

Committee of Council Agenda - Revised

Tuesday, March 24, 2020

5:30 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 24, 2020, Committee of Council Meeting Agenda be adopted with the following changes:

- *Deletion of Item 4.1 - RCMP 2019 Year in Review.*

3. CONFIRMATION OF MINUTES

3.1 Minutes of Committee of Council

1

Recommendation:

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

- *March 10 , 2020.*

4. REPORTS

4.1 RCMP 2019 Year in Review

This item was deleted from the agenda.

4.2 Development Permit Application - 577 Nicola Avenue

5

Recommendation:

That Committee of Council approve Development Permit DP000405 to regulate an industrial development at 577 Nicola Avenue.

Recommendation:

That Committee of Council recommend that Council:

1. Adopt Bylaw No. 4168 to allow for the provision of emotional support animals; and

2. Adopt amendments to Bylaw Notice Enforcement Bylaw No. 3814 and Ticket Information Bylaw No. 2743 to add ticketing provisions for:

- *S 10 (12) Aggressive Dog no muzzle - \$500.00*
- *S 11(9) Dangerous Dog no muzzle - \$500.00.*

5. COUNCILLORS' UPDATE

6. MAYOR'S UPDATE

7. CAO UPDATE

8. ADJOURNMENT

8.1 Adjournment of the Meeting

Recommendation:

That the Tuesday, March 24, 2020, Committee of Council Meeting be adjourned.

9. MEETING NOTES



Committee of Council Minutes

Tuesday, March 10, 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 5:00 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:

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

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

Absent (1): Councillor Washington

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:

- *February 25, 2020.*

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

Absent (1): Councillor Washington

Carried

4. REPORTS

4.1 Fire & Emergency Services - Division Update (verbal report)

Chief Sweet and Chief Minaker presented an update on fire service enhancements, health & wellness programs, response statistics and community relations.

4.2 Rezoning Application - 3455 Oxford Street

Moved-Seconded:

That Committee of Council recommend to Council that:

- 1. The zoning of 3455 Oxford Street be amended from RS1 (Residential Single Dwelling 1) to RS4 (Residential Single Dwelling 4);*
- 2. Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:*
 - a. Installation of protective fencing for the tree on the adjacent lot;*
 - b. Demolition of the existing buildings; and*
 - c. Completion of design and submission of fees and securities for off-site works and services.*

That Committee direct the Director of Development Services to require adherence to the proposed tree replacement plan when issuing Development Permits.

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

Carried

4.3 Development Permit – 2370 Ottawa Street

Moved-Seconded:

That Committee of Council approve Development Permit DP000360 to provide for the addition of a propane station at 2370 Ottawa Street.

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

Carried

4.4 Senior Citizens' Housing Society Update

Moved-Seconded:

That Committee of Council:

- 1. Rescind the following resolution:*

“That prior to the disbursement of funds, the Society amend the registered Housing Agreement and covenant pursuant to Section 219 of the Land Title Act to confirm:

- a. The project is in receipt of the Special Needs Housing Reserve funds from the City; and*
- b. All funds received shall be repaid to the City with applicable accrued interest if the project fails to advance to completion within a five-year period.”*

2. Direct staff to draft and execute an agreement between the City and the Port Coquitlam Senior Citizens’ Housing Society to confirm:

- a. The project is in receipt of the Special Needs Housing Reserve funds from the City;*
- b. All funds received shall be repaid to the City with applicable accrued interest if the project fails to advance to completion within a five-year period from the date of building permit issuance.*

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

Carried

5. COUNCILLORS' UPDATE

Council provided updates on City business.

6. MAYOR'S UPDATE

Mayor West provided an update on City business.

7. CAO UPDATE

None.

8. ADJOURNMENT

8.1 Adjournment of the Meeting

Moved-Seconded:

That the Tuesday, March 10, 2020, Committee of Council Meeting be adjourned at 5:52 p.m.

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

Carried

9. MEETING NOTES

Councillor Washington joined the meeting during Item 4.1 (5:02 p.m.).

Mayor

Corporate Officer

577 Nicola Avenue - Development Permit Application

RECOMMENDATION:

That Committee of Council approve Development Permit DP000405 to regulate an industrial development at 577 Nicola Avenue.

PREVIOUS COUNCIL/COMMITTEE ACTION

None.

REPORT SUMMARY

This report describes an application for a development permit to regulate an industrial development at the corner of Nicola Avenue and Fremont Connector in the Dominion Triangle. The 5-unit, two-storey building proposal and site landscaping are designed to generally comply with the site's M3 Light Industrial zoning, development permit designations and registered sustainability covenant. As such, the development permit is recommended for approval.

BACKGROUND

The site is located at the corner of Nicola Avenue and Fremont Connector and is currently vacant. Surrounding land uses include light industrial, the Riverside Church and multi-family residential uses across Fremont Connector.



Location map

The land use designation in the Official Community Plan for the site is Light Industrial; policies of the Plan promote economic development and job creation within this designation. The property is

577 Nicola Avenue - Development Permit Application

zoned M3 – Light Industrial with a site specific provision to restrict commercial indoor recreation uses at this site.

The objectives and guidelines of the site's industrial development permit area designation are intended to:

- guide the form and character of industrial developments,
- promote orderly development, and
- control the interface between industrial and other land uses.

The environmental conservation development permit area designation encourages:

- sustainable development and building design,
- efficient use of energy, water and other resources, and
- the reduction of waste and pollution.

At the time of rezoning a restrictive covenant was registered on the property title to establish a number of sustainability guidelines. These site specific design guidelines predated the establishment of the environmental conservation DPA but are based on similar principles and provide guidelines for:

- stormwater management,
- dark sky lighting,
- minimizing heat island effect,
- drought tolerant planting and rain water sensors in irrigation equipment, and
- provision of bike racks.

Development Proposal

Martini Construction Ltd. has proposed the development of a two-storey industrial building with on-site parking, loading bays and landscaping at 577 Nicola Avenue. The 2,015m² (21,965 ft²) multi-unit building will be constructed of durable tilt-up concrete and provide industrial space and accessory offices suitable for a wide variety of light industrial uses.

The façade along Fremont connector and Nicola Avenue will have extensive glazing and subtle elements of wall articulation, varying height, reveal lines, awnings and a colour palette of light and dark gray with black accents. The building design and color has been coordinated to create a uniform and clean look and focuses the accessory offices uses to the south and west side of the building site fronting the streets. The north loading bay façade fronting the rear driveway will use a

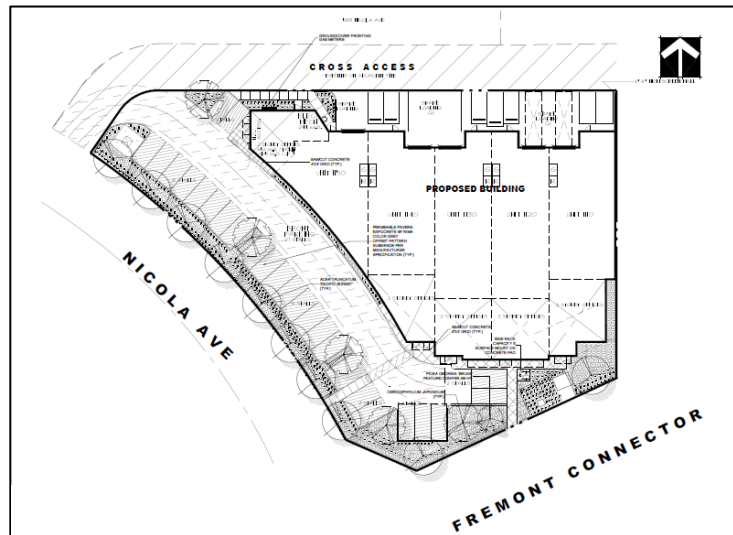


Building façade (southwest corner)

577 Nicola Avenue - Development Permit Application

series of reveal lines and colour to create architectural interest while ensuring these areas remain secure for the future business occupants. The east façade facing the Riverside Church parking lot will use a combination of setbacks, glazing and a series of reveal lines and colour to create architectural interest.

The landscape plan calls for a mixture of trees, shrubs, groundcover plants and lawn. 16 new trees, including a mixture of conifer (1) and deciduous (15) species, will be planted on the south and western portions of the site in landscape areas and strips within the parking areas. A significant portion of the site area will be used for required parking, vehicle circulation, and transport vehicle loading areas which is typical of industrial development.



Site plan / landscape drawing

As shown in the inset drawing the building frontage and most of the parking is oriented to Fremont Connector and Nicola Avenue and loading spaces are oriented to the rear of the building. Access to the site will be provided by a cross access easement that provides vehicular access to an industrial building at 583 Nicola Avenue and the Riverside Church. The easement allows adequate access to the site without placing a new driveway near the Fremont / Nicola intersection.

Project Profile

	Bylaw Regulations ¹	Proposed ²
Site Area	930 m ² min'm	3,543 m ² (0.9 acres)
Total Building Area	n/a	2,022 m ² (21,765 ft ²)
Building Lot Coverage	n/a	44 %
Setbacks:		
Front Setback (Fremont)	6 m	6 m
Rear Setback (north)	3 m	3.2 m
Exterior Side Setback (Nicola)	6 m	6 m
Interior Side Setback (east)	0 m	0.1 m
Building Height	12 m	10.5 m

¹ Refer to Zoning Bylaw No. 3630 and Parking and Development Management Bylaw No. 4078 for specific regulations.

² Information provided by applicant.

577 Nicola Avenue - Development Permit Application

	Bylaw Regulations¹	Proposed²
Impervious surface	80%	77.9%
Parking (total)	21	33
Small car parking spaces	25% (8 spaces)	18% (6 spaces)
Loading bays	2 minimum	4
Bicycle Parking	Space for 6 bikes	Space for 6 bikes

Offsite Infrastructure and Services

Offsite infrastructure such as road works, curbs and gutters, sidewalks, boulevard landscaping and street trees, was provided when the parcel was subdivided in 2014. Any service requirements (water, sewer, sanitary) or infrastructure deficiencies would be identified at building permit stage.

DISCUSSION

The proposed building and landscaping complies with the regulations of the zoning and parking bylaws and provides a quality of character consistent with other light industrial development in the Dominion Triangle.

The site specific sustainability guidelines registered on title call for a 4m wide landscape strip whereas the zoning bylaw calls for a 3m wide landscape strip fronting roads. The sustainability guidelines state the intent of the 4m strip is to “soften building edges and screen parking and loading areas”. To allow efficient development of the site including maximization of the building floor area while meeting parking and driveway requirements, the applicant has proposed a 3m landscape strip which is consistent with the current zoning bylaw regulation. In support of this request, the applicant intensified the landscaping within the landscape strip to maximize screening and added permeable pavers to the parking spaces to improve the aesthetic and provide an increase in site permeability. Staff believe the proposed 3m wide landscape strip and permeable pavers meets the intent of the guideline.

Measures to comply with the sustainable design guidelines and the environmental conservation objectives and guidelines include building practices and products to reduce energy and water consumption, promote stormwater management, and reduce greenhouse gas emissions. Proposed elements include a cool roof, high efficiency windows and selection of native and drought tolerant plant species, a stormwater infiltration swale along Nicola Avenue, use of low volatile organic compound materials, energy efficient lighting, high efficiency irrigation system, and bicycle parking. A complete list of conservation measures is included in Schedule A of the development permit.

The design of the proposed industrial building and landscaping meets the intent of the industrial design guidelines, environmental conservation designation and the site specific sustainability

577 Nicola Avenue - Development Permit Application

guidelines. The proposal complies with applicable zoning and parking regulations. Staff recommend approval.


PUBLIC CONSULTATION

A sign providing notification of the application is posted on site. To date, no comments have been received.

FINANCIAL IMPLICATIONS

None.

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Approve Development Permit DP000405.
	2	Request additional information or amendments if Committee is of the opinion that such information or amendment would assist in its evaluation of how the design complies with the development permit area designation or regulations.
	3	Refuse the application if the Committee is of the opinion the application does not conform to the design guidelines or regulations.

ATTACHMENTS

Attachment 1: Draft Development Permit DP000405

Lead author(s): Bryan Sherrell

THE CORPORATION OF THE CITY OF PORT COQUITLAM

“DEVELOPMENT PROCEDURES BYLAW, 2013, NO. 3849”

DEVELOPMENT PERMIT

NO. DP000405

Issued to: HART FAMILY REALTY LTD
(Owner as defined in the Local Government Act,
hereinafter referred to as the Permittee)

Address: 157 DOGWOOD DRIVE ANMORE BC V3H 5G1

1. This Development 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 Permit applies to and only to those lands within the Municipality described below, and any and all buildings, structures and other development thereon:

Address: 577 NICOLA AVENUE

Legal Description: LOT D, SECTION 9, BLOCK 6N, RANGE 1E, NEW
WESTMINSTER LAND DISTRICT, PLAN EPP38563

P.I.D.: 029-383-862

3. The above property has been designated as a Development Permit Area under Section 9.0 – Development Permit Area in the “Official Community Plan Bylaw, 2013, No. 3838”.
4. “Port Coquitlam Zoning Bylaw, 2008, No. 3630” and “Parking and Development Management Bylaw, 2018, No.4078” are varied, supplemented or both in accordance with the following:
 - a. The form and character of the building, including the siting, height and general design, shall be as shown on drawings numbered DP000405 (1) to DP000405 (8) which are attached hereto and form part of this permit.
 - b. The form and character of on-site landscaping shall be as shown on drawings numbered DP000405 (7) and DP000405 (8) and the following standards for landscaping are imposed:
 - (i) All landscaping works and planting materials shall be provided in accordance with the landscaping plan and specifications thereon, which form part of this permit and is attached hereto.
 - (ii) All planting materials shall be able to survive for a period of one year from the date of the site landscape approval by the Municipality.
 - c. The building and landscaping shall provide the energy conservation, water conservation and GHG emission reduction elements as shown on Schedule A to the drawings which are attached hereto and form part of this permit.

5. **Landscape Security**

- (a) As a condition of the issuance of this permit, the security set out below will be held by the Municipality prior to the issuance of a building permit to ensure satisfactory provision of landscaping in accordance with the terms and conditions as set forth in Clause 4 above. There is filed accordingly an irrevocable Letter of Credit or cash security in the amount **\$117,632.00** for the purpose of landscaping.
- (b) Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. A condition of the posting of the security is that should the Permittee fail to carry out the works or services as hereinabove stated, according to the terms and conditions of this permit within the time provided, the Municipality may use the security to complete these works or services by its servants, agents or contractors, and any surplus shall be paid over to the Permittee.
- (c) The Permittee shall complete the landscaping works required by this permit within six months of the final inspection for the final phase of the development. Within the six month period, the required landscaping must be installed by the Permittee, and inspected and approved by the Municipality.

If the landscaping is not approved within the six month period, the Municipality has the option of continuing to hold the security until the required landscaping is completed or has the option of drawing the security and using the funds to complete the required landscaping, and recoup additional costs from the Permittee if necessary. In such a case, the Municipality or its agents have the irrevocable right to enter into the property to undertake the required landscaping for which the security was submitted.

- (d) Should the Permittee carry out the works and services permitted by this permit within the time set out above, the security shall be returned to the Permittee.

6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this permit and any plans and specifications attached to this permit, which shall form a part hereof.
7. This permit shall lapse if the Permittee does not substantially commence the construction permitted by this permit within two years of the (issuance) date of this permit.
8. The terms of this permit or any amendment to it, are binding on all persons who acquire an interest in the land affected by this permit.
9. This permit is not a building permit.

APPROVED BY THE COMMITTEE OF COUNCIL THE
[CLICK **HERE** - ENTER THE DAY (IE 12TH)] DAY OF
[CLICK **HERE** - ENTER THE MONTH, YEAR].

SIGNED THIS [CLICK **HERE** - ENTER THE DAY (IE 12TH)] DAY OF
[CLICK **HERE** - ENTER THE MONTH, YEAR].

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)

ADDRESS: 577 NICOLA AVE, PORT COQUITLAM, B.C.

A wide-angle photograph of a large, modern building with a dark, possibly black or dark grey, facade. The building features extensive glass windows, particularly on the right side and in the center. The architecture is contemporary with clean lines and a flat roof. In front of the building is a paved area, possibly a parking lot or a walkway, and a landscaped area with various plants, shrubs, and small trees. The sky is blue with scattered white clouds. The overall impression is of a well-maintained, modern facility.



COVER SHEET	A-0
SITE PLAN	A-1
DATE DETAILS	A-1a
GROUND FLOOR PLAN	A-2
ROOF PLAN	A-3
ELEVATIONS	A-4

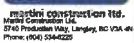
CHIP BARRETT ARCHITECT
440 - 15055 24TH AVENUE, SUITE 200, WILLOW PARK, ILL. 60090
PHONE: 464-1232

IN ASSOCIATION WITH

D.FORCE DESIGN INC.
3838A ALAMANCE STREET, AUSTIN, TEXAS 78703
TELE: (504) 507-5888, EMAIL: DARIO@DFORCE.COM

This drawing is an inherent part of the work and is the property of the artist. The artist reserves the right to reproduce, in whole or in part, the drawing in any form, in any medium, for any purpose, without the need for the artist's permission. The artist shall not be held responsible for the use of the drawing in any form, in any medium, for any purpose, without the need for the artist's permission.

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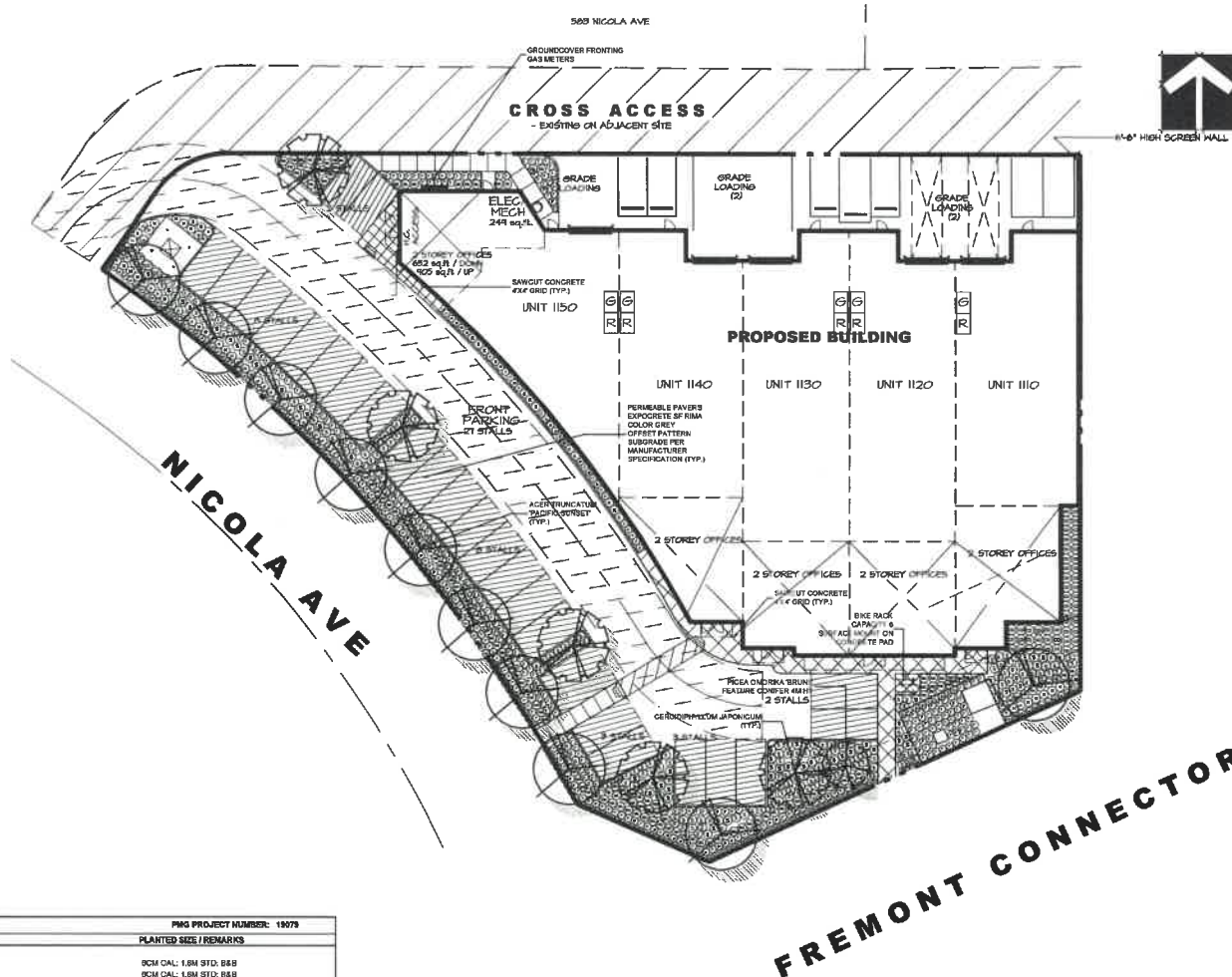


**PROJECT:
PROPOSED:
MULTI-TENANT
INDUSTRIAL
BUILDING**

ADDRESS: 577 NICOLA AVE., PORT COQUITLAM, B.C.

SEAL	JOB NO. 15-018	DRAGEN SEAL
	DESIGNED	
	CHECKED	
	PLOT DATE FEB. 12 '79	
PROJECT : UNIFORMED HARBOR		REV. 3

170004105 (7)



PLANT SCHEDULE				PMG PROJECT NUMBER: 13079	
KEY	QTY	BOTANICAL NAME	COMMON NAME	PLANTED SIZE / REMARKS	
TREE	10	ACER TRUNCATUM 'PACIFIC SUNSET'	PACIFIC SUNSET MAPLE	8CM CAL; 1.8M STD; B&B	
	5	CERODIPHYLLUM JAPONICUM	KATSURA TREE	9CM CAL; 1.8M STD; B&B	
	1	PICEA CHOROKA 'BRUN'	BRUNG GERBIAN SPRUCE	4M HT; B&B	
SHRUB	50	CORNUS SERICEA 'KELSEY'	DWARF KELSEY DOGWOOD	#3 POT; 80CM	
	NA	NANDINA DOMESTICA 'HARBOR DWARF' (1)	DWARF HEAVENLY BAMBOO	#3 POT; 50CM	
	250	SPRAEA JAPONICA 'GOLDMOUND'	DWARF GOLDMOUND SPIREA	#2 POT 30CM	
GRASS	12	CALAMAGROSTIS ACUTIFLORA KARL FOERSTER	FEATHER REED GRASS	#2 POT	
	90	HELIOTROPION SEMPERVIRENS (1)	BLUE OAT GRASS	#1 POT	
	100	PENNISETUM ALOPECUROIDES 'HAMELIN' (1)	DWARF FOUNTAIN GRASS	#1 POT	
PERENNIAL	109	LAVENDULA ANGUSTIFOLIA 'MUNSTEAD' (1)	ENGLISH LAVENDER; COMPACT; VIOLET-BLUE	#1 POT	
	95	RUDEBECKIA FUL. VAR SULLIVANTII 'GOLDSTURM' (1)	RUDEBECKIA; YELLOW AND ORANGE VARS	15CM POT	
GO	252	FRAGARIA CHILDESSIS (*) (1)	BEACH STRAWBERRY	#1 POT; 35CM	

NOTES: * PLANT SIZES IN THIS LIST ARE SPECIFIED ACCORDING TO THE BC LANDSCAPE STANDARD AND CANADIAN LANDSCAPE STANDARD, LATEST EDITION. CONTAINER SIZES SPECIFIED AS PER CANA STANDARD. BOTH PLANT SIZE AND CONTAINER SIZE ARE THE MINIMUM ACCEPTABLE SIZES. * REFER TO SPECIFICATIONS FOR DEFINED CONTAINER MEASUREMENTS AND OTHER PLANT MATERIAL REQUIREMENTS. * SEARCH AND REVIEW: MAKE PLANT MATERIAL AVAILABLE FOR OPTIONAL REVIEW BY LANDSCAPE ARCHITECT AT SOURCE OF SUPPLY. AREA OF SEARCH TO INCLUDE LOWER MAINLAND AND FRASER VALLEY. * SUBSTITUTIONS: OBTAIN WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO MAKING ANY SUBSTITUTIONS. TO THE SPECIFIED MATERIAL. UNAPPROVED SUBSTITUTIONS WILL BE REJECTED. ALLOW A MINIMUM OF FIVE DAYS PRIOR TO DELIVERY FOR REQUEST TO SUBSTITUTE. SUBSTITUTIONS ARE SUBJECT TO BC LANDSCAPE STANDARD AND CANADIAN LANDSCAPE STANDARD - DEFINITION OF CONDITIONS OF AVAILABILITY. * ALL LANDSCAPE MATERIAL AND WORKMANSHIP MUST MEET OR EXCEED BC LANDSCAPE STANDARD AND CANADIAN LANDSCAPE STANDARD LATEST EDITION. * ALL PLANT MATERIAL MUST BE PROVIDED FROM CERTIFIED DISEASE FREE NURSERY. * BIO-GOLDS NOT PERMITTED IN GROWING MEDIUM UNLESS AUTHORIZED BY LANDSCAPE ARCHITECT.

NATIVE PLANTS SPECIFIED (CORNUS, NANDINA, SPIRAEA, FRAGARIA): 65% (703 OF 1082 SHRUBS)
DROUGHT TOLERANT SHRUBS SPECIFIED: 100%

WISHBONE 'LOOP' BIKE RACK



EXPOCRETE RIMA PERMEABLE PAVERS

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pmg
LANDSCAPE ARCHITECTS
Suite C100 - 4186 8th Creek Drive
Burnaby, British Columbia, V5G 3G9
P: 604 294-0011 F: 604 294-0022

SCALE:

1	10 MAY 16	REV. REVISION/CHANGES	SA
1	10 MAY 16	REV. CITY OF VANCOUVER NEW SITE PLAN	SA
1	10 MAY 16	RAISED 10% DP	SA
1	10 MAY 16	RAISED 10% DP	SA

NO. DATE REVISION DESCRIPTION DR.

CLIENT:

PROJECT:
MULTI-TENANT INDUSTRIAL BUILDING

577 NICOLA AVE
PORT COQUITLAM, BC

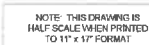
DRAWING TITLE:
LANDSCAPE PLAN

DATE: 19 MAY 16 DRAWING NUMBER:
SCALE: 1/16" = 1'-0"
DRAWN: SA
DESIGN: SA
CHECK: SA

L1

OF 2

13079-4-23P PMG PROJECT NUMBER: 13079



HORZ 0 2.5 5.0 7.5 10.0
1:250
Scale 1:250
ISL Engineering and Land Services

Drawn: BTN	Design Checked: S/N	Date: NOV 2019
Designed: BTN	Discipline Review: S/N	Date: NOV 2019

Drawing No.	32523
	C-03
File No.	03

Schedule A

Energy Conservation:

Conservation Measure	Verification Method
All roofs are to meet or exceed 'Cool Roofs' as described in ASHRAE 90.1—2007 'Section 5.5.3.1.1—Roof Solar Reflectance and Thermal Emittance'; to minimize solar heat gain	BP stage; written confirmation by Architect along with staff review of BP submission
Provide planting/screening to help mitigate heat gain	DP stage; staff review of landscape plan
Window placement and use of skylights to provide opportunities for natural light	DP and BP stage; staff review of building plans
Windows and skylights are to be high efficiency with low-E coatings	BP stage; written confirmation by Architect along with staff review of BP submission
T5 lights will be used to reduce energy consumption	BP stage; written confirmation by Architect

Water conservation:

Conservation Measure	Verification Method
A bioswale will be constructed along the Nicola Avenue property boundary to treat the adjacent parking area	BP stage ; written confirmation provided by Civil Engineer
Native and drought resistant planting will be used to reduce water consumption	DP and BP stage; staff review of landscape drawing, site inspection by Landscape Architect and City Arbourist
High-efficiency irrigation system with rain sensors will be installed	DP and BP stage; staff review of landscape drawing, site inspection by Landscape Architect and City Arbourist
Minimum depth of soil for planting areas will be 30cm	DP and BP stage; staff review of landscape drawing, site inspection by Landscape Architect and City Arbourist
Soil/grit and oil interceptors will be installed	BP stage; staff review of building plans and inspections
Impervious landscape/permeable paver area exceed the minimum requirements of the zoning bylaw increasing infiltration and reduce stormwater flows	DP stage; staff review of landscape plan

GHG Reduction:

Conservation Measure	Verification Method
Building will be constructed of insulated tilt-up concrete panels with a cool roof which reduce energy consumption for heating and cooling purposes	BP stage; written confirmation by Architect along with staff review of BP submission
Building will utilize materials with low volatile organic compound off-gassing potential	BP stage; written confirmation by Architect along with staff review of BP submission
Installation of bike racks to promote alternative transportation	DP and BP stage; staff review of landscape drawing

per OCP Sec. 9.11 Environmental Conservation DPA designation

Animal Control Bylaw Amendment - Emotional Support Animals

RECOMMENDATION:

That Committee of Council recommend that Council:

1. Adopt Bylaw No. 4168 to allow for the provision of emotional support animals; and
2. Adopt amendments to Bylaw Notice Enforcement Bylaw No. 3814 and Ticket Information Bylaw No. 2743 to add ticketing provisions for:
 - S 10 (12) Aggressive Dog no muzzle - \$500.00
 - S 11(9) Dangerous Dog no muzzle - \$500.00

REPORT SUMMARY

This report outlines proposed amendments to Animal Control Bylaw No. 3990, to allow for the keeping of emotional support animals within specific parameters.

This report also recommends a housekeeping amendment to add ticketing provisions for aggressive and dangerous dogs without muzzles.

BACKGROUND

In recent years the Bylaw Division has come across situations via complaint in which people have been keeping animals as pets that are not permitted in residential zones. Specifically, they are not permitted under Animal Control Bylaw No. 3990 or Zoning Bylaw No. 3630. In some of these situations, individuals have claimed that the animals provide them emotional support or comfort. Examples of the types of animals that are being brought forward as emotional support animals are chickens, goats and pigs.

Currently, the animal control bylaw only addresses a service animals or guide dogs. It is important to distinguish between the commonly known service animal (usually dogs) and emotional support animals. Service dogs differ from emotional support animals in a few key ways. Service dogs have been trained to perform specific tasks for individuals, and are usually given access to anywhere their owner goes. Emotional support animals do not require any specific training, and may not be given access to establishments such as restaurants, malls, or airports like service dogs are.

Training and certification for Guide Dog and Service Dogs are regulated in British Columbia as per the Guide Animal Act. Dogs certified and registered under these guidelines are for animals used for person with blindness or disabilities other than blindness. The legislation defines a "Guide Animal" as "if that animal is used by a person with a disability to avoid hazards or to otherwise compensate for a disability; and" it further defines person with a disability as " a person who is apparently blind or otherwise disabled and is dependent on a guide animal or white cane."

Certified guide dog or service animals are permitted in Port Coquitlam and are exempt from a license fee.

DISCUSSION

Recognizing that animals may serve as emotional support to persons in need, this report recommends that Animal Control Bylaw No. 3990 be amended to allow emotional support animals in specific and limited circumstances, subject to approval by the Bylaw Services Manager on a case by case basis. The recommended bylaw amendment stipulates that a person must apply to the Bylaw Services Manager to have a farm animal designated as an emotional support animal by submitting an application, providing the address at which the animal will be kept, and providing a letter from a qualified person or psychiatrist evidencing that the animals is used for a disability-related illness.

The proposed amendment stipulates further that the Bylaw Services Managers may designate the animal as an Emotional Support Animal subject to the owner meeting certain provisions that mitigate potential disturbances such as noise or odour, or conversely; reject the application. The Bylaw Services Manager may review and cancel the designation if conditions are not met or if the animal becomes a nuisance or is not adhering to the provisions.

Provisions of the amendment also outline that the owner can only keep the animal at the address on the application and that the designation is specific to the animal and cannot be transferred upon the death of the animal.

The following guidelines will be adopted in applying the bylaw:

- No specific time limit on designation however the designation will be reviewed if complaints are received. The designation is good for as long as the animal and the owner live at the address on the application.
- A one designation per animal requirement. Some owners might suggest that they should be permitted to keep a pig and that they can replace one pig with another without making a new application. In that case it is the owner that has special status, not the animal, and it is likely easier to administer an animal specific regulation.
- No amendment to the Zoning Bylaw. This is for two reasons. First the prohibition against keeping farm animals in a residential zone is found in the animal control bylaw, not the zoning bylaw. Second, the definition of agriculture in the zoning bylaw refers to “farm use” in the Agricultural [Land] Commission Act, which in turn refers to using “agricultural land for farming ... animals”. That use is not occurring here, as a person is using residential land to keep a domestic animal for a residential purpose. The difference being that this species of animal might be farmed by others.

The guidelines for applying for an animal to become an emotional support are quite stringent in that the amendment is very tight to ensure this isn't a wide scale item, and the application is onerous to also ensure it isn't abused.


Animal Control Bylaw Amendment - Emotional Support Animals

A concern around adopting this amendment is the potential of opening a floodgate of applications for animals that are not suitable to live in residential areas. Denials of applications could lead to Canadian Charter legal challenges under the equity of rights for mental and physical disabilities; section 15. Most municipalities however, do not have a provision for support animals that extend beyond domestic animals.

FINANCIAL IMPLICATIONS

None.

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Recommend adoption of the bylaw amendments.
	2	Request further information from staff.
	3	Take no action and leave the current bylaw unchanged.

ATTACHMENTS

Att#1: Bylaw 4168 – Animal Control Amendment Bylaw

Att#2: Bylaw 4170 – Bylaw Notice Enforcement Amendment

Att#3: Bylaw 4171 – Ticket Information Utilization Amendment

Lead author(s): Paula Jones

Contributing author(s): None

CITY OF PORT COQUITLAM
ANIMAL CONTROL AMENDMENT BYLAW, 2020
Bylaw No. 4168

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

1. CITATION

This Bylaw may be cited as "Animal Control Bylaw, 2017, No. 3990, Amendment Bylaw, 2020, No.4168".

2. AMENDMENTS

Animal Control Bylaw, 2017, No. 3990 is amended as follows:

- 2.1 By adding the following definition to section 2 [Definitions] in the appropriate alphabetical order:

Emotional Support Animal means an animal that is designated as an emotional support animal by the Bylaw Services Manager;

- 2.2 By adding the words "an Emotional Support Animal," after the words "and includes" in the definition of **Domestic Animal** in Section 2. Definitions;

- 2.3 By adding the words "or Emotional Support Animals" after the word "bees" in the definition of **Farm Animal** in Section 2. Definitions;

- 2.4 By adding the following as subsections 4) to 8) to section 16 [Other Domestic Animals]:

- 4) a person may apply to the Bylaw Services Manager to have a Farm Animal designated as an Emotional Support Animal by:
 - a) completing and submitting a form of application acceptable to the Bylaw Services Manager;
 - b) specifying on the form the residential address at which the animal will be kept; and
 - c) providing a letter from a qualified physician or psychiatrist evidencing that the animal is used for a disability-related need.
- 5) upon receiving a completed application under section 16(4) the Bylaw Services Manager may, at the Bylaw Services Manager's discretion:
 - a) designate the animal an Emotional Support Animal;
 - b) designate the animal an Emotional Support Animal with such designation being subject to the owner fulfilling conditions that the Bylaw Services Manager deems necessary to mitigate the risk of disturbing noise, odour and other nuisances that arise from the keeping of the animal; or
 - c) reject the application.

- 6) It is a condition of every designation of an Emotional Support Animal that:
- (a) the owner will only keep the Emotional Support Animal at the residential address stated on the application; and
 - (b) the designation cannot be transferred to another animal upon the death of the Emotional Support Animal or otherwise.
- 7) The Bylaw Services Manager may cancel the designation of an Emotional Support Animal if the owner fails to uphold a condition of the designation or otherwise contravenes this Bylaw.
- 8) a person may request:
- (a) a change to the residential address at which an Emotional Support Animal will be kept; or
 - (b) to transfer the designation to a new animal; by making a new application under 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

BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW, 2020

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. 4170".

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 "Animal Control Bylaw No. 3990", 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

Animal Control Bylaw No. 3990

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⁾
Dog At Large	8.1	100.00	150.00	n/a
Failure to Remove Excrement	8.3	100.00	150.00	n/a
Unconfined Dog in Heat	8.4	100.00	150.00	n/a
Confined Animal/ Inadequate Ventilation	8.5	100.00	150.00	n/a
More Than Three Dogs in Off Leash Area	9.3	100.00	150.00	n/a
Fail to Secure Dog in Off Leash Area	9.7	100.00	150.00	n/a
Fail to Provide Identification of Aggressive Dog	10.3	200.00	300.00	50%
Aggressive Dog Not Secured	10.4	N/A	500.00	n/a
Aggressive Dog At Large	10.5	N/A	500.00	n/a
Aggressive Dog in Off Leash Area	10.6	N/A	500.00	n/a
Fail to Report Aggressive Dog At Large	10.8	N/A	500.00	n/a
Fail to Report Transfer of Aggressive Dog	10.9	N/A	500.00	n/a
Aggressive Dog No Muzzle	10.12	N/A	500.00	n/a
Fail to Post/Maintain Dangerous Dog Sign	11.3	N/A	500.00	n/a
Fail to Report Transfer of Dangerous Dog	11.6	N/A	500.00	n/a
Fail to Mark Dangerous Dog With Identification	11.7	N/A	500.00	n/a
Dangerous Dog Not Secured	11.8	N/A	500.00	n/a
Dangerous Dog No Muzzle	11.9	N/A	500.00	n/a
Dangerous Dog At Large	11.10	N/A	500.00	n/a
Dangerous Dog With Minor	11.14	N/A	500.00	n/a
Fail to Report Dangerous Dog At Large	11.15	N/A	500.00	n/a
Dangerous Dog in Off Leash Area	11.16	N/A	500.00	n/a
Unlicensed Dog	12.1	100.00	150.00	50%

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⁾
No Licence Tag	12.3	50.00	75.00	50%
More Than Three Dogs	13.2	100.00	150.00	50%
Unpermitted Kennel	13.3	100.00	150.00	n/a
Farm Animal in a Residential Zone	15.1	100.00	150.00	50%
Farm Animal At Large	15.2	100.00	150.00	n/a
Keep Venomous Snake	16.1 (a)	200.00	300.00	n/a
Keep More Than Four Snakes	16.1 (b)	100.00	150.00	50%
Keep More Than Four Rodents	16.1 (c)	100.00	150.00	50%
Prohibited use in cannabis establishment	II 6(d)	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. 4171”.

That the Ticket Information Utilization Bylaw No. 2743 be amended by replacing Schedule 15 – “Animal Control Bylaw No. 3990” with the Schedule 15 for “Animal Control Bylaw No. 3990” attached hereto and forming part of this Bylaw.

READ A THIRD TIME this _____ day of _____, 2020

Corporate Officer

SCHEDULE 19

<u>Animal Control Bylaw No. 3990</u>	<u>SECTION</u>	<u>FINE</u>	<u>FINE</u> (If paid within 30 Days of Service)
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Dog At Large	8.1	150.00	100.00
Failure to Remove Excrement	8.3	150.00	100.00
Unconfined Dog in Heat	8.4	150.00	100.00
Confined Animal/Inadequate Ventilation	8.5	150.00	100.00
More Than Three Dogs in Off Leash Area	9.3	150.00	100.00
Fail to Secure Dog in Off Leash Area	9.7	150.00	100.00
Fail to Provide Identification of Aggressive Dog	10.3	300.00	200.00
Aggressive Dog Not Secured	10.4	500.00	N/A
Aggressive Dog At Large	10.5	500.00	N/A
Aggressive Dog in Off Leash Area	10.6	500.00	N/A
Fail to Report Aggressive Dog At Large	10.8	500.00	N/A
Fail to Report Transfer of Aggressive Dog	10.9	500.00	N/A
Aggressive Dog No Muzzle	10.10	500.00	N/A
Fail to Post/Maintain Dangerous Dog Sign	11.3	500.00	N/A
Fail to Report Transfer of Dangerous Dog	11.6	500.00	N/A
Fail to Mark Dangerous Dog With Identification	11.7	500.00	N/A
Dangerous Dog Not Secured	11.8	500.00	N/A
Dangerous Dog No Muzzle	11.9	500.00	N/A
Dangerous Dog At Large	11. 10	500.00	N/A
Dangerous Dog With Minor	11.14	500.00	N/A
Fail to Report Dangerous Dog At Large	11.15	500.00	N/A
Dangerous Dog in Off Leash Area	11.16	500.00	N/A

BYLAW NO. 2743**SCHEDULE 15 CONTINUED**

<u>Animal Control Bylaw No. 3990</u>	<u>SECTION</u>	<u>FINE</u>	<u>FINE</u> (If paid within 30 Days of Service)
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Unlicensed Dog	12.1	150.00	100.00
No Licence Tag	12.3	75.00	50.00
More Than Three Dogs	13.2	150.00	100.00
Unpermitted Kennel	13.3	150.00	100.00
Farm Animal in Residential Zone	15.1	150.00	100.00
Farm Animal At Large	15.2	150.00	100.00
Keep Venomous Snake	16.1 (a)	300.00	200.00
Keep More Than Four Snakes	16.1 (b)	150.00	100.00
Keep More Than Four Rodents	16.1 (c)	150.00	100.00