February, 2019
PUBLIC HEARING HELD this 12th day of March, 2019
READ A THIRD TIME this
ADOPTED this

Mayor

Corporate Officer

Zoning Amendment Bylaw No. 4113 - First Two Readings

RECOMMENDATION:

That Council give Zoning Amendment Bylaw No. 4113 for 2232 Marpole Avenue first two readings.

REPORT SUMMARY

At the February 19, 2019, Committee of Council meeting, Committee recommended to Council that the Zoning Bylaw be amended to permit on-site manufacturing of liquor and accessory packaged liquor sales at 2332 Marpole Avenue.

OPTIONS

1 	Give first two readings to the Bylaw.
2	Delay first two reading and request staff to provide additional information.
3	Deny first two readings of the bylaw.

RECOMMENDATIONS:

1. That Committee of Council recommend to Council that the Zoning Bylaw be amended to permit on-site manufacturing of liquor and accessory packaged liquor sales at 2332 Marpole Avenue; and,
2. That the following conditions must be met prior to the adoption of the rezoning to the satisfaction of the Director of Development Services:
 - a) Submission of an agreement from adjacent property owner(s) indicating approval to use 11 parking spaces or submission of cash-in-lieu for these spaces; and,
 - b) Provision for installation of a bike rack.

PREVIOUS COUNCIL/COMMITTEE ACTION

None

REPORT SUMMARY

This report provides for Committee consideration of a rezoning application to permit a brewery and the sale of beer from the brewery to be located within the existing building at 2332 Marpole Avenue in addition to a proposed 60-seat restaurant. The restaurant use is permitted by the Zoning Bylaw, but a site-specific zoning bylaw amendment is required for liquor manufacturing and on-site liquor sales. The proposal is in keeping with the *Recommendations for a Downtown Action Plan* as it would contribute to the vitality of the Downtown, particularly on evenings and week-ends. The recommended conditions to be met by the applicant are limited to obtaining agreements for offsite parking spaces (or cash-in-lieu) and installing a bike rack as the impact of the proposed changes in use is expected to be relatively minor and in keeping with other permitted uses. In addition, the proposed bylaw amendment limits maximum building height to one storey. The purpose of this provision is to prevent a more intense redevelopment of the site without obtaining offsite improvements, as it is not proposed that these improvements be required as conditions of approval to add the brewery.

BACKGROUND

The applicant, Patina Brewing Company, wishes to open a restaurant with an in-house brewing operation and to be allowed to sell the beer produced by the brewery from the premises. This proposal re-purposes the existing one-storey commercial building at 2332 Marpole Avenue that was formerly a bakery/deli, and prior to that a BC liquor retail outlet. The “brew house” concept includes a 60-seat restaurant with additional seating to be located on a patio at the front of the building plus a 10-seat tasting area. Minor alterations would be made to update the brick building, including replacing a portion of the storefront with a glass roll-up door to allow for seasonal sidewalk seating.

2332 Marpole Avenue - Rezoning Application

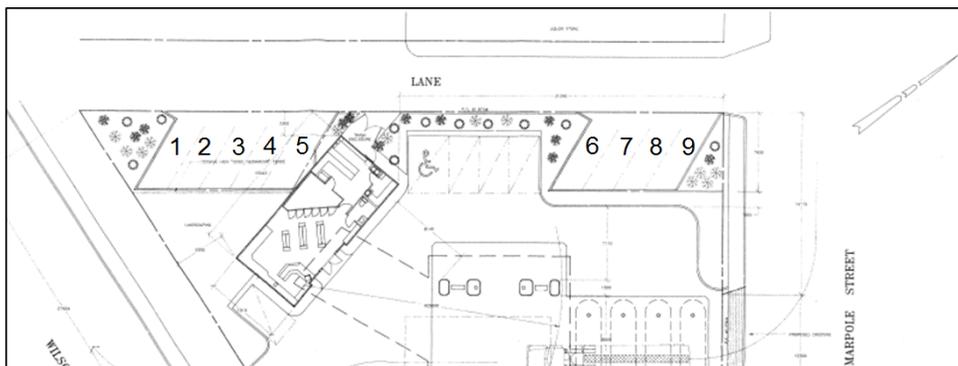
The site is zoned to permit the restaurant use, but any liquor manufacturing or retail liquor sales uses require Council approval of a site-specific amendment to the Zoning Bylaw. An evaluation of how these proposed uses would comply with Council's Liquor Establishment Policy (Attachment 1) is required as part of the application review. Applicable land use and development policies of the Official Community Plan, the Downtown Plan (1998) and Recommendations for a Downtown Action Plan (2017) include policies which encourage changes that contribute to a vibrant commercial core by attracting high quality development such as restaurants and specialty foods. In particular, new food and beverage businesses, especially those which will animate the street front with outdoor seating, are encouraged.



The site is on the south side of Marpole Avenue at the edge of the Downtown's commercial area and close to an increasing residential population. The downtown location has good pedestrian access via sidewalks linking to the PoCo Traboulay Trail and is well served by transit. Surrounding land uses and businesses include the Chevron gas station to the east, an adjoining 3-storey, mixed-use building on the west with a deli on the ground floor, commercial uses in single-storey building across the street and an open parking lot that is owned by the strata apartment building to the south.

Staff and patron parking spaces currently include 5 on-site spaces at the rear of the building and access to 9 off-site spaces located on the

Chevron property but accessed from the lane; there is also a loading bay at the back of the building. A bike rack is proposed to be installed close to the building entry.



Parking spaces along the lane

The applicant advises the business will create 30 full and part-time jobs and will be a living wage employer. The applicant further advises that the owners of the business have a strong connection

to Port Coquitlam and their focus will be to hire local residents. They are planning to build a relationship with Riverside High School's culinary arts program to provide opportunities for students to gain work experience in a restaurant, will be looking to source food from local food suppliers and exploring opportunities to install a roof-top herb garden as well as a beehive to produce honey.

DISCUSSION

The brew house restaurant concept has been gaining popularity and there are numerous examples throughout the Metro Vancouver area including, in Port Coquitlam, an on-site brewing facility currently under construction at the Cat and Fiddle Sports Bar & Restaurant. The addition of a brew house in the Downtown would be expected to add vitality to the area by drawing in more people, especially on evenings and weekends and providing an additional place for local residents to socialize.

This application would be in keeping with the direction outlined in the Recommendations for the Downtown Action Plan, which envisions restaurants that focus around a sit down, "mid-casual" format or social dining similar to that being proposed and promotes the type of sidewalk animation which would be created by a patio at this location. The report further recommends greater flexibility be provided in finding parking solutions for existing commercial developments in the Downtown where it is not possible to increase the number of on-site parking spaces.

The factors set out in the Liquor Establishment Policy to be considered for an establishment wishing to manufacture and sell liquor (in this case, beer) are assessed as follows:

- a) *Location of other establishments with liquor licences:* In the Downtown, they include a number of restaurants with licences, a neighbourhood pub, and a liquor retail sales outlet next to the pub. Council's policies for the Downtown encourage these types of uses.
- b) *Distance to schools and other uses that may be relevant* (e.g., daycares). No conflicts are identified.
- c) *Traffic and parking impacts.* See discussion in the following section.
- d) *Access for pedestrian and cyclists and to public transit.* This site is well located, and the bike rack would promote cyclists.
- e) *Impacts to residents or businesses.* The use is anticipated to contribute to the vitality of downtown businesses and offer residents with an additional choice for socializing and dining. The patio could create some noise concerns.
- f) *Safety or business licence concerns.* None specific to this location.
- g) *Opening / closing times:* Liquor service hours would be subject to licensing regulations and approval through the liquor licence process. Hours similar to that of a neighbourhood pub (11 a.m. to 1 a.m.) may be considered appropriate for the restaurant, however specific consideration may need to be given to limit hours that the patio could remain open to avoid impacting nearby residents.

The traffic and parking impacts of the proposed brewery and on-site liquor sales are unlikely to be substantially greater than the permitted restaurant use. If the proposal was solely for reuse of the

existing premises for a restaurant, then the City could issue a business licence for this use without needing to evaluate its compliance with current parking regulations. However, as rezoning is required for the brewery-related uses, there is an opportunity for Council to determine if it is satisfied with parking availability including arrangements for use of offsite spaces.

When the building was originally built in the early 1970s, it was designed to comply with parking requirements for the liquor store use (at that time, a permitted commercial use) by including 7 on-site parking spaces at the rear. Since then, 2 of these spaces were converted to a loading bay and arrangements were made with the adjacent service station property to provide 9 parking spaces accessed from the lane. This arrangement has been maintained through the years, including redevelopment of the gas station in 1991 to eliminate service bays and the replacement of the liquor store with a bakery/deli.

Under current regulations, if a new building were to be constructed to accommodate a 60-seat restaurant with a brewery and tasting lounge, and parking requirements were set to be the same as a craft brewery, then the business would be required to provide a total of 16 spaces (12 for the restaurant, 2 for the brewery, and 2 for the tasting lounge). It could provide cash-in-lieu for up to 10% of these parking spaces (2 spaces) and may provide parking on a portion of a parcel within 95m of the building if a restrictive covenant is registered that restricts its use to parking.

The applicant advises that the business will be entering into an agreement with Chevron to secure its access to the 9 parking spaces along the lane, and conversations are underway to obtain a commitment from Chevron for some of its additional spaces (e.g., for staff parking) or to use some of the spaces owned by the strata apartment to the south.

The parking bylaw requires all off-site spaces to be secured by a registered restrictive covenant. It also provides that the applicant may pay cash-in-lieu for 2 of the required spaces. This site has enjoyed access to 9 spaces by agreement, but not by restrictive covenant, and obtaining a restrictive covenant at this time is unlikely. Given the configuration of the access to the spaces off the lane and stated opportunity that an agreement can be obtained to confirm their continued use, as well as potential to obtain an agreement to use at least 2 additional spaces, this report recommends that the applicant be required to obtain an agreement for use of 11 spaces and, if such an agreement is not obtained, that cash-in-lieu of the spaces be acceptable.

The rezoning application provides Council with an ability to require subdivision and offsite infrastructure improvements to comply with current standards set out in the subdivision servicing bylaw. Infrastructure requirements for development of this site to comply with bylaw requirements could be substantial. They would be defined to include a widening of Marpole Street (and reduction of its sidewalk width), reconstruction of the lanes along the east and at the back of the site, and upgrades to services. Application of the bylaw would further result in a requirement to dedicate 3x3 meter "corner cut-offs" to enhance the visibility at the intersections of Marpole Avenue with the lane to the east and intersection of this lane with the lane to the rear. This report does not recommend to Council that infrastructure improvements be required for the brewery operation as the overall impacts of changing this site's permitted uses to allow for the making of beer and its sale would not be any greater than the impacts of currently permitted uses such as a bakery. However, to ensure

that this infrastructure will be required if the site is substantially redeveloped (whether or not rezoning is involved), it is further recommended that the site's zoning limit maximum building height to one storey. This option recognizes it is not possible to obtain corner cut-offs until the site is redeveloped and reflects the City's practice that it will require offsites as a condition of rezoning approval if the amendment results in a use with greater site impacts.

In reviewing this application, questions were asked about the differences between regulations applicable to restaurants, neighbourhood pubs and craft breweries. The biggest difference is that a neighbourhood pub in the Downtown is required to provide more parking than a restaurant is required to provide - 1 space per 3 seats in a pub compared to 1 space per 5 seats in a restaurant and 1 space per 5 seats in a lounge accessory to a craft brewery. The liquor licences are also different: a neighbourhood pub will have a liquor primary licence whereas a restaurant will have a food primary licence. A liquor primary licence allows for the primary source of revenue to be from liquor and patrons to order beverages without food; the licence does not permit the facility to be open to children. The subject application is for a family-friendly restaurant that would operate within the terms of a food primary licence, a licence which requires at least 60% of the revenue to be from food and allows for children to be within the premises.

The following amendments to the Zoning Bylaw are proposed to implement the intended concept:

- (1) In Table 3.3, Commercial Zones Permitted Uses, by adding a new Note 33 to indicate on-site liquor manufacturing and packaged sale of on-site manufactured products are permitted at 2332 Marpole Avenue in the Community Commercial zone when accessory to a restaurant use;
- (2) In Table 3.4, Commercial Zone Regulations, by adding a new note 7 to the Community Commercial zone height regulation to restrict the building height at 2332 Marpole Avenue to one storey.

FINANCIAL IMPLICATIONS

None.

PUBLIC CONSULTATION

A sign providing information about the application has been affixed to the front of the building and to date staff have not received any feedback. The applicant hosted an open house on Saturday, February 2nd 2019 and reports approximately 125 people attended. A letter summarizing the input notes 47 feedback forms were submitted and the majority of comments are supportive of the proposed uses.

The public hearing would provide a formal opportunity for Council to hear comment on the application.

OPTIONS

#	Description
1 	Recommend to Council that liquor manufacturing and packaged liquor sales be permitted at 2332 Marpole Avenue subject to the building height at this location being restricted to one storey and the applicant providing for 11 additional parking spaces by way of an agreement with adjoining property owner(s) or payment of cash-in-lieu.
2	Request additional information, amendments to the application or changes to recommended conditions of approval to address specified issues prior to making a decision on the application
3	Recommend to Council that the rezoning application to permit the brewery and/or sale of the manufactured product be refused.

ATTACHMENTS

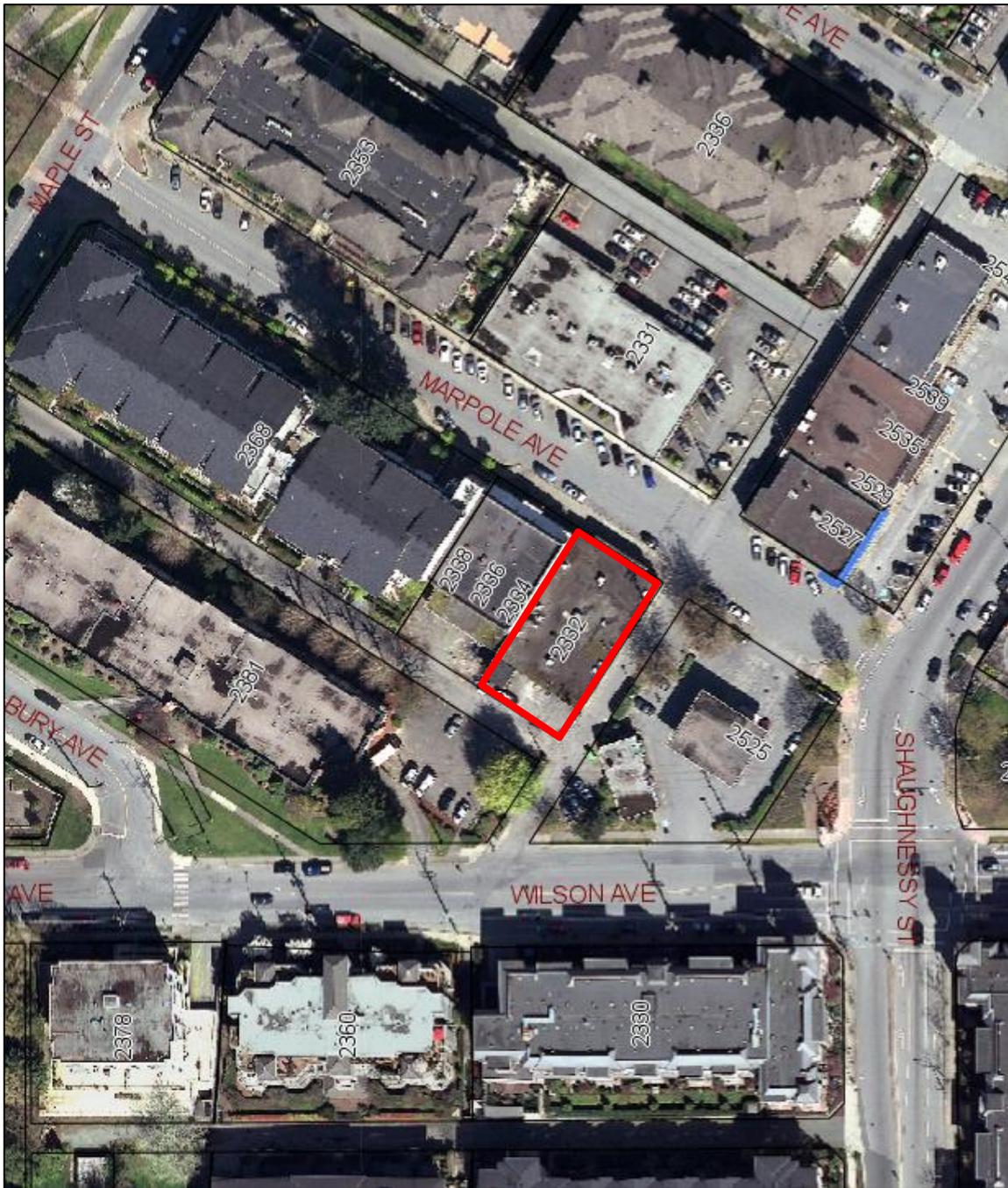
- Attachment #1: Location Map
- Attachment #2: Restaurant floor plan
- Attachment #3: Open house summary letter
- Attachment #4: Liquor Establishment Policy

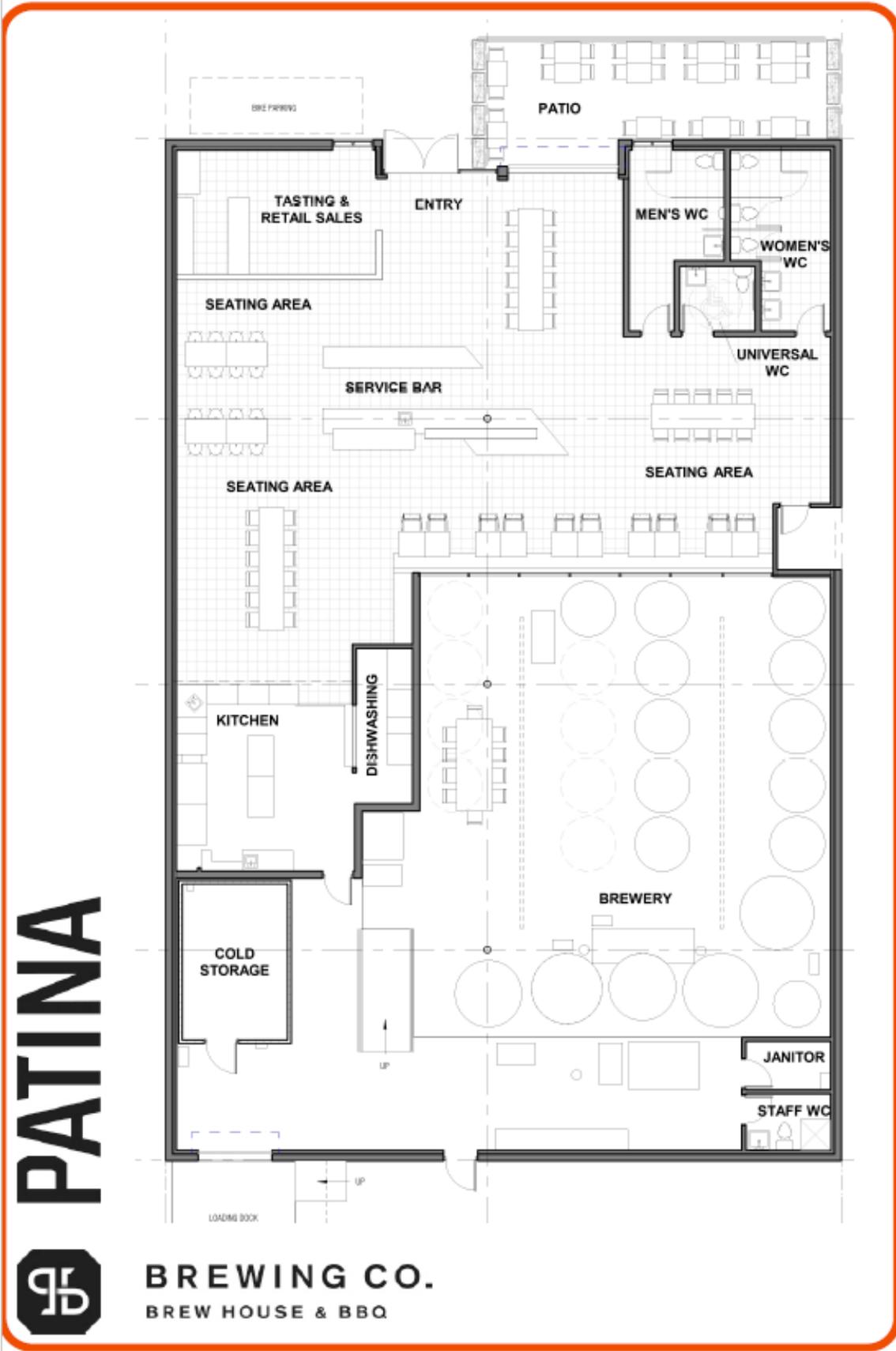
Lead author(s): Bryan Sherrell

CITY OF PORT COQUITLAM
DEVELOPMENT APPLICATION LOCATION MAP

PROJECT ADDRESS: 2332 Marpole Ave

FILE NO: RZ000174







PATINA

2332 Marpole Ave. Port Coquitlam



PATINA

BREWING CO.
BREW HOUSE & BBQ

February 4, 2019

Bryan Sherrell
Planner, Development Services
City of Port Coquitlam
2580 Shaughnessy Street
Port Coquitlam, BC, V3C 2A8

Re: Rezoning Application for 2332 Marpole Ave. Port Coquitlam – Open House Follow Up

Dear Bryan Sherrell:

On February 2, 2019, we hosted a community open house at 2332 Marpole Ave from 2pm to 4pm. We invited 1,111 residents and business from the surrounding neighbourhood, we also invited City Council and the BIA Executive Director and Board. During the open house we had approximately 125 people attend, 3 members of City Council, neighbourhood residents and businesses. Based on the 47 feedback forms submitted 89% of the people attended live in the neighbourhood and 15% work in the neighbourhood.

Through the questionnaire we asked people on a scale of 1 to 5, 1 being not excited and 5 being very excited, how excited are you about Patina opening in your neighbourhood? The average score was 4.75, with all scores being either 4 or 5, except for one person's answer of 2. The feedback was very positive, most of the comments were: "beyond thrilled; exactly what we need", "Not soon enough" and "amazing menu; needed in d/t".

Only 2 concerns were noted, 8 people asked about parking and 4 people asked about noise. We were able to address these concerns; most people did not realize we are providing parking on the Chevron site.

Please find attached a full breakdown of the feedback forms.

If you have any questions, please let me know.

Sincerely,



Greg Moore

		<h1 style="margin: 0;">POLICY</h1>	
Subject Area:	Community Planning	Policy #5.04	
Policy Title:	Liquor Establishment Policy		
Authority:	Legislative	X	Effective Date: 2016-10-24
	Administrative		Review Date: 2021-10
Issued By:	Laura Lee Richard		Issue Date: 2016-10-24
	Director of Development Services		Distributed by: Department Heads

Purpose

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

Policy

1. Analysis of Applications

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

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

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

- c. Traffic and parking impacts
- d. Access for pedestrians and cyclists and to public transit
- e. Impacts to residents or businesses
- f. Comments by the RCMP and Manager, Bylaw Services Division with respect to any public safety, security or business licence concerns

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

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

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

2. **Opening Times**

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

3. **Closing Times**

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

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

4. **Public Consultation**

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

Responsibility:

Director of Development Services

END OF POLICY

From:
Sent: Monday, March 04, 2019 1:22 PM
To: PF_Clerks
Subject: Zoning Amendment for 2332 Marpole Ave

To Port Coquitlam Council

We have lived on _____, in Port Coquitlam for about 29 years and have watched our little city grow and improvements made. My husband and I welcome the opening of a Craft Brewery on Marpole Ave. This is an unique opportunity for our downtown to have more life to our City. I have faith in Greg Moore and hope them all the success. We look forward to the opening of Patina Craft Brewery

Zoning Amendment Bylaw No. 4114 for Liquor Vendors - Third Reading and Adoption

RECOMMENDATION:

That Council give Zoning Amendment Bylaw No. 4114 for Liquor Vendors third reading and adoption.

REPORT SUMMARY

Upon conclusion of a public hearing scheduled for March 12, 2019, Zoning Amendment Bylaw No. 4114 will be available for Council to give third reading and adoption.

Note: Section 480 of the Local Government Act permits Council to adopt a zoning bylaw at the same meeting at which the bylaw received third reading.

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Give third reading and adoption to the bylaw.
2	Request that additional information be received and determine next steps after receipt of that information.
3	Fail third reading of the bylaw.

CITY OF PORT COQUITLAM
Zoning Amendment Bylaw, 2019
Bylaw No. 4114

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

1. CITATION

This Bylaw may be cited as the “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2019, No. 4114”.

2. ADMINISTRATION

2.1 That Table 5.3 Institutional and Park Zones Permitted Uses be amended by replacing Note 10 with the following:

Note 10. Packaged liquor sales use in the P1 and P3 zones is limited to a maximum of 20% of the total number of vendors at one time at a farmers market or an artisan market.

READ A FIRST TIME this	26 th day of	February, 2019
READ A SECOND TIME this	26 th day of	February, 2019
PUBLIC HEARING HELD this	12 th day of	March, 2019
READ A THIRD TIME this	day of	, 2019
ADOPTED this	day of	, 2019

Mayor

Corporate Officer

Zoning Amendment Bylaw No. 4114 - First Two Readings

RECOMMENDATION:

That Council give Zoning Amendment Bylaw No. 4114 for Accessory Liquor Sales at farmer and artisan markets first two readings.

REPORT SUMMARY

At the February 5, 2019, Committee of Council meeting, Committee recommended to Council that the Zoning Bylaw be amended to increase the number of vendors permitted to sell packaged liquor products at farmer and artisan markets.

OPTIONS

1 	Give first two readings to the Bylaw.
2	Delay first two reading and request staff to provide additional information.
3	Deny first two readings of the bylaw.

Accessory Liquor Sales at Farmer and Artisan Markets

RECOMMENDATION:

That Committee of Council recommend to Council that the Zoning Bylaw be amended to increase the number of vendors permitted to sell packaged liquor products at farmer and artisan markets.

PREVIOUS COUNCIL/COMMITTEE ACTION

None

REPORT SUMMARY

In response to consumer and industry demand, this report recommends an amendment to the Zoning Bylaw to permit an increase in the number of vendors permitted to sell packaged liquor at farmer and artisan markets in Port Coquitlam.

BACKGROUND

Liquor manufacturers licenced by the Liquor and Cannabis Regulation Branch (LCRB) with an on-site store endorsement can apply to the LCRB for a Market Authorization to provide samples and sell their packaged products at farmer or artisan markets.

Liquor manufacturers were first permitted at the Port Coquitlam Farmers Market in 2015 through issuance of a temporary use permit. The community responded favourably to these vendors and in 2016 the Zoning Bylaw was amended to permit packaged liquor vendors at markets in the P1 (Civic Institutional) and P3 (Parks and Natural Areas) zones. To minimize potential impacts, the maximum number of vendors is currently limited to three at any one time.

The City currently facilitates three markets: the Port Coquitlam Farmers Market, the May Day Artisan Market and the Winter Artisan Market, at which between 45 and 60 vendors typically set up. Market organizers indicate the liquor manufacturers are well received by patrons and they have requested an increase in the permitted number of vendors. This would allow them to allow for a wider selection of products and ensure sufficient opportunities for those local liquor manufacturing businesses who may wish to participate as vendors. The City currently has 6 licenced manufacturers with several more applications in process and, through the selection processes, these local vendors would be prioritized.

DISCUSSION

It is proposed that the Zoning Bylaw be amended to permit more than 3 vendors at a market to sell packaged liquor products. The intent is to offer organizers greater flexibility by replacing the current limitation to 3 vendors with a provision that would allow up to 20% of market vendors to sell packaged liquor products. This amendment would support inclusion of more manufacturers, including local businesses, while ensuring the overall focus of the market remains balanced with

Accessory Liquor Sales at Farmer and Artisan Markets

other types of vendors. The bylaw amendment will also clarify that these uses are permitted at farmer and artisan markets in the P1 and P3 zones.

The sale of packaged liquor products at the markets has not resulted in any identified community impacts and no concerns have been raised that these vendors may have impacted established businesses offering packaged liquor sales. Approval is recommended.

FINANCIAL IMPLICATIONS

None

OPTIONS

#	Description
1 	Amend the Zoning Bylaw to permit up to 20% of vendors to sell packaged liquor at farmer and artisan markets in the P1 and P3 zones.
2	Request further information prior to making a decision
3	Take no action (current restrictions would remain in place)

Zoning Amendment Bylaw No. 4115 - First Two Readings

RECOMMENDATION:

That Council give Zoning Amendment Bylaw No. 4115 first two readings.

PREVIOUS COUNCIL/COMMITTEE ACTION

At the February 5, 2019, Committee of Council meeting, the following resolution was adopted:

That Committee of Council direct staff to prepare a draft amendment to the Zoning Bylaw that would restrict methadone clinics as a permitted use and provide that methadone clinics may be approved on a site-specific basis for Council consideration.

DISCUSSION

The attached amending bylaw includes premises used for prescribing sale or dispensing of methadone, suboxone, other opioid substitutes, or opioids as another use that would be prohibited in all zones. Any sites where this use is currently permitted would continue (“grand-fathered”) but any expansion or new proposal for this use would need to be approved by Council in its consideration of an application to amend the Zoning Bylaw.

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Give first two readings to the Bylaw.
2	Defer first two readings and request staff to provide additional information.
3	Deny first two readings of the bylaw.

ATTACHMENTS

Attachment #1: Proposed Bylaw No. 4115

Attachment #2: 2019-02-05 Report: Opioid Substitution Therapy Clinics and Dispensaries

CITY OF PORT COQUITLAM
ZONING BYLAW AMENDMENT 2019

Bylaw No. 4115

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

1. CITATION

This Bylaw is cited as “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2019, No. 4115”.

2. ADMINISTRATION

That Zoning Bylaw, 2008, No. 3630, Section II, Zones and Zone Regulations be amended by adding the following as a new subsection:

“6 (g) premises used entirely or principally for prescribing, or for the sale or dispensing, of methadone, suboxone, other opioid substitutes, or opioids.”

READ A FIRST TIME this

READ A SECOND TIME this

PUBLIC HEARING HELD this

Mayor

Corporate Officer

Opioid Substitution Therapy Clinics and Dispensaries

RECOMMENDATIONS:

That Committee of Council direct staff to prepare a draft amendment to the Zoning Bylaw that would restrict methadone clinics as a permitted use and provide that methadone clinics may be approved on a site-specific basis for Council consideration.

PREVIOUS COUNCIL/COMMITTEE ACTION

At the October 9, 2018, Community and Intergovernmental Committee meeting, the following motion was passed:

That Community & Intergovernmental Committee direct staff to review the use of methadone clinics as a land use and provide a report with options for limiting this use.

REPORT SUMMARY

This report responds to a request for information about restricting methadone clinics and presents options that the City could consider taking if it wished to amend regulations. It identifies the value of existing programs and implementation processes and support for this use by Fraser Health. Staff recommend that the potential impacts of this use be addressed by a bylaw amendment in line with actions being taken by other local governments, but not to prohibit the use.

BACKGROUND

Methadone clinics or dispensaries are premises where individuals in an outpatient opioid treatment program may obtain prescription drugs to help manage an opioid addiction and reduce potential harm from overdose and hospitalization. In an opioid substitution therapy program, a patient is prescribed an opioid substitution drug (in BC, this is usually methadone) by a doctor and a pharmacist dispenses and witnesses ingestion of the daily dose. These services can be prescribed by a patient's regular doctor and dispensed by a pharmacist, or they can be delivered together in one location at a clinic.

Health Link B.C. identifies one agency offering opioid treatment in Port Coquitlam, the Tri Cities Clinic located at 3200 Westwood Street. The Opiate Addiction Treatment and Resource website's directory does not identify any sites in Port Coquitlam. Fraser Health operates a clinic in Port Moody. Some private operators may have also have medical practices or pharmacies primarily devoted to treating clients in a program.

The City's regulations would allow for a business offering opioid substitution therapy as a portion or focus of its business to be located as follows:

- Clinics would be permitted as a health service use in the Community Commercial zone and at specific locations where a health service use is permitted in the District Commercial zone;

Opioid Substitution Therapy Clinics and Dispensaries

- Pharmacies dispensing methadone would be permitted as a retail sales use in the Community Commercial zone and, if in a larger premises (minimum 279 m²), within the District Commercial zone.

The presence of an opioid substitution therapy clinic or dispensary can cause concern for surrounding businesses and residents related to the presence of individuals with an addiction disability who are seeking treatment. Issues may also arise if a facility does not have sufficient space to accommodate clients, is mismanaged or there is congestion with line-ups at peak times. To avoid these types of potential impacts, some municipalities in the Lower Mainland have introduced specific regulations for opioid substitution therapy. These include:

- The City of Coquitlam prohibits methadone clinics in all zones. It permits methadone dispensaries but requires that businesses be at least 1 kilometre apart from each other. The report, “3030 Gordon Emergency Shelter Task Force Summary Report & Action Plan” recommends that these restrictions be reconsidered to allow for greater accessibility to treatment programs.
- Surrey requires methadone clinics to be accessory to a hospital; it requires methadone dispensaries to be separated by at least 400m.
- New Westminster limits the number of persons registered in the BC Methadone Maintenance Program that may be served at pharmacies to 30 persons; it requires site-specific zoning for methadone clinics or dispensaries.
- Vancouver utilizes its conditional approval power to regulate small-scale pharmacies to impose good neighbour conditions related to issues such as lineups and maintenance. It also requires small-scale pharmacies include a minimum 25m² of publicly accessible space to accommodate clients waiting to be served and that these businesses be at least 400m from each other.

Legal concerns have been raised with respect to prohibitions and overly restrictive regulation of methadone clinics as these actions may not only be discriminatory but also violate the Canadian Charter of Rights and Freedoms to reasonable access to medical treatment. Several municipalities, including Abbotsford, have repealed their bylaws prohibiting harm reduction services in the face of impending litigation.

DISCUSSION:

In order to address impacts related to opioid substitution therapy clinics and dispensaries, staff suggest two changes.

The first is to consider including a policy in the Official Community Plan (OCP) that will guide land use decisions with respect to clinics and dispensaries siting, similar to the approach now being taken for both liquor sales and cannabis retail outlets. Such a policy could indicate Council support to allowing for clinics as they assist those endeavouring to manage or overcome addictions while ensuring they would not be located close to another clinic and away from sensitive uses such as

Opioid Substitution Therapy Clinics and Dispensaries

schools, playgrounds and child care facilities. It is further suggested that this consideration be given as part of the larger discussion of social issues when the OCP is updated, rather than seeking an amendment at this time.

The second suggestion is to require site-specific zoning for any new methadone clinic (defined as something such as a “clinic offering pharmaceutical uses whereby the majority of clientele are seeking treatment for opioid addictions”). If this suggestion is endorsed by Committee, staff would work with the municipal solicitor in drafting a bylaw amendment. Similar to the approach taken by New Westminster, it is also suggested that the bylaw amendment would set a maximum number of clients who could be accommodated at any one time within a clinic. If a clinic is considered for approval, Council may also set conditions of approval such as registration of a good neighbour agreement on title or specific design requirements. It is expected that the existing clinic would be permitted to continue operation as a legally non-conforming use, but the amendment would ensure consideration is given to the siting of future clinics.

PUBLIC CONSULTATION

There has been no public consultation in preparation of this report; the zoning bylaw amendment would require a public hearing.

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Direct staff to bring forward an amending bylaw to restrict methadone clinics as a permitted use and provide that methadone clinics may be approved on a site-specific basis.
2	Direct staff to proceed with a consultation process which would include Fraser Health and others to develop a policy and proposed bylaw amendment that would guide the siting and design of opioid substitution therapy (methadone) clinics and dispensaries, prior to making any changes.
3	Determine that it does not wish to restrict methadone clinics and dispensaries at this time.

1539 Angelo Avenue – Issuance of DVP

RECOMMENDATION:

That Development Variance Permit DVP00058 for 1539 Angelo Avenue be approved for issuance.

REPORT SUMMARY

Upon conclusion of a public input opportunity scheduled for March 12, 2019, the Development Variance Permit for 1539 Angelo Avenue will be available for Council to give approval for issuance.

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	That Development Variance Permit DVP00058 for 1539 Angelo Avenue be approved for issuance.
2	Request that additional information be received prior to the issuance of the Development Variance Permit.
3	Deny the approval of the Development Variance Permit.

RECOMMENDATION:

That the Committee of Council:

1. Authorize staff to provide notice of an application to vary parking space requirements for a childcare facility at 1539 Angelo Avenue by one stall; and,
2. Advise Council that it supports approval of Development Variance Permit DVP00058.

PREVIOUS COUNCIL/COMMITTEE ACTION

None.

REPORT SUMMARY

This report describes a request to vary parking requirements to facilitate a childcare facility that accommodates 25 children. A total of four parking spaces are required for a childcare facility with this number of children. However, only three conforming spaces are available with access from the street. There are two informal spaces at the rear of the property accessed by a gravel lane, but the City's bylaws require that the lane must be paved if they are to be included in the parking calculation. The owner has requested a variance to parking requirements in order to be permitted to retain 25 children at the child care facility without having to pave the lane, due to the high cost of this work. As the child care facility addresses a community need and the parking demands of the business are met by the gravel lane, it is recommended that the application to vary parking requirements be approved.

BACKGROUND

The owners of the property at 1539 Angelo Avenue recently opened a childcare facility, Life Stars Child Care, and offer group daycare to 25 children. The property is located at the east end of the block along Angelo Avenue within a neighbourhood context of single family homes and the business complies with the zoning. The owners completed significant alterations to the interior and exterior of the dwelling to accommodate the expanded childcare use. However, as a condition of approval to the business licence, they were required to submit a security that would pay for the reconstruction and paving of the lane because one of the parking spaces required for the facility could only be accessed from a gravel lane. If the variance is approved, this security would be returned to the owner.

The site presently includes 3 parking spaces in the front of the dwelling that are accessed from Angelo Avenue and 2 parking spaces at the rear that are accessed by an informal gravel lane. While only 4 spaces are required for both the dwelling and the child care business, the spaces at the rear cannot be included in the parking calculation because they are not accessed by a road or lane meeting municipal standards. This results in the site technically being deficient by one space. Other properties on Angelo Avenue are accessed from the street and the lane is not formally used by others.

1539 Angelo Avenue - Development Variance Permit Application

The owners advise that they have consulted with adjacent neighbours about both the childcare expansion and parking situation and no concerns were raised. They further advise that some children currently live in the immediate neighbourhood and walk to the facility, and some of the parents use public transit, reducing the impact of vehicular activity at their location. The spaces in the front of the dwelling are made available to those parents who drop off or pick up their children in vehicles, while the owners and staff use the spaces at the rear.

DISCUSSION

The owners of the childcare facility submitted a security for the lane paving in order to facilitate opening of the business. However, they were highly concerned about the cost of this work and advise this cost is not warranted for the childcare facility, given access from the gravel lane. The variance to parking space requirements provides for a reasonable solution. If approved, it would support the additional child care spaces continuing to be made available in the community and it is unlikely to result in any parking impacts compared to a conforming solution. Approval of the one-stall variance is recommended.

FINANCIAL IMPLICATIONS

None.

PUBLIC CONSULTATION

An opportunity for public input would be provided as part of Council's consideration of the variance application.

OPTIONS

#	Description
1 	Authorize notification of the application and advise Council that Committee supports the application.
2	Request additional information or amendments to the application to address specified issues prior to making a determination; or
3	Determine that it does not wish to authorize the notification. The applicant may then request the application be forwarded to Council for consideration.

ATTACHMENTS

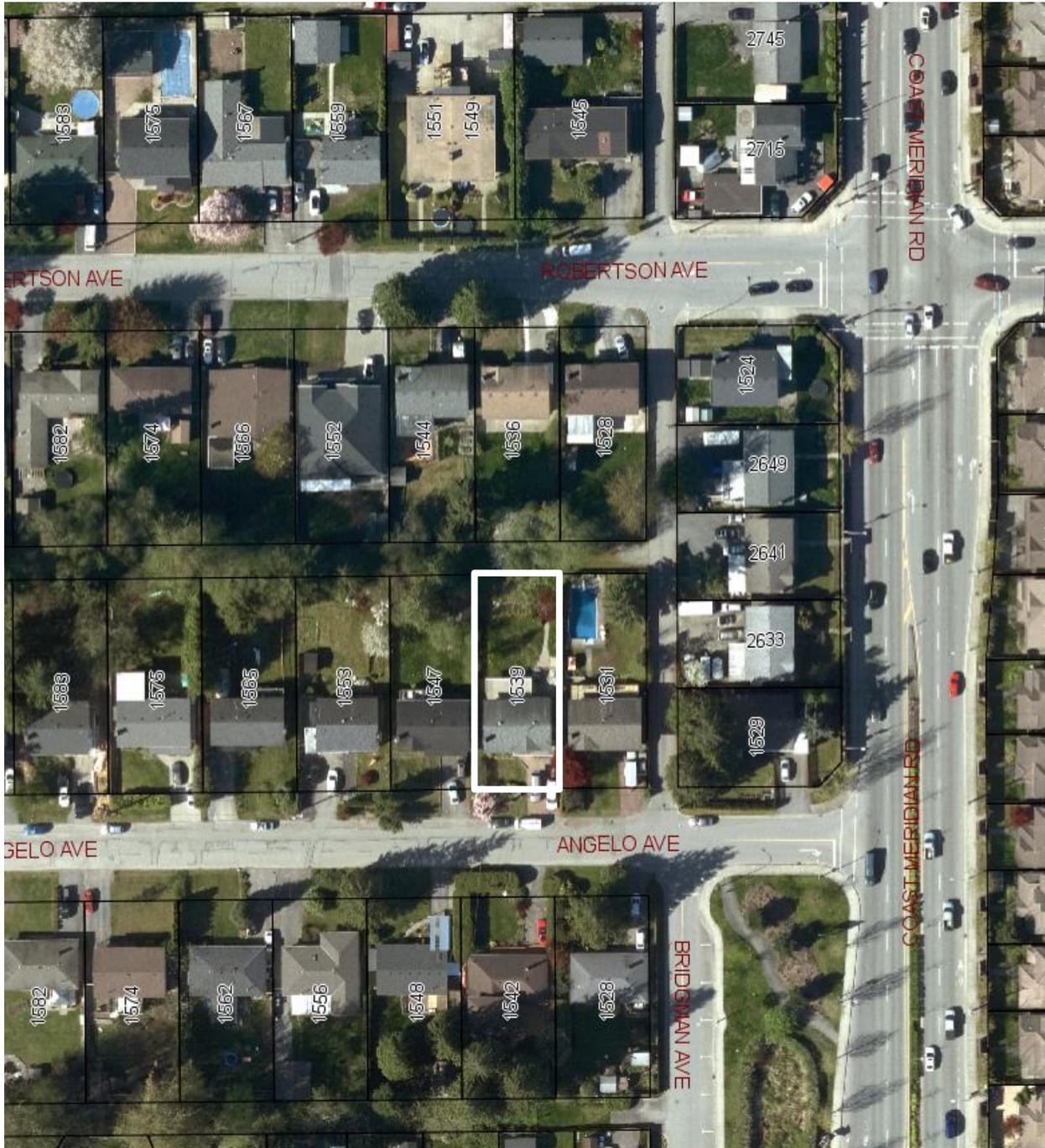
Attachment #1: Location Map

Attachment #2: Draft Development Variance Permit

CITY OF PORT COQUITLAM
DEVELOPMENT VARIANCE PERMIT LOCATION

PROJECT ADDRESS: 1539 Angelo Avenue

FILE NO: DVP00058



THE CORPORATION OF THE CITY OF PORT COQUITLAM

“DEVELOPMENT PROCEDURES BYLAW, 2013, NO. 3849”

DEVELOPMENT VARIANCE PERMIT

NO. DVP00058

Issued to: Alireza Alighanadi
Khadijeh Nourbakhsh Dehkordi

Address: 1539 Angelo Avenue, Port Coquitlam, BC

- 1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied by this permit.
- 2. This Development Variance Permit applies to and only to those lands within the Municipality described below:

Address: 1539 Angelo Avenue, Port Coquitlam, BC
 Legal Description: LOT 97 DISTRICT LOT 480 GROUP 1 NEW
 WESTMINSTER DISTRICT PLAN 49414
 P.I.D.: 006-386-261

- 3. Section 8, Required Off-Street Parking Spaces of the Parking and Management of Development Bylaw 2018, No. 4078 is varied to require a total of 3 parking spaces for a dwelling unit and a childcare facility with a maximum of 25 children.
- 4. This permit is not a building permit.

APPROVED BY COUNCIL THE _____ DAY OF _____, 2019.

SIGNED THIS _____ DAY OF _____, 2019.

Mayor

Corporate Officer

I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE TERMS AND CONDITIONS UPON WHICH THIS PERMIT IS ISSUED.

Applicant (or Authorized Agent or Representative of Applicant)