

Tuesday, March 10, 2020, 6:00 p.m.

Council Chambers

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

Pages

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Recommendation:

That the Tuesday, March 10, 2020, Council Meeting Agenda be adopted as circulated.

3. CONFIRMATION OF MINUTES

3.1 Minutes of Council Meetings

1

Recommendation:

That the minutes of the following Council Meetings be adopted:

- *February 25, 2020.*

4. PRESENTATIONS

4.1 PoCo Pirates Midget C4 Boys Hockey Team - C League Fraser Valley North Champions

5. DELEGATIONS

5.1 PoCo Youth Crew

5.2 Castle Park Gardening Club

6. PUBLIC HEARINGS

None.

7. BYLAWS

- 7.1 Bylaw Notice Enforcement Amendment & Ticket Information Utilization Amendment Bylaws (Solid Waste) - First Three Readings 6

Recommendation:

That Council give Bylaw Notice Enforcement Amendment Bylaw No. 4166 and Ticket Information Utilization Amendment Bylaw No. 4167 first three readings.

- 7.2 Zoning Amendment Bylaw for Commercial Uses at City Recreational Facilities - Third Reading & Adoption 19

Recommendation:

That Council give Zoning Amendment Bylaw No. 4165 third reading and adoption.

- 7.3 Business Amendment Bylaw (Ride Hailing) - Adoption 25

Recommendation:

That Council adopt Business Amendment Bylaw No. 4156.

- 7.4 Intermunicipal TNS Business Licence Agreement and Intermunicipal Transportation Network Services Business Licence Bylaws - Adoption 26

Recommendation:

That Council adopt Intermunicipal TNS Business Licence Agreement Bylaw No. 4163 and Intermunicipal Transportation Network Services Business Licence Bylaw No. 4164.

8. REPORTS

- 8.1 3620 Westwood Street – Consideration of Building Permit 48

Recommendation:

That pursuant to s.463 of the Local Government Act, that Council:

1. *Has identified a conflict between a development proposed at 3620 Westwood Street building permit application BP012969, it's resolution adopted on September 17th 2019 and resulting amendments to the Zoning Bylaw adopted on February 25, 2020;*
2. *Has considered the development proposed in building permit application BP012969; and*
3. *Directs that building permit application BP012969 only be issued subject to compliance with the provisions of Zoning Bylaw amendment No. 4162 which only allows for one dwelling unit and restricts building height to one storey.*

9. NEW BUSINESS

10. OPEN QUESTION PERIOD

11. ADJOURNMENT

11.1 Adjournment of the Meeting

Recommendation:

That the Tuesday, March 10, 2020, Council Meeting be adjourned.

12. MEETING NOTES

Tuesday, February 25, 2020

Council Chambers

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

Present: Chair - Mayor West
Councillor Darling
Councillor Dupont
Councillor McCurrach
Councillor Penner
Councillor Pollock
Councillor Washington

1. CALL TO ORDER

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

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:

That the Tuesday, February 25, 2020, Council Meeting Agenda be adopted with the following changes:

- *Addition of Item 4.1 - Pink Shirt Stop-Bullying Day; and*
- *Addition of reference material "Arborist Report" for Item 9.1.*

In Favour (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

3. CONFIRMATION OF MINUTES

3.1 Minutes of Council Meetings

Moved-Seconded:

That the minutes of the following Council Meetings be adopted:

- *February 11, 2020.*

In Favour (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

4. PROCLAMATIONS

4.1 Pink Shirt Stop-Bullying Day - February 26, 2020

Mayor West proclaimed February 26, 2020, "Pink Shirt Stop-Bullying Day".

5. DELEGATIONS

5.1 Burke Mountain Naturalists Society

Members from the Burke Mountain Naturalists Society gave a presentation on the activities of the club and answered questions from Council.

6. PUBLIC HEARINGS

6.1 OCP & Zoning Amendments for 3600 Block Westwood/Woodland

One speaker provided comments and one written submission was received.

7. PUBLIC INPUT OPPORTUNITY

7.1 Development Variance Permit - 3857 Coast Meridian

One written submission was received.

8. BYLAWS

8.1 OCP & Zoning Amendments Bylaw for 3600 Block Westwood/Woodland - Third & Adoption

Moved-Seconded:

That Council give Official Community Plan Bylaw No. 4161 and Zoning Amendment Bylaw No. 4162 for 3600 Block Westwood/Woodland third reading and adoption.

In Favour (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

8.2 Zoning Amendment Bylaw for Commercial Uses at City Recreational Facilities - First Two Readings

Moved-Seconded:

That Council give Zoning Amendment Bylaw No. 4165 for Commercial Uses at City Recreational Facilities - first two readings.

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Opposed (1): Councillor Dupont

Carried

8.3 Intermunicipal TNS Business Licence Agreement Bylaw and Intermunicipal Transportation Network Services Business Licence Bylaw - First Three Readings

Moved-Seconded:

That Council give Intermunicipal TNS Business Licence Agreement Bylaw No. 4163 and Intermunicipal Transportation Network Services Business Licence Bylaw No. 4164 - first three readings.

In Favour (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

9. REPORTS

9.1 Development Variance Permit for 3857 Coast Meridian - Issuance

Moved-Seconded:

That Council approve Development Variance Permit DVP00070 for 3857 Coast Meridian.

In Favour (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

10. NEW BUSINESS

10.1 Council provided updates related to community events.

10.2 Waiver of Notice of Motion - Councillor McCurrach

Moved-Seconded:

That Council waive Notice of Motion for Councillor McCurrach to move a motion during New Business.

In Favour (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

Moved-Seconded:

That Council support sending the following motion to the Lower Mainland Local Government Association for approval for submission to the UBCM for ratification:

WHEREAS, equity-based policies around access to menstrual products helps to support inclusion, mobility, reduces stigma, and promotes gender equality;

AND WHEREAS the Province of British Columbia issued ministerial order M149/89 on April 3, 2019, requiring all public schools to have free menstrual products in school restrooms and numerous jurisdictions across British Columbia and Canada have enacted policies to provide menstrual products in school, park, and civic restrooms to promote the health, mobility, and participation of citizens;

THEREFORE BE IT RESOLVED that the UBCM call upon the Province of British Columbia to provide policy direction and funding to cover the costs associated with providing free and accessible menstrual products in local and regional government run civic facility restrooms, including parks, libraries, shelters, service centres, police, judicial and incarceration centres.

In Favour (5): Mayor West, Councillor Dupont, Councillor McCurrach, Councillor Penner, and Councillor Pollock

Opposed (2): Councillor Darling, and Councillor Washington

Carried

10.3 Waiver of Notice of Motion - Councillor Dupont

Moved-Seconded:

That Council waive Notice of Motion for Councillor Dupont to move a motion during New Business.

In Favour (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

Moved-Seconded:

That Council support the City of Port Moody, as the primary applicant, to apply for, receive, and manage the UBCM Poverty Reduction Planning Action Program grant funding on its behalf.

In Favour (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

11. OPEN QUESTION PERIOD

One member of the public asked questions.

12. ADJOURNMENT

12.1 Adjournment of the Meeting

Moved-Seconded:

That the Tuesday, February 25, 2020, Council Meeting be adjourned at 7:48 p.m.

In Favour (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

13. MEETING NOTES

The meeting recessed at 6:26 p.m. for the Public Hearing and Public Input Opportunity and reconvened at 6:34 p.m.

Mayor

Corporate Officer

Bylaw Notice Enforcement Amendment & Ticket Information Utilization Amendment Bylaws (Solid Waste) - First Three Readings

RECOMMENDATION:


That Council give Bylaw Notice Enforcement Amendment Bylaw No. 4166 and Ticket Information Utilization Amendment Bylaw No. 4167 first three readings.

PREVIOUS COUNCIL / COMMITTEE ACTION

At the March 3, 2020, Committee of Council meeting, Committee recommended to Council:

That Council give first three readings to Bylaw Notice Enforcement Amendment Bylaw No.4166, and Ticket Information Utilization Amendment Bylaw No. 4167, which will increase the Solid Waste Bylaw infractions for unsecured waste from a \$150 fine per infraction to a \$500 fine per infraction.

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Give first three readings to the bylaws.
	2	Delay first three readings and request staff to provide additional information.
	3	Deny first three readings of the bylaws.

CITY OF PORT COQUITLAM

BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW, 2020

Bylaw No. 4166

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

1. CITATION

This Bylaw is cited as "Bylaw Notice Enforcement Bylaw, 2013, No. 3814, Amendment Bylaw, 2020, No. 4166".

2. ADMINISTRATION

That the "Bylaw Notice Enforcement Bylaw, 2013, No. 3814", be amended by replacing the existing Schedule "A" for "Solid Waste Bylaw No. 3900" , with Schedule "A" for "Solid Waste Bylaw No. 3900", attached hereto and forming part of this Bylaw.

READ A FIRST TIME this	day of	, 2020
READ A SECOND TIME this	day of	, 2020
READ A THIRD TIME this	day of	, 2020

Mayor

Corporate Officer

SCHEDULE “A”
Designated Bylaw Contraventions and Penalties

Solid Waste Bylaw No. 3900

Column 1	Column 2	Column 3	Column 4	Column 5
DESCRIPTION	SECTION NO. IN BYLAW	DISCOUNTED PENALTY IN \$ (within 14 days)	FULL PENALTY IN \$ (after 14 days)	COMPLIANCE AGREEMENT DISCOUNT ⁽¹⁾
Contaminants in recycling cart	6.1 (a)	250.00	300.00	n/a
Contaminants in green waste cart	6.1 (b)	250.00	300.00	n/a
Contaminants in garbage cart	6.1 (c)	250.00	300.00	n/a
Unlocked City container	6.1 (f)	450.00	500.00	n/a
Unpermitted private container	6.3 (a)	100.00	150.00	n/a
Unlocked private container	6.3 (b)	450.00	500.00	n/a
Unsecured wildlife attractants	6.4	450.00	500.00	n/a
Container set out when prohibited	8.1 (b)	100.00	150.00	n/a
Fail to unlatch container	8.1 (d)	50.00	75.00	n/a
Failure to secure container after collection	8.1 (e)	100.00	150.00	n/a

(1) Where compliance agreement entered in accordance with section 8 (a)(v) of this bylaw.

TICKET INFORMATION UTILIZATION AMENDMENT BYLAW, 2020

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

This Bylaw is cited as “Ticket Information Utilization Bylaw, 1992, No. 2743, Amendment Bylaw, 2020, No. 4167”.

That the Ticket Information Utilization Bylaw No. 2743 be amended by replacing Schedule 19 – “Solid Waste Bylaw No. 3900” with the Schedule 19 for “Solid Waste Bylaw No. 3900” attached hereto and forming part of this Bylaw.

READ A THIRD TIME this _____ day of _____, 2020

Corporate Officer

SCHEDULE 19

<u>Solid Waste Bylaw No. 3900</u>		<u>SECTION</u>	<u>FINE</u>	<u>FINE</u>
				If paid within 30 Days of Service
Column 1		Column 2	Column 3	Column 4
<hr/>				
• Unpermitted City container		6.1(a)	\$150.00	\$100.00
• Unlocked City container		6.1(d)	\$500.00	\$450.00
• Unpermitted private container		6.3(a)	\$150.00	\$100.00
• Unlocked private container		6.3(b)	\$500.00	\$450.00
• Unsecured wildlife attractants		6.4	\$500.00	\$450.00
• Container set out when prohibited		8.1(b)	\$150.00	\$100.00
• Fail to unlatch container		8.1(d)	\$ 75.00	\$50.00
• Fail to secure container after collection		8.1(e)	\$150.00	\$100.00

RECOMMENDATION:

That Committee of Council approve:

- I. allocating \$125,000 from the Cart Reserve to 2020 Cart and Lock replacement capital project to facilitate the distribution of 120L locks; and*
- II. allocating \$225,000 from the Cart Reserve to 2020 Cart and Lock replacement capital project to facilitate the distribution of 240L & 360L locks; and*
- III. allocating \$13,600 from accumulated surplus for a direct mail out to remaining homes which have not received a cart lock, and*
- IV. allocating \$8,000 from accumulated surplus to complete a bear hazard assessment*

Amending the financial plan accordingly; and

That Committee of Council recommend Council give first three readings to Bylaw Notice Enforcement Amendment Bylaw No.4166, and Ticket Information Utilization Amendment Bylaw No. 4167, which will increase the Solid Waste Bylaw infractions for unsecured waste from a \$100 fine per infraction to \$300 fine for the first infraction and \$500 for subsequent infractions.

PREVIOUS COUNCIL/COMMITTEE ACTION

On October 22, 2019 Council passed a motion that staff prepare bylaw amendments to increase fines for unsecured garbage and green waste to \$300 and that this rate be implemented in the spring of 2020.

On November 26, 2019; Council received a presentation from the BC Conservation Office requesting the City give consideration to becoming a Bear Smart community.

REPORT SUMMARY

This report summarizes the City's current solid waste management practices relating to locking of solid waste containers and recommends additional lock deployment throughout the City for all cart sizes. It also reviews and recommends updates to the fine structure for unsecured containers, and outlines what would be required to become "Bear Smart" as recommended by BC Conservation. The report recommends the City undertake the first step in this process, by conducting a Bear Hazard Assessment in 2020.

BACKGROUND

Reducing bear-human conflicts has been a priority for the City of Port Coquitlam for more than a decade and the City is committed to continuing to work closely with our partners, to be proactive in protecting the safety of both bears and residents. The City's approach centres around the core elements of successful bear programs, including: engineering, education and enforcement.

Engineering

In 2009, the City introduced bear regulations that required property owners/occupiers to secure their garbage/green waste and other bear and wildlife attractants with either an approved lock or to store within an enclosure such as a garage, and to set out their carts at the curb only at designated times on collection day. For those that have the option, storing in an enclosure or garage is preferred, particularly in areas of high bear activity.

In 2015, the City created and introduced its own locks for 240L and 360L garbage and green carts, and the locks were certified by the BC Wildlife Conservation Foundation. Unfortunately the locks do not work for the 120L carts because the 120L carts lack the rigidity required for the City's lock design, and therefore a solution is still required for the 120L carts.

The 240L and 360L locks were distributed at no cost to all north-side homes receiving City waste services (approximately 6,500 homes), as well as south-side homes west of Shaughnessy Street (approximately 1,000 homes). The City's priority was to distribute locks to high bear prone areas.

Since the initial rollout, locks have been distributed to additional south side homes based on request. To date the numbers of locks distributed are as follows:

Cart Size	Total Number of Carts w/City service	Locks Distributed	Difference
120L	1,823	0	1,823
240L	19,676	12,141	7,535
360L	3,176	1,706	1,823
Total	24,675	13,847	10,828

Replacement locks (for lost locks) are also available at a fee of \$45.

In response to reported issues where bears were still able to breach the bins after repeated efforts, the City developed a third arm to enhance security, and distributed this on a pilot basis in 2019.

The third arm was successful in addressing the issues, and is now available for free by request, however has not been heavily promoted.

In addition, as part of the 2020 budget deliberations, Council approved a service level increase to transition green waste collection to year round weekly pickup. An anticipated benefit of this service level adjustment is improved odour control which will help in dealing with attraction issues.

Education and Enforcement:

Recognizing that changing human behaviour is the most effective way to keep bears away, public education on proper lock use, bear attractants and City regulations is an ongoing focus.

Education is the first step in the City's enforcement approach, which then escalates to warnings and penalties (such as fines or suspension of service) when necessary for repeat offences. To date, bylaw enforcement has operated with a compliance focus, with periodic blitzes to address emerging problems.

Education and enforcement efforts have included:

- Working with the provincial Conservation Office to identify hotspots for high bear activity and target for proactive joint enforcement efforts.
- Introduction of the ambassador outreach program in 2016, with public education and enforcement as a key element, including how to properly install the locks and waste stream education.
- Consistent annual campaigns that distribute information to residents through avenues such as the City website, videos, frequent social media messaging, media coverage, print and online advertising, City publications including the calendar, booths at community events, pop-up education stands, door-to-door distribution and by mail.
- Periodic enforcement and education blitzes, with a focus on problem neighbourhoods that have low bylaw compliance and high bear activity. This includes waste cart audits, providing information and warning notices when necessary by mail or door-to-door, and fines for repeat offences.
- Involvement in the Northeast Sector Bear Committee that meets several times a year and includes the Conservation Office, RCMP, various cities and Wildlife BC.

The table below summarizes the numbers of tickets issued for unsecured carts or failure to manage bear attractants:

Year	Tickets Issued
2016	129
2017	96
2018	20
2019	45*
2020	18

*Joint and targeted enforcement in 2019 resulted in lower bylaw tickets being issued, as tickets were issued by conservation as they had higher fine amounts.

DISCUSSION

In 2019, the City of Port Coquitlam experienced a spike in bear interactions, culminating in the destruction of six bears on November 30, 2019 who had become habituated to human food sources.

In this case, euthanizing the animals was a necessary last resort because the bears had lost their fear of humans and posed a threat to the safety of residents. However, this is a reactive approach and the City does not consider this to be a desirable or effective method of addressing human-bear conflicts.

Given the increase of bear activity across Port Coquitlam over the past year, this report considers a number of additional measures that the City could take, based on best practices, including:

- 1) Providing locks for 120L waste carts.
- 2) Providing additional locks for remaining 240L and 360L carts.
- 3) Increasing fines for unsecured waste
- 4) Evaluation of the Bear Smart Program.

Provide locks for 120L carts

While the majority of solid waste carts within Port Coquitlam are 240L or 360L carts, there are 1,823 120L carts utilized across the city. The majority of the 120L users live in strata complexes where storage of larger bins is impractical. 120L carts are also used as a waste reduction method to encourage residents to produce less waste. Since the City developed lock is not suitable for the 120L bins, staff has researched a number of other locking mechanisms for the 120L bins, and recommend the Rollins Bear-Resistant Cart Kit (which is certified) as shown below:



The cost to retrofit all 1,823 units to this lock is estimated to cost \$225,000, equivalent to approximately \$122/lock.

Staff recommends offering these locks at no cost, on request, to all customers. A blanket roll out is not recommended as many residents with 120L containers may be storing their containers in a bear proof structure such as a garage and would have no need for a locking mechanism. Accordingly, it is recommended that the funds for 1,000 carts (~50%) be budgeted in 2020 (\$125,000) from the cart reserve to accommodate this initial deployment strategy. Staff would monitor inventory/uptake, and report back to Council if additional inventory, and thus funds, are required.

In terms of offering the locks, staff propose a targeted mail out to all 1,823 units to advise residents/tenants of the City's bylaw requirements, and requesting they contact the City to receive their locks if they are not already securing their carts in another way. The cost for the direct mail out is approximately \$2,300, and is recommended to be funded from accumulated surplus. Because the City needs to physically install the locks on the 120L carts, delivery and installation is included in the pricing and budget.

Provide additional 240L & 360L locks to remaining South side residents

There are approximately 9,005 carts which have yet to be issued a lock on the south side of Port Coquitlam. Locks for 240L and 360L carts cost \$45/lock; including a third arm the cost increases to \$55/lock. The material cost to provide all 9,005 units a lock (no third arm) would be approximately \$405,000. This does not include delivery.

Similar to the 120L carts, staff recommend the City continue to offer these at no cost, on request to all residents (for the first lock). Similar to previous practice and as noted above, providing locks as they are requested reduces cost as those who have alternate storage options do not require the locks. It is recommended that the funds for 2,000 carts and 2,000 third arms be budgeted in 2020 (\$110,000) from the cart reserve. Staff would monitor inventory/uptake, and report back to Council if additional inventory, and thus funds, are required.

Bear Management

In terms of offering the locks, staff recommend the same approach outlined above, staff propose a targeted mail out to all remaining units to advise residents/tenants of the City's bylaw requirements, and requesting they contact the City to receive their locks if they are not already securing their carts in another way. Locks would continue to be available for pick up at the public works yard, or through a scheduled delivery if required. The cost for the direct mail out is approximately \$11,300, and is recommended to be funded from accumulated surplus.

Increase fines for unsecured waste

The current fine for failure to secure waste in Port Coquitlam is \$150. The fine drops to \$100 if paid within 14 days. Neighbouring municipality's fines for unsecured containers are as follows:

Municipality	Fine
Port Coquitlam	\$150 (current)
Coquitlam	\$500
Port Moody	\$500 / \$750 / \$1000 (First / Second / Third offence)
Maple Ridge	\$500
City of North Vancouver	\$80 to \$100
City of Pitt Meadows	\$80 to \$100

On October 22, 2019 Council passed a motion that staff prepare bylaw amendments to increase fines for unsecured garbage and green waste to \$300 and that this rate be implemented in the spring of 2020. Based on the review of neighboring municipalities, particularly the Tri-Cities, staff recommend increasing the fine to \$300 for the first offense, and \$500 for repeat offences, and the draft bylaw amendments reflect this recommendation.

Evaluation of the Bear Smart Program

The Bear Smart community program is designed and run by the Ministry of Forests Lands and Natural Resources operations in partnership with British Columbia Conservation Foundation and the Union of British Columbia Municipalities. As noted on their website, it is a voluntary, preventative conservation measure that encourages communities, businesses and individuals to work together. The goal is to address the root causes of human/bear conflicts, thereby reducing the risks to human safety and private property, as well as the number of bears that have to be destroyed each year.

This program is based on a series of criteria that communities must achieve in order to be recognized as "Bear Smart".

These criteria include:

1. Preparation of a bear hazard assessment
2. Preparation of a bear-human conflict management plan
3. Revise planning and decision-making
4. Implementation of a continuing education program
5. Development of a bear-proof municipal solid waste management system
6. Implementation of “Bear Smart” bylaws

Considering the solid waste management practices currently implemented by the City of Port Coquitlam, the first step required to be certified as a “Bear Smart” community would be the preparation of a bear hazard assessment. The objective of the bear hazard assessment is to establish a general overview of human-bear conflict across the community. This includes identifying locations of the community which are at greater risk to interaction and provide recommendations to mitigate these concerns.

Where some bear hazard assessments are quite technical (typically prepared by a Registered Professional Biologist at an estimated cost of \$25,000), staff believes a modified version can be accomplished in house, while still providing a list of meaningful mitigation actions to be implemented in Port Coquitlam, at an estimated cost of \$8,000. Accordingly, staff recommends this project form part of the corporate business plan for 2020, and that \$8,000 be allocated from accumulated surplus for the study.

Alternative Option:

In the past, the City has deployed cart locks to all customers in a geographical area. The disadvantage to this distribution method is that locks may be distributed to homes which already have a secured cart storage solution. If Council wished to pursue this same strategy for all remaining customers, the estimated cost would be approximately \$630,000 plus delivery.

FINANCIAL IMPLICATIONS

As part of a periodic review of reserve balances during the 2020 capital planning process, staff determined that the balance in the cart reserve exceeds what is required for the foreseeable future. Whereas initial estimates suggested carts would only last 7-10 years, it was determined that the lifespan could be extended. Due to the extended life of the carts, Council approved transferring \$1,930,000 from the cart reserve to the general capital reserve. The annual contributions to the cart reserve were also reduced from \$203,600 to \$120,000 in the 2020 budget.


This report recommends allocating \$125,000 from the cart reserve in 2020 to facilitate distribution of 120L locks, and \$110,000 from the cart reserve to facilitate distribution of 240L & 360L locks. If the recommendations are approved, the projected cart reserve balance at the end of 2020 would

Bear Management

be \$1,214,000. Taking into account the annual contributions of \$120,000, it is anticipated that the reserve will be sufficient to fund replacement carts in the future.

Should Council wish to proceed with the alternative option of distribution to all remaining customers, approximately \$630,000 would be required from the cart reserve, and staff would undertake additional review of the cart reserve as part of the 2021 budget process to ensure there are sufficient future funds for cart replacements.

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Approve the recommendations in the report as described, including additional cart locks roll out, increased fines, and conducting a bear hazard assessment
	2	Proceed with a full rollout of all 10,828 locks at a cost of \$630,000 plus delivery costs.
	3	Other

ATTACHMENTS

Att#1: Draft BEN Amendment Bylaw No. 4166

Att#2: Draft MTI Amendment Bylaw No. 4167

Lead author(s): Forrest Smith

Contributing author(s): Tom Madigan; Paula Jones

Zoning Amendment Bylaw for Commercial Uses at City Recreational Facilities - Third Reading and Adoption

RECOMMENDATION:


That Council give Zoning Amendment Bylaw No. 4165 third reading and adoption.

REPORT SUMMARY

Upon conclusion of a public input period from February 27, 2020 to March 10, 2020, Zoning Amendment Bylaw No. 4165 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 (✓ = Staff Recommendation)

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

CITY OF PORT COQUITLAM
ZONING AMENDMENT BYLAW, 2020

Bylaw No. 4165

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, 2020, No. 4165”.

2. ADMINISTRATION

2.1 In Section 5 Institutional and Park Zones, 5.3 Permitted Uses the table be amended by including the following underlined uses and notes and renaming ‘Accessory commercial’ to ‘Accessory retail’:

5.3 PERMITTED USES

Table 5.3: Institutional and Park Zones Permitted Uses

Use	Zone				
	P1	P2	P3	P4	P5
Assembly uses		■ Note 2			
Cemeteries and mausoleums, chapels			■		
Child care facilities	■	■ Note 6			
Civic uses	■	■ Note 6			■
Community care		■ Note 6			
Detention facilities					■ Note 5
Farmers market	■		■		
Retail sales	S Note 12				
Office	■ Note 9, S Note 12				
Packaged liquor sales	■ Note 10		■ Note 10		
Restaurant	S Note 12				
Parks and playgrounds	■	■ Note 6	■	■	■
Parking lots and structures	■ Note 3		■ Note 3		
Personal services	S Note 12				
Residential	S Note 8				
Temporary Shelter	S Note 7				
Theatres	■				
Utilities	■ Note 4	■ Note 6		■	
Accessory caretaker	■	■ Note 6	■		■
Accessory retail	■				
Accessory liquor lounge	S Note 11				
Accessory restaurant	■		■		
Accessory vending cart			■		
Golf Course			■		

2.2 In Section 5 Institutional and Park Zones, 5.3 Permitted Uses, under Notes to Table 5.3, add the following notes:

Note 11. An accessory liquor lounge in the P1 zone is permitted when combined with a restaurant use at Lot 1, District Lot 289, New West District, Plan EPP73859, Group 1 (2150 Wilson Avenue).

Note 12. Retail sales, restaurant, offices, personal services in the P1 zone are permitted at the following locations:

- a. Lot 1, District Lot 289, New West District, Plan EPP73859, Group 1 (2150 Wilson Avenue).
- b. Lot B, District Lot 379, New West District, Plan BCP20052, Group 1 (2248 McAllister Avenue).
- c. Lot 156, Section 6, Township 40, New West District, Plan NWP46650 (1379 Laurier Avenue).

READ A FIRST TIME this	25 th day of	February, 2020
READ A SECOND TIME this	25 th day of	February, 2020
PUBLIC HEARING WAIVED		

Mayor


Corporate Officer

Zoning Amendment Bylaw for Commercial Uses in City Recreational Facilities – First Two Readings

RECOMMENDATION:

That Council give Zoning Amendment Bylaw No. 4165 for first two readings.

OPTIONS (✓ = Staff Recommendation)

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

Amendments to the P1 zone for City recreation facilities

RECOMMENDATION:

That Committee of Council recommend to Council that the Zoning Bylaw be amended to allow for additional commercial uses at City recreation, arts and culture facilities.

PREVIOUS COUNCIL/COMMITTEE ACTION

None.

REPORT SUMMARY

This report recommends Council introduce an amendment to the Zoning Bylaw that would allow for complementary commercial uses to be offered at the Port Coquitlam Community Recreation Center, the Hyde Creek Recreation Center, the Outlet and the Gathering Place.

BACKGROUND

The Community Recreation Center, the Hyde Creek Recreation Center, the Outlet and the Gathering Place are community arts, culture and recreation facilities owned and operated by the City of Port Coquitlam and zoned P1 (Civic Institutional).

The P1 zone is generally intended to regulate public services uses, including municipal government facilities and schools through the provision of “civic use”. The P1 zone also allows for a limited number of additional uses such as child care facilities, offices for non-profit societies, and accessory commercial uses.

DISCUSSION

The Community Recreation Center, the Hyde Creek Recreation Center, the Outlet and the Gathering Place deliver public recreation, arts and culture services to the community. These facilities also currently offer limited accessory commercial uses, such as concessions stands.

In keeping with community demand, the City has identified a future opportunity to house additional supportive and complementary uses at its facilities; these uses could include health related offices and personal services, retail sales of sporting or art supplies, restaurants and cafes. These uses could be delivered by the municipality as part of facility operations or space leased to a private operator as a stand-alone use.

The proposed amendment will clarify the full range of complementary uses that could be established at these facilities. The amendment would also allow the concession at the Community Recreation Center to serve alcoholic beverages to patrons watching sporting events (within


Amendments to the P1 zone for City recreation facilities

designated areas) and includes several minor housekeeping changes that do not change the intent of the P1 provisions.

FINANCIAL IMPLICATIONS

None

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Recommend that Council amend the Zoning Bylaw to allow for additional commercial uses at City recreation, arts and culture facilities.
	2	Request amendment of the draft bylaw amendments prior to their consideration.
	3	Determine that no changes will be made to existing regulations at this time.

Attachment 1: Proposed Bylaw Amendments

Lead author(s): Jennifer Little

CITY OF PORT COQUITLAM
BUSINESS AMENDMENT BYLAW
Bylaw No. 4156

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. 4156”.

2. ADMINISTRATION

The Business Bylaw, Section 2 – Definitions, for the definition of “Vehicle for hire” is amended by adding the words “or transportation network services.” after “public transit services”.

READ A FIRST TIME this	10 th day of	December, 2019
READ A SECOND TIME this	10 th day of	December, 2019
READ A THIRD TIME this	10 th day of	December, 2019

Mayor

Corporate Officer

CITY OF PORT COQUITLAM
INTERMUNICIPAL TRANSPORTATION NETWORK SERVICES
BUSINESS LICENCE AGREEMENT, 2020

Bylaw No. 4163

1. CITATION

This Bylaw is cited as “Intermunicipal TNS Business Licence Agreement Bylaw, 2020, No. 4163”.

2. INTERMUNICIPAL SCHEME

Council hereby authorizes the City to enter into an Agreement with the Participating Municipalities in substantially the form and substance of the Agreement attached to this Bylaw as Schedule A, and also authorizes the Mayor and Corporate Officer to execute the Agreement on behalf of the City, and to deliver it to the Participating Municipalities on such terms and conditions as the Corporate Officer deems fit.

3. FORCE AND EFFECT

This Bylaw is to come into force and takes effect on the date of its enactment.

READ A FIRST TIME this	25 th day of	February, 2020
READ A SECOND TIME this	25 th day of	February, 2020
READ A THIRD TIME this	25 th day of	February, 2020
ADOPTED this		

Mayor

Corporate Officer

Schedule A

Inter-municipal TNS Business Licence Agreement

WHEREAS the City of Abbotsford, the Village of Anmore, the Bowen Island Municipality, the City of Burnaby, the City of Chilliwack, the City of Coquitlam, the City of Delta, the Village of Harrison Hot Springs, the Corporation of the City of Langley, the Corporation of the Township of Langley, the Village of Lions Bay, the City of Maple Ridge, the Corporation of the City of New Westminster, the Corporation of the City of North Vancouver, the Corporation of the District of North Vancouver, the City of Pitt Meadows, the Corporation of the City of Port Coquitlam, the City of Port Moody, the City of Richmond, the District of Squamish, the City of Surrey, the City of Vancouver, the Corporation of the District of West Vancouver, the Resort Municipality of Whistler, and the Corporation of the City of White Rock (the "*Participating Municipalities*"), wish to permit transportation network services ("*TNS*") businesses to operate across their jurisdictional boundaries thereby eliminating the need to obtain a separate municipal business licence in each jurisdiction;

NOW THEREFORE the *Participating Municipalities* agree as follows:

1. The *Participating Municipalities* agree to establish an *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, pursuant to section 14 of the *Community Charter* and section 192.1 of the *Vancouver Charter*.
2. The *Participating Municipalities* will request their respective municipal Councils to each ratify this Agreement and enact a by-law to implement an *Inter-municipal TNS Business Licence* scheme effective April 1, 2020 if this Agreement is ratified and a by-law is enacted prior to or on April 1, 2020, or upon the date of enactment if this Agreement is ratified and a by-law is enacted after April 1, 2020.

3. In this Agreement:

"*Accessible Vehicle*" means a motor vehicle designed and manufactured, or converted, for the purpose of transporting persons who use mobility aids;

"*Administrative Costs*" means the direct and indirect costs and investments attributable to setting up and administering the *Inter-municipal TNS Business Licence* scheme, including wages, materials, corporate overhead and rent;

"*Business*" has the same meaning as in the *Community Charter*;

"*Community Charter*" means the Community Charter, S.B.C. 2003, c. 26, as may be amended or replaced from time to time;

"*Inter-municipal TNS Business*" means a *TNS Business* that has been licensed to operate in the Region 1 operating area by the Passenger Transportation Board;

"*Inter-municipal TNS Business Licence*" means a business licence which authorizes an *Inter-municipal TNS Business* to be carried on within the jurisdictional boundaries of any or all of the *Participating Municipalities*;

“Inter-municipal TNS Business Licence By-law” means the by-law adopted by the Council of each *Participating Municipality* to implement the *Inter-municipal TNS Business Licence* scheme contemplated by this Agreement;

“Mobility Aid” has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“Municipal Business Licence” means a licence or permit, other than an *Inter-municipal TNS Business Licence*, issued by a *Participating Municipality* that authorizes a *Business* to be carried on within the jurisdictional boundaries of that *Participating Municipality*;

“Participating Municipality” means any one of the *Participating Municipalities*;

“Premises” means one or more fixed or permanent locations where the *TNS Business* ordinarily carries on *Business*;

“TNS Business” means a person carrying on the business of providing *Transportation Network Services*;

“Transportation Network Services” has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“Vancouver Charter” means the *Vancouver Charter*, S.B.C. 1953, c. 55, as may be amended or replaced from time to time; and

“Zero Emission Vehicle” means a motor vehicle that is exclusively propelled by electricity or hydrogen from an external source.

4. Subject to the provisions of the *Inter-municipal TNS Business Licence By-law*, each *Participating Municipality* will permit a *TNS Business* that has obtained an *Inter-municipal TNS Business Licence* to carry on the *Business* of providing *Transportation Network Services* within that *Participating Municipality* for the term authorized by the *Inter-municipal TNS Business Licence* without obtaining a *Municipal Business Licence* for the *TNS Business* in that *Participating Municipality*.
5. All *Inter-municipal TNS Business Licences* will be issued by the City of Vancouver.
6. The City of Vancouver may issue an *Inter-municipal TNS Business Licence* to a *TNS Business* if the *TNS Business* is an *Inter-municipal TNS Business* and meets the requirements of the *Inter-municipal TNS Business Licence By-law*, in addition to the requirements of the City of Vancouver’s License By-law No. 4450.
7. Notwithstanding that a *TNS Business* may hold an *Inter-municipal TNS Business Licence* that would make it unnecessary to obtain a *Municipal Business Licence* for the *TNS Business* in the *Participating Municipalities*, the *TNS Business* must still comply with all orders and regulations under any municipal business licence by-law in addition to those under any other by-laws, regulations, or provincial or federal laws that may apply within any jurisdiction in which the *TNS Business* carries on *Business*.

8. Any *Participating Municipality* may require that the holder of an *Inter-municipal TNS Business Licence* also obtain a *Municipal Business Licence* for any *Premises* that are maintained by the licence holder within the jurisdiction of the *Participating Municipality*.
9. The annual *Inter-municipal TNS Business Licence* fee is \$155, plus \$150 for each vehicle operating under the authority of the *Inter-municipal TNS Business*, except that the per vehicle fee for *Zero Emission Vehicles* will be \$30, and there will be no per vehicle fee charged for *Accessible Vehicles*. Any fees paid by an applicant to any *Participating Municipality* for a *Municipal Business Licence* for the *TNS Business* prior to the availability of the *Inter-municipal TNS Business Licence* that are not refunded by that *Participating Municipality* will be credited against the initial *Inter-municipal TNS Business Licence* fee owing under this section 9.
10. The fee for any additional vehicles that begin operating under the authority of an *Inter-municipal TNS Business License* holder after the annual license fee is paid will be the per vehicle fee set out in section 9, pro-rated by dividing the applicable annual per vehicle fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.
11. The City of Vancouver will distribute the revenue generated from *Inter-municipal TNS Business Licence* fees amongst all *Participating Municipalities* based on the City of Vancouver retaining an amount to cover its *Administrative Costs*, with the remaining fees to be distributed proportionally to the *Participating Municipalities*, including the City of Vancouver, based on the number of pick-ups and drop-offs in that *Participating Municipality*. The City of Vancouver will provide the other *Participating Municipalities* with an itemized accounting of the fees collected and disbursed, including an accounting of its *Administrative Costs*, at the time it distributes the remaining fees to those *Participating Municipalities*.
12. If the revenue generated from *Inter-municipal TNS Business Licence* fees in the initial year is insufficient to cover the *Administrative Costs* relating to the initial set up of the scheme, then the City of Vancouver may retain such portion of the *Inter-municipal TNS Business Licence* fees collected in the subsequent year or years as is necessary to reimburse the City of Vancouver for such initial *Administrative Costs*, until the full amount has been recovered.
13. Any revenue payable to a *Participating Municipality* in the initial year will be offset by any fees collected and not refunded by that *Participating Municipality* for a *Municipal Business License* for the *TNS Business* prior to the availability of the *Inter-municipal TNS Business Licence*, and if the fees collected by the *Participating Municipality* exceed the amount owing to that *Participating Municipality*, then that *Participating Municipality* shall remit the difference to the City of Vancouver for inclusion in the revenue distribution set out above.
14. The revenue generated from *Inter-municipal TNS Business Licence* fees collected from January 1 to December 31 inclusive that is to be distributed to the *Participating Municipalities* in accordance with section 11, including the fees collected for any additional vehicles under section 10, will be distributed by the City of Vancouver by February 28 of the year following the year in which fees were collected.

15. The length of term of an *Inter-municipal TNS Business Licence* is 12 months, except that the length of term of the initial *Inter-municipal TNS Business Licence* issued to an *Inter-municipal TNS Business* by the City of Vancouver may be less than 12 months in order to harmonize the expiry date of the *Inter-municipal TNS Business Licence* with the calendar year, in which case the annual fee will be pro-rated by dividing the applicable annual license fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.
16. An *Inter-municipal TNS Business Licence* will be valid within the jurisdictional boundaries of all of the *Participating Municipalities* until its term expires, unless the *Inter-municipal TNS Business Licence* is suspended or cancelled. If a *Participating Municipality* withdraws from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities* in accordance with the *Inter-municipal TNS Business Licence By-law*, then the *Inter-municipal TNS Business Licence* will cease to be valid within the jurisdictional boundary of that former *Participating Municipality*.
17. A *Participating Municipality* may exercise the authority of the City of Vancouver as the issuing municipality and suspend an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to suspend a business licence under the *Community Charter* or *Vancouver Charter* or under the business licence by-law of the *Participating Municipality*. The suspension will be in effect throughout all of the *Participating Municipalities* and it will be unlawful for the holder to carry on the *Business* authorized by the *Inter-municipal TNS Business Licence* in any *Participating Municipality* for the period of the suspension.
18. A *Participating Municipality* may exercise the authority of the of the City of Vancouver as the issuing municipality and cancel an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to cancel a business licence under the *Community Charter* or *Vancouver Charter* or the business licence by-law of the *Participating Municipality*. The cancellation will be in effect throughout all of the *Participating Municipalities*.
19. The suspension or cancellation of an *Inter-municipal TNS Business Licence* under section 17 or 18 will not affect the authority of a *Participating Municipality* to issue a *Municipal Business Licence*, other than an *Inter-municipal TNS Business Licence*, to the holder of the suspended or cancelled *Inter-municipal TNS Business Licence*.
20. Nothing in this Agreement affects the authority of a *Participating Municipality* to suspend or cancel any *Municipal Business Licence* issued by that municipality or to enact regulations in respect of any category of *Business* under section 15 of the *Community Charter* or sections 272, 273, 279A, 279A.1, 279B, and 279C of the *Vancouver Charter*.
21. A *Participating Municipality* may, by notice in writing to each of the other *Participating Municipalities*, withdraw from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, and the notice must:
 - (a) set out the date on which the withdrawing municipality will no longer recognize the validity within its boundaries of *Inter-municipal TNS Business Licences*, which date must be at least 6 months from the date of the notice; and

- (b) include a certified copy of the municipal Council resolution or by-law authorizing the municipality's withdrawal from the *Inter-municipal TNS Business Licence* scheme.
22. Nothing contained or implied in this Agreement shall fetter in any way the discretion of the Councils of the *Participating Municipalities*. Further, nothing contained or implied in this Agreement shall prejudice or affect the *Participating Municipalities'* rights, powers, duties or obligations in the exercise of their functions pursuant to the *Community Charter*, *Vancouver Charter*, or the *Local Government Act*, as amended or replaced from time to time, or act to fetter or otherwise affect the *Participating Municipalities'* discretion, and the rights, powers, duties and obligations under all public and private statutes, by-laws, orders and regulations, which may be, if each *Participating Municipality* so elects, as fully and effectively exercised as if this Agreement had not been executed and delivered by the *Participating Municipalities*.
23. Despite any other provision of this Agreement, an *Inter-municipal TNS Business Licence* granted in accordance with the *Inter-municipal TNS Business Licence Bylaw* does not grant the holder a licence to operate in any jurisdiction other than within the jurisdictional boundaries of the *Participating Municipalities*. Furthermore, a business licence granted under any other inter-municipal *TNS Business* licence scheme is deemed not to exist for the purposes of this Agreement even if a *Participating Municipality* is a participating member of the other inter-municipal *TNS Business* licence scheme.
24. This Agreement may be executed in several counterparts, each of which shall be deemed to be an original, and may be delivered by email or facsimile transmission, and each such counterpart, howsoever delivered, shall be deemed to be an original. Such counterparts together shall constitute one and the same instrument, notwithstanding that all of the *Participating Municipalities* are not signatories to the original or the same counterpart.
25. In the event that the municipal Council of a *Participating Municipality* other than the City of Vancouver does not ratify this Agreement, then that municipality will not be considered a *Participating Municipality* for the purposes of this Agreement, and the terms and conditions of this Agreement shall be effective as among the other *Participating Municipalities*.

Signed and delivered on behalf of the *Participating Municipalities*, the Councils of each of which have, by By-law, ratified this Agreement and authorized their signatories to sign on behalf of the respective Councils, on the dates indicated below.

The City of Abbotsford

Mayor

Corporate Officer

Date

Village of Anmore

Mayor

Corporate Officer

Date

Bowen Island Municipality

Mayor

Corporate Officer

Date

City of Burnaby

City Clerk

Date

City of Chilliwack

Mayor

Corporate Officer

Date

City of Coquitlam

Mayor

City Clerk

Date

City of Delta

Mayor _____

City Clerk _____

Date _____

Village of Harrison Hot Springs

Mayor _____

Corporate Officer _____

Date _____

The Corporation of the City of Langley

Mayor _____

Corporate Officer _____

Date _____

The Corporation of the Township of Langley

Mayor _____

Township Clerk _____

Date _____

Village of Lions Bay

Mayor _____

Corporate Officer _____

Date _____

City of Maple Ridge

Presiding Member

Corporate Officer

Date

The Corporation of the City of New Westminster

Mayor

City Clerk

Date

The Corporation of the City of North Vancouver

Mayor

City Clerk

Date

The Corporation of the District of North Vancouver

Mayor

Municipal Clerk

Date

The City of Pitt Meadows

Mayor

Corporate Officer

Date

The Corporation of the City of Port Coquitlam

Mayor _____

Corporate Officer _____

Date _____

City of Port Moody

Mayor _____

Corporate Officer _____

Date _____

The City of Richmond

Chief Administrative Officer _____

General Manager _____

Corporate and Financial Services _____

Date _____

District of Squamish

Mayor _____

Corporate Officer _____

Date _____

City of Surrey

Mayor _____

City Clerk _____

Date _____

The City of Vancouver

Director of Legal Services _____

Date _____

The Corporation of the District of West Vancouver

Mayor _____

Corporate Officer _____

Date _____

Resort Municipality of Whistler

Mayor _____

Municipal Clerk _____

Date _____

The Corporation of the City of White Rock

Mayor _____

Director of Corporate Administration _____

Date _____

CITY OF PORT COQUITLAM
INTERMUNICIPAL TRANSPORTATION NETWORK
BUSINESS LICENCE BYLAW, 2020

Bylaw No. 4164

WHEREAS the municipalities that have entered or will enter into the *Inter-municipal TNS Business Licence Agreement* (the “*Participating Municipalities*”) wish to permit licensed transportation network services (“*TNS*”) businesses to operate across their jurisdictional boundaries thereby eliminating the need to obtain a separate municipal business licence in each jurisdiction;

AND WHEREAS each of the *Participating Municipalities* has or will adopt a similar by-law to implement the *Inter-municipal TNS Business Licence* scheme;

NOW THEREFORE THE COUNCIL OF THE CITY OF PORT COQUITLAM, in public meeting, enacts as follows:

1. CITATION

This Bylaw is cited as “Intermunicipal Transportation Network Business Licence Bylaw, 2020, No. 4164”.

2. INTERMUNICIPAL SCHEME

There is hereby established an *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, pursuant to section 14 of the *Community Charter* and section 192.1 of the *Vancouver Charter*.

3. DEFINITIONS

In this Bylaw:

Accessible Vehicle means a motor vehicle designed and manufactured, or converted, for the purpose of transporting persons who use mobility aids;

Business has the same meaning as in the *Community Charter*;

Community Charter means the *Community Charter*, S.B.C. 2003, c. 26, as may be amended or replaced from time to time;

Inter-municipal TNS Business means a *TNS Business* that has been licensed to operate in the Region 1 operating area by the Passenger Transportation Board;

Inter-municipal TNS Business Licence means a business licence which authorizes an *Inter-municipal TNS Business* to be carried on within the jurisdictional boundaries of any or all of the *Participating Municipalities*;

Mobility Aid has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39. as may be amended or replaced from time to time;

Municipal Business Licence means a licence or permit, other than an *Inter-municipal TNS Business Licence*, issued by a *Participating Municipality* that authorizes a *Business* to be carried on within the jurisdictional boundaries of that *Participating Municipality*;

Participating Municipality means any one of the *Participating Municipalities*;

Premises means one or more fixed or permanent locations where the *TNS Business* ordinarily carries on *Business*;

TNS Business means a person carrying on the business of providing *Transportation Network Services*;

Transportation Network Services has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

Vancouver Charter means the *Vancouver Charter*, S.B.C. 1953, c. 55, as may be amended or replaced from time to time; and

Zero Emission Vehicle means a motor vehicle that is exclusively propelled by electricity or hydrogen from an external source.

4. Subject to the provisions of this By-law, each *Participating Municipality* will permit a *TNS Business* that has obtained an *Inter-municipal TNS Business Licence* to carry on the *Business* of providing *Transportation Network Services* within that *Participating Municipality* for the term authorized by the *Inter-municipal TNS Business Licence* without obtaining a *Municipal Business Licence* for the *TNS Business* in that *Participating Municipality*.
5. All *Inter-municipal TNS Business Licences* will be issued by the City of Vancouver.
6. The City of Vancouver may issue an *Inter-municipal TNS Business Licence* to a *TNS Business* if the *TNS Business* is an *Inter-municipal TNS Business* and meets the requirements of this By-law, in addition to the requirements of the City of Vancouver's License By-law No. 4450.
7. Notwithstanding that a *TNS Business* may hold an *Inter-municipal TNS Business Licence* that would make it unnecessary to obtain a *Municipal Business Licence* for the *TNS Business* in the *Participating Municipalities*, the *TNS Business* must still comply with all orders and regulations under any municipal business licence by-law in addition to those under any other by-laws, regulations, or provincial or federal laws that may apply within any jurisdiction in which the *TNS Business* carries on *Business*.
8. Any *Participating Municipality* may require that the holder of an *Inter-municipal TNS Business Licence* also obtain a *Municipal Business Licence* for any *Premises* that are maintained by the licence holder within the jurisdiction of the *Participating Municipality*.

9. The annual *Inter-municipal TNS Business Licence* fee is \$155, plus \$150 for each vehicle operating under the authority of the *Inter-municipal TNS Business*, except that the per vehicle fee for *Zero Emission Vehicles* will be \$30, and there will be no per vehicle fee charged for *Accessible Vehicles*. Any fees paid by an applicant to any *Participating Municipality* for a *Municipal Business Licence* for the *TNS Business* prior to the availability of the *Inter-municipal TNS Business Licence* that are not refunded by that *Participating Municipality* will be credited against the initial *Inter-municipal TNS Business Licence* fee owing under this section 9.
10. The fee for any additional vehicles that begin operating under the authority of an *Inter-municipal TNS Business License* holder after the annual license fee is paid will be the per vehicle fee set out in section 9, pro-rated by dividing the applicable annual per vehicle fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.
11. The length of term of an *Inter-municipal TNS Business Licence* is 12 months, except that the length of term of the initial *Inter-municipal TNS Business Licence* issued to an *Inter-municipal TNS Business* by the City of Vancouver may be less than 12 months in order to harmonize the expiry date of the *Inter-municipal TNS Business Licence* with the calendar year, in which case the annual fee will be pro-rated by dividing the applicable annual license fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.
12. An *Inter-municipal TNS Business Licence* will be valid within the jurisdictional boundaries of all of the *Participating Municipalities* until its term expires, unless the *Inter-municipal TNS Business Licence* is suspended or cancelled. If a *Participating Municipality* withdraws from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities* in accordance with this By-law, then the *Inter-municipal TNS Business Licence* will cease to be valid within the jurisdictional boundary of that former *Participating Municipality*.
13. A *Participating Municipality* may exercise the authority of the City of Vancouver as the issuing municipality and suspend an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to suspend a business licence under the *Community Charter* or *Vancouver Charter* or under the business licence by-law of the *Participating Municipality*. The suspension will be in effect throughout all of the *Participating Municipalities* and it will be unlawful for the holder to carry on the *Business* authorized by the *Inter-municipal TNS Business Licence* in any *Participating Municipality* for the period of the suspension.
14. A *Participating Municipality* may exercise the authority of the City of Vancouver as the issuing municipality and cancel an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to cancel a business licence under the *Community Charter* or *Vancouver Charter* or the business licence by-law of the *Participating Municipality*. The cancellation will be in effect throughout all of the *Participating Municipalities*.
15. The suspension or cancellation of an *Inter-municipal TNS Business Licence* under section 13 or 14 will not affect the authority of a *Participating Municipality* to issue a

Municipal Business Licence, other than an *Inter-municipal TNS Business Licence*, to the holder of the suspended or cancelled *Inter-municipal TNS Business Licence*.

16. Nothing in this By-law affects the authority of a *Participating Municipality* to suspend or cancel any *Municipal Business Licence* issued by that municipality or to enact regulations in respect of any category of *Business* under section 15 of the *Community Charter* or sections 272, 273, 279A, 279A.1, 279B, and 279C of the *Vancouver Charter*.
17. A *Participating Municipality* may, by notice in writing to each of the other *Participating Municipalities*, withdraw from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, and the notice must:
 - (a) set out the date on which the withdrawing municipality will no longer recognize the validity within its boundaries of *Inter-municipal TNS Business Licences*, which date must be at least 6 months from the date of the notice; and
 - (b) include a certified copy of the municipal Council resolution or by-law authorizing the municipality's withdrawal from the *Inter-municipal TNS Business Licence* scheme.
18. The invalidity or unenforceability of any provision of this By-law shall not affect the validity or enforceability of any other provisions of this By-law and any such invalid or unenforceable provision shall be deemed to be severable.
19. Despite any other provision of this By-law, an *Inter-municipal TNS Business Licence* granted in accordance with this By-law does not grant the holder a licence to operate in any jurisdiction other than within the jurisdictional boundaries of the *Participating Municipalities*.
20. A business licence granted under any other inter-municipal *TNS Business* licence scheme is deemed not to exist for the purposes of this By-law, even if a *Participating Municipality* is a participating member of the other inter-municipal *TNS Business* licence scheme.

READ A FIRST TIME this	25 th day of	February, 2020
READ A SECOND TIME this	25 th day of	February, 2020
READ A THIRD TIME this	25 th day of	February, 2020
ADOPTED this		

Mayor

Corporate Officer

Bylaws for a Regional Inter-Municipal Ride-hailing Business Licence

RECOMMENDATION:

That Council give first three readings to Bylaw No. 4163 and 4164.

PREVIOUS COUNCIL/COMMITTEE ACTION

December 10, 2019: Council gave first three readings to Bylaws No. 4155 and 4156 that would establish a Tri-City inter-municipal business licence for ride-hailing companies.

REPORT SUMMARY

A regional Inter-Municipal Business Licence (IMBL) scheme for ride-hailing companies has been developed collectively by staff from participating municipalities in the Lower Mainland and Whistler region in a fast-tracked process convened by TransLink at the direction of the Mayors' Council. The proposed IMBL bylaws establish licensing authority; licence fee and structure; licence conditions; and licence fee revenue sharing among participating municipalities within this region. Proceeding with adoption of the proposed bylaws is recommended.

BACKGROUND

On September 16, 2019, amendments to the *Passenger Transportation Act* and the *Motor Vehicle Act* came into effect providing the legislative framework for ride-hailing companies (Transportation Network Services) to operate in the Province of British Columbia.

The provincially-mandated Passenger Transportation Board (PTB) has been provided the sole authority to consider and approve ride-hailing licences and to set requirements and restrictions for these licences. This new legislative framework also sets out how municipalities may regulate ride-hailing companies through issuance of business licences and regulating in street and traffic bylaws. The PTB has divided the Province into 5 distinct regions; Port Coquitlam is located in Region 1, which includes municipalities in Metro Vancouver, Fraser Valley and up to Whistler.

On December 12, 2019, the Mayors' Council on Regional Transportation directed TransLink to facilitate an expedited Inter-Municipal Business Licence IMBL development process with Region 1 municipalities with agreement on bylaw terms by January 31, 2020.

Region 1 municipalities commenced work in late December 2019. An IMBL Working Group was established and met weekly throughout the month of January 2020 to develop the proposal for an IMBL for ride-hailing within the required timeframe.

The proposed ride-hailing IMBL scheme establishes the following:

Licensing Authority: The City of Vancouver will be the licensing authority for the IMBL which means that ride-hailing companies will need to purchase the licence from the City of Vancouver. The licence will allow companies to operate in all participating Region 1 municipalities.

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Licence Fee: The annual IMBL fee will be \$155 per company plus vehicle fees of

- \$150 per standard vehicle
- \$30 per zero-emission vehicle
- \$0 per wheelchair accessible vehicle

The proposed fees are set to be program cost recoverable and not to be prohibitive for companies.

Licence fee revenue will be shared among participating municipalities. The City of Vancouver will first retain funds sufficient to recover costs for set-up and administration of the licence program and remaining revenues will be shared based on the percent of total regional pick-ups and drop-offs that occur within each municipality. The information on pick-ups and drop-offs occurring in each municipality will be provided by the licensees.

Licence Conditions: Companies will be required to comply with the municipal bylaws and regulations of each participating municipality. Each municipality retains authority to enforce its own bylaws, for example street and traffic regulations, and also to suspend or cancel an IMBL. Staff in participating municipalities have established a shared protocol for escalating enforcement and have agreed to communicate enforcement actions between each other prior to any municipality considering suspension or cancellation of a licence.

Data Requirements: Access to detailed trip data is useful for municipalities in understanding the impact of ride-hailing in their communities at both the system-wide and street levels. At the system-wide level it will assist in identifying changes in travel mode share like transit use, cycling and walking. At the street level it can be used to establish solutions to mitigate safety concerns and congestion impacts such as identification of ride-hailing pick-up and drop-off zones. It can also highlight locations that may require enforcement attention.

The BC Passenger Transportation Branch requires comprehensive vehicle and trip data from companies. In early February, the Province confirmed that municipalities will be able to access these data on a regular, on-going basis through a Partnership Agreement with the Passenger Transportation Branch. Consequently, detailed trip data will not be a requirement of the IMBL; municipalities will benefit from access to provincial data, and companies will benefit from not having to duplicate data submission efforts.

Timeframe: Because the terms of the proposed ride-hailing IMBL were developed on a compressed timeline, they should be considered as interim. Staff of participating municipalities will continue to collaborate over the coming months on opportunities for future refinement. For example, there may be additional opportunities to encourage wheelchair accessible or zero emission vehicles, and to adjust the licence fee structure. As more companies are licensed and staff better understand the true costs for licensing and for monitoring industry impacts, such changes can be considered.

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Participating municipalities will be bringing reports to their Councils in February and March 2020 recommending approval of the bylaws, as presented. If approved, the IMBL will take effect on April 1, 2020. For any participating municipalities that enact the bylaw after April 1, 2020, the licence will take effect in that municipality on the day of enactment.

The Cities of Port Coquitlam, Coquitlam and Port Moody had previously pursued a Tri-City version of an IMBL; work on this initiative has halted pending the outcome of a Region 1 IMBL approach.

DISCUSSION

There is strong public support for ride-hailing in the Lower Mainland, and the Province has now authorized three companies to operate in Region 1 (Whistler - Lower Mainland). The proposed IMBL for ride-hailing will support the regional rollout of the industry as companies will be able to operate in participating municipalities with only one business licence. The terms and conditions of the IMBL scheme are proposed by the working group for the following reasons:

- Given the expedited timeframe to develop a licensing scheme, the working group agreed that the City of Vancouver is well positioned for this role as it has developed an infrastructure to support tracking and issuing TNS business licences.
- The per vehicle fee structure was agreed upon as it can be implemented immediately; it enables incentives for specific vehicle types; and it is equitable among companies of all fleet sizes.
- The per vehicle fee of \$150 was set with the aim of achieving administrative program cost recovery and recovery of costs to participating municipalities associated with monitoring business activity and impacts in their communities. Because ride-hailing is a new business type the full costs of licensing and monitoring are not yet known. The licence fee is comparable to licensing fees in other Canadian jurisdictions such as the City of Calgary.
- The discounted fee for zero emission vehicles provides a meaningful incentive while acknowledging that these vehicles do have an administrative cost and physical impact on streets. Wheelchair accessible vehicles are understood to be more expensive to purchase and maintain than non-accessible vehicles, and municipalities want to encourage their participation in ride-hailing as much as possible. Therefore, a \$0 per vehicle fee is proposed.
- Licence fees are to be pro-rated to align with the City of Vancouver's calendar licensing structure. Year 1 of the IMBL program includes set-up costs that are expected to fall in subsequent years as the program is regularized. At the end of each licence year, the City of Vancouver will provide participating municipalities with a year-end account of costs, and revenue to be shared. Companies will self-report monthly all new vehicles operating under their licence, and whether they are standard, zero emission or wheelchair accessible. Once

a vehicle has been reported and the associated fee paid, the vehicle may operate for the remainder of the calendar year.

- While Cities will be able to access detailed trip data from the Province, as a condition of the IMBL, licenced ride-hailing companies will still be required to report the total number of pick-ups and drop-offs occurring in each participating municipality so as to enable the City of Vancouver to calculate the share of revenue owed to each participating municipality.

Under Provincial authority, Municipalities may also include regulations in their street and traffic bylaws in order to address issues such as congestion and safety. Staff do not believe additional regulations are necessary in Port Coquitlam at this juncture, but will monitor the detailed trip data available from the Province and report back to Council on activity.

This larger regional approach would eliminate the need to pursue the Tri-City inter-municipal licence approach.

FINANCIAL IMPLICATIONS

City of Vancouver anticipates set up and administration of the Business Licence function will be recovered through licence fee revenue. Remaining revenues will be shared based on the percent of total regional pick-ups and drop-offs that occur within each municipality.

CONSULTATION

The working group held an industry information session on January 22, inviting the 17 TNS operators who had applied to the PTB to operate in Region 1 at that time. Participants were informed about the proposed IMBL framework, including specifics, such as fee structure and data requirements. At the time of the consultation, the proposed IMBL included data submission requirements that have since been removed. Fifteen of the applicants invited sent representatives.

In addition to the comments given during the information session, three companies submitted written comments following the session. The working group reviewed and considered all comments submitted.

The TNS industry representatives were generally appreciative of the expedited IMBL process, particularly as two of the applicants received PTB approval during the process and had a more urgent need for an IMBL.

The key concerns heard by the working group were:

1. Fee structure and smaller operators: The working group heard concerns that the fee structure disadvantaged smaller operators who are less able to absorb the per-vehicle charges compared to larger operators.
2. Fee structure and TNS fluidity: The working group heard concerns that the way that fees are charged – based on vehicles that sign on with the company rather than


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- number of vehicles in operation – do not match the fluid nature of the ride-hailing industry which tends to have high driver turnover.
3. Data requirements and granularity: The working group also heard concerns about the level of granularity required for data submissions, with respect to customer privacy.

The working group will take key concerns 1 and 2 under advisement and consider options to address these concerns as part of the ongoing development of a permanent IMBL. The concerns are significant enough and industry perspectives varying enough that further work and consultation is required, and was not possible prior to the January 31 deadline for the interim IMBL.

Regarding data requirement concerns, the working group has since determined that detailed data submission will not be required as part of the IMBL. Municipalities will access provincially collected data through a Partnership Agreement with the Provincial Transportation Branch.

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Give first three readings to bylaws that will establish a regional Inter-Municipal Ride-hailing Business Licence
	2	Delay first three readings and request staff to provide additional information
	3	Take no action (deny first three readings of the bylaws).

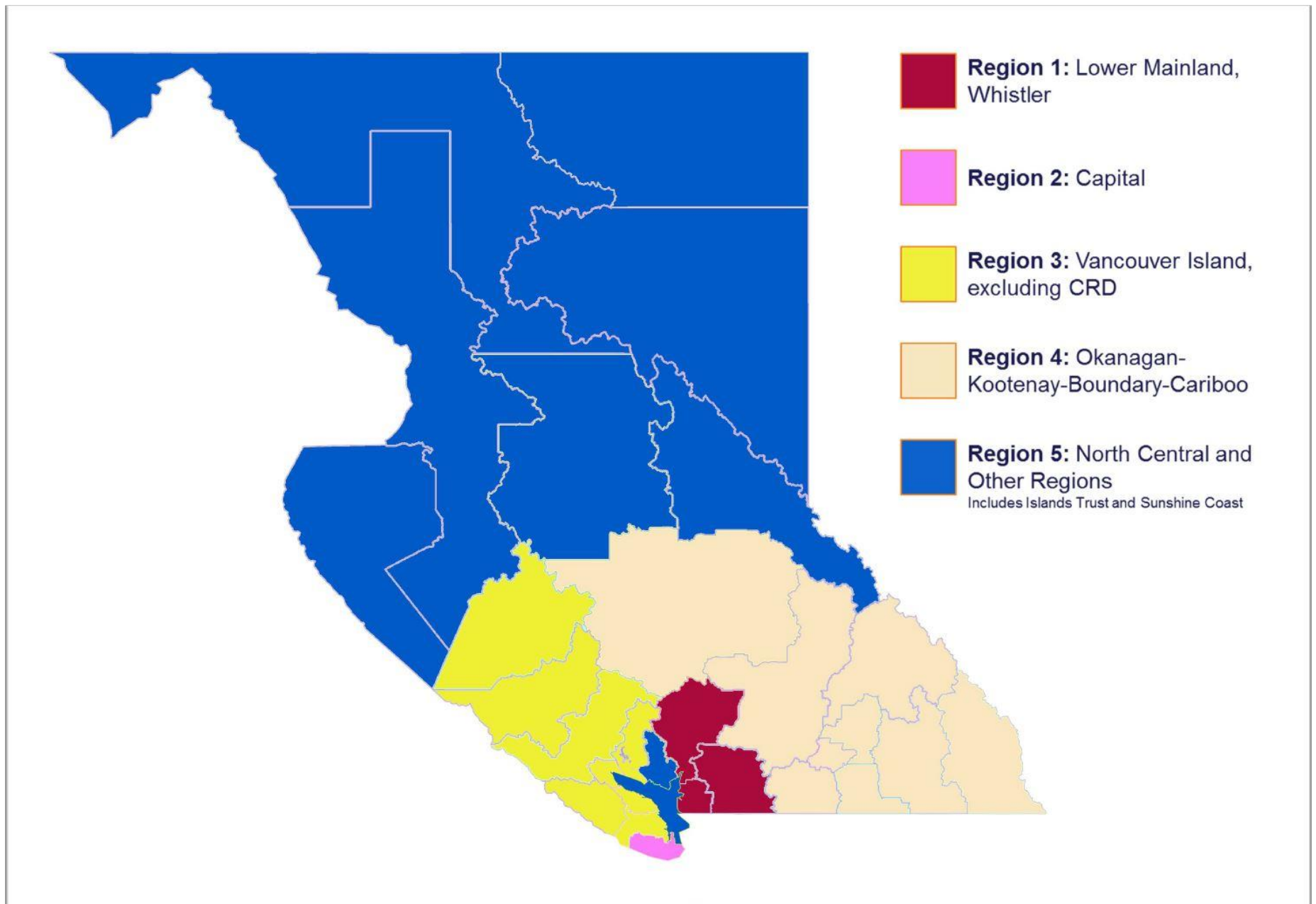
ATTACHMENTS

Attachment #1: Map of PTB Regions

Attachment #2: List of Participating Municipalities

Attachment #3: Bylaws No 4163 and 4164

Lead author(s): Jennifer Little



Below are municipalities located in Region 1 who were involved in the development of the IMBL.

Municipality	Confirmed will take for council consideration
Abbotsford	Yes
Anmore	Yes
Belcarra	No
Bowen Island	Yes
Burnaby	Yes
Chilliwack	Yes
Coquitlam	Yes
Delta	Yes
District of Lillooet	No
Harrison Hot Springs	Yes
Hope	No
Kent	No
Langley (City)	Yes
Langley (Township)	Yes
Lions Bay	Yes
Maple Ridge	Yes
Mission	No
New Westminster	Yes
North Vancouver (City)	Yes
North Vancouver (District)	Yes
Pemberton	No
Pitt Meadows	Yes
Port Coquitlam	Yes
Port Moody	Yes
Richmond	Yes
Squamish	Yes
Surrey	Yes
Tsawwassen First Nation	No
Vancouver	Yes
West Vancouver District	Yes
Whistler	Yes
White Rock	Yes

RECOMMENDATION:

That pursuant to s.463 of the Local Government Act, that Council:

- (1) Has identified a conflict between a development proposed at 3620 Westwood Street building permit application BP012969, it's resolution adopted on September 17th 2019 and resulting amendments to the Zoning Bylaw adopted on February 25, 2020;*
- (2) Has considered the development proposed in building permit application BP012969; and*
- (3) Directs that building permit application BP012969 only be issued subject to compliance with the provisions of Zoning Bylaw amendment No. 4162 which only allows for one dwelling unit and restricts building height to one storey.*

PREVIOUS COUNCIL/COMMITTEE ACTION

At the Council meeting of February 25, 2020, Council adopted Zoning Amendment Bylaw No.4162 which amends the zoning of 3620 Westwood Street to allow for one dwelling unit and a maximum building height of one storey.

At the Council meeting of January 8, 2020, the following motion was passed:

That pursuant to s.463 of the Local Government Act, that Council:

- (1) Has identified a conflict between a development proposed at 3620 Westwood Street building permit application BP012969, and it's resolution adopted on September 17th:*
- (2) Directs that building permit applications BP012969 be withheld for a period of 30 days;*
- (3) Directs that building permit applications BP012969 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 September 17, 2019, the following motion was passed:

That pursuant to s.463 of the Local Government Act, that staff be directed to bring forward area-specific amendments to the Zoning Bylaw for the 3500/3600 Westwood Street area to achieve the following intent:

- (1) that permitted uses within properties zoned Community Commercial be restricted to community commercial uses and the maximum height of a building be restricted to one storey, and;*
- (2) that the number of dwelling units permitted for properties zoned Residential Single Family RS1 be restricted to one and the maximum height of a building be restricted to one storey unless the following conditions are met:*
 - 1. Provision of vehicle access between the street and the lane with a minimum width of 20m and in direct alignment with Anson Avenue;*
 - 2. A mix of community commercial and residential uses with a minimum building height of six storeys; and*

3620 Westwood Street – Consideration of Building Permit

3. *If the floor area ratio exceeds 1.5, provision of a contribution in the amount of \$50 per square foot of additional floor area to City reserve funds for community amenities and social housing amenities.*

BACKGROUND

Pursuant to s.463 of the *Local Government Act*, “a local government may direct that a building permit be withheld for a period of 30 days, beginning on the day the application for the permit was made, if it passes a resolution identifying what it considers to be a conflict between a development proposed in the application for a building permit and ...a Zoning Bylaw....” During the 30-day period, the local government must then consider the application for the permit and may direct the permit be withheld for a further 60 days or grant the permit, but impose conditions in it that would be in the public interest, having regard to the plan or bylaw that is under preparation.

On December 12, 2019, the property owner of 3620 Westwood Street, 2008615 Investments Ltd., submitted a building permit application (BP012969) for the construction of a two storey house. On January 8, 2020, Council considered the building permit application and identified a conflict between the proposed two storey residential development and their September 17th resolution restricting building height and density of development in the 3500 and 3600 blocks of Westwood Street. Council directed staff to withhold issuance of the building permit for 30 days and then a further 60 days.

On February 25, 2020, Council approved amendments to the zoning bylaw to limit building height at 3620 Westwood Street to one storey and density to one dwelling.

DISCUSSION

The proposed development of a two-storey house does not comply with the amended zoning regulations. Staff recommend building permit BP012969 be issued subject to compliance with the provisions of the Zoning Bylaw which restricts the density of development to one dwelling unit and the height of the building to one storey.


FINANCIAL IMPLICATIONS

None.

3620 Westwood Street – Consideration of Building Permit

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Direct that the building permit be issued in accordance with the Zoning Amendment Bylaw No.4162 which allows for one dwelling unit and a maximum building height of one storey.
2	Direct that the building permit be issued in accordance with previous Zoning Bylaw regulations which permit construction of a two storey dwelling.