



# Committee of Council Agenda

Tuesday, January 26, 2021

2:00 p.m.

Virtual Meeting

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Pages

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1. Adoption of the Agenda

Recommendation:

*That the Tuesday, January 26, 2021, Committee of Council Meeting Agenda be adopted as circulated.*

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:*

- *December 8, 2020*
- *December 15, 2020*
- *January 5, 2021*
- *January 12, 2021.*

4. REPORTS

4.1. Financial Assistance for Recreation Participants

17

Recommendation:

*That Committee of Council recommend that Council approve the proposed Financial Assistance for Recreation Participants Policy to replace Policies #11.10.02 and #11.11.03, as outlined in the January 26, 2021 staff report, "Financial Assistance for Recreational Participants Policy".*

4.2. Smoking Control Bylaw Amendments

34

Recommendation:

*That Committee of Council recommend that Council adopt amendments to Smoking Control Bylaw, No. 4037, Bylaw Notice Enforcement Bylaw, No. 3814 and Ticket Information Bylaw, No. 2743, as outlined in the January 26, 2021, staff report, "Smoking Control Bylaw Amendments".*

5. COUNCILLORS' UPDATE

6. MAYOR'S UPDATE

7. CAO UPDATE

8. RESOLUTION TO CLOSE

8.1. Resolution to Close

Recommendation:

*That the Committee of Council Meeting of Tuesday, January 26, 2021, be closed to the public pursuant to the following subsections(s) of Section 90(1) of the Community Charter:*

Item 5.1

*d. the security of the property of the municipality.*

Item 5.2

*k. negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

Item 5.3

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

*l. discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].*

9. ADJOURNMENT

9.1. Adjournment of the Meeting

Recommendation:

*That the Tuesday, January 26, 2021, Committee of Council Meeting be adjourned.*

10. MEETING NOTES

# Committee of Council Minutes

**Tuesday, December 8, 2020**  
**Meeting will be conducted virtually**

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

Absent: Councillor Dupont

## 1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

## 2. ADOPTION OF THE AGENDA

## 2.1 Adoption of the Agenda

Moved-Seconded:

*That the Tuesday, December 8, 2020, Committee of Council Meeting Agenda be adopted as circulated.*

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

Absent (1): Councillor Dupont

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:*

- November 4, 2020
- November 10, 2020
- November 17, 2020
- November 24, 2020

- November 25, 2020.

Carried

#### **4. DELEGATIONS**

##### **4.1 Articulate - Elks Hall Usage**

Ms. Susan Robinson from Articulate presented to Committee of Council.

#### **5. REPORTS**

##### **5.1 Childcare Needs Assessment**

Ms. Sandra Merzer, Independent Consultant, presented the Childcare Action Plan to the Committee of Council.

##### **5.2 Rezoning Application for 1431 Barberry Drive**

Moved-Seconded:

*That Committee of Council recommend to Council:*

1. *That the zoning of 1431 Barberry Drive be amended from RS1 (Residential Single Dwelling 1) to RD (Residential Duplex).*
2. *That prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:*
  - a. *Demolition of the building;*
  - b. *Completion of design and submission of securities and fees for off-site works and services; and*
  - c. *Registration of a legal agreement to restrict secondary suites.*

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Absent (2): Mayor West, and Councillor Dupont

Carried

##### **5.3 Burns Road Culvert Grant**

Moved-Seconded:

*That Committee of Council confirm support for the Burns Road Culvert Replacement project and provision of overall grant management for \$750,000 in grant funding from the Union of British Columbia Municipalities (UBCM).*

In Favour (5): Councillor Darling, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Absent (2): Mayor West, and Councillor Dupont

Carried

**5.4 Blue Dot Program Update**

Staff provided an update on the Blue Dot Program to Committee of Council.

**5.5 Fremont Natural Area Assessment**

Staff presented the Fremont Natural Area Assessment to Committee of Council.

**5.6 Tree Canopy Update**

Staff provided an update on the Tree Canopy to Committee of Council.

**6. COUNCILLORS' UPDATE**

No update.

**7. MAYOR'S UPDATE**

No update.

**8. CAO UPDATE**

No update.

**9. RESOLUTION TO CLOSE**

**9.1 Resolution to Close**

*That the Committee of Council Meeting of Tuesday, December 8, 2020, be closed to the public pursuant to the following subsections(s) of Section 90(1) of the Community Charter:*

*Item 5.1*

*a. personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*

*c. labour relations or other employee relations;*

*g. litigation or potential litigation affecting the municipality.*

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

Absent (1): Councillor Dupont

Carried

**10. ADJOURNMENT**

**10.1 Adjournment of the Meeting**

Moved-Seconded:

*That the Tuesday, December 8, 2020, Committee of Council Meeting be adjourned 5:17 p.m.*

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

Absent (1): Councillor Dupont

Carried

## **11. MEETING NOTES**

Mayor West left the meeting during Item 5.1 (3:07 p.m.) and returned during Item 5.4 (3:34 p.m.).

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Mayor

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Corporate Officer

# Committee of Council Minutes

**Tuesday, December 15, 2020**  
**Meeting will be conducted virtually**

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

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## 1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

## 2. ADOPTION OF THE AGENDA

### 2.1 Adoption of the Agenda

#### Moved-Seconded:

*That the Tuesday, December 15, 2020, Committee of Council Meeting Agenda be adopted with the following changes:*

- *Deletion of item 4.1*
- *Addition to 8.1, item 5.5*

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

#### Carried

## 3. CONFIRMATION OF MINUTES

None.

## 4. REPORTS

### 4.1 PoCo Arts Council (verbal report)

This item was deleted from the agenda.

### 4.2 Rezoning Amendment Bylaw for 1840 Broadway Street - Extension

#### Moved-Seconded:

*That Committee of Council amend their July 14<sup>th</sup> resolution to extend the date of expiry for adoption of Zoning Amendment Bylaw No. 4140 to July 23, 2021.*

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

Carried

#### **4.3 Rezoning Application for 3587 Oxford Street**

Moved-Seconded:

*That Committee of Council recommend to Council that:*

1. *The zoning of 3587 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, including lane upgrades to Patricia Avenue.*

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

Carried

#### **4.4 Development Permit Amendment for 2325 Ottawa Street**

Moved-Seconded:

*That Committee of Council approve an amendment to Development Permit DP 50/98 to allow changes to the building façade and landscaping of Building 200 located at 2325 Ottawa Street.*

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

Carried

#### **4.5 Community Cultural Development Investment Program - Fall Intake, 2020**

Moved-Seconded:

*That Committee of Council approve the following Community Cultural Development Investment Program grant application:*

- *Project Category: Foolish Operations – \$5,000*



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

Opposed (1): Councillor Washington

Carried

#### **4.6 Master Transportation Plan Process**

Staff presented the Master Transportation Plan Process and answered questions from Committee.

#### **4.7 Bike Share Program Update**

Staff provided an update on the Bike Share Program and answered questions from Committee.

#### **4.8 October 2020 Community Centre Update**

Staff presented the October 2020 Community Centre Update and answered questions from Committee.

### **5. COUNCILLORS' UPDATE**

No update.

### **6. MAYOR'S UPDATE**

No update.

### **7. CAO UPDATE**

No update.

### **8. RESOLUTION TO CLOSE**

#### **8.1 Resolution to Close**

Moved-Seconded:

*That the Committee of Council Meeting of Tuesday, December 15, 2020, be closed to the public pursuant to the following subsections(s) of Section 90(1) of the Community Charter:*

Item 5.1

*e. the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*

*k. negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

Item 5.2

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

*l. discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].*

Item 5.3

*c. labour relations or other employee relations.*

Item 5.4

*c. labour relations or other employee relations.*

Item 5.5

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

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

Carried

**9. ADJOURNMENT**

**9.1 Adjournment of the Meeting**

Moved-Seconded:

*That the Tuesday, December 15, 2020, Committee of Council Meeting be adjourned at 8:15 p.m.*

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

Carried

**10. MEETING NOTES**

None.

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Mayor

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Corporate Officer

# Committee of Council Minutes

Tuesday, January 5, 2021  
Virtual Meeting

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

Absent: Councillor Dupont

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## 1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

## 2. ADOPTION OF THE AGENDA

### 2.1 Adoption of the Agenda

Moved-Seconded:

*That the Tuesday, January 5, 2021, Committee of Council Meeting Agenda be adopted as circulated.*

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

Absent (1): Councillor Dupont

Carried

## 3. CONFIRMATION OF MINUTES

None.

## 4. REPORTS

### 4.1 OCP and Rezoning Applications for 1884-1930 Harbour St. 1887-1911 Prince St and 1155 Pitt River Rd.

Moved-Seconded:

1. *That Committee of Council, having given consideration to s.475 of the Local Government Act, confirm the following consultation for the proposed Official Community Plan amendment:*

a. *on-site signage,*

- b. *the applicant's consultation with the community, and*
- c. *consideration of the application by Committee of Council in open meetings.*

*2. That Committee of Council recommend to Council that:*

- a. *The Official Community Plan land use designation for the site be amended from Townhouse Residential (RT) to Neighbourhood Commercial (N);*
- b. *The zoning be amended from Single Residential RS1 to a Comprehensive Development zone that includes the following provisions:*
  - i. *Ground floor community commercial uses, to a maximum of 1,360m<sup>2</sup>*
  - ii. *A minimum of 16 townhouses and up to 121 apartments.*
  - iii. *A provision of density bonus in the amount of \$50 per square foot for residential floor area proposed in excess of 6,592 m<sup>2</sup> (70,950 ft<sup>2</sup>).*
  - iv. *A minimum of 1,290m<sup>2</sup> of outdoor amenity area and 274m<sup>2</sup> indoor amenity area, including an outdoor children's play space, common outdoor dining area(s), common indoor cooking area(s), common indoor gym(s) and common indoor workspaces.*
  - v. *Private balcony or deck for each residential unit with a minimum depth of 1.8 m (6 ft).*

*c. Prior to adoption of the amending bylaws, the following conditions be met to the satisfaction of the Director of Development Services:*

- i. *Purchase and closure of Prince Street;*
- ii. *Completion of a legal agreement to secure a minimum of 10 dwelling units as non-market rental housing;*
- iii. *Registration of legal agreements to ensure the development is designed and constructed as follows:*
  - *in accordance with the recommendations of the acoustical study;*
  - *built to either a LEED® Silver standard or equivalent per the BC Energy Step Code;*
- iv. *Submission of securities and fees for off-site works and services including reconstruction of the full width of Harbour Street, a right-in/right-out vehicular restriction on Pitt River Road, and pedestrian improvements.*

v. Completion of a subdivision plan to the satisfaction of the Approving Officer.

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

Absent (1): Councillor Dupont

Carried

#### **4.2 Investing in Canada Infrastructure Program: COVID-19 Resilience Stream**

Moved-Seconded:

*That Committee of Council direct staff to submit an application for grant funding for the McAllister Avenue Rehabilitation Project through the Canada Infrastructure Program – COVID-19 Resilience Infrastructure Stream; and*

*That Committee of Council supports the project, and commits to the City's share of costs, any associated ineligible costs and any cost overruns.*

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

Absent (1): Councillor Dupont

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**

No update.

#### **8. RESOLUTION TO CLOSE**

##### **8.1 Resolution to Close**

Moved-Seconded:

*That the Committee of Council Meeting of Tuesday, January 5, 2021, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:*

Item 5.1

*k. negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the*

*council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

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

Absent (1): Councillor Dupont

Carried

## **9. ADJOURNMENT**

### **9.1 Adjournment of the Meeting**

Moved-Seconded:

*That the Tuesday, January 5, 2021, Committee of Council Meeting be adjourned at 5:19 p.m.*

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

Absent (1): Councillor Dupont

Carried

## **10. MEETING NOTES**

None.

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Mayor

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Corporate Officer

# Committee of Council Minutes

Tuesday, January 12, 2021  
Virtual Meeting

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

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## 1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

## 2. ADOPTION OF THE AGENDA

### 2.1 Adoption of the Agenda

Moved-Seconded:

*That the Tuesday, January 12, 2021, Committee of Council Meeting Agenda be adopted with the following changes:*

- *Deletion of item 5.1.*

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

Carried

## 3. CONFIRMATION OF MINUTES

None.

## 4. DELEGATIONS

### 4.1 PoCo Arts Council (verbal report)

Mr. Pat McCarthy from PoCo Arts Council gave a presentation and answered questions from Committee of Council.

### 4.2 Articipate (verbal report)

Ms. Susan Robinson from Articipate gave a presentation and answered questions from Committee of Council.

## **5. REPORTS**

### **5.1 Rezoning Application for 1340 Prairie Avenue**

This item was deleted from the Agenda.

### **5.2 Development Variance Permit Application for 2331 and 2341 Mary Hill Road**

Moved-Seconded:

*That the Committee of Council:*

1. *Authorize staff to provide notice of an application to vary underground servicing requirements for an apartment development at 2331-2341 Mary Hill Road, and*
2. *Advise Council that it supports further consideration of Development Variance Permit DVP00049.*

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

Carried

### **5.3 Temporary Use Permit - 880 Lougheed Highway**

Moved-Seconded:

*That Committee of Council authorize staff to provide notice of a temporary use application at 880 Lougheed Highway.*

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

Carried

## **6. COUNCILLORS' UPDATE**

No update.

## **7. MAYOR'S UPDATE**

No update.

## **8. CAO UPDATE**

No update.

## **9. RESOLUTION TO CLOSE**

### **9.1 Resolution to Close**

Moved-Seconded:



*That the Committee of Council Meeting of Tuesday, January 12, 2021, be closed to the public pursuant to the following subsections(s) of Section 90(1) of the Community Charter:*

*Item 5.1*

*k. negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

*Item 5.2*

*f. law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.*

*Item 5.3*

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

*l. discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].*

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

Carried

## **10. ADJOURNMENT**

### **10.1 Adjournment of the Meeting**

Moved-Seconded:

*That the Tuesday, January 12, 2021, Committee of Council Meeting be adjourned at 5:06 p.m.*

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

Carried

## **11. MEETING NOTES**

None.

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Mayor

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Corporate Officer

# Financial Assistance for Recreation Participants Policy

## **RECOMMENDATION:**

*That Committee of Council recommend that Council approve the proposed Financial Assistance for Recreation Participants Policy to replace Policies #11.10.02 and #11.11.03, as outlined in the January 26, 2021 staff report, "Financial Assistance for Recreational Participants Policy".*

## **PREVIOUS COUNCIL/COMMITTEE ACTION**

On February 10, 2015, Council passed the following motion:

*That the revised Subsidy for Non-Profit Residential Care and Rehabilitation Organizations and Non-Profit Community Health Based Agencies – Recreation Services, Subsidy for Personal Assistants – Recreation Services and Subsidy for Individuals – Recreation Services Policies as outlined in the Attachments, be approved; and that the revised documents become effective on the date outlined on each Policy.*

## **REPORT SUMMARY**

The purpose of this report is to consolidate two Recreation financial assistance policies into one updated policy that specifies how the City will distribute financial assistance to support active living, provide streamlined customer service and implement best practices in inclusion and accessibility.

## **BACKGROUND**

The Recreation Department currently offers the following three programs that support access to recreation facilities, activities and services:

- Subsidy for Non-Profit Residential Care and Rehabilitation Organizations and Non-Profit Community Health Based Agencies;
- Subsidy for Personal Assistants; and,
- Subsidy for Individuals.

The current policies that outline how these programs are administered were last revised in 2015:

- Subsidy for Non-Profit Residential Care and Rehabilitation Organizations and Non-Profit Community Health Based Agencies (Policy #11.10.02);
- Subsidy for Personal Assistants (Policy #11.12.02); and,
- Subsidy for Individuals (Policy #11.11.03).

The annual budget allocated to these programs is \$35,000. In 2019, 283 customers utilized \$19,782 of individual assistance and 5 residential care, rehabilitation and community health-based

## Financial Assistance for Recreation Participants Policy

organizations utilized \$3,597 toward recreation activities. In 2020, COVID-19 facility closures greatly limited the programs and services offered, which resulted in lower utilization of financial assistance in 2020.

As shown on Table 1 the amount of financial assistance funding utilized by individual recreation customers per year has been declining from 2016, despite over 5,000 Port Coquitlam residents falling below the Low Income Cut Off (LICO), a measure of low income constructed by Statistics Canada. Individuals who fall below the LICO threshold typically allocate a much larger share of their income to the basic necessities of food, shelter and clothing; therefore, may not have the financial means to access recreation services and programs.

Table 1: Annual Use of Individual Financial Assistance Funding

	2016	2017	2018	2019	2020
\$ Awarded	\$26,662	\$24,929	\$22,650	\$19,782	\$4,865
# of Customers	386	348	327	283	158

The 2016 Canadian Census reported that the total number of Port Coquitlam residents who fall below the LICO scale was 5,465 with a percentage of Port Coquitlam residents in each age category as follows:

- 12.2% of residents aged 0 – 17 years old
- 8.8% of residents aged 18 – 64 years old
- 8.1% of residents aged 65+ years old

### DISCUSSION

The current policies were revised in 2015 and are being reviewed again in keeping with the City's goal to review policies on a regular basis. These policies were developed to reduce barriers to recreation participation. The proposed consolidated policy supports the City's initiative to reduce barriers for low income individuals and families by introducing a more dignified applicant screening process in collaboration with community organizations, schools, health-based and government agencies, and expanding the options for how funding can be used toward recreation activities once approved.

As described above, there is a discrepancy between the number of Port Coquitlam individuals who qualify for financial assistance and those who use the program. As part of the policy review process, staff sought input from organizations who serve clients that could benefit from financial assistance, including Immigrant Services Society, School District No. 43, Share Family & Community Services Society, Kinsight, and the Wilson Centre Seniors Advisory Association. Staff

## Financial Assistance for Recreation Participants Policy

also received feedback from individuals who currently access financial assistance. After assessing the input received from all sources, staff determined that individuals have not been utilizing the Financial Assistance Program primarily due to three specific barriers: the limit on maximum assistance amounts allotted each quarter, having to pay 50% of the fees is still not affordable, and lack of awareness about the Program.

The proposed Policy will address these barriers while also consolidating two policies into one that specifies how the City distributes financial assistance to recreation participants. This change will provide greater clarity on the City's financial assistance program, increase access for residents in need, and align the applicant screening process with current practices among Lower Mainland municipalities.

Specifically, the proposed changes to the application process, screening, and distribution of funding, will reduce barriers and enable equitable distribution of the currently approved budget, as outlined below:

- Creating a more respectful process for individuals seeking financial assistance;
- Improving customer service and administrative efficiencies through a simplified allocation process;
- Increasing the maximum amount of assistance that can be applied to each recreation program or pass purchase from 50% to 75% per person; and,
- More broadly promoting access to recreation programs and services through enhanced communication and collaboration with community organizations, schools, health-based agencies and government organizations.

### **Consolidation of the Policies:**

#### **I. Subsidy for Non-Profit Residential Care and Rehabilitation Organizations and Non-Profit Community Health Based Agencies**

The current Policy for Non-Profit Residential Care and Rehabilitation Organizations and Non-Profit Community Health-Based Agencies will be consolidated into the proposed Financial Assistance for Recreation Participants Policy. This Policy provides financial assistance to clients of non-profit residential care, rehabilitation and community health-based organizations. Residential organizations receive 10 free visits per bed per quarter to a maximum of 200 visits. Non-profit community health-based agencies receive 50 free visits per quarter. Other organizations that provide social services within Port Coquitlam are considered on an individual basis. There are no recommended changes to the Non-Profit Residential Care and Rehabilitation Organizations component in the proposed Policy as it is well used by the current non-profit organizations and community health-based authorities. Having the organizations distribute and manage the visits provides autonomy, flexibility and efficiency based on the knowledge and expertise of their Case

# Financial Assistance for Recreation Participants Policy

Managers. Greater breadth of organizations will be managed through outreach to organizations, as well as, more active collaboration and management of the partnerships.

## II. Subsidy for Personal Assistants

The current Policy for Personal Assistants provides free access to an individual who is attending an activity as a personal assistant to provide support for a recreation patron. This practice ensures equitable access for patrons of all abilities and it is not based on financial need. Staff propose that this Policy not be consolidated into the proposed Financial Assistance for Recreation Participants Policy. Instead, staff recommend it be outlined in the next revision of the Fees and Charges Bylaw No. 3892. There are no changes suggested for this practice as it is congruent with municipal standards to provide free access to the personal assistant of an individual requiring support to participate.

## III. Subsidy for Individuals

The current Policy for Individuals will be consolidated into the proposed Financial Assistance for Recreation Participants Policy. Approved individuals are currently offered a 50% reduced cost up to a maximum of \$50 per quarter toward a recreation activity or a \$200 subsidy toward the purchase of an annual pass (pro-rated to the remaining quarters left in the calendar year).

The following proposed changes to this Policy are based on community feedback and best practices:

1. Approved community organizations, schools, health-based agencies and government organizations verify an individual's financial circumstances.

The existing application process requires documentation to verify current income is below the LICO. This process is undignified and unnecessary if the information has previously been confirmed by a community agency partner. Providing the option for approved community organizations, schools, health-based agencies and government organizations to verify an individual's financial circumstances leverages the service provider's current relationship and knowledge of their client's circumstances, as well as addresses language, transportation, and technology barriers of applicants. This creates a more respectful process for residents seeking financial assistance, provides improved customer service and creates efficiencies in administering the Policy. The Director of Recreation will approve community organizations, schools, health-based agencies and government organizations that can verify an individual's need for financial assistance.

Applicants will continue to have the option to apply, on their own behalf, and provide proof of residency and income (Notice of Assessment from Canada Revenue Agency).

## Financial Assistance for Recreation Participants Policy

Residents can apply online or in person, providing greater privacy and dignity for applicants. City staff will continue to carefully review all applications submitted to the City to verify eligibility.

2. Allow recipients to apply the approved financial assistance amount to programs, admissions and passes, at any point during the year.

Feedback from current recipients and community service providers indicates the need for greater flexibility in how the subsidy can be utilized. Currently, approved individuals are offered up to a maximum of \$50 per quarter toward a recreation activity, for a total of \$200 each year. This quarterly maximum amount creates financial barriers for individuals seeking access to recreation programs that cost more than \$50, such as children's camps. Staff recommend removing the quarterly restriction and giving individuals access to the full \$200, at any point in the year, to apply to activities or passes that are most meaningful to the individual's active living goals. This simplified allocation process will improve administrative efficiency and better align with the subsidy procedures of surrounding municipalities.

3. Increase financial assistance to a maximum 75% discount on programs, admissions and passes, with no change to the total annual subsidy amount of \$200 per person.

The community feedback received indicated that the current 50% fee subsidy does not adequately reduce barriers for low income individuals wanting to access recreation activities and services. Staff completed a market comparison which shows that the City's current financial subsidy is less than neighbouring municipalities (see Attachment #2). Staff recommend increasing the maximum subsidy from 50% to 75% of the applicable fee in response to the feedback received and more closely align with the discounts offered by surrounding municipalities.

4. Greater outreach and promotion through active communication and collaboration with organizations.

Staff will liaise with the Equity, Diversity and Inclusion Roundtable, local schools, community health-based agencies and government organizations who serve clients who could benefit from this Policy to increase awareness and utilization by individuals in need.

The proposed Policy will address the identified barriers to participation with the intent to increase access for residents in need. It will also align the applicant screening process with current practices among Lower Mainland municipalities and introduce a more dignified process through collaboration with community organizations, schools, health-based and government agencies. The anticipated overall outcome is that this Policy will better achieve the goal to support active living, provide


## Financial Assistance for Recreation Participants Policy

excellent customer service and implement best practices in providing equitable recreation opportunities.

### **FINANCIAL IMPLICATIONS**

There are no proposed changes to the currently approved budget. Staff will continue to monitor the use of the Financial Assistance Program, post COVID-19 and with the opening of Phase 2 of the Port Coquitlam Community Centre, and bring forward any future requests to increase the budget as part of the annual budget deliberations.

### **OPTIONS** (✓ = Staff Recommendation)

	#	Description
	1	Approve the Financial Assistance for Recreation Participants Policy.
	2	Approve the Financial Assistance for Recreation Participants Policy, with revisions.
	3	Reject the proposed Financial Assistance for Recreation Participants Policy.

### **ATTACHMENTS**

Att#1: Proposed Financial Assistance for Recreation Participants Policy

Att#2: Municipal Comparison of Financial Assistance Programs

Att#3: Current Policy #11.10.02 Subsidy for Non-Profit Residential Care and Rehabilitation Organizations and Non-Profit Community Health Based Agencies

Att#4: Current Policy # Policy #11.12.02 Subsidy for Personal Assistants

Att#5 Current Policy #11.11.03 Subsidy for Individuals

**Lead author(s):** Melissa Wilson, Carrie Nimmo



<b>Subject Area:</b>	<b>Recreation Department</b>		<b>Policy #</b>	<b>11.XX</b>
<b>Policy Title:</b>	<b>Financial Assistance for Recreation Participants</b>			
<b>Authority:</b>	<b>Legislative</b>	<b>X</b>	<b>Effective Date:</b>	2021-01-xx
	<b>Administrative</b>		<b>Review Date:</b>	2025-01-xx
<b>Issued By:</b>	<b>Director of Recreation</b>		<b>Issue Date:</b>	2021-01-xx
			<b>Manner Issued:</b>	E-mail to Department Heads

**Purpose:**

To provide a framework for the distribution of financial assistance to recreation participants. Providing inclusive recreation programs and services to all ages, abilities, income levels, and cultures supports active lifestyles and healthy communities.

**Associated Policy Document:**

- Community Grant Policy 7.06.03

**Policy:**

1. This Policy applies to financial assistance for recreation participants including:
  - Port Coquitlam individuals and families requiring financial assistance to participate in recreational activities; and
  - Non-profit residential care, rehabilitation organizations and non-profit community health-based agencies facilitating access to recreational activities on behalf of clients.
2. Financial assistance can be applied to all Recreation Department admissions, passes and programs that are directly delivered by City employees. Specialty programs offered by a third-party provider may be excluded.
3. Specific guidelines and application processes are reviewed on an annual basis to

- ensure best practices are implemented and community needs are met.
4. Applicants, including individuals, non-profit and residential care/rehabilitation or community health-based agencies seeking financial assistance on behalf of their clients, are subject to eligibility screening and must provide documentation to be reviewed and approved by staff.
  5. Requests for changes to the financial assistance budget will be timed to align with the City's financial planning process.
  6. Approval of financial assistance will be subject to eligibility and available funding.
  7. Financial assistance for clients of non-profit residential care/rehabilitation organizations or community health-based agencies:
    - I. Non-profit Residential care/rehabilitation organizations will receive 10 free visits per bed per quarter to a maximum of 200 free visits per quarter.
    - II. Non-profit community health-based agencies will receive 50 free visits per quarter.
  8. Financial assistance for individuals:
    - I. Applicants must provide verification annually of financial need and residency through:
      - a) Government documentation (eg. Notice of Assessment from Canada Revenue Agency) with qualifying income levels determined by the Government of Canada's Low Income Cut Off Scale.
    - or
    - b) Verification from an approved community organization, school, health-based agency or government organization.
    - II. Financial assistance will be provided at the rate of 75% reduction toward the cost of a recreation program, admission or pass.
    - III. Recipients may apply the approved financial assistance amount to programs, admissions and passes at any point during the year.

### **Responsibility:**

The Director of Recreation shall be responsible for the overall administration of this Policy.

### **END OF POLICY**

### **Record of Amendments:**

Policy	Issue date	Reviewed	Replaced	Re-issue Date
11.11.03	Feb 11, 2015			
11.12.02	Feb 11, 2015			
11.10.02	Feb 11, 2015			

*Definitions:*

*Inclusion: A state of belonging, when persons of different backgrounds and identities are valued, integrated, and welcomed equitably. Inclusion involves people being given the opportunity to grow and feel/know they belong.*

*Equity: Equity is the fair distribution of opportunities, power and resources to meet the needs to all people, regardless of age, ability, gender, income, education level, culture or background. This means providing support based on an individual's level of need, instead of providing everyone the same amount of support.*

## Municipal Comparison of Individual Financial Assistance Programs - November 2020

Surrey	<p><u>Recreation Pass or Drop-In Admission Discount</u>  Children, Youth and Seniors: Free annual pass to all facilities  Adults: 75% off single admissions, monthly or an annual pass to all facilities;</p> <p>And:</p> <p><u>Registered Program Discount</u>  75% off most registered courses, up to \$500 for youth and \$250 for adults.</p> <p><u>Day Camp Discount</u>  Applicable day camps for children (0 to 12 years) and youth (13 to 18 years) have no discount limits.</p>
Coquitlam	<p><u>Option A</u>  50 free drop-in admissions per year,  2 free registered programs per year; or,  4 x 50% off registered programs per year.</p> <p><u>Option B</u>  One annual membership with unlimited drop-in admissions for \$10 per person;</p> <p>And:</p> <p>2 free registered programs per year; or,  4 x 50% off registered programs per year.</p>
New Westminster	<p>Up to 50% off the cost for eligible registered programs up to \$1,000 per family member;</p> <p>Or:</p> <p>One Active 10 or 30 visit pass.</p>
Port Moody	<p>50% off drop-ins, visit passes or fitness memberships;</p> <p>And:</p> <p>50% off up to 4 registered programs each year; and,  50% off up to 2 weeks of summer day camps for each eligible family member.</p>
Maple Ridge	<p>75% off admissions</p> <p>And:</p> <p>50% off a registered program to a maximum of \$50 per season</p>
Port Coquitlam (Current Policy)	<p>50% off a registered program, up to \$50 per quarter;</p> <p>Or:</p> <p>Pro-rated discount toward annual pass (4 quarters x \$50 per quarter = \$200 maximum discount).</p>

<b>Subject Area:</b>	<b>Parks and Recreation Department</b>		<b>Policy #</b>	<b>11.10.02</b>
<b>Policy Title:</b>	<b>Subsidy for Non-Profit Residential Care and Rehabilitation Organizations &amp; Non-Profit Community Health Based Agencies – Recreation Services</b>			
<b>Authority:</b>	<b>Legislative</b>	<b>X</b>	<b>Effective Date:</b>	<b>2015 -02-11</b>
	<b>Administrative</b>	<input type="checkbox"/>	<b>Review Date:</b>	<b>2019-10</b>
<b>Issued By:</b>	<b>B. Becker Director of Parks and Recreation</b>	<b>Parks and Recreation Department</b>	<b>Issue Date:</b>	<b>2015-02-11</b>
			<b>Distributed By:</b>	<b>Managers in Parks &amp; Recreation</b>

## **Purpose:**

This Policy has been developed to ensure that non-profit organization's operating residential care and rehabilitation homes/facilities and non-profit community health based agencies are able to meet their program objectives by including recreation opportunities for their clients and to ensure that this access is equitably distributed between houses/facilities in a pre-determined manner.

Lifestyle uncertainty, physical/mental disabilities and poverty issues are all common challenges that clients have entering residential care and rehabilitation centres.

Recreation activity is critical in the development/maintenance of a healthy lifestyle and helps to integrate individuals back into the community.

## **Policy:**

This Policy pertains to Port Coquitlam registered non-profit residential care and rehabilitation facilities and non-profit community health based agencies. Other organizations that provide social services within Port Coquitlam will be considered for this program, on an individual basis. Non-profit residential care and rehabilitation facilities and non-profit community health based agencies shall be provided access to the City's recreation facilities, as outlined below:

- Non-profit organization's operating residential care and rehabilitation houses/facilities receive 10 free admissions per bed per quarter to a maximum of 200 admissions per quarter at a 100% subsidy.

- Non-profit community health based agencies receive 50 free admissions per quarter at a 100% subsidy.
- If a non-profit residential care and rehabilitation organization or non-profit community health based agency does not fully utilize their quarterly subsidy allotment, it will not carry over into the next quarter.
- Subsidized admissions are only issued to those clients in financial hardship. Those paying for their own rehabilitation or those whose services are being paid by a third party (eg. Canadian Mental Health) do not receive subsidy under this Policy but rather should apply under the Subsidy for Individuals – Recreation Services Policy.

**Procedure:**

1. An organization/society operating non-profit residential care and rehabilitation facilities or a non-profit community health based agency approaches the City for support by submitting a letter of request to the Parks and Recreation Department (#200 - 2253 Leigh Square).
2. This letter must include the following information:
  - History of the organization/society/agency.
  - Proof that they are a registered non-profit organization/agency.
  - Proof that their organization/society/agency resides/operates in Port Coquitlam and the address of each house/facility.
  - The number of beds in each house/facility, if applicable.
  - The number of clients they are treating.
  - A brief summary on the services they provide.
3. Staff will review the information received and call applicant to confirm the outcome of the review.
4. If accepted, the organization/agency's administrator/designate must obtain their approved admissions from the Gathering Place (#200 – 2253 Leigh Square).
5. If applicants have questions regarding this program, they should contact the Recreation Program Coordinator – Community Services at 604-927-7925.

**Responsibility:**

The Director of Parks and Recreation or designate(s) as assigned shall have the authority to administer this Policy.

**END OF POLICY**

**Record of Amendments:**

<b>Policy</b>	<b>Issue date</b>	<b>Reviewed</b>	<b>Replaced</b>	<b>Re-issue Date</b>
11.10	2001-10-22	2009-02	Yes – 11.10.01	2009-02-12
11.10.01	2009-02-12	2013-02	Yes – 11.10.02	
11.10.02	2015-02-11	2019-10		

<b>Subject Area:</b>	<b>Parks and Recreation Department</b>		<b>Policy #</b>	<b>11.12.02</b>
<b>Policy Title:</b>	<b>Subsidy for Personal Assistants – Recreation Services</b>			
<b>Authority:</b>	<b>Legislative</b>	<b>X</b>	<b>Effective Date:</b>	<b>2015-02-11</b>
	<b>Administrative</b>	<input type="checkbox"/>	<b>Review Date:</b>	<b>2019-10</b>
<b>Issued By:</b>	<b>B. Becker Director of Parks and Recreation</b>	<b>Parks and Recreation Department</b>	<b>Issue Date:</b>	<b>2015-02-11</b>
			<b>Distributed By:</b>	<b>Managers in Parks &amp; Recreation</b>

## **Purpose:**

The purpose of this Policy:

- 1) To provide easier access to recreation for those individuals who cannot participate in recreation opportunities independently.
- 2) To eliminate any financial expense for personal assistants who are required to support an individual who cannot participate in recreation opportunities independently.

## **Policy:**

It is generally accepted and understood that recreation services should be inclusive for all. However, physical or mental limitations can prove to be a barrier that will prevent some citizens from independently participating in recreation opportunities.

## **Policy Guidelines:**

- There is no residency clause for the person requiring the support or their personal assistant.
- The person requiring the support, pays the applicable admission fee.
- A personal assistant is provided with a 100% discount for their admission fee if they are actively supporting a mentally or physically challenged individual 100% of the time they are in the facility.
- Clients are issued a membership/identification card to confirm for staff that they have been approved for this program.

**Procedure:**

- 1) Applicants access this program by completing an application form. These forms are available online or at the customer service counters at Hyde Creek Recreation Centre (1379 Laurier Avenue), Port Coquitlam Recreation Complex (2150 Wilson Avenue), the Outlet (#110 – 2248 McAllister Avenue) or the Gathering Place (#200 - 2253 Leigh Square).
- 2) This form should be completed to its fullest to permit staff to properly assess the application and prevent processing delays.
- 3) The completed application should be returned to any City facilities stated in #1.
- 4) Upon receipt of an application, a Customer Service Attendant will review the application to confirm adherence to the Policy's guidelines.
- 5) Upon approval, the Customer Service Attendant will call the client to let them know the outcome of their application.
- 6) Questions or clarifications regarding this program, should be directed to the Recreation Program Coordinator – Adult and Community Services at 604-927-7925.

Note: If a client enters a recreation facility requesting this service but is not currently registered with the program, then the following steps should be taken:

1. Customer service staff welcome the potential client(s) to the facility.
2. Customer service staff invite the personal assistant to enjoy the facility at no cost during their initial visit.
3. Customer service staff inform the potential client(s) that they are required to complete and return the appropriate application form prior to their next visit to the facility.

**Responsibility:**

The Director of Parks and Recreation or designate(s) as assigned shall have the authority to administer this Policy.

**END OF POLICY**

**Record of Amendments:**

<b>Policy</b>	<b>Issue date</b>	<b>Reviewed</b>	<b>Replaced</b>	<b>Re-issue Date</b>
11.12	2001-10	2014-10	Yes – 11.12.01	2014-10-X
11.12.01	2009-02-12	2013-02	Yes – 11.12.02	
11.12.02	2015-02-10	2019-10		



<b>Subject Area:</b>	<b>Parks and Recreation Department</b>			<b>Policy #</b>	<b>11.11.03</b>
<b>Policy Title:</b>	<b>Subsidy for Individuals – Recreation Services</b>				
<b>Authority:</b>	<b>Legislative</b>	<b>X</b>	<b>Effective Date:</b>	<b>2015-02-11</b>	
	<b>Administrative</b>	<input type="checkbox"/>	<b>Review Date:</b>	<b>2019-10</b>	
<b>Issued By:</b>	<b>B. Becker Director of Parks and Recreation</b>	<b>Parks and Recreation Department</b>	<b>Issue Date:</b>	<b>2015-02-11</b>	
			<b>Distributed By:</b>	<b>Managers in Parks &amp; Recreation</b>	

## **Purpose:**

The purpose of this Policy is to provide support to individuals who are unable to participate in recreation services as a result of financial limitations.

## **Policy:**

It is generally accepted and understood that recreation services should be inclusive for all. However, financial limitations can prove to be a barrier that prevents some individuals from participating in recreation services.

- Subsidy of \$200 per individual per calendar year. This subsidy will be allocated at a rate of \$50 per quarter toward a maximum of 50% subsidy on activities or membership plans. This will help to encourage the client to adopt an active lifestyle versus experiencing a one-time only subsidized activity/service.
- If an individual has not used any of their subsidy allotment within the first quarter of the year, they will be able to apply their full subsidy of \$200 (\$50 x 4 quarters) toward an annual membership plan. The same condition applies for individuals wanting to purchase a six month membership plan. The individual must have enough quarterly subsidy left in the year in order to be able to apply the \$100 subsidy (\$50 x 2 quarters) toward a six month membership plan (eg. They can purchase a six month membership plan in September but not in October).
- Individuals that purchase a six or twelve month membership plan can choose to schedule their payments over six or twelve months, respectively.

- If the individual does not fully use their quarterly subsidy allotment, it will not carry over into the next quarter.
- Private and semi-private lessons, childminding, personal training, family admissions/membership passes and birthday party packages are excluded from this subsidy.
- Exceptions will be considered on an individual basis.
- Applicants must provide proof of Port Coquitlam residency (eg. utility bill, tax notice or driver's license).
- Applicants must provide verification of financial need. This may be in the form of either a current Notice of Assessment from Revenue Canada or a copy of their Ministry of Human Resources subsidy cheque stub that verifies the applicant is between the required minimum and maximum income levels.
- Applicants may be referred to the City through the Partner Referral Program. The partnering agency must complete a Program Orientation Process.
- Income levels for municipalities with a population greater than 500,000 people will be used as the income reference point, as Port Coquitlam is part of Metro Vancouver.
- Qualifying income levels are updated annually with the latest information from Statistics Canada.

Qualifying Income Levels (Minimum/Maximum)

<u># of Family Members</u>	<u>Gross Household Yearly Income</u>
1	\$5,000-\$23,647
2	\$6,000-\$29,440
3	\$7,000-\$36,193
4	\$8,000-\$43,942
5	\$9,000-\$49,839
6	\$10,000-\$56,209
7	\$11,000-\$62,581

(2012 National Council on Welfare Poverty Rates)

**Procedure:**

- 1) Applicants can access this program by completing the application form. These forms are available online or at the customer service counters in the Hyde Creek Recreation Centre (1379 Laurier Avenue), Port Coquitlam Recreation Complex (2150 Wilson Avenue), the Outlet (#110 – 2248 McAllister Avenue) or at the Gathering Place (#200 - 2253 Leigh Square).
- 2) The application form must be completed in its fullest to allow staff to properly assess the application and prevent processing delays.
- 3) The completed application must be returned to any one of the City facilities stated in #1.
- 4) Upon receipt of an application, staff will review it to confirm adherence to the program's guidelines.
- 5) Staff will call the client to let them know the outcome of their application.
- 6) If applicants have questions of clarification regarding the program, they should contact the Recreation Program Coordinator – Adult and Community Recreation at 604-927-7925.

**Responsibility:**

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The Director of Parks and Recreation or designate(s) as assigned shall have the authority to administer this Policy.

**END OF POLICY**

**Record of Amendments:**

<b>Policy</b>	<b>Issue date</b>	<b>Reviewed</b>	<b>Replaced</b>	<b>Re-issue Date</b>
11.11	2004-01-01	2009-02-09	Yes – 11.11.01	2009-02-12
11.11.01	2009-02-12	2010-05	Yes – 11.11.02	2010-05-03
11.11.02	2015-02-11	2019-10		

# Smoking Control Bylaw Amendments

## **RECOMMENDATION:**

That Committee of Council recommend that Council adopt amendments to Smoking Control Bylaw, No. 4037, Bylaw Notice Enforcement Bylaw, No. 3814 and Ticket Information Bylaw, No. 2743, as outlined in the January 26, 2021, staff report, "Smoking Control Bylaw Amendments".

## **PREVIOUS COUNCIL/COMMITTEE ACTION**

March 13, 2018 - Council adopted current Smoking Control Bylaw No. 4037.

## **REPORT SUMMARY**

This report proposes amendments to the Smoking Control Bylaw No. 4037 and accompanying ticketing Bylaws. These proposed amendments will serve to enhance and expand enforcement of the current Smoking Control Bylaw.

## **BACKGROUND**

This report proposes amendments to Smoking Control Bylaw, No. 4037, pertaining to the health, safety and increased livability of those who live, work and visit the City. The bylaw amendments will provide greater restrictions on smoking in both outdoor and indoor spaces, such as: sidewalk corners, outside businesses and inside vehicles for hire (e.g. taxis, Uber, Lyft).

These additions will help ensure the protection of both the public and staff from the harmful effects of second-hand smoke. The proposed amendments also provide enhanced enforcement measures for enforcement officers, as well as amendments to the ticketing provisions to allow for corresponding enforcement.

## **DISCUSSION**

### **Section 4.1**

The previous wording only regulated smoking outside of any building owned by a public body. The proposed amendment would change the provision to allow enforcement officers to enforce smoking that takes place within any building to which the public has access and within 7.5 metres of an entrance. This amendment does not include private residences or strata buildings.

### **Section 4.4**

The outlined amendment is to revise wording and remove reference to paragraphs that are no longer relevant.

## Smoking Control Bylaw Amendments

### Section 4.7

The outlined amendment will add a provision that will allow enforcement officers to enforce smoking where it is prohibited by a sign in a public space. This is intended to allow the enforcement of smoking in areas that aren't currently captured in the bylaw. For example, persons may be smoking on sidewalk corners and be following the 7.5 metres restrictions but still causing the disturbance of smoke to those passing by.

### Section 4.8

The outlined amendment will add a provision that will allow RCMP to enforce smoking that takes place inside of a taxi or for other passenger vehicles for hire. It is unlikely that bylaw officers would be enforcing a moving violation however, bylaw officers could enforce if the vehicle is stopped or parked.

### Section 4.9

The outlined amendment will allow RCMP to enforce smoking in motor vehicles which have occupants under the age of nineteen. Several other municipalities, including Richmond and Surrey regulate such activity.

### Section 4.10

The outlined amendment will add a provision to allow enforcement officers to enforce smoking within 7.5 metres of a crosswalk. This will capture other locations where smokers congregate and smoke is bothersome to people on sidewalk corners waiting to cross the street.

### Section 4.11

Adds a ticketing provision for failure to put out a lit cigarette. (includes all smoking sources as outlined in the "smoke" or "smoking" definition of this bylaw). This will address circumstances in which the cigarette is disposed of without extinguishing causing a potential fire hazard. For example, throwing a lit cigarette from a vehicle, on a street, or in a park.

### Definitions

The outlined amendments are to revise and add wording that is applicable to section amendments, including smoking regulations for all buildings to which the public are invited, and to allow RCMP to enforce the bylaw. Currently, Bylaw Notice Enforcement Bylaw No. 3814 does allow for RCMP to issue tickets however this amendment allows for consistency and added legality should RCMP authority be questioned.

### Ticketing amendments

The amendments to Bylaw Notice Enforcement Bylaw No. 3814 and the Ticket Information Bylaw No. 2743 propose increases to the current tickets provisions which are as follows:

## Smoking Control Bylaw Amendments

### Current fines:

The current offences include S 4.1 to 4.6 with fines being \$50.00 dollars if paid within 14 days and \$75.00 thereafter.

### Proposed fines:

\$200.00 if paid within 14 days and \$ 250.00 thereafter.

Fines for smoking offences vary throughout the region and the fines proposed in these amendments for smoking offences are more closely aligned with North Vancouver and Maple Ridge.

The new offences are consistent with this except for of 6.5 and 6.6 which is an added offence for not producing identification to a bylaw officer and obstruction of an officer respectively.

The fine for these offences is \$250.00 if paid within 14 days and \$500.00 thereafter. This fine amount is consistent with the amount for the same or similar offence is in Property Standard and Nuisance Abatement Bylaw No. 4190.

Fines for all City of Port Coquitlam Bylaws will be undergoing a comprehensive review this year with the objective of applying consistency and fairness.

### Provincial Regulations

The Bylaw amendments are in keeping with Provincial regulations and in some cases expand on Provincial requirements by exceeding the distance where smoking is permitted outside buildings. This will enhance enforcement in areas that are not currently addressed.

### Provincial Approvals


Pursuant to Section 9 (Spheres of Concurrent Authority) of the Community Charter, approval by the Ministry of Health is required prior to adoption of the Smoking Control Bylaw. Council may proceed with first three readings of the bylaw at this time, with adoption to follow Ministerial approval.

## **FINANCIAL IMPLICATIONS**

None.

## Smoking Control Bylaw Amendments

### **OPTIONS** (✓ = Staff Recommendation)

	#	Description
	1	Recommend adoption of the proposed smoking-related bylaw amendments.
	2	Request further information.
	3	Take no action (maintain the status quo).

### **ATTACHMENTS**

Att#1: Current Smoking Bylaw No. 4037 with proposed changes

Att#2: Smoking Bylaw Amendment Bylaw No. 4216

Att#3: Bylaw Notice Enforcement Amendment Bylaw No. 4217

Att#4: Ticket Utilization Information Amendment Bylaw No. 4218

**Lead author(s):** Steffan Zamzow

**Contributing author(s):** Paula Jones

CITY OF PORT COQUITLAM  
SMOKING CONTROL BYLAW, 2018

Bylaw No. 4037

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

1. CITATION

This Bylaw may be cited as “Smoking Control Bylaw, 2018, No. 4037”.

2. REPEAL

City of Port Coquitlam Smoking Control Bylaw, 2002, No. 3361, as amended, is repealed.

3. INTERPRETATION

3.1 Schedule “A” contains definitions of words used in this Bylaw.

3.2 Schedule “A” is attached to this Bylaw and forms part of this Bylaw.

3.3 Unless otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter, SBC 2003, Local Government Act, RSBC 2015*, and *Interpretation Act, RSBC 1996*.

3.4 A reference in this Bylaw to a statute refers to a statute of the Province of British Columbia, and a reference to any statute, regulation, or bylaw refers to that enactment, as amended or replaced from time to time.

3.5 Words in the singular include the plural, and gender specific terms include all genders and corporations.

3.6 Headings in this Bylaw are for convenience only and must not be construed as defining or in any way limiting the scope or intent of this Bylaw.

3.7 A decision by a court that any part of this Bylaw is illegal, void, or unenforceable severs that part from this Bylaw, and does not affect the validity of the remainder of this Bylaw.



CITY OF PORT COQUITLAM  
SMOKING CONTROL BYLAW, 2018  
Bylaw No. 4037

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4. SMOKING REGULATION

No person may smoke:

- 4.1 ~~within 7.5 metres of an entrance to a public building or any air intake vent or operable window for a public building;~~  
in a building or within 7.5 metres of an entrance to a building or any air intake vent or operable window of a building;

\*4.1 Amendment Rationale:

Previous wording only regulated smoking outside of any building owned by a public body. Amendment allows enforcement officers to enforce smoking that takes place within any building to which the public has access and within 7.5 metres of an entrance. The amendment does not include private residences or strata buildings.

- 4.2 within 7.5 metres of a transit stop or transit shelter where people wait to board a public transit vehicle;
- 4.3 in any City park, sports venue, playground, or outdoor public space;
- 4.4 on a City street when used as part of an outdoor public event ~~or when contrary to paragraphs (a), (b) or (f);~~

\*4.4 Amendment Rationale:

Amendment removes references to paragraphs that are no longer relevant.

- 4.5 in a customer service area;
- 4.6 in a place of assembly;
- 4.7 in an outdoor public space where smoking is prohibited by a sign;

\*4.7 Amendment Rationale:

Amendment will allow enforcement officers to enforce smoking where it is prohibited by a sign in a public space. This is intended to allow the enforcement of smoking in areas that are not currently captured in the bylaw. For example, persons may be smoking on sidewalk corners and be following the 7.5 metres restrictions, but still causing the disturbance of smoke to those passing by.

CITY OF PORT COQUITLAM  
SMOKING CONTROL BYLAW, 2018  
Bylaw No. 4037

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4.8 in a passenger directed vehicle;

\*4.8 Amendment Rationale:

Amendment will allow RCMP to enforce smoking that takes place inside of a taxi or for other passenger vehicles for hire. It is unlikely that bylaw officers would be enforcing a moving violation however, bylaw officers could enforce if the vehicle is stopped or parked.

4.9 in a vehicle when any other occupant of the vehicle is under the age of 19 years of age;

\*4.9 Amendment Rationale:

Amendment will allow RCMP to enforce smoking in motor vehicles which have occupants under the age of nineteen (19). Several other municipalities, including Richmond and Surrey regulate such activity.

4.10 within 7.5 metres of a crosswalk.

\*4.10 Amendment Rationale:

Amendment will allow enforcement officers to enforce smoking within 7.5 metres of a crosswalk. This change will capture other locations where smokers congregate and smoke that are bothersome to people on sidewalk corners waiting to cross the street.

5. EXEMPTIONS SPECIFIED

This Bylaw does not apply to:

- 5.1 ceremonial use of tobacco in relation to a traditional First Nation's cultural activity;
- 5.2 smoking by an actor as part of a stage or theatrical performance to which the public is invited.

6. OFFENCES, PENALTIES AND ENFORCEMENT

- 6.1 A violation of a provision of this Bylaw will result in liability for penalties and late payment amounts established in the City's *Bylaw Notice Enforcement Bylaw, No. 3814, 2013* and *Ticket Information Utilization Bylaw, 1992, No. 2743*.
- 6.2 A violation of any of the provisions identified in this Bylaw will be subject to the procedures, restrictions, limits, obligations, and rights established in the City's current *Bylaw Notice Enforcement Bylaw*, in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, C. 60*.

CITY OF PORT COQUITLAM  
SMOKING CONTROL BYLAW, 2018

Bylaw No. 4037

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- 6.3 A person who contravenes, violates, or fails to comply with any provision of this Bylaw is deemed to have committed an offence under this Bylaw, and is liable on summary conviction to a fine not exceeding \$10,000.00 for each offence.
- 6.4 Each violation of this Bylaw will constitute a separate offence.
- 6.5 If a Bylaw Enforcement Officer has determined that a person has violated a provision of this Bylaw, that person must, when requested by the Bylaw Enforcement Officer, provide their name and address to the officer.
- 6.6 A bylaw enforcement officer has the right of entry and may enter at all reasonable hours onto any land or into any building to which this bylaw applies in order to ascertain whether the provisions of the bylaw are being complied with.
- 6.7 If a bylaw enforcement officer has determined that a person has violated a provision of this Bylaw, that person must, when requested by the bylaw enforcement officer, immediately extinguish the burning substance in a safe manner.

\*6.6 - 6.7 Amendment Rationale:

Amendments add wording to clarify right of entry for enforcement officers, and outlines a reasonable expectation for safety when confronting someone found in contravention of the bylaw.

CITY OF PORT COQUITLAM  
SMOKING CONTROL BYLAW, 2018

Bylaw No. 4037

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SCHEDULE "A"

DEFINITIONS

**\*Definitions Amendment Rationale:**

Amendments are to revise and add wording that is applicable to section amendments, including smoking regulations for all buildings to which the public is invited, and to allow RCMP to enforce the bylaw. Currently, Bylaw Notice Enforcement Bylaw No. 3814 does allow for RCMP to issue tickets, however, this amendment allows for consistency and added legality should RCMP authority be questioned.

In this Bylaw:

**" building" means a building or structure accessible to the public or to where the public is invited.**

~~"bylaw enforcement officer" means any person appointed or designated by the Council of the City under the Community Charter or Police Act, or both, to enforce the provisions of City Bylaws.~~

**"bylaw enforcement officer" means any person employed by the City for the purpose of enforcement of the City's bylaws and includes members of the Royal Canadian Mounted Police.**

**"City" means the Corporation of the City of Port Coquitlam.**

**"City trail" means a paved or unpaved path for pedestrian and/or cyclist and wheeled mobility aid use that may be in parks, on streets, or on other public lands.**

**"customer service area" means a partially-enclosed or unenclosed area, including any balcony, patio, yard area, or sidewalk that is part of or connected to a business or use in a building or premises that includes the service of food or beverages (both alcoholic and non-alcoholic) to customers or other individuals for consumption in that area.**

**"e-cigarette" means:**

- (a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an e-substance for inhalation or release in the air, or
- (b) a prescribed product or device similar in nature or use to a product or device described in paragraph (a)

**"e-substance" means a solid, liquid or gas, that:**

- (a) upon being heated, produces a vapour for use in an e-cigarette, whether or not the solid, liquid or gas contains nicotine; and

CITY OF PORT COQUITLAM  
SMOKING CONTROL BYLAW, 2018

Bylaw No. 4037

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- (b) is not a controlled substance within the meaning of the *Controlled Drugs and Substances Act*, S.C 1996.

“outdoor public space” means any outdoor area owned, controlled, or operated by the City that is open to the public or to which the public is customarily admitted or invited, and includes any:

- (a) children’s playground;
- (b) playing field, sports venue, stadium, or sports facility;
- (c) City trail;
- (d) outdoor recreational facility;
- (e) utility easement;
- (f) City street when used as part of an outdoor public event.

~~“outdoor public event” means any public event where the public is invited to gather on any outdoor area of City owned, controlled or operated property, including any park, public square or street, including, but not limited to:~~

~~“outdoor public event” means any event where the public is invited, including any park, public square or street, including, but not limited to:~~

- (a) a market, contest, festival, celebration, fair, exhibition or concert;
- (b) an outdoor public event on any City owned, controlled or operated property that is leased to a third party; or
- (c) any event for which a City rental or use permit is required.

“park” means any real property owned or occupied by the City for the purpose of pleasure, recreation or community use by the public, including, but not limited to dedicated parks, but does not include any City land leased to a third party;

~~“passenger directed vehicle” means taxis, limousines, and vehicles operated under a license held by a transportation network service provider under the *Passenger Transportation Act*.~~

“place of assembly” means a building or portion thereof or other area used for the gathering of persons for the purpose of deliberation, education, worship, entertainment, recreation, business, professional seminars or amusement, and includes, without limitation, a school, college, university, theatre, convention centre, arena, recreation centre, video arcade,

CITY OF PORT COQUITLAM  
SMOKING CONTROL BYLAW, 2018

Bylaw No. 4037

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pool or billiard hall, bowling area, dance hall, church, church hall, concert hall, auditorium, public swimming pool, movie house, premises of licensed gaming events, lecture hall, library, museum, art gallery or similar places.

~~"public body" means:~~

~~(a) — a ministry of the government of British Columbia;~~

~~(b) — an agency, board, commission, corporation, office or other body controlled by the government of British Columbia or a municipality or regional district; or~~

~~(c) — a municipality or regional district.~~

~~"public building" means a building or structure on land owned or occupied by a public body.~~

~~"smoke" or "smoking" means the inhaling, exhaling, burning, or carrying of a lighted cigarette, cigar, pipe, hookah pipe, e-cigarette or other smoking equipment that burns tobacco, cannabis, hops, lettuce, comfrey, motherwort, honeyweed, catnip, lily, sage, wireweed or any other plant, substance or material.~~

~~"smoke" or "smoking" means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah pipe, vaping device, e-cigarette or other lighted or activated electronic smoking device that burns or vapourizes tobacco, cannabis, or any other plant, substance or material.~~

"street" includes a road, lane, bridge, viaduct, sidewalk or any other way open to public use, other than a public right of way on private property.

"transit shelter" means a building or other structure located on City property and constructed near a transit stop to provide seating and/or protection from the weather for the convenience of waiting passengers.

"transit stop" means a sign-posted location where public transit vehicles stop to pick up riders, and distances from a transit stop shall be measured from the sign that identifies the transit stop location.

CITY OF PORT COQUITLAM  
SMOKING CONTROL AMENDMENT BYLAW, 2021

Bylaw No. 4216

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

1. CITATION

This Bylaw is cited as "Smoking Control Bylaw, 2018, No. 4037, Amendment Bylaw, 2021, No. 4216".

2. ADMINISTRATION

2.1 That "Smoking Control Bylaw, 2018, No. 4037", Section 4 – SMOKING REGULATION be amended by replacing the existing sections:

“4.1 within 7.5 metres of an entrance to a public building or any air intake vent or operable window for a public building;”

with the section as follows:

“4.1 in a building or within 7.5 metres of an entrance to a building or any air intake vent or operable window for a building;”

be amended from:

“4.4 on a City street when used as part of an outdoor public event or when contrary to paragraphs (a), (b) or (f);”

with the section as follows:

“4.4 on a City street when used as part of an outdoor public event;”

2.2 That "Smoking Control Bylaw, 2018, No. 4037", Section 4 – SMOKING REGULATION be amended by adding the following sections:

“4.7 in an outdoor public space where smoking is prohibited by a sign;

4.8 in a passenger directed vehicle;

4.9 in a vehicle when any other occupant of the vehicle is under the age of 19 years of age;

4.10 within 7.5 metres of a crosswalk.

2.3 That “Smoking Control Bylaw, 2018 No. 4037, Section 6 – OFFENCES, PENALTIES AND ENFORCEMENT be amended by adding the following sections:

- 6.6 A bylaw enforcement officer has the right of entry and may enter at all reasonable hours onto any land or into any building to which this bylaw applies in order to ascertain whether the provisions of this bylaw are being complied with.
- 6.7 If a bylaw enforcement officer has determined that a person has violated a provision of this bylaw, that person must, when requested by the bylaw enforcement officer, immediately extinguish the burning substance in a safe manner.

2.4 That "Smoking Control Bylaw, 2018, No. 4037", SCHEDULE “A” – DEFINITIONS be amended by replacing the existing definitions:

replace this definition:

“public building” means a building or structure on land owned or occupied by a public body.

with this definition:

“building” means a building or structure accessible to the public or to where the public is invited.

replace this definition:

“bylaw enforcement officer” means any person appointed or designated by the Council of the City under the *Community Charter* or *Police Act*, or both, to enforce the provisions of City bylaws.

with this definition:

“bylaw enforcement officer” means every person employed by the City for the purpose of enforcement of the City's bylaws and includes members of the Royal Canadian Mounted Police.”

replace this definition:

“outdoor public event” means any public event where the public is invited to gather on any outdoor area of City owned, controlled or operated property, including any park, public square or street, including, but not limited to:

- (a) a market, contest, festival, celebration, fair, exhibition or concert;
- (b) an outdoor public event on any City owned, controlled or operated property that is leased to a third party; or



- (c) an event for which a City rental or use permit is required.

with this definition:

“outdoor public event” means any event where the public is invited, including any park, public square or street, including, but not limited to:

- (a) a market, contest, festival, celebration, fair, exhibition or concert;
- (b) an outdoor public event on any City owned, controlled or operated property that is leased to a third party; or
- (c) an event for which a City rental or use permit is required.

replace this definition:

“smoke” or “smoking” means the inhaling, exhaling, burning, or carrying of a lighted cigarette, cigar, pipe, hookah pipe, e-cigarette or other smoking equipment that burns tobacco, cannabis, hops, lettuce, comfrey, motherwort, honeyweed, catnip, lily, sage, wireweed or any other plant, substance or material.

with this definition:

“smoke” or “smoking” means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah pipe, vaping device, e-cigarette or other lighted or activated electronic smoking device that burns or vapourizes tobacco, cannabis, or any other plant, substance or material.

- 2.5 That "Smoking Control Bylaw, 2018, No. 4037", SCHEDULE "A" – DEFINITIONS be amended by adding the following definition in alphabetical order:

“passenger directed vehicle” means taxis, limousines, and vehicles operated under a license held by a transportation network service provider under the *Passenger Transportation Act*.





**SCHEDULE “A”**  
**Designated Bylaw Contraventions and Penalties**

**Smoking Control Bylaw, 2018, No. 4037**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>DESCRIPTION</b>	<b>SECTION NO. IN BYLAW</b>	<b>DISCOUNTED PENALTY IN \$ (within 14 days)</b>	<b>FULL PENALTY IN \$ (after 14 days)</b>	<b>COMPLIANCE AGREEMENT DISCOUNT<sup>(1)</sup></b>
Smoke within 7.5 metres of an entrance	4.1	200.00	250.00	n/a
Smoke within 7.5 metres of a transit stop	4.2	200.00	250.00	n/a
Smoke in any City park or public space	4.3	200.00	250.00	n/a
Smoke on any City street as part of an event	4.4	200.00	250.00	n/a
Smoke in a customer service area	4.5	200.00	250.00	n/a
Smoke in a place of assembly	4.6	200.00	250.00	n/a
Smoke outdoors where prohibited by sign	4.7	200.00	250.00	n/a
Smoke in a passenger directed vehicle	4.8	200.00	250.00	n/a
Smoke in vehicle with minor occupant	4.9	200.00	250.00	n/a
Smoke within 7.5 metres of a crosswalk	4.10	200.00	250.00	n/a
Failure to produce ID	6.5	250.00	500.00	n/a
Obstruction of an Officer	6.6	250.00	500.00	n/a
Failure to extinguish	6.7	200.00	250.00	n/a

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



## SCHEDULE 12

**Smoking Control Bylaw,  
2018, No. 4037**

	<b>SECTION</b>	<b>FINE IN \$</b>	<b>FINE IN \$</b> If paid within 30 days of service
Smoke within 7.5 metres of an entrance	4.1	250.00	200.00
Smoke within 7.5 metres of a transit stop	4.2	250.00	200.00
Smoke in any City park or public space	4.3	250.00	200.00
Smoke on any City street as part of an event	4.4	250.00	200.00
Smoke in a customer service area	4.5	250.00	200.00
Smoke in a place of assembly	4.6	250.00	200.00
Smoke outdoors where prohibited by sign	4.7	250.00	200.00
Smoke in a passenger directed vehicle	4.8	250.00	200.00
Smoke in a vehicle with minor occupant	4.9	250.00	200.00
Smoke within 7.5 metres of a crosswalk	4.10	250.00	200.00
Failure to produce ID	6.5	500.00	250.00
Obstruction of an Officer	6.6	500.00	250.00
Failure to extinguish	6.7	250.00	200.00