

Committee of Council Regular Agenda

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

Tuesday, July 9, 2019

Time: 2:00 p.m.

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Recommendation:

That the July 9, 2019, Regular Committee of Council Meeting Agenda be adopted with the following changes:

- *Changes to June 25, 2019 Minutes (see Item 3.1)*

3. CONFIRMATION OF MINUTES

3.1 Minutes of Committee of Council

Recommendation:

That the minutes of the following Committee of Council Meetings be adopted with the following changes:

- *June 25, 2019, Regular Committee of Council Meeting – Item 5.8 – deletion of item 2)d)iv) and renumber resolution items.*

4. REPORTS

4.1 Development Variance Permit – 2381 Shaughnessy Street

Recommendation:

That the Committee of Council:

- 1) *Authorize staff to provide notice of an application to vary underground servicing requirements for a 31-unit apartment building at 2381 Shaughnessy Street, and*
- 2) *Advise Council that it supports approval of Development Variance Permit DVP00066.*

4.2 Development Variance Permit – 2337 Rindall Avenue

Recommendation:

That the Committee of Council:

- 1) *Authorize staff to provide notice of an application to vary lane construction and underground servicing requirements for a 75-unit apartment building at 2337 Rindall Avenue, and*
- 2) *Advise Council that it supports approval of Development Variance Permit DVP00057.*

4.3 Building Permit Applications

Recommendation:

That Committee of Council provide the following direction:

- (1) *That despite Council's direction to prepare a bylaw that would amend the regulations of Zoning Bylaw No. 3630, building permit applications be processed in accordance with this bylaw; and,*
- (2) *That building permit applications BP012782 and BP012784 not be withheld.*

5. COUNCILLORS' UPDATE

6. MAYOR'S UPDATE

7. CAO UPDATE

8. RESOLUTION TO CLOSE

8.1 Resolution to Close the July 9, 2019, Regular Committee of Council Meeting to the Public Recommendation:

That the Regular Committee of Council Meeting of July 9, 2019, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:

Item 5.1

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

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

Item 5.3

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 5.4

c) labour relations or other employee relations; and

Item 5.5

c) labour relations or other employee relations.

Present:

Chair – Mayor West
Councillor Darling
Councillor Dupont
Councillor McCurrach
Councillor Penner
Councillor Pollock (joined at 3:25 p.m.)
Councillor Washington

Absent:

Meeting Note: The regular meeting was closed to the public at 3:01 p.m. and reconvened at 4:32 p.m.

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 June 25, 2019, Regular Committee of Council Meeting Agenda be adopted with the following changes:

- *Addition of item 5.9 Municipal Security Issuing Resolution Update; and*
- *Addition of subsection(s) of Section 90 (1) of the Community Charter:*

Item 5.2

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

Carried

3. CONFIRMATION OF MINUTES

3.1 Minutes of Committee of Council

Moved - Seconded:

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

- *June 11, 2019, Regular Committee of Council Meeting.*

Carried

4. RESOLUTION TO CLOSE

4.1 Resolution to Close the June 25, 2019, Regular Committee of Council Meeting to the Public

Moved - Seconded:

That the Regular Committee of Council Meeting of June 25, 2019, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:

Item 5.1

(1) g) litigation or potential litigation affecting the municipality;

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

- (2) b) *the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

Item 5.2

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

Carried

5. REPORTS

5.1 Licensed Establishment Application for 200-2748 Lougheed Highway

Moved - Seconded:

That Committee of Council advise the Liquor and Cannabis Regulation Branch of the following:

- a. *That the City of Port Coquitlam supports an extension to service of liquor from 7 a.m. seven days a week on De Dutch Pannekoek House's food primary licence.*
- b. *The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Licensed Establishment Application LE000022 – 200-2748 Lougheed Highway.*
- c. *The views of residents were solicited through a Committee of Council meeting. No concerns from residents were brought to the City's attention.*

Carried

5.2 Licensed Establishment Application for 533 Dominion Avenue

Moved – Seconded:

That the Committee of Council advise the Liquor and Cannabis Regulation Branch of the following:

- a. *That the City of Port Coquitlam supports an extension to the hours of liquor service to 9 a.m. for seven days a week on Carnoustie Golf Club's liquor primary licence.*
- b. *The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Licensed Establishment Application LE000021 – 533 Dominion Avenue.*
- c. *The views of residents were solicited through a Committee of Council meeting and no concerns from residents were brought to the City's attention.*

Carried

5.3 Temporary Use Permit for 1969 McLean Avenue

Moved – Seconded:

That Committee of Council authorize staff to provide notice of a temporary use application at 1969 McLean Avenue.

Carried

5.4 Rezoning Application for 985 Nicola Avenue

Moved – Seconded:

That Committee of Council recommend to Council that:

1. *The Zoning Bylaw be amended to allow for a cannabis retail sales use at 985 Nicola Avenue; and,*
2. *Prior to adoption of the amending bylaw, the following community benefits be secured to the satisfaction of the Director of Development Services:*
 - a. *Dedication of road allowance along the property's Nicola Avenue frontage; and*
 - b. *Posting of signs within the interior and exterior buildings informing the public of the Smoking Bylaw.*

Carried

5.5 Rezoning Application for 1502 Broadway Street

Moved – Seconded:

That Committee of Council recommend to Council that:

1. *The Zoning Bylaw be amended to allow for cannabis retail sales at 1502 Broadway Street; and,*
2. *Prior to adoption of the amending bylaw, the following charitable benefits be secured to the satisfaction of the Director of Development Services:*
 - a. *Commitment to providing an annual \$2500 scholarship for a secondary student and a \$5000 donation to community organization(s) in Port Coquitlam, and*
 - b. *Posting of signs within the interior and exterior buildings informing public of the Smoking Bylaw.*

Carried

Moved – Seconded:

That, upon adoption of the amending bylaw, Committee of Council direct staff to advise the Liquor and Cannabis Licensing Branch of the following:

- a. *That the City of Port Coquitlam recommends issuance of an application for a non-medical retail cannabis licence at 1502 Broadway Street,*
- b. *The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Rezoning Application RZ000170 – 1502 Broadway Street, and*
- c. *The views of residents were solicited through posting a sign onsite and conducting a rezoning Public Hearing at a Council meeting.*

Carried

5.6 Rezoning Application for 1971 Lougheed Highway

Moved – Seconded:

That Committee of Council recommend to Council that:

1. *The Zoning Bylaw be amended to allow for a cannabis retail sales use at 1971 Lougheed Highway; and,*
2. *Prior to adoption of the amending bylaw, the applicant commit, to the satisfaction of the Director of Development Services, to posting signs within the interior and exterior buildings informing public of the Smoking Bylaw.*

Carried

5.7 Rezoning Application for 2755 Lougheed Highway

Moved - Seconded:

That Committee of Council recommend to Council that:

1. *The Zoning Bylaw be amended to allow for a cannabis retail sales use at 2755 Lougheed Highway; and,*
2. *Prior to adoption of the amending bylaw, the following community benefits be secured to the satisfaction of the Director of Development Services:*
 - a. *Commitment to providing an annual \$2500 scholarship for a secondary student and a \$5000 donation to charitable organization(s) in Port Coquitlam, and*
 - b. *Posting of signs within the interior and exterior buildings informing the public of the Smoking Bylaw.*

Carried

Moved - Seconded:

That, upon adoption of the amending bylaw, Committee of Council authorize staff to advise the Liquor and Cannabis Licensing Branch of the following:

- a. That the City of Port Coquitlam recommends issuance of an application for a non-medical retail cannabis licence at 2755 Lougheed Highway;
- b. The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Rezoning Application RZ000181 – 2755 Lougheed Highway; and
- c. The views of residents were solicited through posting a sign onsite and a Public Hearing at a Council meeting.

Carried

5.8 Rezoning Application for a Cannabis Production Facility at 1840 Broadway Street

Moved - Seconded:

That Committee of Council recommend to Council the following:

- 1) That 1st and 2nd Readings be given to a rezoning bylaw to permit a cannabis production facility use in Building B at 1840 Broadway Street, and
- 2) That the following conditions be met prior to the adoption of the rezoning to the satisfaction of the Director of Development Services:
 - a) Completion of a detailed building design from a qualified energy professional and mechanical engineer providing for:
 - i) elimination of potential odours emanating from the building, and
 - ii) reduced energy consumption;
 - b) Registration of a legal agreement to ensure installation of equipment specified to eliminate odour and maintenance of the equipment;
 - c) Submission of a final landscape plan and securities and fees for on-site landscaping, and;
 - d) Completion of detailed design and submission of securities and fees for the following offsite works and services:
 - i) dedication of 3m x 3m corner cut-offs at Broadway/Langan and Broadway/lane intersections,
 - ii) installation of signage to indicate left turns are not permitted onto Broadway Street,
 - iii) construction of a concrete barrier in the road centre median to prevent left turns out of the Broadway Street driveway exit, and
 - iv) construction of a barrier curb to replace the west driveway let down on Langan Avenue.

Carried

5.9 Municipal Security Issuing Resolution Update

This item was removed from the agenda.

6. COUNCILLORS' UPDATE

No update.

7. MAYOR'S UPDATE

No update.

8. CAO UPDATE

No update.

9. ADJOURNMENT

9.1 Adjournment of the Meeting

Moved - Seconded:

That the June 25, 2019, Regular Committee of Council Meeting be adjourned at 5:29 p.m.

Carried

Certified Correct,

Mayor

Corporate Officer

DRAFT

RECOMMENDATION:

That the Committee of Council:

- 1) Authorize staff to provide notice of an application to vary underground servicing requirements for a 31-unit apartment building at 2381 Shaughnessy Street, and
- 2) Advise Council that it supports approval of Development Variance Permit DVP00066.

PREVIOUS COUNCIL/COMMITTEE ACTION

On December 14, 2017, Smart Growth Committee approved Development Permit DP000304, which regulates an apartment development at 2381 Shaughnessy Street.

REPORT SUMMARY

This report provides for Committee’s consideration of a request to vary the requirement for undergrounding of overhead services to facilitate the development of a 31-unit apartment building. The recommended variance for the undergrounding would allow for the developer to install pre-ducting and provide funding that would facilitate these works to be implemented in the future.

BACKGROUND

Kappa Construction Inc wishes to build a 31-unit apartment building on the southwest corner of Shaughnessy Street and Kelly Avenue. In December 2017, the owner was issued a development permit to regulate the form and character of the apartment development. A building permit was submitted in December 2018.

The offsite works associated with this development included a requirement to underground overhead utilities along Kelly Avenue and the lane however BC Hydro has advised it is not feasible for these lines to be undergrounded at this time. The costs for the underground wiring is estimated to be \$205,820 (\$102,910 each for both the Kelly Avenue frontage and the lane).



Figure 1: 2381 Shaughnessy Street

DISCUSSION

If the variance for overhead wiring is approved, pre-ducting along Kelly Avenue and the lane would be installed and funding obtained to provide for future removal of the overhead service when the entire block is redeveloped. Staff recommend approval.

FINANCIAL IMPLICATIONS


The \$205,820 would be deposited to the city’s Future Works liability account and held for future undergrounding.

PUBLIC CONSULTATION

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

OPTIONS

(Check = Staff Recommendation)

#	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: Draft Development Variance Permit

THE CORPORATION OF THE CITY OF PORT COQUITLAM

“DEVELOPMENT PROCEDURES BYLAW, 2013, NO. 3849”

DEVELOPMENT VARIANCE PERMIT

NO. DVP00066

Issued to: David J Ho
(Owner as defined in the Local Government Act, hereinafter referred to as the Permittee)

Address: 204A-3993 St Johns Street, Port Moody BC V3H 2C4

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: 2381 SHAUGHNESSY STREET
 Legal Description: DISTRICT LOT 289, NEW WEST DISTRICT, PLAN LMP10521 PARCEL A
 P.I.D.: 018-261-221

3. The Parking and Development Management Bylaw, 2005 No. 3525 is varied as follows:
 - To vary the requirement to underground electrical, cable, and telephone wiring with a one-time payment of \$205,820

For clarity, this variance applies to and only to the Parking and Development Management Bylaw requirement to underground overhead utilities associated with Development Permit Application DP000066.

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this permit.

4. This permit shall lapse if the Permittee does not obtain a Building Permit within one year of the date of this permit.
5. This permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THE 23RD DAY OF July, 2019.

ISSUED THIS _____ DAY OF _____.

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)

Development Variance Permit Application DVP00057 - 2337 Rindall Avenue

RECOMMENDATION:

That the Committee of Council:

- 1) Authorize staff to provide notice of an application to vary lane construction and underground servicing requirements for a 75-unit apartment building at 2337 Rindall Avenue, and
- 2) Advise Council that it supports approval of Development Variance Permit DVP00057.

PREVIOUS COUNCIL/COMMITTEE ACTION

On October 9, 2018, the following motion was passed:

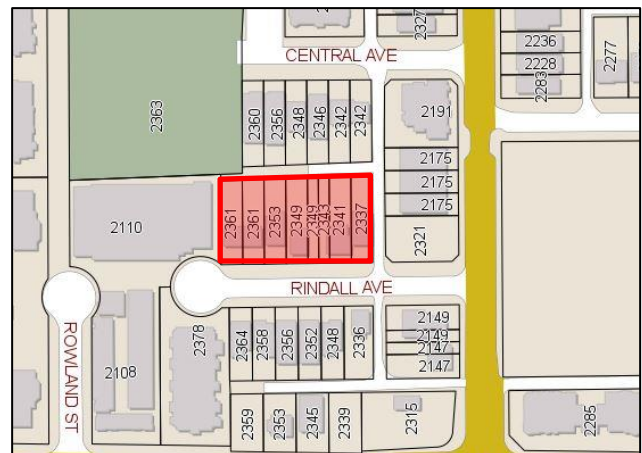
That Smart Growth Committee approve Development Permit DP000354, which regulates an apartment development at 2337 Rindall Avenue.

REPORT SUMMARY

This report provides for Committee's consideration of a request to vary the City's requirements for undergrounding of overhead services and to vary a required construction of a rear lane, as in the previously described to Committee in association with its consideration of the proposed development of a 75-unit apartment building. The recommended variance to construction of the lane reflects the intended future road network for the area; the recommended undergrounding variance would allow for the developer to install pre-ducting and provide funding to facilitate implementation of these works in the future.

BACKGROUND

The property owner and applicant, Mondevo Properties Inc., wishes to construct a 75-unit apartment building on Rindall Avenue just west of Shaughnessy Street and has obtained a development permit to regulate the form and character of the proposed development. In considering this permit, Committee was advised that a separate development variance permit application would be brought forward to vary provisions of the Subdivision Servicing Bylaw that require construction of the lane to the rear (north) of the property, along with an associated construction of public access turnaround and dedication of a corner cut at the north-east corner of the property. Committee was further advised that the offsite works included a requirement to underground the overhead utilities along Rindall Avenue and the applicant was awaiting information from BC Hydro on the feasibility and costs of implementing this requirement. BC Hydro has now confirmed it will not allow undergrounding of the overhead lines along the lane or Rindall Avenue at this time. The estimated cost for this work is a total of \$260,965 (\$150,675 for the frontage along Rindall Avenue and \$110,290 for the lane to the east).



2337 Rindall Avenue Site Context

Development Variance Permit Application DVP00057 - 2337 Rindall Avenue

DISCUSSION

As described at the time of development permit consideration, it is expected that the lane to the rear of the property will be consolidated with properties to the north and it is not required to service the subject development.

If the variance for overhead wiring is approved, pre-ducting along Rindall Avenue and the lane would be installed. The variance permit would ensure funding is obtained to provide for future removal of the overhead service when the entire block is redeveloped.

Staff recommend approval of the variances.

FINANCIAL IMPLICATIONS

The \$260,965 would be deposited in the city's Future Works liability account and held for the future undergrounding.

PUBLIC CONSULTATION

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

OPTIONS

(Check = Staff Recommendation)

#	Description
1 <input checked="" type="checkbox"/>	Authorize notification of the application and advise Council of the Committee's support.
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: Draft Development Variance Permit

THE CORPORATION OF THE CITY OF PORT COQUITLAM

“DEVELOPMENT PROCEDURES BYLAW, 2013, NO. 3849”

DEVELOPMENT VARIANCE PERMIT

NO. DVP00057

Issued to: Mondevo Properties Inc
(Owner as defined in the Local Government Act, hereinafter referred to as the Permittee)

Address: 483 16TH AVE WEST VANCOUVER BC V5Y 1Z2

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:

Legal Description: LOT 28, BLOCK 22, PLAN NWP2080, DISTRICT LOT 289, GROUP 1, NEW WESTMINSTER LAND DISTRICT
 LOT 29, BLOCK 22, DISTRICT LOT 289, NEW WEST DISTRICT, PLAN NWP2080 GROUP 1,
 LOT 30, BLOCK 22, DISTRICT LOT 289, NEW WEST DISTRICT, PLAN NWP2080
 LOT 31, BLOCK 22, PLAN NWP2080, DISTRICT LOT 174, GROUP 1, NEW WESTMINSTER LAND DISTRICT, & DL 289
 LOT 32, BLOCK 22, DISTRICT LOT 174, NEW WEST DISTRICT, PLAN NWP2080 GROUP 1,
 LOT 33, BLOCK 22, DISTRICT LOT 174, NEW WEST DISTRICT, PLAN NWP2080 GROUP 1, & DL 289,
 LOT 34, BLOCK 22, PLAN NWP2080, DISTRICT LOT 174&289, NEW WESTMINSTER LAND DISTRICT

P.I.D.: 012-494-178, 012-494-178, 004-586-514, 012-494-232,

3. The Parking and Development Management Bylaw, 2005 No. 3525 is varied as follows:
- To vary the requirement to underground electrical, cable, and telephone wiring with a one-time payment of \$260,965
 - To vary the offsite requirements associated with constructing and improving the lane to the rear (north) of the properties, including provision of a corner-cut.

For clarity, this variance applies to and only to the Parking and Development Management Bylaw and Subdivision Servicing Bylaw requirements to construct a lane and to underground overhead utilities associated with Development Permit Application DP000057.

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this permit.

4. This permit shall lapse if the Permittee does not obtain a Building Permit within one year of the date of this permit.
5. This permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THE 23RD DAY OF July, 2019.

ISSUED THIS _____ DAY OF _____.

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)

DRAFT

RECOMMENDATION:

That Committee of Council provide the following direction:

- (1) That despite Council's direction to prepare a bylaw that would amend the regulations of Zoning Bylaw No. 3630, building permit applications be processed in accordance with this bylaw; and,
- (2) That building permit applications BP012782 and BP012784 not be withheld.

PREVIOUS COUNCIL/COMMITTEE ACTION

At the Council meeting of June 25, 2019, the following motion was passed:

That Council refer Zoning Amendment Bylaw No. 4132 back to staff to provide a report to Committee of Council to address concerns raised at the Public Hearing.

At the Committee meeting of June 18, 2019, the following motion was passed:

Pursuant to s.463 of the Local Government Act, that Committee of Council:

- (1) *Has identified a conflict between a development proposed in the following building permit applications and Zoning Bylaw Amendment Bylaw No.4132:*
 - a. *3338 Glasgow Street Application BP012782*
 - b. *3332 Glasgow Street Application BP012784;**and that the applications be withheld for a period of 30 days;*
- (2) *Direct that building permit applications BP012782 and BP012784 be withheld for a further 60 days during which period staff will bring forward a report that will provide for consideration of the building permit applications.*

At the Council meeting of March 26, 2019, the following motion was passed:

That Council direct staff to prepare a bylaw that would:

- *Restrict exclusions for basements and areas below the floodplain in Floor Area Ratio calculations for single residential and duplex uses; and*
- *Limit the number and locations of kitchens, three-piece bathrooms and laundry facilities in single residential and duplex homes.*

BACKGROUND & DISCUSSION

Pursuant to s.463 of the *Local Government Act*, Committee had directed that two building permit applications be withheld after it identified a conflict between these applications and forthcoming changes to the Zoning Bylaw. The proposed changes to the bylaw were considered by Council after the Public Hearing and Council directed that the proposed amendments be referred back to Committee to address concerns raised at the Public Hearing. With this direction, staff anticipate the earliest date that the bylaw amendments could be brought forward for Committee consideration would be the fall of this year. To avoid creating uncertainty to building permit applicants, it is recommended that all building permits continue to be processed in accordance with current regulations of the Zoning Bylaw until such time as a new bylaw is before Council.


Building Permit Applications

FINANCIAL IMPLICATIONS

None

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Direct that the building permit applications be processed in accordance with the regulations of the current Zoning Bylaw 3630 pending Committee's consideration of a review of concerns raised at the Public Hearing in consideration of amendments to the Bylaw.
2	Direct that staff continue to review all building permit applications to determine if the proposed development would conflict with Council's direction of March 26, 2019 and, pursuant to s.463 of the <i>Local Government Act</i> , bring forward a report for Committee consideration on any building permit application deemed to be in conflict with this direction.