

Council Regular Minutes

Council Chambers, 3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC
Tuesday, March 12, 2019

Present:

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

Absent:

Meeting Notes:

- A public hearing and public input opportunity were held prior to the meeting at 6:00 p.m.

1. CALL TO ORDER

The meeting was called to order at 7:27 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved - Seconded:

That the March 12, 2019, Regular Council Meeting Agenda be adopted with the following changes:

- *Addition of Item 4.4 Business Amendment Bylaw No. 4116 – First Three Readings.*

Carried

3. CONFIRMATION OF MINUTES

3.1 Minutes of Council Meetings

Moved - Seconded:

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.*

Carried

4. BYLAWS

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

Moved - Seconded:

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

Carried

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

Moved - Seconded:

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

Carried

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

Moved - Seconded:

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

Carried

4.4 Business Amendment Bylaw No. 4116 – First Three Readings

Moved - Seconded:

That Council give Business Amendment Bylaw No. 4116 first three readings.

Carried

5. REPORTS

5.1 Development Variance Permit for 1539 Angelo Avenue - Issuance

Moved - Seconded:

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

Carried

6. NEW BUSINESS

6.1 Council provided updates related to community events.

Moved - Seconded:

That Councillor Dupont be permitted to make a motion without notice.

Carried

Moved - Seconded:

WHEREAS it is important that BC Communities have a local food system to enable access to affordable and healthy food options and improve community sustainability and BC Communities should encourage awareness about and the expansion of a regional food system;

AND WHEREAS the provincial government is committed to promoting healthful living and making B.C. a healthy place to be;

THEREFORE BE IT RESOLVED THAT the BC Ministry of Health be requested to initiate programs and partnerships to increase community awareness of the benefits of nutritious and affordable food and support regional initiatives to enhance community food security.

Carried

7. OPEN QUESTION PERIOD

No public comments.

8. CLOSED ITEMS RELEASED TO PUBLIC

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

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

Moved - Seconded:

That the March 12, 2019, Regular Council Meeting be adjourned at 8:23 p.m.

Carried

Certified Correct,

Mayor

Corporate Officer

LATE ITEMS

These items were added to the agenda after it was published.

Please see the additional information attached for the following:

Item 4.4 Business Amendment Bylaw No. 4116 – First Three Readings

CITY OF PORT COQUITLAM
BUSINESS AMENDMENT BYLAW, 2019

Bylaw No. 4116

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

1. CITATION

This Bylaw is cited as “Business Bylaw, 2010, No. 3725, Amendment Bylaw, 2019, No. 4116.

2. ADMINISTRATION

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

2.1 By adding the following definition to Section 2. Definitions:

“*Residential Tenancy Act*” means Chapter 78 of the Statutes of British Columbia 2002 and any successor legislation dealing with the relationship between residential landlords and their tenants.

2.2 Adding the following as Section 42. SUITE RENTAL BUSINESSES:

42.1 No owner of a **Suite Rental Business** in an apartment building shall deliver to any tenant a notice of termination of the tenant’s tenancy of a suite in the apartment building in order to renovate or repair the suite, or having delivered such a notice prior to the adoption of this Bylaw, require the tenant to vacate their suite pursuant to the notice, unless the owner has obtained every building permit, plumbing permit, development permit or heritage alteration permit required by any City bylaw and any other permit or approval required to authorize the renovation or repair, and has either:

- (a) entered into a new tenancy agreement with the tenant in respect of a comparable suite in the same building, on the same terms, including rent, as the tenancy agreement pertaining to the suite being renovated or repaired, or terms that are more favourable to the tenant, and provided a copy of the agreement to the Licence Inspector, or
- (b) made other arrangements in writing for the tenant’s temporary accommodation during the course of the renovation or repair, and for their return to their original suite following completion of the renovation or repair, with no increase in rent other than any additional rent increase allowed under Part 3 of the *Residential*

Tenancy Act, and provided to the Licence Inspector satisfactory documentation of the arrangements including evidence of the tenant's consent to the arrangement.

42.2 For the purposes of Section 42.1,

- (a) a suite is comparable to a suite that is being renovated or repaired if it has the same or a greater number of bedrooms and complies with the maintenance standards in Section 32 of the *Residential Tenancy Act*, and the rent for the suite is equal to or less than the rent for the suite that is being renovated or repaired; and
- (b) the new tenancy agreement may either transfer the tenant's tenancy permanently to the other suite or entitle the tenant to occupy the other suite temporarily during the course of the renovation or repair and return to their original suite following completion of the renovation or repair with no rent increase other than any "additional rent increase" approved under Part 3 of the *Residential Tenancy Act*.

42.3 An owner who is subject to Section 42.1 may apply to the Council for:

- (a) an exemption from that section in respect of the owner's building, on the grounds that the owner's renovation or repair plans cannot be safely implemented unless the building is vacated, or
- (b) an exemption from that section in respect of a portion of the owner's building, on the grounds that the owner's renovation or repair cannot be safely implemented unless that portion of the building is vacated and there are insufficient vacant suites in the building to which the owner could relocate tenants.

42.4 An application under Section 42.3 must be accompanied by the written opinion of a suitably qualified person that, after due consideration of all practical alternative approaches to the work, the safe implementation of the owner's renovation or repair plans requires that the owner's building be vacated or that a portion of the owner's building be vacated.

42.5 The Council may require an owner who has made an application under Section 42.3 to pay the City's cost in obtaining a second opinion from a suitably qualified person on whether the safe implementation of the owner's plans requires that the owner's building or portion of the owner's building be vacated.

42.6 The Council may, in approving an exemption, impose conditions pertaining to the relocation of tenants, including conditions relating to the accommodation of tenants during and following the renovation or repair and the rent that may be charged for the suites following the completion of the work.

- 42.7 Section 42.1 does not apply to any suite in a building that has been determined by an architect, engineer or building code consultant or any governmental authority having jurisdiction, including the local assistant to the fire commissioner, to have been damaged by natural disaster, fire, water, smoke, insect infestation or structural failure to the point that it is unsafe for any person to occupy the building, if the determination is made in writing and a copy has been delivered to a Licence Inspector before any notice of termination of a tenant's tenancy is delivered to any tenant in the building.
- 42.8 The Licence Inspector may require an owner of a suite rental business to provide, prior to obtaining a business licence or business licence renewal under this Bylaw, a statutory declaration that states the rent payable in respect of any suite prior to and following renovation or repair work for which the owner required a tenant to vacate their suite and, if the rent was increased, a copy of the director's approval of the rent increase under Part 3 of the *Residential Tenancy Act*.
- 42.9 The Licence Inspector may issue or renew a business licence under this bylaw to an owner who has applied for an additional rent increase related to renovation or repair under Part 3 of the *Residential Tenancy Act* if the director has not yet decided the rent increase application, if in doing so the Inspector indicates on the licence that a surcharge may become payable under Section 42.10 if the additional rent increase is not allowed, but the rent for the suite in question exceeds the rent that is allowed without the increase.
- 42.10 The Licence Inspector may levy a monthly business licence surcharge on any owner who increases rent contrary to this Bylaw, in the amount that is the difference between the rent permitted by this Bylaw and the rent that the owner's tenant is paying in respect of the suite that has been renovated or repaired, and may refuse to renew the business licence of any owner who, being subject to such a surcharge, has not paid the surcharge by the date on which the licence renewal is required.
- 42.11 For certainty, Sections 42.1 to 42.10 apply in respect of the renovation or repair of any suite in an apartment building regardless of whether a building permit authorizing the renovation or repair had been applied for or issued prior to the date of adoption of Business Amendment Bylaw No. 4116, 2019, and regardless of whether a notice to terminate a tenancy had been delivered prior to that date.
- 42.12 In Sections 42.1 to 42.11, "owner" means the owner of any apartment building who operates a **Suite Rental Business** in the building and includes the person who holds a Licence under this Bylaw to carry on that business."

2.3 Sections 42 - 46 are renumbered accordingly.

ADOPTED this _____ day of _____, 2019

Corporate Officer