

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1. Adoption of the Agenda

Recommendation:

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

3. CONFIRMATION OF MINUTES

3.1. Minutes of Council Meetings

1

Recommendation:

That the minutes of the following Council Meetings be adopted:

- *December 8, 2020*
- *December 14, 2020*
- *December 15, 2020*
- *December 16, 2020*
- *January 12, 2021.*

4. PROCLAMATIONS

None.

5. DELEGATIONS

None.

6. PUBLIC HEARINGS

None.

7. BYLAWS

7.1. Official Community Plan Amendment Bylaw and Zoning Amendment Bylaw for

16

**1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road -
First Two Readings**

Recommendation:

That Council:

1. *Give first two readings to OCP Amendment Bylaw No. 4183 and Zoning Amendment Bylaw No. 4184 for 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road;*
2. *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.*
3. *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 1,360m²*
 - 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 m² (70,950 ft²).*
 - iv. *A minimum of 1,290m² of outdoor amenity area and 274m² 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.*

7.2. Smoking Control Amendment Bylaw - First Three Readings 41

Recommendation:

That Council give Smoking Control Amendment Bylaw No. 4216 first three readings.

7.3. Business Notice Enforcement Amendment Bylaw - First Three Readings 57

See Council agenda item 7.2 for information.

Recommendation:

That Council give Bylaw Notice Enforcement Amendment Bylaw No. 4217 first three readings.

7.4. Ticket Information Utilization Amendment Bylaw - First Three Readings 59

See Council agenda item 7.2 for information.

Recommendation:

That Council give Ticket Information Utilization Amendment Bylaw No. 4218 first three readings.

7.5. Water Regulation Amendment Bylaw - First Three Readings 61

Recommendation:

That Council give Water Regulation Amendment Bylaw No. 4205 first three

readings.

7.6. Sewer Regulation Amendment Bylaw - First Three Readings 75

See Council agenda item 7.5 for information.

Recommendation:

That Council give Sewer Regulation Amendment Bylaw No. 4206 first three readings.

7.7. Delegation of Authority Amendment Bylaw - First Three Readings 80

Recommendation:

That Council give first three readings to Delegation of Authority Amendment Bylaw No. 4215, to provide the Director of Development Services the authority to issue conforming Development Permits for coach houses.

7.8. Development Procedures Amendment Bylaw - First Three Readings 91

See Council agenda item 7.7 for information.

Recommendation:

That Council give first three readings to the Development Procedures Amendment Bylaw No. 4214, to provide the Director of Development Services the authority to issue conforming Development Permits for coach houses.

7.9. Council and Committee Procedures Amendment Bylaw - Adoption 107

Recommendation:

That Council adopt Council and Committee Procedures Amendment Bylaw No. 4207.

7.10. Zoning Amendment Bylaw for 1300 Dominion Avenue - Adoption 108

Recommendation:

That Council adopt Zoning Amendment Bylaw 4199.

8. REPORTS

None.

9. NEW BUSINESS

10. ADJOURNMENT

10.1. Adjournment of the Meeting

Recommendation:

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

11. MEETING NOTES



Council Minutes

Tuesday, December 8, 2020
Meeting will be conducted virtually

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

Absent: Councillor Dupont

1. CALL TO ORDER

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

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:>

That the Tuesday, December 8, 2020, Revised 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 Council Meetings

Moved-Seconded:>

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

- November 10, 2020>
- November 24, 2020.>

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

Absent (1): Councillor Dupont

Carried

4. PROCLAMATIONS

None.

5. DELEGATIONS

None.

6. PUBLIC HEARINGS

None.

7. PUBLIC INPUT

None.

8. BYLAWS

8.1 Delegation of Authority and Business Bylaw Amendments- First Three Readings

Moved-Seconded:>

That Council give first three readings to Delegation of Authority Bylaw, 2014, No. 3876, Amendment Bylaw, 2020, No. 4203 and Business Bylaw, 2010, No. 3725, Amendment Bylaw, 2020, No. 4202.>

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

Absent (1): Councillor Dupont

Carried

8.2 Fees and Charges Amendment Bylaw - First Three Readings

Moved-Seconded:>

That Council give Fees and Charges Amendment Bylaw No. 4204 first three readings.>

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

Absent (1): Councillor Dupont

Carried

8.3 2020 - 2024 Financial Plan Amendment Bylaw - Adoption

Moved - Seconded:>

That Council adopt 2020 - 2024 Financial Plan Amendment No. 4200.>

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

Absent (1): Councillor Dupont

Carried

9. REPORTS

9.1 2021 - 2022 Capital Plan & One Time Enhancements

Moved-Seconded:>

That Council direct staff to proceed with award of the 2021 and 2022 capital and one-time projects.>

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

Absent (1): Councillor Dupont

Carried

9.2 2021 Council Schedule

Moved-Seconded:>

That Council adopt the 2021 Council Meeting Schedule.>

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

Absent (1): Councillor Dupont

Carried

9.3 Business Licence Fees Extension (verbal report)

Moved-Seconded:>

That Committee of Council direct staff to waive late payment fees normally collected for Business License renewals per Business Bylaw, 2010, No. 3725.>

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

Absent (1): Councillor Dupont

Carried

10. NEW BUSINESS

Council provided updates related to community events.

11. OPEN QUESTION PERIOD

No public comments.

12. ADJOURNMENT

12.1 Adjournment of the Meeting

Moved-Seconded:>

That the Tuesday, December 8, 2020, Council Meeting be adjourned at 6:17 p.m.>

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

Absent (1): Councillor Dupont

Carried

13. MEETING NOTES

None.

Mayor

Corporate Officer



Council Special Minutes

Monday, December 14, 2020
Meeting will be conducted virtually

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 4:30 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:

That the Monday, December 14, 2020, Special Council Meeting Agenda be adopted as circulated.

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

Carried

3. REPORTS

None.

4. RESOLUTION TO CLOSE

4.1 Resolution to Close

Moved-Seconded:

That the Special Council Meeting of Monday, December 14, 2020, be closed to the public pursuant to the following subsection(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.

5. ADJOURNMENT

5.1 Adjournment of the Meeting

Moved-Seconded:

That the Monday, December 14, 2020, Special Council Meeting be adjourned at 6:11 p.m.

Mayor

Corporate Officer



Council Special Minutes

Tuesday, December 15, 2020
Meeting will be conducted virtually

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

1. CALL TO ORDER

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

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:

That the Tuesday, December 15, 2020, Special Council Meeting Agenda be adopted as circulated.

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. PROCLAMATIONS

None.

5. DELEGATIONS

None.

6. PUBLIC HEARINGS

6.1 Zoning for #6108 - 2850 Shaughnessy Street

No public comments or written submissions were received.

7. PUBLIC INPUT

7.1 Development Variance Permit for 3567 and 3569 Handley Crescent

One speaker provided comments, no written submissions were received.

7.2 Coach House Development Permit for 1197 Fraserview Street

Seven speakers provided comments, four written submissions were received.

8. BYLAWS

8.1 Zoning for #6108 - 2850 Shaughnessy Street - Third Reading

Moved-Seconded:

That Council give Zoning Amendment Bylaw No. 4201 third reading.

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

Carried

8.2 Zoning Amendment Bylaw for 1431 Barberrry Avenue - First Two Readings

Moved-Seconded:

That Council give Zoning Amendment Bylaw No. 4208 first two readings and that the following conditions be met, prior to the adoption of the amending bylaw, 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 (7): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Penner, Councillor Pollock, and Councillor Washington

Carried

8.3 Emergency Services Radio Bylaw - First Three Readings

Moved-Seconded:

That Council give Emergency Services Radio Bylaw No. 4210 first three readings.

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

Carried

8.4 Delegation of Authority Amendment Bylaw - Adoption

Moved-Seconded:

That Council adopt Delegation of Authority Amendment Bylaw No. 4203.

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

Carried

8.5 Fees and Charges Amendment Bylaw - Adoption

Moved-Seconded:

That Council adopt Fees and Charges Amendment Bylaw No. 4204.

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

Carried

8.6 Zoning Amendment Bylaw for 1611 Manning Avenue - Adoption

Moved-Seconded:

That Council adopt Zoning Amendment Bylaw No. 4107 for 1611 Manning Avenue.

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

Carried

9. REPORTS

9.1 Development Variance Permit for 3567 and 3569 Handley Crescent - Issuance

Moved-Seconded:

That Council approve Development Variance Permit DVP00074 for 3567 and 3569 Handley Crescent for issuance.

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

Carried

9.2 Coach House Development Permit for 1197 Fraserview Street - Issuance

Moved-Seconded:

That Council approve Development Permit DP000426 to regulate a coach house development at 1197 Fraserview Street.

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

Carried

10. NEW BUSINESS

Council provided updates related to Community Events.

11. OPEN QUESTION PERIOD

No public comments.

12. ADJOURNMENT

12.1 Adjournment of the Meeting

Moved-Seconded:

That the Tuesday, December 15, 2020, Special Council Meeting be adjourned at 7:25 p.m.

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

Carried

13. MEETING NOTES

The meeting recessed at 6:02 p.m. for the Public Hearing and Public Input Opportunity and reconvened at 6:45 p.m.

Mayor

Corporate Officer



Council Special Minutes

Wednesday, December 16, 2020
PoCo Inn & Suites
1545 Lougheed Hwy.

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 9:30 a.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:

That the Wednesday, December 16, 2020, Special Council Meeting Agenda be adopted as circulated.

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

Carried

3. RESOLUTION TO CLOSE

3.1 Resolution to Close

Moved-Seconded:

That the Special Council Meeting of Wednesday, December 16, 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.

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

Carried

4. ADJOURNMENT

4.1 Adjournment of the Meeting

That the Wednesday, December 16, 2020, Special Council Meeting be adjourned at 4:30 p.m.

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

Carried

5. MEETING NOTES

None.

Mayor

Corporate Officer



Council Minutes

Tuesday, January 12, 2021
Virtual Meeting

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

1. CALL TO ORDER

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

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:

That the Tuesday, January 12, 2021, Council Meeting Agenda be adopted as circulated.

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. PROCLAMATIONS

None.

5. DELEGATIONS

None.

6. PUBLIC HEARINGS

6.1 Zoning Amendment Bylaw for 1431 Barberry Drive

No public comments and one written submission.

7. BYLAWS

7.1 Zoning Amendment Bylaw for 1431 Barberry Drive - Third Reading

Moved-Seconded:

That Council give Zoning Amendment Bylaw No. 4208 third reading.

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

Carried

7.2 Zoning Amendment Bylaw for 3587 Oxford Street - First Two Readings

Moved-Seconded:

That Council give Zoning Amendment Bylaw No. 4209 first two readings.

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

Carried

7.3 Council and Committee Procedures Amendment Bylaw - First Three Readings

Moved-Seconded:

That Council give Council and Committee Procedures Bylaw No. 4207 first three readings.

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

Carried

7.4 Zoning Amendment Bylaw for #6108-2850 Shaughnessy Street - Adoption

Moved-Seconded:

That Council adopt Zoning Amendment Bylaw No. 4201.

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

Carried

7.5 Business Amendment Bylaw - Adoption

Moved-Seconded:

That Council adopt Business Amendment Bylaw No. 4202.

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

Carried

7.6 Emergency Services Radio Bylaw - Adoption

Moved-Seconded:

That Council adopt Emergency Services Radio Bylaw No. 4210.

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

Carried

8. REPORTS

8.1 Mayor's Year in Review (verbal report)

Mayor West delivered the annual review.

9. NEW BUSINESS

Council provided updates related to community events.

10. ADJOURNMENT

10.1 Adjournment of the Meeting

Moved-Seconded:

That the Tuesday, January 12, 2021, Council Meeting be adjourned at 7:02 p.m.

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

Carried

11. MEETING NOTES

The meeting recessed at 6:01 p.m. and reconvened at 6:07 p.m.

Mayor

Corporate Officer

OCP/Zoning Amendment Bylaws for 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road – First Two Readings

RECOMMENDATION:

That Council:

1. Give first two readings to OCP Amendment Bylaw No. 4183 and Zoning Amendment Bylaw No. 4184 for 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road;
2. 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.
3. 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 1,360m²
 - 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 m² (70,950 ft²).
 - iv. A minimum of 1,290m² of outdoor amenity area and 274m² 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 nonmarket 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.

OCP/Zoning Amendment Bylaws for 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road – First Two Readings

OPTIONS (✓ = Staff Recommendation)

	#	Description
<input checked="" type="checkbox"/>	1	Give first two readings to the bylaw.
<input type="checkbox"/>	2	Delay first two readings and request staff to provide additional information.
<input type="checkbox"/>	3	Deny first two readings of the bylaw.

CITY OF PORT COQUITLAM

OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW, 2021

No. 4183

Whereas an Official Community Plan was adopted by the "Official Community Plan Bylaw, 2013, No. 3838"

And whereas an amendment to the Official Community Plan has been prepared and after First Reading of this Bylaw the Council has:

- (a) considered the amendment to the plan in conjunction with the City's financial plan;*
- (b) determined that no applicable waste management plan exists for consideration;*
- (c) determined that sufficient opportunities for consultation on the amendment to the plan have been provided;*
- (d) determined that the amendment to the plan does not affect the City of Coquitlam, District of Pitt Meadows, School District No. 43, the Metro Vancouver Regional District, TransLink, the Kwikwetlem First Nation or the provincial or federal government or their agencies.*

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

1. CITATION

This Bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2013, No. 3838, Amendment Bylaw, 2021, No. 4183".

2. ADMINISTRATION

That Map 16 of the "Official Community Plan, 2013, No. 3838" be amended by removing the designation RT - Townhouse Residential from 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road and applying the designation N - Neighbourhood Commercial as indicated on Schedule "A" attached hereto and forming part of this bylaw.

Legal Descriptions:

1884-1930 Harbour Street

(Lot 2, District Lot 232, New Westminster District, Plan NWP6269, except Plan 68301, all that part lying N of SRW PL 68301);

1887-1911 Prince Street

(Lots 12, 13, 14 & 19, District Lot 232, New Westminster District, Plan NWP 20011); and

1155 Pitt River Road
(Lots 553, 554, 555 & 556, District Lot 232, New Westminster District NWP 64266).

READ A FIRST TIME this _____ day of _____, 2021

READ A SECOND TIME this _____ day of _____, 2021

Mayor

Corporate Officer

SCHEDULE "A"

Bylaw 4183



CITY OF PORT COQUITLAM
ZONING AMENDMENT BYLAW, 2021
Bylaw No. 4184

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

1. CITATION

This Bylaw may be cited as “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2021, No. 4184”.

2. ADMINISTRATION

2.1 The Zoning Map of the "Zoning Bylaw, 2008, No. 3630" be amended to reflect the following rezoning:

Civic Addresses:

1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

Legal Descriptions:

1884-1930 Harbour Street

(Lot 2, District Lot 232, New Westminster District, Plan NWP6269, except Plan 68301, all that part lying N of SRW PL 68301);

1887-1911 Prince Street

(Lots 12, 13, 14 & 19, District Lot 232, New Westminster District, Plan NWP 20011); and

1155 Pitt River Road

(Lots 553, 554, 555 & 556, District Lot 232, New Westminster District NWP 64266).

From: RS1 (Residential Single Dwelling 1)

To: CD (Comprehensive Development)

as shown on Schedule 1 attached to and forming part of this Bylaw.

2.2 That "Zoning Bylaw, 2008, No. 3630", Section 6, COMPREHENSIVE DEVELOPMENT ZONES be amended by adding the following new section 6.37:

CD37 Comprehensive Development Zone 37 (1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road)

6.37.1 Property Description:

All That Part Lot 2 District Lot 232 Group 1 New Westminster District Plan 6269 Lying North of Statutory Right of Way Plan 68301; Lots 12, 13, 14 and 19 District Lot 232 Group 1 New Westminster District Plan 20011; Lots 553, 554, 555 and 556 District Lot 232 Group 1 New Westminster District Plan 63266 (all to be consolidated)

6.37.2 Permitted Uses

Table 6.37.2 Permitted Uses

Use	
Apartments	
Townhouses	
Accessory home businesses	Note 1
Accessory child care facilities	Note 2
Commercial uses restricted to: <ul style="list-style-type: none"> • Child care facilities • Commercial indoor recreation uses • Commercial schools • Personal services, excluding payday loan, cheque cashing and vaping business • Restaurants • Retail sales, including household furniture and furnishing • Accessory rental and repair 	Note 3 Note 4

Notes to Table 6.37.2

- Note 1: For information, accessory home businesses are subject to the regulations of Section III, Supplementary Regulations.
- Note 2: For information, accessory child care facilities are subject to the regulations of Section III, Supplementary Regulations.
- Note 3: Commercial uses shall be restricted to the ground floor of a building containing apartment uses to a combined maximum interior floor area of 1350 m² and must provide a separate entrance at ground level.
- Note 4: A child care facility must comply with the requirements of the B.C. Building Code for assembly uses.

6.37.3 Regulations

- 1) The maximum lot coverage is 60%.
- 2) The maximum height of an apartment building is 15.85 m and the maximum height of a building containing a townhouse use is 10.5 m.
- 3) The minimum setback is 7.5 m for a building abutting a Provincial Highway and 6.0 m from all other property lines.
- 4) Apartment uses shall have a minimum amount of common indoor amenity space of 274 m² and an outdoor common amenity space of at least 1290 m². The amenity spaces must include an outdoor children's play area, common outdoor cooking and dining space(s), common indoor gym(s) and common indoor workspaces. Common amenity space must be available for use by building occupants and in the case of a strata-titled building, the common area must be either common property or a strata lot that is a common asset of the strata corporation.
- 5) Each apartment dwelling shall be provided a private balcony or deck with a minimum depth of 1.8 m.
- 6) Townhouse uses shall have a minimum amount of useable outdoor space of 30 m² per dwelling unit.
- 7) The density of development must not exceed a maximum of 6,592 m² of residential floor area except that up to 11,650 m² of residential floor area is permitted if:
 - a. 16 townhouse units are provided; and
 - b. a contribution in the amount of \$50 per square foot of gross floor area that exceeds 6,592 m² is provided to City reserve funds for community amenities and special needs housing amenities.

In no case shall the total number of apartment units exceed 121.

- 8) In the calculation of floor area for apartment and townhouse uses, the following may be excluded:
 - a. Floor area comprising entrances, elevator shafts, stairwells and hallways, electrical rooms and mechanical rooms common to two or more dwelling units;
 - b. Exterior balconies and decks;
 - c. Floor area within an underground parking structure;
 - d. Floor area within the building used for required off-street parking;
 - e. 2 m² of floor area in an adaptable dwelling unit; and
 - f. Floor area in a non-market rental tenure unit secured through a Housing Agreement Bylaw.
- 9) At least 25% of the total number of residential dwelling units must be family-orientated dwelling units, and at least 5% of the total number of dwellings units within the development must have three or more bedrooms.

- 10) For a residential building with a common parking area, a separate single utility electrical meter and disconnect shall be provided in line with the electrical panel(s) intended to provide for charging of electric vehicles located within 3 m of the unit's required parking space.

- 11) For a residential building other than a building with a common parking area, one parking space per dwelling unit shall be provided with roughed-in electric vehicle charging infrastructure including an electrical outlet box located within 3 m of the unit's required parking space.

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

Mayor

Corporate Officer

SCHEDULE 1



Official Community Plan Application and Rezoning Application – 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

RECOMMENDATIONS:

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 1,360m²
 - 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 m² (70,950 ft²).
 - iv. A minimum of 1,290m² of outdoor amenity area and 274m² 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.

REPORT SUMMARY

In accordance with Committee's direction, this report brings forward additional information on the alignment of the proposed density bonus payment and the value of the land lift associated with the proposed additional residential density and provides insight into the value of a non-market affordable housing unit, in order to inform the alignment of an alternative home ownership model with the Family Friendly and Affordable Housing Policy. Subsequent to this information being obtained, the applicant advised they wish to adhere to existing policy by

Official Community Plan Application and Rezoning Application – 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

providing 10 non-market rental units and paying a density bonus amount of \$50/ft² for residential density in excess of what would be permitted within the existing townhouse OCP designation. With these issues resolved, Staff recommend the application proceed to Council for consideration of the bylaw amendments.

PRIOR RESOLUTIONS:

On June 9, 2020, the following resolution was passed :

That Official Community Plan and Rezoning Applications for 1884-1930 Harbour Street, 1887-1991 Prince Street and 1155 Pitt River Road be referred back to staff to:

- Review the Bonus Density Policy; and
- Provide additional information on how the home ownership model fits into City policy.

On September 4, 2018, the following resolution was passed:

That the Smart Growth Committee direct staff that the early consultation required for further consideration of an application to amend the Official Community Plan at 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road include the following:

- 1) *on-site signage;*
- 2) *hosting an open house to obtain public comment on the proposed development; and*
- 3) *informing School District 43 of the proposal.*

DISCUSSION

In accordance with Committee's direction, staff retained Equity Valuations and Consulting (Equity) to assess the applicant's appraisal report, provide an independent appraisal of the value of the land lift associated with the proposed additional residential density. The intent of this information was to understand how a density bonus calculation would align with the Density Bonus policy, and help inform the scope for a more comprehensive review. Staff also requested Equity provide advice on the value of the affordable housing units in order to assess the alignment between the proposed home ownership model and the City's Affordable and Family Friendly Housing Policy. Equity confirmed a value of the land lift for the additional density at \$4,900,000 and estimate a value for each affordable housing unit is approximately \$50,000. This information was provided to the applicant for their review and discussion.

The applicant subsequently confirmed to staff they wish to revise their proposal to conform to municipal policies by providing 10 non-market rental units; based on this information, staff did not proceed with further comparison of the home ownership and rental housing options.


The applicant also confirmed they would support a standardized approach of paying \$50/ft² for any additional residential density (excluding floor area used to construct the non-market units)

Official Community Plan Application and Rezoning Application – 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

as recommended by staff in the June 9th 2020 report. Using this approach, the estimated value of the increased density for this application would amount to approximately \$2.3M. While this value is lower than what was identified in the Equity Valuation appraisal, it provides for consideration of the value of the 10 affordable housing units and strikes a balance of providing a development incentive while ensuring the community was receiving a public benefit from the additional density. This standardized approach is also consistent with the approach being taken in other areas of the City when a density bonus is proposed.

This process has identified the need for a comprehensive review of the Density Bonus Policy to ensure it clearly outlines the expected valuation approach for additional residential density, identifies acceptable community benefit and confirms the process by which these benefits are accounted for within a density bonus calculation. A review should also provide options to achieve a balance between obtaining community benefit and providing for a development incentive, consider if there should be different valuation approaches depending on scale of development and evaluate options for including an affordable home ownership program in the Affordable and Family Friendly Housing Policy.

OPTIONS

#	Description
1 	Recommend to Council that the Official Community Plan and Zoning Bylaw amendments be considered for approval.
2	Request additional information, amendments to the application, changes to recommended conditions of prior to forwarding the application to Council.
3	Recommend to Council that the application be refused.

ATTACHMENTS

Attachment #1: June 9, 2020 Committee Report

Official Community Plan Application and Rezoning Application – 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

RECOMMENDATIONS:

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 1,360m²
 - ii. A minimum of 16 townhouses and up to 121 apartments, with a provision of density bonus in the amount of \$50 per square foot for residential floor area proposed in excess of 6,592 sq m (70,950 sq ft), excluding the density associated with any non-market rental units;
 - iii. A minimum of 1,290m² of outdoor amenity area and 274m² 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.
 - iv. 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 Housing 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.

REPORT SUMMARY

This report provides for Committee consideration of an application to rezone a 2.37-acre site to permit a comprehensive development for a mix of apartments, townhouses and commercial uses. This site is currently designated in the Official Community Plan (OCP) for townhouse uses and amending the land use designation of the OCP would be required to facilitate rezoning for the proposed development. The report recommends a number of conditions be

Official Community Plan Application and Rezoning Application – 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

required prior to consideration of bylaw adoption, including closure and sale of Prince Street, a Housing Agreement to ensure adherence to the City’s Affordable and Family Friendly Housing Policy, and a legal agreement to ensure the development is constructed to adhere to CMHC residential acoustic standards and achieve a high level of energy performance.

PRIOR RESOLUTIONS:

On September 4, 2018, the following resolution was passed:

That the Smart Growth Committee direct staff that the early consultation required for further consideration of an application to amend the Official Community Plan at 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road include the following:

- 1) *on-site signage;*
- 2) *hosting an open house to obtain public comment on the proposed development; and*
- 3) *informing School District 43 of the proposal.*

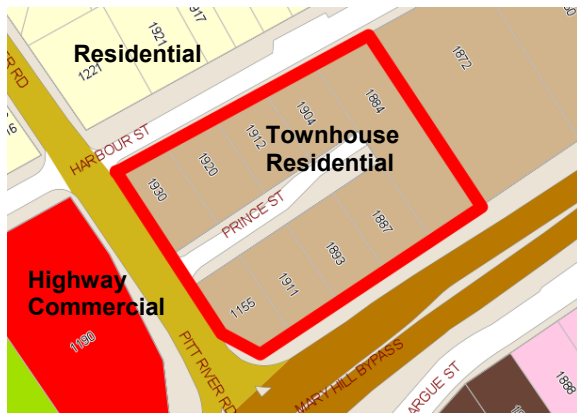
BACKGROUND

Proposal: The owner of the properties located at the corner of Pitt River Road and the Mary Hill Bypass, 393 Cathedral Ventures Inc., has submitted an application to redevelop the site for a mixed-use development that would include apartment units and townhomes along with commercial space.

Site Context: The 9,591m² (2.37 acre) site is bounded by Mary Hill Bypass, Pitt River Road and Harbour Street; Prince Street runs through the middle of the site and would need to be closed and consolidated should the development proceed. The site is currently vacant of structures and gently slopes south. To the north of the site are a mix of older and newer single residential homes, and townhouse complexes have been developed to the east. A gas station is located to the west of Pitt River Road and a mix of marine oriented, commercial and multi-family residential uses are located to the south of the Mary Hill Bypass.



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Location Map Official Community Plan Designations

Policy and Regulations: The vacant site is currently designated Townhouse Residential (RT) in the OCP, a designation that would support a townhouse development with a density of approximately 43 units. The properties are currently zoned RS1, Single Residential.

The proposed mixed use development would be subject to the Commercial, Intensive Residential and Environmental Conservation

development permit area designations of the OCP. The applicant has not yet submitted a Development Permit application.

The City's Density Bonus policy provides for the City to retain the additional land value achieved by the rezoning and Official Community Plan amendment to put towards social housing and community amenities. The City's Affordable and Family Friendly Housing Policy requires that 10% of any additional residential density be secured as non-market rental housing.

Project Description: The applicant has proposed a mixed use development that would include approximately 1,353m² (14,566ft²) of commercial space at grade, three 4-storey apartment buildings with a total of approximately 121 apartment units, and 16 townhouse units built over a common parkade.

The building massing is proposed to be divided into four separate building areas with a large central landscaped courtyard/roadway area. The proposed development includes:

- A four-storey residential building on the south-east corner of the site adjacent to Mary Hill Bypass providing for approximately 50 residential units (Building 'A');
- A four-storey mixed use building on the corner of Pitt River Road and Mary Hill Bypass providing for approximately 39 residential units, plus 596m² (6,410ft²)



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- in 3 commercial units (Building 'B');
- A three and four-storey mixed use building on the corner of Pitt River Road and Harbour Street providing for approximately 41 residential units plus 758m² (8,157ft²) in 6 commercial units (Building 'C'); and
- Two townhouse buildings on the north-east corner of the site containing 16 three-storey units in total.
- A two level underground parkade providing 279 parking stalls for residential, commercial and visitors, along with 14 parking stalls for commercial uses provided at grade.
- A central common amenity space on the 2nd floor between the buildings which includes natural play elements for children, a landscaped cultural display as well as areas for seating and picnicking.

The main commercial frontage of the development is along Pitt River Road, with street oriented commercial uses fronting Pitt River, wrapping around the corners of Mary Hill Bypass and Harbour Street and continuing along an internal roadway towards the interior landscaped courtyard. The vehicular accesses include full access on Harbour Street and a restricted access on Pitt River Road, connecting to an internal roadway providing access to at-grade commercial parking, short term residential visitor parking, as well as access to the common underground parkade and the lobbies for the residential buildings.



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VIEW FROM CORNER PITT RIVER ROAD AND HARBOUR STREET

A three storey building massing with individual, street-level access to apartment units and townhomes is proposed along the Harbour Street stretch to reflect the adjacent existing single family and townhome residential. The buildings along Mary Hill Bypass are oriented towards the internal courtyard to reduce impacts of traffic noise and vibrations.

The applicant advises the residential units will provide a wide range of options for families, with apartment units ranging in size from one to three bedrooms and 3 bedroom townhomes. Each building would include indoor amenity areas and have access to the common outdoor amenity space; each townhouse unit would be provided with an elevated garden plot.

The inner courtyard area of the site has several defined outdoor amenity areas, including gathering spaces and play areas for the residents that take advantage of the south facing orientation and views. All residential units above the courtyard have large decks to increase livability of the units and add interest to the massing of the buildings.

The proposed parking and loading is in keeping with the Parking and Development Management Bylaw. Residential parking is contained within the parking structure and secured separately from the commercial and visitor parking areas. All loading and garbage areas have been internalized within the site.

The applicant describes the architectural character as a West Coast modern contemporary approach with generous fenestration, use of natural materials and quality cladding materials. Further details and an analysis of the proposal's compliance with the objectives and guidelines of the development permit area designations would be provided in consideration of a Development Permit.

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Retail Impact Assessment (Attachment 2): To support the proposed commercial uses, the applicant submitted a retail impact assessment which assessed the anticipated trade area for the proposed retail space, identified the recommended commercial mix and evaluated the impact of these commercial uses on other commercial districts in the City, particularly the downtown. In summary, the assessment concluded there will be sufficient market demand to support the retail commercial on the site with “little to no impact on Downtown Port Coquitlam” as the diverse mix of shops and services in the downtown is resilient and relies on an extensive trade area outside the immediate Port Coquitlam region. The assessment further noted the Downtown is less reliant on the trade area around the proposed development, as these Port Coquitlam residents tend to shop on their commute home, often within other communities.

The assessment noted that over 4,000 residents live within a 10 minute walk to the site and a limited amount of community oriented commercial on site would meet the needs of this community for local shops and services. The types of commercial business suggested by the assessment to meet the demands of this trade area includes personal care establishments, recreation facilities, restaurants, daycares, and retail sales of household and lifestyle goods – such as furniture, sporting goods, hobbies and home furnishing. Larger retail stores, pharmacies, banks, automotive uses and drive through establishments were not recommended.

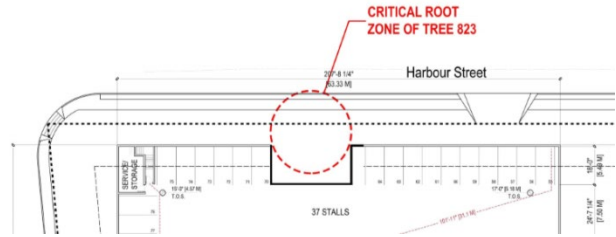
The applicant has advised they would focus on commercial uses that provide neighbourhood scale and oriented services, such as eating establishments, food and beverage, home furnishing, leisure retail, recreation and spa type uses. A Comprehensive Development Zone would reference uses permitted in the Community Commercial zone, with specific exclusions in keeping with the recommendations of the retail assessment (regionally serving uses such as large retail and financial institutions; offices, automobile-oriented uses)

Acoustical Study (Attachment 2): The applicant submitted an acoustical study which assessed traffic noise levels and impacts to the units in proximity to the Mary Hill Bypass/Pitt River Road intersection as well as the outdoor spaces. The assessment concluded that suites adjacent to the Mary Hill Bypass should include acoustically rated windows and doors, exterior wall upgrades such as additional layers of interior drywall, and air conditioning units (heat pumps) for the units that face onto Mary Hill Bypass (to reduce the need to open windows). The study recommended further assessment should be undertaken once the details of the building design are completed to ensure the building meets acceptable noise levels as determined by Canada Mortgage and Housing Corporation (CMHC).

Transportation (Attachment 3): The applicant submitted a transportation impact assessment which confirmed the existing road network would have the capacity to support the additional traffic from this development and did not identify the need for additional traffic mitigation or intersection upgrades; however, staff would recommend that access off Pitt River be restricted to right in right out and a concrete median installed to prevent left hand turn movements at this location. Approval from the Ministry of Transportation and Infrastructure is required prior to final adoption.

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Trees (Attachment 4): The applicant submitted an arborist report which assessed the trees on the site, as well as those located on adjacent Pitt River and Mary Hill Bypass road-right-of way. The species of trees included pine, cedar, maple, cherry, walnut and a great number of black cottonwood and alder. The condition of the trees varied significantly from good to poor. Most of the trees were located towards the middle and south of the site, which is sloped down towards Mary Hill Bypass



The arborist report recommended retention of one tree on the subject property, a large Jeffery Pine located adjacent to the property line on Harbour Street. The proposed development has designed the outline of the building and underground parking to facilitate retention of the tree and ensure the drip line is not impacted.

The remaining on-site trees are to be removed as they conflict with the footprint of the development. In addition, the report notes that four trees within the City's right of way on Pitt River Road will be impacted by the offsite road improvements and will need to be removed.

Any significant trees that are removed will be replaced at a ratio of 2:1; all other trees will be replaced at a ratio of 1:1. The details of the tree replacement scheme will be confirmed through submission and review of a Development Permit application.

Infrastructure: Offsite requirements for the development is recommended to include reconstruction of Harbour Street (1/2 road plus 1 meter plus and a mill and overlay of the north half of Harbour) to ensure the additional traffic can be accommodated; reconstruction of Pitt River Road (1/2 road plus 1 meter) including a bike lane and 1.8 metre wide sidewalk; installation of a RRFB (pedestrian flashing beacon) at the Pitt River/Harbour intersection to ensure adequate pedestrian safety; a streetlight at the north/south east corner of the Harbour/Pitt intersection to light the intersection and the east half of the crosswalk and removal of the existing crosswalk on the north leg to encourage pedestrians to cross at the safest point.

Energy Efficiency: The applicant has proposed that the project would be designed to meet or exceed a LEED® Silver level. This program requires buildings to be energy and water efficient, promotes indoor air quality and efficient use of resources. As an alternative, the development could be designed to achieve a higher level of the Step Code.

Archeology: The BC Archeology Branch has identified the site as being in proximity to a known archaeological site. The applicant advised they have met archaeological assessment and permit

Official Community Plan Application and Rezoning Application – 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

requirements from the Branch; confirmation from the Branch will be required prior to issuance of a Building Permit.

Affordable and Family Friendly Housing Policy: The applicant's proposal provides for 103 additional residential units and compliance with the City's Affordable and Family Friendly Housing policy requires the provision of 10 non-market rental units.

The applicant has instead proposed a homeownership assistance program as an alternative to providing 10 non-market rental units (Attachment 5). The proposal provides 4-6% of the purchase price as a down payment for up to 30 qualified purchasers. The conditions of the program end 3 years after initial occupancy, or less if the original purchaser sells their unit within 3 years of initial occupancy. The proposal provides that the owner would pay a percentage of the down payment assistance to the City for its Social Housing amenity fund should they sell before the end of the 3 year occupancy. The program does not extend beyond the three years or to new purchasers after the original purchase of the unit, which does not meet the objectives and intent of the Policy.

Density Bonus Policy: The City's Density Bonus policy requires a density bonus payment equal to the land lift associated with this additional residential density. Past practice provided for the value of density bonus payments be determined through an appraisal after third reading and submitted prior to adoption of the amending bylaw.

The recommended best practices for establishing density bonus or community amenity contributions is to provide a standardized and established value as a provision in the zoning bylaw amendment. In keeping with this advice, the City has moved forward with a standardized approach of \$50 per sq. ft. of residential density that exceeds density thresholds provided in the OCP and/or Zoning, excluding any density used to construct non-market rental units. This approach has been used for many years in the downtown and provides for consistency and transparency in establishing density bonus payments. The amount was reviewed in 2019 and confirmed the amount was an appropriate balance of providing a development incentive while ensuring the community was receiving a public benefit from the additional density. It also eliminates the significant concerns the City has had pertaining to the assumptions, accuracy and thoroughness of appraisals which have been submitted by applicants to establish a density bonus payment. Using this approach, the estimated value of the increased density for this application would amount to approximately \$2,300,000 (assuming a base density of 43 townhouse units, each averaging 1650 sq. ft.).

The applicant has noted concern (Attachment 6) with the City's standardized approach, advising that when they applied for the development, they had assumed a land lift value of \$1,254,000 (\$27/ sq. ft.). They suggest the value of the additional density for this site should be lower than elsewhere in the City, and that when combined with the value of the affordable home ownership program, a \$21/ sq ft value is reasonable. This would amount to approximately \$957,000.

Official Community Plan Application and Rezoning Application – 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

DISCUSSION

The OCP and various City policies establishes how the community is intended to develop as well as designates lands for uses in keeping with these policies. An evaluation of the proposal with the applicable policies indicates:

- The OCP's existing designation of this site for townhouses reflects policies that look to meeting the community's significant demand for ground-oriented housing. In retaining 16 townhouse units within the residential housing mix, the proposal responds in part to these policies, as well as the direction of providing family friendly units which are a minimum of 2 bedrooms in size and have a den or direct access to private outdoor space.
- The Plan supports locating apartment buildings in urban centres close to community services and transit. While this site is not within a designated urban center, the property does have access to the 791 line bus service, is easily accessed off Mary Hill Bypass and is in proximity to other multi-family developments, the Traboulay Poco Trail and existing commercial uses.
- The Plan provides that residential units should be buffered from negative impacts. The impact of traffic noise from Mary Hill Bypass could be reduced by a combination of maintaining sufficient setbacks from the highway and implementation of acoustical measures. The higher built form on the site will act as a noise buffer to the adjacent existing residential areas from the traffic noise.
- The variation in outdoor amenity spaces (including child and family oriented) responds to policies for both private and shared amenity spaces in multifamily developments and intends to mitigate distance to other public park space. The recent COVID-19 situation has highlighted the need for residents to have access to private outdoor space and staff recommend all units be provided with this amenity.
- The proposal for adding additional commercial space in this area is supported by the retail study which indicates that there is market demand for local commercial type uses in this area. A proposal to locate local commercial uses in this area will create a destination that is easily accessible by neighbourhood residents walking or biking and will serve the new residents which is keeping with OCP policies which support the development of small pedestrian-oriented neighbourhood commercial sites to serve neighbourhoods.
- Staff do not recommend accepting the request to deviate from the City's Affordable and Family Friendly Housing Policy to provide a home-ownership program. This proposal does not meet the intent of this policy or OCP direction as the proposed program does not include affordability (i.e. income level) in its selection criteria, nor does the proposal provide for continued affordability measures beyond 3 years of occupancy. It would also require the City to monitor occupancy and sales data during the construction of the project and in the 3 years following occupancy to ensure the commitments are being met. In staff's opinion, compliance with the Policy by dedicating 10 units as secure non-market rental units better meets the City's objectives to encourage the provision of affordable housing, particularly to

Official Community Plan Application and Rezoning Application – 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

low and mid-income families. These units would be secured in perpetuity through registration of a housing agreement prior to bylaw adoption and would be administered through a social housing provider, limiting the need for further municipal involvement. Further, compliance with City policies would ensure a mixture of unit sizes and ensure a minimum number of Family Friendly housing units as per the Policy.

- Staff recommend an established rate of \$50 per square foot for the requested additional residential density. This value is consistent with the approach being taken in other areas of the City when a density bonus is proposed, will ensure funds are available to support new community amenities and social housing in the community. Staff have not been provided with any evidence to support the assertion that land value associated with this development are significantly decreased over other areas of the City. The applicant would not be required to pay density bonus value for the floor area used to construct the non-market units.
- Closure and purchase of Prince Street is required in order for the applicant to construct the development as proposed and staff support the request. The value of Prince Street would be established by an appraiser on the City's behalf based on highest and best use, excluding the value associated with an established density bonus payment. The existing servicing would be removed and relocated as necessary.
- Additional offsite requirements necessary to support the development including reconstruction of the full width of Harbour Street, a right-in/right-out vehicular restriction on Pitt River Road, and pedestrian signalization and mobility improvements on Pitt River Road..

On balance, staff support the proposal with the following recommended conditions:

1. A housing agreement to secure at least 10 non-market rental housing units to be managed by a social housing provider with a range of bedroom mixes and to be constructed in the first phase of the project.
2. The CD zone to include:
 - a. A minimum of 16 townhouse units and a maximum of 121 apartment units;
 - b. Density bonus provision of \$50 per square foot for all residential density over 6,592 sq m (70,950 sq ft) , excluding the density associated with any non-market rental units;
 - c. The provision of a minimum of 1,290m² of outdoor amenity area and 274m² indoor amenity area;
 - d. Commercial uses in keeping with the Community Commercial (CC) zone, with limitations as noted by the retail consultants; and
 - e. Private outdoor patio or balcony space provided for each residential unit with a minimum depth of 1.8 m (6 ft).
3. Registration of legal agreements to ensure:
 - a. Development in accordance with the recommendations of the acoustical study; and
 - b. built to either a LEED® Silver standard or equivalent per the Energy Step Code.

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4. Offsite requirements to include identified measures to support vehicular and pedestrian mobility.

FINANCIAL IMPLICATIONS


Density Bonus payments would be split between the Community Amenity and the Social Housing Amenity funds. Funds from the sale of Price Street would go into the Land Sale Reserve.

PUBLIC CONSULTATION

A development sign was posted facing Pitt River Road. The applicant team has conducted several open houses and have submitted summary reports on these consultation activities (Attachment 7). Responses have ranged from support for the project to concern regarding traffic and parking, and some respondents who do not support the change in use.

Staff have received additional remarks from the public outside of these Open House comments concerning the height of the development, traffic impacts and fit with the neighbourhood. The public hearing would provide a formal opportunity for Council to hear comments from the community on the proposed amendments. Due to social distancing requirements, this public hearing would be held virtually.

OPTIONS

#	Description
1 	Recommend to Council that the Official Community Plan and Zoning Bylaw amendments be considered for approval.
2	Request additional information, amendments to the application, changes to recommended conditions of prior to forwarding the application to Council.
3	Defer further consideration of this application until an social distancing restrictions are lifted and an in-person public hearing can be held.
4	Recommend to Council that the application be refused.

ATTACHMENTS

Official Community Plan Application and Rezoning Application – 1884-1930 Harbour Street, 1887-1911 Prince Street and 1155 Pitt River Road

- Attachment #1: Retail Impact Study
- Attachment #2: Acoustical Study
- Attachment #3: Traffic Impact Assessment
- Attachment #4: Arborist Report
- Attachment #5: Letter from applicant re: proposed home ownership proposal
- Attachment #6: Letter from applicant re: density bonus provision
- Attachment #7: Consultation Report #2
- Attachment #8: Sept 4, 2018 Committee Report

Smoking Control & Ticketing Amendment Bylaws – First Three Readings

RECOMMENDATION:

That Council give Smoking Control Amendment Bylaw No. 4216, Bylaw Notice Enforcement Amendment Bylaw No. 4217 and Municipal Ticket Information Bylaw No. 4218 first three readings.

OPTIONS (✓ = Staff Recommendation)

	#	Description
<input checked="" type="checkbox"/>	1	Give first three readings to the bylaws.
<input type="checkbox"/>	2	Delay first three readings and request staff to provide additional information.
<input type="checkbox"/>	3	Deny first three readings of the bylaws.

CITY OF PORT COQUITLAM
SMOKING CONTROL AMENDMENT BYLAW, 2021

Bylaw No. 4216

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*.

2.6 That "Smoking Control Bylaw, 2018, No. 4037", SCHEDULE "A" – DEFINITIONS be amended by removing the following definition:

"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.

READ A FIRST TIME this	day of	, 2021
READ A SECOND TIME this	day of	, 2021
READ A THIRD TIME this	day of	, 2021

Mayor

Corporate Officer

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
<input checked="" type="checkbox"/>	1	Recommend adoption of the proposed smoking-related bylaw amendments.
<input type="checkbox"/>	2	Request further information.
<input type="checkbox"/>	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

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

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

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

- 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

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

- (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

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

BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW, 2021

Bylaw No. 4217

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, 2021, No. 4217”.

2. ADMINISTRATION

2.1 That the citation on “Bylaw Notice Enforcement Bylaw, No. 3814, 2013” be amended to ““Bylaw Notice Enforcement Bylaw, 2013, No. 3814”.

2.2 That “Bylaw Notice Enforcement Bylaw, 2013, No. 3814”, be amended by replacing the existing Schedule A for "Smoking Control Bylaw No. 4037", with Schedule A for “Smoking Control Bylaw No. 4037”, attached hereto and forming part of this Bylaw.

READ A FIRST TIME this _____ day of _____, 2021
READ A SECOND TIME this _____ day of _____, 2021
READ A THIRD TIME this _____ day of _____, 2021

Mayor

Corporate Officer

SCHEDULE “A”
Designated Bylaw Contraventions and Penalties

Smoking Control Bylaw, 2018, No. 4037

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⁾
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.

CITY OF PORT COQUITLAM

TICKET INFORMATION UTILIZATION AMENDMENT BYLAW, 2021

Bylaw No. 4218

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

1. CITATION

This Bylaw is cited as "Ticket Information Utilization Bylaw, 1992, No. 2743, Amendment Bylaw, 2021, No. 4218".

2. ADMINISTRATION

That the Ticket Information Utilization Bylaw No. 2743 be amended by replacing Schedule 12 – "Smoking Control Bylaw, 2018, No. 4037" with the Schedule 12 for "Smoking Control Bylaw, 2018, No. 4037" attached hereto and forming part of this Bylaw.

READ A FIRST TIME this _____ day of _____, 2021

READ A SECOND TIME this _____ day of _____, 2021

READ A THIRD TIME this _____ day of _____, 2021

Mayor

Corporate Officer

SCHEDULE 12

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

	SECTION	FINE IN \$	FINE IN \$ 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

2021 Water & Sewer Rates Bylaw

RECOMMENDATION:

That Council give Water Regulation Amendment Bylaw No. 4205 and Sewer Regulation Amendment Bylaw No. 4026 first three readings.

PREVIOUS COUNCIL/COMMITTEE ACTION

November 4, 2020 – Committee of Council

That Committee of Council direct staff to prepare a bylaw for Council consideration to consolidate the water and sewer rate stabilization operating reserves into one stabilization reserve.

November 25, 2020 – Committee of Council

That Committee of Council authorize staff to issue the 2021 draft operating budget for public consultation.

REPORT SUMMARY

The 2021 utility budgets represent a 2.00% increase in water and 2.00% in sewer rates over 2020. The principal factors driving this increase are an increase in Metro Vancouver charges for bulk water purchases and sanitary sewer discharge.

BACKGROUND

Annually the utilities section safely delivers approximately 9.2 million cubic meters of high-quality potable water to its 24,929 serviced customers within the City. Employees operate, maintain and construct a city-wide transmission and distribution system that delivers safe and reliable drinking water and ensure adequate flows and pressures are maintained for the City's fire protection needs. The utilities section also provides an essential service for the collection and disposal of liquid wastewater. Employees in this section operate, maintain, and construct collection infrastructure that mitigates environmental impact as a result of blockages and overflows, and transfer of wastewater to treatment facilities.

To pay for these services, the City charges utility rates on a user pay basis. Residential units pay a flat rate whereas commercial units are metered and pay based on usage. Water and sewer regulation bylaws are brought to Council in advance of the City's financial plan bylaw in order to ensure that utility bills are mailed out to property owners by the second week of February.

Beyond funding the cost of annual operations, utility budgets also include contributions to water and sewer infrastructure reserves. These annual contributions of \$2.0 million and \$702 thousand respectively are to fund the replacement/enhancement of utility infrastructure (pipes, pumps, valves, etc.); major repairs and maintenance; studies; and other expenditures that are not part of

2021 Water & Sewer Rates Bylaw

regular operations. Contributions can either be spent in the year they are made or used in a future year.

The City has also been setting aside an additional \$1.0 million and \$755 thousand in water and sewer contributions for long term infrastructure replacement (LTR). This funding is intended for replacement of aging infrastructure as major portions of the City's older subdivisions comes up for utility replacement.

Charges from Metro Vancouver for bulk water purchases and sanitary sewer discharge constitute the largest portion of the utility budgets (approximately 58% and 63%). For a number of years, Metro Vancouver has been forecasting increases to its rates to offset borrowing costs related to capital construction. Until recently, those increases hadn't come to fruition and accordingly for parts of the last 10 years the City's utility levies had been held flat or fairly low.

The following are the historical Port Coquitlam increases over the past 10 years:

Rate	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Water	6.33%	6.11%	2.4%	0%	0%	0.85%	0%	4.05%	3.78%	2.00%
Sewer	6.33%	3.38%	0%	0%	0%	3.75%	3.86%	0.82%	2.00%	2.00%

In anticipation of future Metro Vancouver rate increases, the City's water and sewer budgets have historically included \$80,000 annually for contributions to the water and sewer rate stabilization reserves. These reserves were established to potentially smooth the impact of future increases.

On January 8, 2019, Committee of Council adopted the following guidelines outlining the use of the rate stabilization reserves:

- Target utility rate: The city will target a utility rate increase between 2.0% to 4.5%.
- Use of rate stabilization reserve: The city will use the reserve to reduce the rate increase to 4.5% in years where it would otherwise exceed 4.5%. To smooth rate increases over a three year period, withdrawals from the reserve in a given year should not exceed 1/3 of the opening balance.
- Contribution to rate stabilization reserve: In years where the rate increase falls below 2.0% the city will make a contribution of up to \$80,000 to the reserve with a cap such that the rate increase does not exceed 2.0%. No contribution will be made in years where the rate increase exceeds 2.0%.

On November 4, 2020, Committee of Council directed staff to prepare a bylaw for Council consideration to consolidate the water and sewer rate stabilization operating reserves in to one stabilization reserve.

2021 Water & Sewer Rates Bylaw

DISCUSSION

The 2021 utility budget is based on maintaining 2020 service levels. As such, changes reflect Metro Vancouver cost escalations, labour contract estimates, efficiency savings and other adjustments, but do not contain any proposed enhancements or reductions to services.

Until the 10-year capital, financial and asset management plans are developed in 2021, LTR reserve contributions have been frozen at 2019 levels (water LTR annual contribution of \$1,007,100; sewer LTR contribution of \$754,700).

Given the overall position of the City's 2021 operating budget and the potential for continued financial pressures on residents as a result of COVID-19, the 2021 utility budgets include the use of \$42,300 from the rate stabilization reserve (2.9% of the balance) in order to reduce the water and sewer levy increases to 2.0%.

FINANCIAL IMPLICATIONS

Water Utility

The following table provides a breakdown of the 2021 water utility budget.

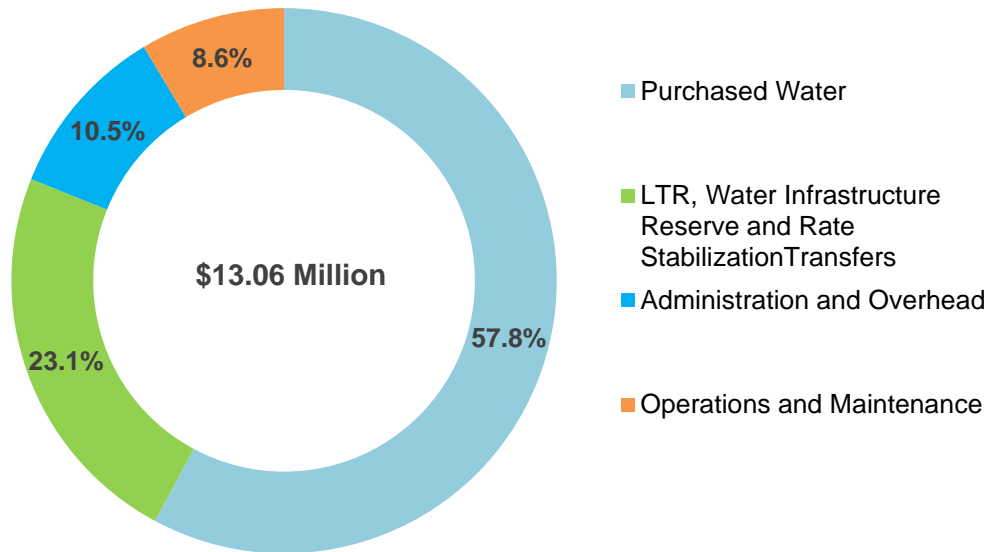
Figure 1: Water Utility Budget

	2020 Budget	2021 Budget	\$ Change	% Change
Revenues				
Utility charges	\$12,710,600	\$12,964,800	\$254,200	2.00%
Permits and licences	18,700	18,700	-	-
Penalties and fines	80,000	80,000	-	-
	\$ 12,809,300	\$ 13,063,500	\$254,200	1.98%
Expenses				
Payroll expense	\$786,000	\$776,400	(9,600)	-1.22%
Contracted & other services	7,377,500	7,705,200	327,700	4.44%
Materials and supplies	124,400	138,200	13,800	11.09%
Telephone, utilities and rent	42,400	42,400	-	-
Internal charges	1,411,400	1,366,000	(45,400)	-3.22%
	\$ 9,741,700	\$ 10,028,200	\$286,500	2.94%
Net Reserve Transfers				
To LTR and Water Infrastructure	\$ 3,067,600	\$ 3,067,600	\$ -	-
To (From) Rate Stabilization	-	(32,300)	(32,300)	N/A
	\$ 3,067,600	\$ 3,035,300	\$(32,300)	-1.05%
Net Water Budget	\$ -	\$ -	\$ -	-%

2021 Water & Sewer Rates Bylaw

The Community Charter requires that proposed expenditures and transfers to other funds must not exceed the total of the proposed funding sources and transfers from other funds for the year (i.e. the organization cannot budget for a surplus/deficit). As such, after factoring revenues, expenses and transfers to and from reserve, the net water budget balances to \$0.

Figure 2: 2021 Budgeted Water Expenditures



Payments to Metro Vancouver represent 57.8% of the expenses while transfers to/from the Water LTR, Infrastructure and Stabilization reserves make up a further 23.1% of the total. Operations and maintenance represent 8.6% of the total. Lastly, administration and overhead charges make up the remaining 10.5%.

The 2021 water budget results in the following impact to residential and commercial properties.

Figure 3: Impact to Residential Properties

Rate Class	2020 Levy	2021 Levy	2021 \$ Increase	2021 % Increase
Single Family Dwelling	\$ 464.99	\$ 474.29	\$ 9.30	2.00%
Secondary Suite	\$ 464.99	\$ 474.29	\$ 9.30	2.00%
Townhouse	\$ 435.59	\$ 444.30	\$ 8.71	2.00%
Apartment	\$ 413.81	\$ 422.09	\$ 8.28	2.00%

2021 Water & Sewer Rates Bylaw

Figure 4: Impact to Commercial Properties

Example Rate Class	2020 Example Levy	2021 Example Levy	2021 \$ Increase	2021 % Increase
Low Volume Retail	\$2,109.06	\$ 2,151.24	\$ 42.18	2.00%
Medium Volume Retail	\$6,635.78	\$ 6,768.50	\$132.72	2.00%
High Volume Retail	\$24,445.13	\$ 24,934.03	\$ 488.90	2.00%
Large Industrial	\$392,399.82	\$ 400,247.82	\$ 7,848.00	2.00%

Sewer Utility

The following table provides a breakdown of the 2021 sewer utility budget.

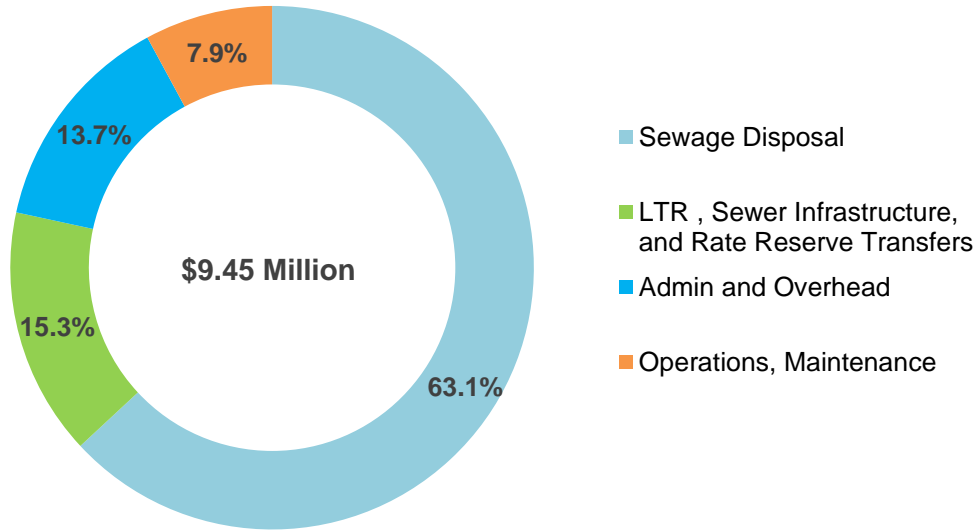
Figure 5: Sewer Utility Budget

	2020 Budget	2021 Budget	\$ Change	% Change
Revenues				
Utility charges	\$ 9,201,100	\$ 9,385,100	\$ 184,000	2.00%
Penalties and fines	63,000	63,000	-	0.00%
	\$ 9,264,100	\$ 9,448,100	\$ 184,000	1.99%
Expenses				
Payroll expense	\$ 353,700	\$ 359,300	\$ 5,600	1.58%
Contracted & other services	5,941,800	6,248,000	306,200	5.15%
Materials & supplies	76,800	76,800	-	-
Telephone, utilities & rent	78,000	73,000	(5,000)	-6.41%
Internal charges	1,328,500	1,244,300	(84,200)	-6.34%
	\$ 7,778,800	\$ 8,001,400	\$ 222,600	2.86%
Net Reserve Transfers				
To LTR & Sewer Infrastructure	\$ 1,456,700	\$ 1,456,700	\$ -	-
To (From) Rate Stabilization	28,600	(10,000)	(38,600)	-134.97%
	\$ 1,485,300	\$ 1,446,700	\$ (38,600)	-2.60%
Net Sewer Budget	\$ -	\$ -	\$ -	-%

The Community Charter requires that proposed expenditures and transfers to other funds must not exceed the total of the proposed funding sources and transfers from other funds for the year (i.e. the organization cannot budget for a surplus). As such, after factoring revenues, expenses and transfers to and from reserve, the net sewer budget balances to \$0.

2021 Water & Sewer Rates Bylaw

Figure 6: 2021 Budgeted Sewer Expenditures



Payments to Metro Vancouver represent 63.1% of the expenses while transfers to/from the Sewer LTR, Infrastructure and Stabilization reserves make up a further 15.3% of the total. Operations and maintenance represent 7.9% of the total. Lastly, administration and overhead charges make up the remaining 13.7%.

The draft 2021 sewer budget results in the following impact to residential and commercial properties.

Figure 7: Impact to Residential Properties

Rate Class	2020 Levy	2021 Levy	2021 \$ Increase	2021 % Increase
Single Family Dwelling	\$ 339.08	\$ 345.86	\$ 6.78	2.00%
Secondary Suite	\$ 339.08	\$ 345.86	\$ 6.78	2.00%
Townhouse	\$ 318.02	\$ 324.38	\$ 6.36	2.00%
Apartment	\$ 301.40	\$ 307.43	\$ 6.03	2.00%

Figure 8: Impact to Commercial Properties

Example Rate Class	2020 Example Levy	2021 Example Levy	2021 \$ Increase	2021 % Increase
Low Volume Retail	\$ 534.81	\$ 545.51	\$ 10.70	2.00%
Medium Volume Retail	\$ 4,610.69	\$ 4,702.90	\$ 92.21	2.00%
High Volume Retail	\$ 20,646.19	\$ 21,059.11	\$ 412.92	2.00%
Large Industrial	\$ 351,951.82	\$ 358,990.86	\$ 7,039.04	2.00%

2021 Water & Sewer Rates Bylaw

Rate Stabilization Balance

The figure below provides the estimated balance remaining in the rate stabilization reserve at the end of 2021.

Figure 9: Rate Stabilization Reserve

	Amount
2021 Estimated Opening Balance	\$1,483,839
2021 Use of Stabilization Reserve	(42,300)
2021 Estimated Ending Balance	\$1,441,539

Future Impact of Metro Vancouver Rate Increases

Given that Metro Vancouver's charges are a significant portion of the City's utility expenses, their increases have a large impact on the City's rates. Metro Vancouver's five-year financial plan for includes the following projections for rate increases to water and sewer:

Figure 10: Metro Vancouver Five Year Forecast

Rate	2021	2022	2023	2024	2025
Water	3.5%	2.8%	3.5%	9.4%	11.3%
Sewer	4.3%	7.1%	10.6%	12.6%	13.6%

Seniors' Discount

In 2020 the seniors' discount (a reduction of 50% of the levy for a principal residence) was given to seniors whose income did not exceed \$25,217 or had a household income that did not exceed \$31,396. 2020 saw a 3% decrease in the number of properties claiming the discount.

Figure 11: Senior's Discount - Five Year Trend

Rate Class	2016	2017	2018	2019	2020
# of Senior's Discounts	268	274	318	335	324
Total Cost	\$ 91,334	\$ 93,549	\$ 111,017	\$120,315	\$117,133

The 2021 seniors' waiver is based on the taxpayer's 2019 Revenue Canada Notice of Assessment, which will be the most recent information available in February and March when the discounts are being processed. Since Statistics Canada no longer publishes the low-income threshold, the annual threshold for the seniors' discount will increase based on the Statistics Canada CPI increase for Vancouver. In 2020 the increase was nil so the 2021 senior's waiver will be the same as 2020.

2021 Water & Sewer Rates Bylaw

OPTIONS (✓ = Staff Recommendation)

	#	Description
<input checked="" type="checkbox"/>	1	Give water and sewer rate bylaws first three readings
<input type="checkbox"/>	2	Refer bylaws back to staff for further information

ATTACHMENTS

Att#1: Water Regulation Amendment Bylaw No. 4205

Att#2: Sewer Regulation Amendment Bylaw No. 4206

Lead author(s): Farouk Zaba

Contributing author(s): Brian North

CITY OF PORT COQUITLAM
WATERWORKS REGULATION AMENDMENT BYLAW, 2021

Bylaw No. 4205

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

1. CITATION

This Bylaw is cited as “Waterworks Regulation Bylaw, 2016, No. 3935, Amendment Bylaw, 2021, No. 4205”.

2. ADMINISTRATION

2.1 That “Waterworks Regulation Bylaw, 2016, No. 3935” be amended by replacing Schedule “B” and Schedule “E” with the Schedule “B” and Schedule “E”, attached hereto, and forming part of this Bylaw.

READ A FIRST TIME this	day of	, 2021
READ A SECOND TIME this	day of	, 2021
READ A THIRD TIME this	day of	, 2021

Mayor

Corporate Officer

Schedule "B"



A. Residential Properties:

	Rate
(a) Single Residential dwelling unit	\$474.29
(b) Each additional dwelling unit*	\$474.29
(c) Each townhouse unit	\$444.30
(d) Each apartment unit	\$422.09

* For each suite or additional dwelling unit located in a duplex or any form of multiple housing including manufactured home parks or individual guest rooms in motels, hotels, boarding houses, rooming houses, bed and breakfast businesses, and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies and not covered in parts (c) or (d) of Sections A and B.

B. Meter Rates:

Rates for water shall be for the quantity used in any three (3) month period as indicated by meter, which shall be installed on the water service for the purpose of registering the quantity of water used. All rates for water shall become due and payable the first day of January, the first day of April, the first day of July, the first day of October, each and every year.

0 - 1,500 cubic feet	\$165.03 minimum charge
For the next 3,000 cubic feet	\$5.2874 per hundred cu.ft.
For the next 15,000 cubic feet	\$4.3321 per hundred cu.ft.
Over 19,500 cubic feet	\$2.6770 per hundred cu.ft.

C. Other Rates:

For premises used solely for residential purposes and which have an unfiltered swimming pool situated thereon:

The rates and penalties provided in Section B of this schedule.

D. Fire Lines:

For each connection made to the water utility system to provide a standby for fire protection only and not used except in the case of fire:

(a) For a Ten Inch (10") connection	\$ 962.00 per annum
(b) For an Eight Inch (8") connection	\$ 831.00 per annum
(c) For a Six Inch (6") connection	\$ 639.00 per annum
(d) For a Four Inch (4") connection	\$ 487.00 per annum
(e) For a Two Inch (2") connection	\$ 399.00 per annum

Schedule "B" Cont'd

E. Premises Used for Mixed Purposes:

For premises used for mixed or multiple purposes which include a connection or service to a residential premise as well as another use, the Owner shall pay:

- (i) the rate prescribed under Section A of this schedule for each Residential Premise that, directly or indirectly, receives water from the Water System; plus
- (ii) the rate prescribed under Section B of this schedule for the Non-Residential premises.

The City may send a single invoice covering all non-residential strata lots to the Strata Corporation, or Strata Lot 1, as the City may on a case by case basis decide. If the Rates as set out on the invoice remain unpaid as of December 31 of the billing year, the Director of Engineering & Public Works or designate shall allocate volume of water as set out on the invoice among properties that shall pay the Metered rates as set out above, and determine the charges and penalties owing by the Owners of each strata title lot. Such charges shall be deemed to have been due and payable by each owner as of December 31 and the provisions of Section 231 of the *Community Charter* shall apply.

F. Recent purchase or sale

To meet the eligibility requirements in Section 6 (b) and (c) of the Bylaw, the claimant must be the registered owner of the eligible residence and living on the property as his/her principal residence at the time the application is made. Therefore, the application for the waiver must be made prior to the conveyance of the dwelling. This is because sale of the property is conclusive evidence that it has ceased to be the principal residence of the vendor. Once a conveyance is completed, the vendor is no longer eligible for the waiver.

Circumstances may arise in which full utilities are paid by the vendor but no waiver is claimed. The waiver is a reduction of indebtedness for current year utilities and must be claimed by the individual who actually paid that debt. Since the indebtedness was paid by the vendor, no waiver can be allowed to the purchaser. The waiver cannot be prorated.

G. Late Payment Penalties:

Accounts billed for Residential purposes

A penalty of 5% shall be added to the outstanding balances levied for the current year after:

- (a) the close of business on March 31st in each year; or
- (b) the close of business on May 31st in each year.

Accounts billed for Metered purposes

A penalty of 10% shall be added to the outstanding balances levied for the current year after:

- (a) the penalty date established for the quarter period; or
- (b) thirty (30) days from the billing date.

Schedule "B" Cont'd

H. Senior Citizen's Waiver:

Every owner and occupier of property who:

- (a) Sixty-five years of age or over at any time during the calendar year in which the charge is assessed; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income (line 236) does not exceed the threshold of \$25,923 per person if they are the sole occupier of the residence or the threshold of \$32,275 if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule E to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2019 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

I. Disability Waiver:

Every owner and occupier of property who:

- (a) Designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities, and the person with disabilities resides with the owner and the collector has been provided with the required Schedule D; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and

Schedule "B" Cont'd

- (g) Whose total annual net income (line 236) does not exceed the threshold of \$25,923 per person if they are the sole occupier of the residence or the threshold of \$32,275, if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule E to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2019 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

Schedule "E"

APPLICATION FOR A SEWER AND WATER USER FEE SUBSIDY.

I am the owner and occupier of _____
 (Address)

I am 65 years of age (or over): my date of birth is _____ or I am a designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for Persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities and the person with disabilities reside with the owner.

I live on the property and consider it to be my principal residence and the property does not contain a suite.

I do not own any other property as defined in the Assessment Act.

There are (including myself) _____ person(s) living at the above address. The following is my (our) 2019 income. All income must be shown below, including Pensions, Interest, rent etc.

My total annual net income does not exceed \$25,923 or our household annual net income does not exceed \$32,275.

Source of Income

		Amount
1. Owner	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
2. Spouse and all other occupants of the household	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
Total Net Income(Line 236)		_____

I have attached a copy of my (our) 2019 Canada Revenue Agency Notice of Assessment(s)

I understand that I will be required to sign this form each year, as long as I remain eligible for this waiver. I agree to provide the collector with any documentation necessary to establish my eligibility for the waiver, including the 2019 Revenue Canada Notice of Assessment.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH AND BY VIRTUE OF THE 'CANADA EVIDENCE ACT'.

Print Name _____ Signature of Registered Owner _____

Phone Number _____ Dated at Port Coquitlam, BC this _____ day of _____, 20____.

PLEASE COMPLETE AND RETURN BEFORE DUE DATE TO AVOID PENALTIES.

The personal information on this form is collected under the authority of the Municipalities Enabling and Validating Act and will be used for the purpose of determining eligibility for a waiver as per Bylaw No. 3935. If you have any questions about the use and collection of this information, contact the Tax Collector at 604-927-5426.

CITY OF PORT COQUITLAM
SEWER REGULATION AMENDMENT BYLAW, 2021

Bylaw No. 4206

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

1. CITATION

This Bylaw is cited as “Sewer Regulation Bylaw, 2016, No. 3936, Amendment Bylaw, 2021, No. 4206”.

2. ADMINISTRATION

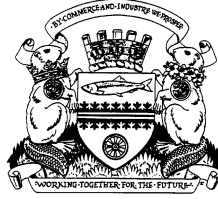
2.1 That “Sewer Regulation Bylaw, 2016, No. 3936” be amended by replacing Schedule “A” and Schedule “D” with the Schedule “A” and Schedule “D”, attached hereto, and forming part of this Bylaw.

READ A FIRST TIME this	day of	, 2021
READ A SECOND TIME this	day of	, 2021
READ A THIRD TIME this	day of	, 2021

Mayor

Corporate Officer

SCHEDULE "A"



A. Residential Properties:

	Rate
(a) Single Residential dwelling unit	\$345.86
(b) Each additional dwelling unit *	\$345.86
(c) Each townhouse unit	\$324.38
(d) Each apartment unit	\$307.43

* For each suite or additional dwelling unit located in a duplex or any form of multiple housing including manufactured home parks or individual guest rooms in motels, hotels, boarding houses, rooming houses, bed and breakfast businesses, and dormitories, as well as individual stores and individual or complementary rooms for business and personal services occupancies and not covered in parts (c) or (d) of Sections A and B.

B. Metered Rates:

- (a) Metered users
 - (i) 0 to 1,500 cubic feet (minimum charge) \$94.25
 - (ii) over 1,500 cubic feet (rate per hundred cubic feet) \$2.4075

Any owner or occupier of real property other than residential users shall be charged for the use of the sewerage system on the basis of the quantity of water delivered to the real property by the City waterworks system. All rates for sewer shall become due and payable the first day of January, the first day of April, the first day of July, the first day of October, each and every year.

A user of the sewerage system who establishes to the satisfaction of the Director of Engineering & Public Works or designate that the discharge into the sewerage system is less than seventy five percent of the water delivered by the municipal waterworks system to his parcel of real property, by using in whole or in part the water so delivered in an industrial or commercial process or product, or in irrigation; or by discharging the water so delivered or part thereof directly into a natural water course or body of water; shall have the user charge reduced corresponding to the actual quantity of discharge.

C. Premises Used for Mixed Purposes

For premises used for mixed or multiple purposes which include a connection or service to a residential premise as well as another use, the Owner shall pay:

- (i) the rate prescribed under Section A of this schedule for each Residential Premise that, directly or indirectly, receives water from the Water System; plus
- (ii) the rate prescribed under Section B of this schedule for the Non-Residential premises.

SCHEDULE "A" Cont'd

The City may send a single invoice covering all non-residential strata lots to the Strata Corporation, or Strata Lot 1, as the City may on a case by case basis decide. If the Rates as set out on the invoice remain unpaid as of December 31 of the billing year, the Director of Engineering & Public Works or designate shall allocate volume of water as set out on the invoice among properties that shall pay the Metered rates as set out above, and determine the charges and penalties owing by the Owners of each strata title lot. Such charges shall be deemed to have been due and payable by each owner as of December 31 and the provisions of Section 231 of the *Community Charter* shall apply.

D. Recent purchase or sale

To meet the eligibility requirements in Section 5(b) or (c) of the Bylaw, the claimant must be the registered owner of the eligible residence and living on the property as his/her principal residence at the time the application is made. Therefore, the application for the waiver must be made prior to the conveyance of the dwelling. This is because sale of the property is conclusive evidence that it has ceased to be the principal residence of the vendor. Once a conveyance is completed, the vendor is no longer eligible for the waiver.

Circumstances may arise in which full utilities are paid by the vendor but no waiver is claimed. The waiver is a reduction of indebtedness for current year utilities and must be claimed by the individual who actually paid that debt. Since the indebtedness was paid by the vendor, no waiver can be allowed to the purchaser. The waiver cannot be prorated.

E. Late Payment Penalties:

Accounts billed for Residential purposes

A penalty of 5% shall be added to the outstanding flat rate balances levied for the current year under Sections A and C of this Schedule after:

- (a) the close of business on March 31st in each year; and
- (b) the close of business on May 31st in each year.

Accounts billed for Metered purposes

A penalty of 10% shall be added to the outstanding balances levied for the current year under Section B of this Schedule, after:

- (a) the penalty date established for the quarter period; or
- (b) thirty (30) days from the billing date.

F. Senior Citizen's Waiver:

Every owner and occupier of property who:

- (a) Sixty-five years of age or over at any time during the calendar year in which the charge is assessed; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and

SCHEDULE "A" Cont'd

- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income (line 236) does not exceed the threshold of \$25,923 per person if they are the sole occupier of the residence or the threshold of \$32,275, if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule D to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2019 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

G. Disability Waiver:

Every owner and occupier of property who:

- (a) Designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities, and the person with disabilities resides with the owner and the collector has been provided with the required Schedule C; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income (line 236) does not exceed the threshold of \$25,923 per person if they are the sole occupier of the residence or the threshold of \$32,275, if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of one half of the applicable annual rate for their principal residence levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule D to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2019 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

SCHEDULE "D"

APPLICATION FOR A SEWER AND WATER USER FEE SUBSIDY.

I am the owner and occupier of _____ (address)

I am 65 years of age (or over): my date of birth is _____ or I am a designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for Persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities and the person with disabilities reside with the owner.

I live on the property and consider it to be my principal residence and the property does not contain a suite.

I do not own any other property as defined in the Assessment Act.

There are (including myself) _____ person(s) living at the above address. The following is my (our) 2019 income. All income must be shown below, including Pensions, Interest, rent etc.

My total annual net income does not exceed \$25,923 or our household annual net income does not exceed \$32,275.

I have not applied for a sewer or water user fee subsidy on any other property during this calendar year.

Source of Income

		Amount
1. Owner	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
2. Spouse and all other occupants of the household	Old Age Pension	_____
	Canada Pension	_____
	Guaranteed Income Supplement	_____
	Other Income	_____
Total Net Income(Line 236)		=====

I have attached a copy of my (our) 2019 Canada Revenue Agency Notice of Assessment(s)

I understand that I will be required to sign this form each year, as long as I remain eligible for this waiver. I agree to provide the collector with any documentation necessary to establish my eligibility for the waiver, including the 2019 Revenue Canada Notice of Assessment.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH AND BY VIRTUE OF THE 'CANADA EVIDENCE ACT'.

Print Name _____ Signature of Registered Owner _____

Phone Number _____ Dated at Port Coquitlam, BC this _____ day of _____, 20____.

PLEASE COMPLETE AND RETURN BEFORE DUE DATE TO AVOID PENALTIES.

The personal information on this form is collected under the authority of the Municipalities Enabling and Validating Act and will be used for the purpose of determining eligibility for a waiver as per Bylaw No. 3936. If you have any questions about the use and collection of this information, contact the Tax Collector at 604-927-5426.

RECOMMENDATION:

That Council give first three readings to Delegation of Authority Bylaw, 2014, No. 3876, Amendment Bylaw, 2021, No. 4215, and the Development Procedures Bylaw, 2013, No. 3849, Amendment Bylaw, 2021, No. 4214, to provide the Director of Development Services the authority to issue conforming Development Permits for coach houses.

PREVIOUS COUNCIL/COMMITTEE ACTION

In April of 2017, bylaw amendments were enacted to allow for and regulate coach houses in residential neighbourhoods. The Development Procedures Bylaw was amended to set consultation requirements and require that coach house development permits be considered by Committee and that a public input opportunity be held at a Committee meeting.

REPORT SUMMARY

This report proposes amendments to both the Delegation of Authority Bylaw 3876 and the Development Procedures Bylaw 3849 to delegate authority to approve Coach House Development Permits to the Director of Development Services. The proposed amendments provide for a customer friendly and efficient process, but maintain requirements for the applicant to post a sign and consult with owners of adjoining properties.

BACKGROUND AND DISCUSSION

In 2016, the City undertook extensive community consultation regarding infill housing options through the “Let’s Talk Housing Options” process. There was broad interest in the community to allow for coach houses in residential neighbourhoods. To facilitate this new use, the Zoning Bylaw and other bylaws were amended in 2017 to allow coach houses on eligible single family lots through a streamlined Development Permit process that can run concurrently with Building Permit review. Detailed design guidelines and regulations were adopted to help guide the form and character of the coach house buildings, and the application process was set to require documented proof of consultation with surrounding neighbours to ensure any concerns related to the design and siting of the new building are considered. As coach houses were a new use for the community, the process to issue a Development Permit was structured to include a formal public input opportunity at a Committee of Council meeting prior to consideration of DP approval.

Since this time, 14 coach house Development Permits have been issued of which 10 have been built and the rest underway. An additional 10 applications are currently under review. The general sentiment we have heard from the community is that the proposed coach houses fit well in the surrounding neighbourhood context. Staff have been successful in working closely with applicants to ensure that regulations and design guidelines are met and that comments from neighbours


Coach House Development Permit Approval Authority

pertaining to design or siting issues are addressed wherever possible by measures such as moving windows, protecting trees, installing fences and increasing setbacks.

Building on this success, staff recommend the approval process be streamlined further by delegating coach house Development Permit approval authority to the Director of Development Services. Under this approval structure, Development Permit applications for coach houses that are designed in accordance with DP guidelines and in compliance with zoning and parking regulations could be approved at the Director level. Committee consideration would still be required should an applicant seek a variance to design, zoning or parking regulations.

This amended process would mirror the way that small lot RS4 Development Permits are considered; a process that has proved to be customer friendly, time efficient and effective. To continue to allow for input from surrounding residents and ensure neighbourhood fit, it is recommended that the requirements to post a notice on the property advertising the application and solicit input from owners of adjoining properties be maintained.

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Give first three readings to the amending bylaws to provide the Director of Development Services the authority to issue conforming Development Permits for coach houses.
	2	Request additional information or amendments to the requested amendments prior to their consideration.
	3	Determine that no changes will be made to existing regulations at this time.

ATTACHMENTS

Att#1: Delegation of Authority Bylaw 3876 - Track Changes

Att#2: Bylaw 4215 – Delegation of Authority Bylaw Amendment

Att#3: Development Procedures Bylaw 3849 - Track Changes

Att#4: Bylaw 4214 – Development Procedures Bylaw Amendment

Lead author(s): Meredith Seeton



THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 3876

A Bylaw to Delegate Authority and Establish Procedures for Delegated Authorities

WHEREAS the Community Charter empowers Council, by bylaw, to delegate certain powers, duties and functions, including those specifically established by an enactment, to its members, committees, officers, employees or another body established by the Council;

NOW THEREFORE the Council of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

CITATION

1. This Bylaw may be cited for all purposes as the “Delegation of Authority Bylaw, 2014, No. 3876”.

PART I: DELEGATED AUTHORITIES & PROCEDURES

ANIMAL CONTROL

2. The Manager of Bylaw Services is delegated the authority to enter into, and deliver on behalf of the City, partnership and service agreements relating to animal control. Signing authority for these agreements is delegated to the Manager of Bylaw Services.

BYLAW ENFORCEMENT

3. It is acknowledged by the Council of the City of Port Coquitlam that by virtue of their appointment, Bylaw Officers are “Peace Officers” in the course of performing their duties. A Bylaw Enforcement Officer may exercise the following powers on behalf of the City:
 - a) enforcement of the City’s regulatory bylaws and related policies;
 - b) entry onto or into private premises to verify compliance with the Council’s regulations, prohibitions or requirements pursuant to Section 16 of the *Community Charter*;
 - c) the service of summons pursuant to Section 28 of the *Offence Act*;
 - d) for certainty, the issuance of Municipal Ticket Information as provided by the Ticket Information Utilization Bylaw, 1992, No. 2743 and the Bylaw Notice Enforcement Bylaw, 2012, No. 3814.
 - e) in accordance with Section 70(1)(b) of the *Police Act* upon the appointment of a Bylaw Officer by the City of Port Coquitlam Council or delegate, each employee must complete the Oath/Affirmation in BC Regulation 136/2002M199/2002 (see Schedule A).

BUSINESS LICENSING

4. The Manager of Planning and the Manager of Bylaw Services are delegated the authority to suspend or cancel a business licence for reasonable cause pursuant to Section 32 of the Business Bylaw, No. 3725.
5. The Manager of Planning and the Manager of Bylaw Services are delegated the authority to attach conditions to a business licence pursuant to Section 5.1 of the Business Bylaw, No. 3725.
6. If the Manager of Planning or the Manager of Bylaw Services has refused to grant a Licence or has imposed a term of condition that the applicant considers is unreasonable, the applicant who is subject to the decision is entitled to have Council reconsider the matter. The applicant may submit a request for reconsideration in writing to Council. This request will be placed on the next reasonably convenient Council Meeting Agenda and Council will provide a final ruling on the matter.

FINANCE

7. The Committee of Council is delegated the authority to accept the annual municipal financial statements pursuant to Section 167(1)(b) of the *Community Charter*.
8. The Committee of Council is delegated the duties and functions pursuant to Part 6 - Division 2 Audit of the *Community Charter*.

LAND USE AND DEVELOPMENT APPROVALS

9. The Committee of Council is delegated the authority:
 - a) to issue development permits under Section 920 of the *Local Government Act*;
 - b) to renew temporary use permits under Section 921 of the *Local Government Act* in areas of the City designated under Section 920.2 for such temporary uses;
 - c) to issue and renew heritage alteration permits under Section 972 of the *Local Government Act*;
 - d) to issue time extensions for Council consideration of adoption of a Zoning Bylaw amendment for a period of up to one year from the initial one-year period; and,
 - e) to authorize notice of a proposal for a development variance permit or a temporary use permit under Section 922 of the *Local Government Act*.
10. The Director of Development Services is delegated the authority to issue development permits (small lot) under Section 920 of the *Local Government Act* where the developments are:
 - a) for new single residential buildings in the RS4 zone;
 - b) designed in accordance with the Intensive Residential Guidelines for Small Lots of the Official Community Plan; and,
 - c) in compliance with the regulations of the Zoning Bylaw.

11. The Director of Development Services is delegated the authority to issue development permits (coach house) under Section 920 of the *Local Government Act* where the coach house is:

- a) designed in accordance with the Intensive Residential Guidelines for Coach Houses of the Official Community Plan; and,
- b) in compliance with the regulations of the Zoning Bylaw and the Parking and Development Management Bylaw.

~~11.12.~~ The Director of Development Services is delegated the authority to issue watercourse development permits under Section 920 of the *Local Government Act* where the works are:

- a) located in an agricultural, single residential or duplex zone;
- b) in compliance with the watercourse protection guidelines of the Official Community Plan; and,
- c) in compliance with the regulations of the Zoning Bylaw.

~~12.13.~~ The Director of Development Services is delegated the authority to issue an amendment to a permit providing for a minor alteration or change which:

- a) would not change the intent of the design, and
- b) would not vary any bylaw with the exception of the following:
 - i. Zoning Bylaw bicycle facilities regulations,
 - ii. Zoning Bylaw recycling facilities regulations, and
 - iii. Parking and Development Management Bylaw regulations for parking space, loading space and aisle dimensions.

~~13.14.~~ The Director of Development Services is delegated the authority to extend the date of expiry of a permit other than a Temporary Use Permit where, in the sole opinion of the Director of Development Services, no circumstances have arisen to require an amendment or reconsideration of the permit.

~~14.15.~~ In exercising the authority delegated by this Bylaw, the Committee of Council and Director of Development Services shall do so in accordance with the relevant policies, guidelines and regulations of the Official Community Plan and Zoning Bylaw.

~~15.16.~~ An applicant for a permit who is denied the permit by a decision by the Director of Development Services is entitled to reconsideration. The applicant may submit a request for reconsideration in writing to the Committee of Council and this request will be placed on the next reasonably convenient meeting of the Committee of Council. If the issue is not resolved at this meeting, the applicant may request that the matter be considered by Council, who will provide a final ruling on the matter.

~~16.17.~~ The Committee of Council and Director of Development Services are delegated not only the authority to issue certain permits, but also to amend and cancel permits and to take such action as would be within the authority of Council if an owner fails to comply with a term or condition of a permit.

~~17.18.~~ Signing authority for land use and development permits issued pursuant to this section is delegated to the Director of Development Services.

~~18.19.~~ For clarification, the delegation to the Committee of Council of the authority to issue permits includes all the authorities of Council in relation to those development permits, including the authority to vary or supplement a bylaw under Division 7 or 11 of Part 26 of the *Local Government Act* and the authority to impose conditions and requirements and set standards on the issuance of a permit.

~~19.20.~~ For clarification, the delegation to the Committee of Council of the authority to issue development permits and heritage alteration permits includes the authority to establish a permit expiry date, impose conditions, require undertakings, determine if an undertaking has been breached and enter on the land and carry out the demolition, removal or restoration at the expense of the owner, give and publish notices, and hear objections.

LANDSCAPE SECURITIES

~~20.21.~~ The Committee of Council is delegated the authority to require landscape securities in relation to development permits and temporary use permits.

~~21.22.~~ The Director of Development Services is delegated the authority to require landscape securities in relation to development permits (small lot or coach house) and watercourse development permits located in an Agricultural A, Single Residential RS or Duplex RT zone.

~~22.23.~~ The Committee of Council is delegated the authority to determine if a condition in a permit respecting landscaping in relation to development permits and temporary use permits has not been satisfied and the Committee of Council may then undertake the work, apply the security and otherwise administer the security pursuant to Section 925 of the *Local Government Act*.

~~23.24.~~ The Director of Development Services is delegated the authority to determine if a condition in a permit respecting landscaping in relation to watercourse development permits located in an Agricultural A, Single Residential RS or Duplex RT zone has not been satisfied and the Director may then undertake the work, apply the security and otherwise administer the security pursuant to Section 925 of the *Local Government Act*.

LIQUOR AND CANNABIS LICENCES

~~24.25.~~ The Committee of Council is delegated the authority to adopt a resolution on a liquor licence application submitted in accordance with the *Liquor Control and Licensing Act* (LCLA) to the Liquor and Cannabis Regulation Branch or to make a decision to opt out of providing comment on the application.

~~25.26.~~ The Director of Development Services is delegated the authority to provide comment to the Liquor and Cannabis Regulation Branch on a special occasion liquor licence application submitted in accordance with the *Liquor Control and Licensing Act* (LCLA).

CANNABIS RETAIL LICENCES

~~26.27.~~ The Committee of Council is delegated the authority to adopt a resolution on a cannabis licence application submitted in accordance with the *Cannabis Control and Licensing Act* to the Liquor and Cannabis Regulation Branch or to make a decision to opt out of providing comment on the application.

NOISE CONTROL BYLAW EXEMPTIONS

~~27.28.~~ The Director of Engineering and Public Works, the Manager of Infrastructure Planning, the Manager of Building, and the Manager of Bylaw Services are delegated the authority to grant exemptions to the Noise Control Bylaw No. 2891.

NOTIFICATION

~~28.~~29. The Corporate Officer and Assistant Corporate Officer are delegated the authority to publish newspaper notices required under the *Local Government Act* and the *Community Charter*.

OFFICERS

~~29.~~30. Pursuant to Section 154(3) of the *Community Charter*, the Chief Administrative Officer is delegated the authority to appoint a person to fill an officer position and to hire or to suspend an officer of the City. The Chief Administrative Officer must report such decisions to Council at its next meeting.

PARKS AND RECREATION AGREEMENTS

~~30.~~31. The Committee of Council is delegated the authority to enter into, and deliver on behalf of the City, partnership and service agreements relating to recreation, parks, cultural, special events, and library services. In exercising this delegated authority, the Committee shall do so in accordance with the relevant purchasing policies, guidelines and regulations of the City. Signing authority for these agreements is delegated to the Director of Recreation.

PURCHASING

~~31.~~32. The Departmental Directors are delegated the authority to enter into contracts for the purchase of goods and services. In exercising this delegated authority, the Directors shall do so in accordance with the relevant purchasing policies, guidelines and regulations of the City.

RENTAL FEE WAIVERS

~~32.~~33. The Committee of Council is delegated the authority to waive rental fees for City-owned facilities.

STRATA LOT OWNERSHIP

~~33.~~34. The Corporate Officer is delegated the authority to exercise the powers of the City at any annual general meeting or a special general meeting of the strata corporation on behalf of the City as an owner of one or more strata lots within a strata development.

~~34.~~35. The authority delegated by this Bylaw is not limited, but is general and the Corporate Officer may vote, propose and second motions, participate in discussions, and do any and all other things that the City as the owner of the strata lot is entitled to do at strata corporation meetings.

~~35.~~36. The Corporate Officer may consent to the waiver of the holding of an annual or special general meeting of the strata corporation and may consent in writing to its resolutions.

TREE PERMITS

36. Committee of Council may consider a decision of the Parks Section Manager with respect to the issuance of a tree cutting permit.

PART II: ADMINISTRATIVE AUTHORITIES

37. The Director of Engineering and Public Works, Director of Development Services, Corporate Officer, Manager of Development Engineering, Manager of Engineering Projects and Budgets and Supervisor of Design and Technical Services are delegated the authority to enter into and deliver on behalf of the City, the following:
- a) statutory rights of way for municipal services
 - b) easements for the benefit of or burdening City property
 - c) encroachment agreements
 - d) highway reservation agreements
 - e) Section 219 covenants *Land Title Act*,
 - f) subdivision and development servicing agreements
 - g) latecomer charge waiver agreements
 - h) releases and modifications of the agreements listed in this section.
38. The Director of Development Services and Corporate Officer are delegated the authority to file notices of permits issued pursuant to this Bylaw in the Land Title Office.
39. Except for specific provisions in this Bylaw, any contract, agreement, debenture, plan or other document or instrument to be executed or approved on behalf of the City shall be executed by the Mayor and the Corporate Officer.

PART III: EXERCISE OF DELEGATED AUTHORITY

40. Where a committee, officer, or employee holding a position with delegated authority pursuant to this Bylaw decides not to exercise their delegated authority under this Bylaw, in their sole discretion and for reasons of complexity, visibility or any other circumstance, the matter will be considered by Council. These decisions are not open for reconsideration by Council.
41. If two members of Council provide a written request to the Corporate Officer that they wish to have all members of Council consider a matter that has been delegated to a committee, officer or employee at least 24 hours prior to the decision being made, the matter must not be considered by the delegated authority and shall be considered by Council.
42. For clarity, unless a power, duty or function of Council has been expressly delegated by this Bylaw, all of the powers, duties and functions of Council remain with Council.
43. A committee, officer or employee holding a position with delegated authority may not further delegate the delegated authority.
44. In the absence of an officer with delegated authority or an employee holding a position with delegated authority, the person named to act in the capacity of the officer or the position is delegated the applicable authority delegated by this Bylaw.
45. If the title of a committee is changed by the Mayor or the title of a position is changed by the Chief Administrative Officer, the delegated authority of this Bylaw shall continue to apply to the applicable committee or position.

REPEAL

46. The “Delegation Bylaw No. 3820” and all amendments thereto, are hereby repealed.

Read a first time for the Municipal Council this 8th day of September, 2014.

Read a second time for the Municipal Council this 8th day of September, 2014.

Read a third time for the Municipal Council this 8th day of September, 2014.

Certified in accordance with the Bylaw authorizing the revision.

Adopted by the Municipal Council of the Corporation of the City of Port Coquitlam this 15th day of September, 2014.

GREG MOORE
Mayor

CAROLYN DEAKIN
Acting Corporate Officer

RECORD OF AMENDMENTS

Bylaw	Section	Date
4094	Committee name change	2018 11 27
4103	Cannabis retail licences	2019 02 05
4109	Tree Permits	2019 02 26
4194	Peace Officer and TUP approval	2020 10 27
4203	Sections 4-6	2020 12 15

SCHEDULE A

PEACE OFFICER RESOLUTION

1. *As per the authority at section 36 of the Police Act, R.S.B.C. 1996, c. 367, as amended, the City of Port Coquitlam ("City") through its Mayor and Council or delegate appoints **(INSERT NAME)** as a bylaw enforcement officer for the City commencing **(DATE)** for the purposes of enforcing all City's bylaws and in accordance with the statutory authority granted within the Community Charter, S.B.C. 2003, c. 26, as amended, is authorized to exercise such statutory authority.*
2. *For the purposes of this resolution the City also designates (insert full legal name here) as a peace officer, as that term is defined in section 29 of the Interpretation Act, R.S.B.C. 1996, c. 238, as amended, for the preservation and maintenance of public peace within the City, with the full powers, privileges and responsibilities of a peace officer while carrying out their duties for the City.*
3. *This appointment will expire immediately when (insert full legal name here) is either no longer employed by the City; is no longer appointed to the position of bylaw enforcement officer; or if City Council rescinds their appointment.*

As per the oath of office, it is taken under the authority of section 70 of the *Police Act* and B.C. Reg. 136/2002. Consider the following:

I, **(insert full legal name here)**, do solemnly affirm that:

- a) I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Queen of Canada, Her Heirs and Successors; and
- b) I will faithfully, honestly and impartially perform my duties as bylaw enforcement officer for the City of Port Coquitlam.

Solemnly affirmed by me, at the City of Port Coquitlam, Province of British Columbia, on **(insert day, month, year here)**.

(Insert full legal name here), Bylaw Enforcement Officer

A Commissioner for Administering Oaths

CITY OF PORT COQUITLAM

DELEGATION OF AUTHORITY AMENDMENT BYLAW, 2021

Bylaw No. 4215

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

CITATION

1. This Bylaw is cited as "Delegation of Authority Bylaw, 2014, No. 3876, Amendment Bylaw, 2021, No. 4215".

ADMINISTRATION

2. That the following Section 11 be added, and that subsequent sections be renumbered accordingly:

11. The Director of Development Services is delegated the authority to issue development permits (coach house) under Section 920 of the *Local Government Act* where the coach house is:
 - a) designed in accordance with the Intensive Residential Guidelines for Coach Houses of the Official Community Plan; and,
 - b) in compliance with the regulations of the Zoning Bylaw and Parking and Development Management Bylaw.
3. That the phrase "or coach house" be added to the new Section 22 , following the phrase "The Director of Development Services is delegated the authority to require landscape securities in relation to development permits (small lot)".

READ A FIRST TIME this _____ day of _____ , 2021

READ A SECOND TIME this _____ day of _____ , 2021

READ A THIRD TIME this _____ day of _____ , 2021

Mayor

Corporate Officer



THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 3849

A Bylaw to Define Development Procedures

The Council of the Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

Citation

This Bylaw may be cited for all purposes as the “Development Procedures Bylaw, 2013, No. 3849.

1. Definitions

In this Bylaw:

Application means a complete request on the application form provided by the City of Port Coquitlam to:

- 1) amend an Official Community Plan (“OCP”) or Zoning Bylaw;
- 2) issue or amend a permit under Part 26 or Part 27 of the *Local Government Act*;
- 3) amend or discharge a Land Use Contract;
- 4) obtain a decision on a liquor license application in accordance with the *Liquor Control and Licensing Act* and Regulation;
- 5) obtain a decision on an application for conversion into strata lots of a previously occupied building pursuant to the *Strata Property Act*; and,
- 6) obtain a decision on an application for the inclusion, exclusion, or subdivision of lands or a non-farm use within the Agricultural Land Reserve (“ALR”) pursuant to the *Agricultural Land Commission Act*.
- 7) Obtain a decision on a cannabis retail licence in accordance with the *Cannabis Control and Licensing Act and Regulation*.

Coach House means a building containing only one dwelling unit and which is located on the same lot as the principal dwelling.

Committee means a standing, select, or other committee of Council.

Designation means a land use designation pursuant to the provisions of the OCP.

Development Permit - Coach House means a development permit for a coach house.

Development permit – specialized means a development permit for a small lot dwelling; [a development permit for a coach house](#); a development permit for a building with a green roof; a watercourse development permit for a site within an agriculture (A), single residential (RS), or duplex (RD) zone; and, an development permit (environmental conservation) within an

institutional zone (P1 and P2).

Dwelling unit means a self-contained suite of rooms used or intended to be used as a domicile by one family and containing cooking, eating, living and sanitary facilities.

Green roof means an engineered roofing system that allows for the propagation of rooftop vegetation and the retention of storm water while maintaining the integrity of the underlying roof structure and membrane.

Small lot dwelling means a dwelling unit located within the RS4 Zone (Residential Single Dwelling Zone 4).

Text amendment means a change to a policy, land use designation or regulation of the OCP or Zoning Bylaw which is not a site-specific change.

Zone means a land use zone pursuant to the Zoning Bylaw of the City of Port Coquitlam.

2. Administrative Provisions

- 1) The Corporate Officer and Director of Development Services are jointly responsible for administration of this Bylaw.
- 2) If any section, subsection or sub-subsection of this bylaw is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of the bylaw.

3. Application Procedures and Requirements

- 1) An application shall be made to the Director of Development Services and must include such information as is required by the Director of Development Services to evaluate the application.
- 2) All applications shall specify and include:
 - a) the name, address and contact information for the applicant;
 - b) where the application is made by an agent, the name and address of the owner(s), and a Letter of Authorization signed by the owner(s); and,
 - c) the street address and legal description of the subject parcel(s), other than an application for a text amendment.
- 3) All applications shall include, as deemed applicable by the Director of Development Services:
 - a) a description of the present and proposed development or change in land use;
 - b) identification of applicable policies and regulations of the Regional Growth Strategy, OCP and Zoning Bylaw and any proposed changes to these policies and regulations;
 - c) a completed Development Checklist;
 - d) a statement indicating why the application is considered to be in the public interest and assesses its potential social, environmental and economic impacts;
 - e) one printed copy and one electronic copy of dimensioned plans drawn to scale including the date and a north arrow specifying the following:

- i) context including abutting streets, lanes and buildings,
 - ii) location of existing and proposed property lines,
 - iii) location of existing and proposed buildings and structures,
 - iv) floor plan of proposed buildings,
 - v) elevations of proposed buildings and structures,
 - vi) location, type, layout and paving materials for parking spaces, parking aisles and loading areas,
 - vii) easements, rights-of-way or other restrictions registered on title,
 - viii) location and type of existing trees, proposed tree retention areas and landscaping, and
 - ix) for applications within an environmental conservation development permit area designation, details illustrating the energy conservation, water conservation, and GHG emission reduction components of the proposal.
- f) for a Coach House Development Permit application:
- i) a written submission describing the existing development of properties adjoining the proposed development site (i.e., any lot which abuts or is adjacent to the subject lot, whether or not it is separated by a lane or street); and,
 - ii) a statement describing the response from the owners of the adjoining properties to the design and landscaping of the proposed coach house.”
- 4) An applicant may request reconsideration by the Council of the information requirements imposed in respect of an application within 30 days of the date the Director of Development Services communicated the requirements. A request for reconsideration must be delivered in writing to the Corporate Officer and must set out the grounds on which the applicant considers the requirement is inappropriate and what, if any, requirement the applicant considers the City ought to substitute.

4. Fee Procedures

- 1) All applications, including requests to extend the time for consideration of an application, shall be accompanied by a fee calculated in conformance with the Fees and Charges Bylaw.
- 2) Where an applicant has obtained third reading of an amending bylaw and met all established requirements to be considered for adoption in a timely fashion, but such consideration is pending, the additional fee for extension may be waived at the sole discretion of the Director of Development Services.
- 3) Where the Committee or Council requires a Public Meeting prior to its decision on an application for a development permit or heritage alteration permit, the applicant shall submit the Public Meeting fee prior to the date of the Meeting.
- 4) Where an application results solely from a request by the City that the property owner apply for the application, no application fee shall be payable.

5. Notification and Signage

- 1) Except as provided in Section 2 of this Division, Notice of a Public Hearing or a Public Meeting shall be mailed or otherwise delivered at least 10 days before the date of the Hearing or Meeting to the owners and occupiers as at the date of the

first reading of the Bylaw:

- a) within the area that is subject to the application; and
 - b) within a distance of 120 m (393.7 feet) from any part of a parcel that is subject to the application.
- 2) Section 1 of this Division does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw amendment or permit.
- 3) Notice of an opportunity for public input shall be mailed or otherwise delivered at least 10 days before the date of public consideration:
- a) within the area that is subject to the application; and
 - b) within a distance of 40 metres (131.2 feet) from any part of a parcel that is subject to the application.
- 4) All applicants for an OCP amendment, rezoning bylaw, liquor licence, cannabis licence and development permit other than a specialized development permit must post a notice on the subject property advertising the application within 30 days of submitting the application, ensure the notice remains upright and readable until the development has been approved or rejected, and remove the notice following a decision on the application within 30 days.
- 5) Notice pursuant to Section 4 of this Division shall comply with the following requirements:
- a) minimum dimension of 122 cm by 244 cm (4' x 8');
 - b) located in a highly visible location facing the street and, in the case of a parcel abutting streets at the front and rear of the lot and open to traffic, posted to face both streets;
 - c) contain the following information
 - i) type of application(s),
 - ii) address or legal description of the property(ies),
 - iii) development application number(s),
 - iv) name and phone number of applicant,
 - v) description of proposed development,
 - vi) a context map with the subject property and, if applicable, proposed building siting outlined in red or, for a development permit application, a drawing illustrating the design of the proposed development,
 - vii) date of public hearing, public meeting or opportunity for public input (to be added when known),
 - viii) date of posting, and
 - ix) Planning Division contact information including phone number.
- 6) Notwithstanding Section 4 of this Division, notice of a specialized development permit, a development variance permit, a temporary use permit, a text amendment to the OCP or Zoning Bylaw, or an amendment to a permit is not required unless, in the sole opinion of the Director of Development Services, notice of the application is required. A notice required by the Director shall be in compliance with Section 5 of this Division.

7) ~~Notwithstanding Section 4 of this Division, n~~Notice of a Coach House Development Permit application shall include posting a sign on the subject property pursuant to Subsection 5 of this Section with the following exceptions:

~~(a) that~~ the required context map shall include the subject property lines, the location of the principal dwelling outlined in black and the location of the proposed coach house outlined in red, and

~~a) no date of public hearing, public meeting or opportunity for public input is required~~

~~b)–~~

~~e) Mailing a notice or otherwise delivering it, at least 10 days before the date of the Committee meeting to all owners of properties adjoining the proposed development site; and,~~

~~a)–~~

~~e)b) e) Posting the date of Committee consideration on the sign at least 5 days prior to this consideration.”~~

6. Bylaw Amendment Procedures

1) Where an application for a bylaw amendment has been made in conformance with this Bylaw:

a) the Director of Development Services shall have a report prepared advising the Committee or Council of the merits of the application; and

b) the Corporate Officer shall have the report from the Director of Development Services or the Committee placed on an agenda of a meeting of Council.

2) Where an application for a bylaw amendment is refused by Council, no subsequent application for the same amendment may be submitted for a period of six months, subject to Section 895(3) of the *Local Government Act*.

3) Council shall be requested to:

a) make a decision to either hold a Public Hearing on an application for a bylaw amendment, or,

b) waive the Public Hearing requirement on an application to amend the Zoning Bylaw where the proposed bylaw is consistent with the OCP, or

c) refuse the application

within two years from the date of application, unless the time for consideration by Council of the application is extended by a written approval of the Director of Development Services.

4) Every amending bylaw not adopted by the Council within one year from the date the amending bylaw was given third reading shall not be considered for adoption unless the Committee or Council extends the time for consideration of its adoption for a period of up to one year from the initial one-year period.

5) No more than one extension may be given to an amending bylaw. An application,

in relation to which the amending bylaw has not received Final Reading at the end of the first anniversary of its original expiry date or the last business day prior to this anniversary, shall be closed permanently.

- 6) Nothing in this Division or any action taken by the Council hereunder requires the Council to adopt any proposed bylaw.

7. Permit Procedures

- 1) Where an application for a temporary use permit, heritage alteration permit, development permit and development permit in an institutional zone has been made in conformance with this Bylaw:
 - a) the Director of Development Services shall have a report prepared advising the Committee of the merits of the application;
 - b) the report from the Director of Development Services shall be placed on an agenda of a meeting of the Committee; and
 - c) the Committee shall:
 - i) refuse the application;
 - ii) request additional information prior to a decision;
 - iii) hold a Public Meeting prior to a decision;
 - iv) forward the application to Council for a decision; or
 - v) issue the permit subject to the requirements and conditions per the *Local Government Act*.
 - d) Prior to consideration of an application for a Coach House Development Permit, the Committee shall provide an opportunity for public comment.
- 2) Where the Committee or Council refuses a permit, no subsequent application for the same permit may be submitted for a period of six months, subject to Section 460(3) of the *Local Government Act*.
- 3) Where an application for a specialized development permit other than a permit within an institutional zone has been made in conformance with the application requirements of this Bylaw,
 - a) If the application is determined to conform to the guidelines of the OCP and regulations of the Zoning Bylaw, then the Director of Development Services shall approve the issuance of the permit subject to requirements and conditions as per the *Local Government Act*.
 - b) If the application is determined to involve variance to the guidelines of the OCP or regulations of a bylaw other than a minor variance to the dimensions or siting of a recycling facility, bicycle facility, parking stall or loading space then the Director of Development Services shall:
 - i) refuse the application; or
 - ii) request amendment of the application to conform to the guidelines and regulations.
- 4) Where an application for a specialized development permit has been refused by

the Director of Development Services, an application for development permit may be submitted in conformance with the application requirements of this Bylaw and be processed in accordance with Section 1 of this Division.

- 5) Where an application for a minor alteration to a development permit has been submitted:
 - a) the Director of Development Services shall:
 - i) refuse the application;
 - ii) request additional information prior to making a decision;
 - iii) forward the application to the Committee for a decision; or
 - iv) approve the application subject to requirements and conditions as per Section 920 and 928 of the *Local Government Act*.

8. Application Expiry and Renewal

- 1) An application shall expire unless it is considered in conformance with the provisions of this Bylaw within two years from the date of application.
- 2) An application for a permit which is expired shall be closed permanently unless renewal of the application for a period of up to one year is authorized by the Director of Development Services prior to the date of expiry.
- 3) Any permit which has not been registered at the Land Title Office within 12 months from the date the permit was issued shall not be registered unless an extension of the time for registration for a period of up to one year is approved by the Director of Development Services.
- 4) No more than one extension may be given. An application, in relation to which the permit has not been registered at the end of the first anniversary of its original expiry date or the last business day prior to this anniversary, shall be closed permanently.
- 5) A temporary use permit may be renewed only once for a period of up to three years.

9. Development Variance Permit Procedures

1. Where an application for a development variance permit has been made in conformance with this Bylaw:
 - a) the Director of Development Services shall have a report prepared advising the Committee of the merits of the application;
 - b) the Committee shall:
 - i) request additional information prior to making a decision;
 - ii) instruct the Corporate Officer to give the notice required by Section 499 of the *Local Government Act*; or
 - iii) forward the application to Council for a decision.
 - c) The Corporate Officer shall have the report from the Committee placed on an agenda of a meeting of Council and the Council shall:
 - i) refuse the application;

- ii) instruct the Corporate Officer to give the notice required by Section 499 of the *Local Government Act*; or
- iii) approve the application.

10. Watercourse Development Permit Procedures

- 1) This Division applies to areas within a watercourse development permit area designation.
- 2) In this Division,

Active floodplain means an area of land within a boundary that is indicated by the visible high water mark or water level of a stream that is reached during annual flood events as evidenced by riparian area conditions described in the definition of “riparian area”.

Class A watercourse means a watercourse identified as “Class A” or “Class A(O)” in the OCP.

Class B watercourse means a watercourse identified as “Class B” in the OCP.

Crest of dike means the edge of the crown of the dike on the river side of the dike.

Existing vegetation means native and non-native vegetation.

Fish means all life stages of:

- (i) salmonids,
- (ii) game fish, and
- (iii) regionally significant fish.

Fish bearing watercourse means a watercourse in which fish are present or potentially present if introduced barriers or obstructions are either removed or made passable for fish and including Class A watercourses.

Fish habitat means the areas in or about a stream such as spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Invasive species means plants that compete for space, light, water, and nutrients with endemic riparian species and may include, but not be limited to, Himalayan Blackberry, American Bittersweet, Scotch Broom, Purple Loosestrife, English Ivy, Himalayan Balsam, Japanese Knotweed, Giant Knotweed, Morning Glory, Vinca and reed canary grass.

Natural boundary means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water, a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.

Non-fish bearing watercourse means a watercourse that is not inhabited by fish and provides water, food and nutrients to a downstream fish bearing watercourse or other water body including Class B watercourses.

Non-permanent watercourse means a watercourse that typically contains surface water or flows for periods less than six months in duration, as confirmed

by a qualified professional.

Permanent structure means any building or structure that was lawfully constructed, placed or erected on a secure and long lasting foundation on land in accordance with any local government bylaw or approval condition in effect at the time of construction, placement or erection.

Permanent watercourse means a watercourse that typically contains continuous surface waters or flows for a period more than six months in duration, as confirmed by a qualified professional.

Potential vegetation means an area of land that is considered to have a reasonable ability for regeneration either with assistance through enhancement or naturally, as confirmed by a qualified professional, and is considered to not exist on that part of an area covered by a permanent structure.

Qualified professional means an applied scientist or technologist specializing in an applied science or technology relevant to the matters dealt with in this Watercourse Development Permit area designation including, but not necessarily limited to, agrology, biology, engineering, geology, hydrogeology, landscape architecture, architecture, land surveying, or land use planning; and:

- i) who is registered in BC and in good standing with their appropriate professional organization, and
- ii) who, through demonstrated suitable education, experience, and accreditation and knowledge relevant to the particular matter, may be reasonably relied upon to provide advice within their area of expertise.

Riparian area means the area adjacent to a stream that may be subject to temporary, frequent or seasonal inundation, and supports plant species that are typical of an area of inundated or saturated soil conditions, and that are distinct from plant species on freely drained adjacent upland sites because of the presence of water.

Top-of-bank means:

- i) the point closest to the boundary of the active floodplain of a watercourse where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the break, as confirmed by a qualified professional; and
- ii) for a floodplain area not contained in a ravine, the edge of the active floodplain where the slope of the land beyond the edge is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the edge, as confirmed by a qualified professional.

Watercourse protection area means an area adjacent to a stream that links aquatic to terrestrial ecosystems and includes both the riparian area vegetation and the adjacent upland vegetation that exerts an influence on the stream.

Watercourse means a body of water or a source of water supply, whether usually containing water or not, a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a watercourse and provides fish habitat and includes surface drainage works that are inhabited by or provide habitat for fish.

Wetland means land that is inundated or saturated by surface or groundwater at a

frequency and duration sufficient to support and under normal conditions that supports vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the active floodplain of a stream.

3) Information designation:

- a) All applications shall include a report prepared by a qualified professional that contains the following additional information:
- i) Topographic contours at intervals of one metre, as established by a BC Land Surveyor (BCLS);
 - ii) Description of all permanent and non-permanent watercourses including the location of the natural boundary, top-of-bank and crest of dike, as applicable;
 - iii) Inventory, date stamped photographs and description of significant natural biophysical features on the site including:
 - linkage to other habitats within the same watershed;
 - soil and terrain conditions;
 - any potential hazard of land slippage, bank erosion, flooding, or drainage blockage;
 - significant trees showing diameter at breast height, species, and drip-line, including trees on adjacent properties with root zones or canopies on the subject property;
 - other major vegetation;
 - wildlife species and potential species-at-risk, including their habitats; and
 - nests of hawks, owls, other raptors, herons and any species protected by the *Wildlife Act*.
 - iv) A detailed project description including:
 - dimensions, location, and footprint of existing and proposed buildings and structures;
 - excavation areas, depth of excavation, and fill requirements and locations;
 - location and depth of underground foundations including parking areas;
 - dimensions, location, and footprint of existing and proposed impervious surfaces, such as driveways, walks, and patios;
 - building setbacks as defined by the Zoning Bylaw;
 - proposed building site coverage, floor area, height, number of storeys, number of units, and parking requirements;
 - site grading plans including existing and proposed grades at corners of buildings, driveways, and other structures, and cut and fill areas that may affect the watercourse protection area;
 - proposed drainage, collection, retention, and discharge works, as well as calculations showing the effect of these works on pre-development runoff rates in receiving waters;

- vegetation and land areas of the watercourse protection area proposed to be disturbed.
- v) An environmental assessment of the proposed watercourse protection area which shall include:
- location of the watercourse protection area and the identification of existing and potential areas of vegetation;
 - Any proposed variation in the location of the boundaries of the watercourse protection area;
 - the rationale and criteria for any variation in the location of the watercourse protection area;
 - an assessment of the effects of the proposed development on the natural environment, ecosystems, and biodiversity of the watercourse protection area, including fish and wildlife habitat and the effects of proposed development on vegetation – watercourse interactions and groundwater flows;
 - proposed mitigation measures to protect, restore, and enhance the watercourse protection area and to reduce the impacts of development on this area; and,
 - proposed construction and erosion control.
- vi) An environmental protection plan that defines guidelines to prevent or minimize disturbance to fish and wildlife and
- prescribes guidelines according to best management practices that minimize disturbance and impacts on fish and wildlife, and their habitats;
 - addresses in stream work, disposal of storm water runoff from the site, erosion and sediment control, silt fences, fish salvage activities, wildlife and wildlife habitat protection, construction timing, vegetation protection, spill response, and environmental monitoring and reporting;
 - defines schedules, in consultation with environmental agencies, for in stream and near-stream work for such time windows and for watercourse conditions that are suitable for watercourse work without harming fish; and
 - defines how monitoring and compliance with guidelines will be assured prior, during, and after land clearing, site preparation, and construction.
- vii) A watercourse protection area management plan including the following:
- a survey plan prepared by a BCLS identifying the watercourse protection area and its tenure;
 - A scale drawing of the site, location and type of riparian planting, and plant list including species and plant size and commitments for how they will be maintained, including provisions for replacing unhealthy, dying or dead plants;
 - A description of how human intrusions into the watercourse protection area will be controlled, including the design of

- fencing or landscape barriers;
 - a description of how the applicant will comply with schedules and deadlines of the OCP; and
 - enforceable provisions for monitoring and ensuring compliance with the Plan by the applicant and future owners of the lot or lots.
- 4) Notwithstanding Section 3, application and information requirements for a watercourse development permit in an agricultural, single residential or duplex residential zone may be amended or waived by the Director of Development Services.

11. Licensed Establishments Procedures

- 1) This Division applies to all liquor license applications and cannabis licence applications referred to Council under the *Liquor Control and Licensing Act* and Regulation and *Cannabis Control and Licensing Act* and Regulation which do not require a rezoning under the Zoning Bylaw.
- 2) An application for a Committee resolution regarding a liquor or cannabis licence shall be made to the Director of Development Services and shall include such information as is required by the Director to evaluate the application.
- 3) Where an application has been made in conformance with this bylaw:
 - a) the Director of Development Services shall have a report prepared advising the Committee of the merits of the application;
 - b) the report from the Director of Development Services shall be placed on an agenda of a meeting of the Committee;
 - c) the applicant shall be provided with a copy of the report and shall be given notice of the time and place of the Committee meeting.
- 4) Upon receipt of the report of the Director of Development Services made pursuant to the provisions of this Division, the Committee may:
 - a) adopt a resolution on the application in accordance with the *Liquor Control and Licensing Act* and Regulation and *Cannabis Control and Licensing Act* and Regulation; or
 - b) instruct that further information be obtained; or
 - c) request that a Public Hearing be held by the Council.
- 5) If the Committee requests that a Public Hearing be held, the Director of Development Services and the Corporate Officer shall take the necessary administrative action to process, advertise, and notify residents and property owners in the same manner that would be done if the application were an application for an amendment to the Zoning Bylaw and the requirements of Section 466 of the *Local Government Act* shall be deemed to apply with the exception that the distance for notification of adjacent properties shall be 240 metres (788 feet).
- 6) The Public Hearing shall be conducted in the same manner as a Public Hearing on a Zoning Bylaw amendment.

- 7) Following a Public Hearing, the Council shall:
 - a) adopt a resolution on the application in accordance with the *Liquor Control and Licensing Act* and Regulation and *Cannabis Control and Licensing Act* and Regulation; or
 - b) instruct that further information be obtained; or
 - c) advise the applicant that, unless a referendum is completed and the results considered by Council within 60 days, Council deems that the application is not supported.
- 8) Where the Council proceeds under Section 7 c) the applicant shall have seven days from notice of Council's decision to confirm whether the applicant wishes to proceed with a referendum and, if so, to acknowledge responsibility for the cost of the referendum.
- 9) The following provisions shall apply to every referendum:
 - a) The referendum shall be carried out by way of a door-to-door survey of the owners and occupiers of property within a distance of 240 metres (788 feet) from any part of a parcel that is subject to the application;
 - b) The referendum shall be conducted by an independent contractor engaged by the City and the applicant shall have no contact with the contractor;
 - c) The total cost of holding the referendum shall be borne by the applicant;
 - d) Prior to engagement of the contractor, the applicant shall pay to the City the estimated cost of the referendum or provide security for the estimated cost in a form and amount satisfactory to the Director of Development Services; and
 - e) The contractor shall make all reasonable efforts to contact the owners and occupiers of property but a failure to contact all owners and occupiers shall not invalidate the referendum.
- 10) When, a referendum is held or further information is required by Council, the results of the referendum and any information obtained shall be conveyed to Council by the Director of Development Services and the Council shall adopt a resolution on the application in accordance with the *Liquor Control and Licensing Act* and Regulation.

12. Strata Title Application Procedures

- 1) Where an application for a strata title conversion has been submitted, the Director of Development Services shall:
 - i) refuse the application until specified terms and condition are met;
 - ii) forward the application to the Committee for a decision; or
 - iii) approve the application, which may include specified terms and conditions.
- 2) Where an application under this Division has not been completed within 12 months from the date of approval of the strata title application, the Corporate Officer shall not sign the required strata plans unless the Director of Development

Services extends the time for completion for a period of up to one year.

- 3) More than one extension may be given under this Division providing, however, that an application not completed at the end of the third anniversary of its original expiry date or the last business day prior to this anniversary, shall be closed permanently. A similar application can be made for the same property on the day following the closure of the application.

13. *Agricultural Land Commission Act Application Procedures*

- 1) Where an application other than a subdivision application pursuant to the provisions of the *Agricultural Land Commission Act* has been made in conformance with this Bylaw:
 - i) the Director of Development Services shall have a report prepared advising the Committee or Council of the merits of the application; and
 - ii) the Corporate Officer shall have the report from the Committee or the Director of Development Services placed on an agenda of a meeting of the Committee or Council.
- 2) Council may:
 - i) not authorize the application to proceed to the Agricultural Land Commission;
 - ii) provide an opportunity for public input on the application prior to determining if the application will proceed to the Agricultural Land Commission; or
 - iii) authorize the application to proceed to the Agricultural Land Commission.
- 3) A decision on an application shall be made by the Committee or Council within two years from the date of application, unless the time for consideration of the application is extended by a written approval of the Director of Development Services.

14. Security

- 1) Security for landscaping shall be in the form of an irrevocable Letter of Credit or cash from a financial institution acceptable to the Financial Officer.
- 2) The security amount shall be:
 - a) For a development permit other than in a single residential zone or a duplex residential zone, 110% of the value of the landscaping work as determined by a registered British Columbia Landscape Architect;
 - b) For a development permit in a single residential zone or a duplex residential zone, \$5000.00;
 - c) For a watercourse development permit in a zone other than an agricultural, single residential or duplex zone, 110% of the cost to ensure compliance with the watercourse protection area management plan including the value of landscaping work to restore areas intended to be kept in a natural state; and
 - d) For a watercourse development permit in an agricultural, single residential

or duplex zone, 110% of the cost to ensure compliance with the landscape requirements of the permit;

- e) For a coach house development permit, \$2500.
- 3) Notwithstanding Section 2 of this Division, where a phased strata development is the subject of the development permit, the landscaping security may be set at 110% of the value of Phase 1 landscaping or \$35,000 whichever is greater.
- 4) Where landscaping security is provided phase by phase, the security for the completed phase may be extended to the next phase, but at no time shall the security represent less than 110% of the phase to be constructed or \$35,000 whichever is greater.

15. Repeal

The “Development Procedures and Fees Bylaw, 2008, No. 3632”, including all amendments is hereby repealed.

Read a first time by the Municipal Council this 15th day of October, 2013.

Read a second time by the Municipal Council this 15th day of October, 2013.

Read a third time by the Municipal Council this 15th day of October, 2013.

*Adopted by the Municipal Council of the Corporation of the City of Port Coquitlam
On this 28th day of October, 2013.*

GREG MOORE

SUSAN RAUH

Mayor

Corporate Officer

RECORD OF AMENDMENTS

Amendment Bylaw	Section	Date
3998	1, 3, 5, 7, 9, 11, 14	2017 04 11
4100	Cannabis licensing	2019 02 05

CITY OF PORT COQUITLAM

COUNCIL AND COMMITTEE PROCEDURES AMENDMENT BYLAW, 2021

Bylaw No. 4207

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

1. CITATION

This Bylaw is cited as "Council and Committee Procedures Bylaw, 2015, No. 3898, Amendment Bylaw, 2021, No.4207".

2. ADMINISTRATION

2.1 That the "Council and Committee Procedures Bylaw, 2015, No. 3898", Section 20 – **Appearances before Council or Committee**, subsection 6, clause d) be amended by replacing the existing Section:

6) d) All presentation materials, paper and electronic, must be submitted to the Corporate Officer by 9:00 a.m. on the day of the meeting for approval. Unapproved presentation materials are not permitted for use by a delegation.

with the section as follows:

6) d) All presentation materials, paper and electronic, must be submitted to the Corporate Officer by 9:00 am on the Thursday prior to the meeting for approval. Unapproved presentation materials are not permitted for use by a delegation.

READ A FIRST TIME this	12 th day of	January, 2021
READ A SECOND TIME this	12 th day of	January, 2021
READ A THIRD TIME this	12 th day of	January, 2021
ADOPTED this	day of	, 2021

Mayor

Corporate Officer

CITY OF PORT COQUITLAM
ZONING AMENDMENT BYLAW, 2020
Bylaw No. 4199

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

1. CITATION

This Bylaw may be cited as “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2020, No. 4199”.

2. ADMINISTRATION

2.1 The Zoning Map of the "Zoning Bylaw, 2008, No. 3630" be amended to reflect the following rezoning:

Civic: 1300 Dominion Avenue

Legal: PARCEL G, BLOCK 6 NORTH, SECTION 7, RANGE 1 EAST, NEW WEST DISTRICT, PLAN NWP1033, EXCEPT PLAN 9168, (S75682E), LOT 57 EXCEPT PART NOW ROAD ON SRW PL NWP 55863 & SECTION 8

From: A (Agricultural)

To: DC (District Commercial)

as shown on Schedule 1 attached to and forming part of this Bylaw.

READ A FIRST TIME this	10 th day of	November, 2020
READ A SECOND TIME this	10 th day of	November, 2020
PUBLIC HEARING this	20 th day of	October, 2020
READ A THIRD TIME this	20 th day of	October, 2020
ADOPTION this	day of	, 2021

Mayor

Corporate Officer

SCHEDULE 1

