RECOMMENDATION:

That Committee of Council recommend to Council that:

- The zoning of 3609 St Thomas Street be amended from RS1 (Residential Single Dwelling 1) to RD (Residential Duplex).
- 2. Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:
 - a) Installation of protective fencing for retained trees;
 - b) Demolition of existing buildings and structures;
 - c) Dedication of corner cuts; and
 - d) Completion of the design and submission of fees and securities for off-site works and services.

REPORT SUMMARY

This report describes an application to amend the zoning of 3609 St Thomas Street from RS1 (Residential Single Dwelling1) to RD (Residential Duplex). The proposal conforms with the housing policies of the OCP (Official Community Plan) and the R (Residential) land use designation. Approval is recommended.

BACKGROUND

Proposal: The applicant, Juan Duque, is proposing to rezone 3609 St. Thomas Street from RS1 (Residential Single Dwelling 1) to RD (Residential Duplex).

Context: The subject property is located on the northwest corner of St Thomas Street and Patricia Avenue in a neighbourhood consisting of single-detached houses and duplexes. The 761 m² lot is currently occupied by an older two-storey detached house. The lot has rear lane access connecting from Patricia Avenue, is generally level, and located within the flood plain.





Subject Property

Policy and Regulations: The lot is currently zoned RS1 (Residential Single Dwelling 1) and has a R (Residential) OCP (Official Community Plan) designation, which allows for consideration of an RD zone. The OCP policies for housing allow for consideration of a rezoning of a property with a R land use designation for a duplex use if the property is a corner lot and if the rezoning would result in the dedication of lands for roads, the installation of off-site works and services, or design and construction of buildings and landscaping to achieve a superior quality of design and enhanced fit with the established neighbourhood character.



Current Zoning (RS1)



Current OCP Designation (R)

If rezoned, the site would be subject to the Intensive Residential and Environment Conservation development permit areas designations of the OCP. The intensive residential design guidelines promote coordinating the siting and building design; use of high quality cladding materials; and the overall visual impact of buildings and ladscaping. The environmental conservations guidelines



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encourage sustainable development building deisgn; efficient use of energy, water, and other resources; and reduction of waste and pullution.

Project Description: The proposed two-storey duplex is in a side-by-side configuration (drawings attached). As a corner lot, the units are oriented towards each adjacent street, with Unit 1 having its front entry and driveway off of St. Thomas Street, and Unit 2 having its front entry on Patricia Avenue with driveway access off the lane. Both units contain four bedrooms and three bathrooms with a den and two-car garage. Each unit has space on the driveway for two additional vehicles.

The design incorporates a hipped roof with covered balconies and entry porches and attached garages. The building is articulated and features setbacks at the upper levels and eaves that form a secondary roofline to reduce the overall visual impact. The façade utilizes a variety of materials in neutral tones and white accents, including stucco, cement board siding and cultured stone. The material is patterned to avoid large expanses of the same material.

Each unit has a landscaped yard space with lawn and planters along the property line and building containing a mixture of ground cover, shrubs, and hedges. Hedges, along with a wooden fence, are included along north property line to screen the new building from the existing home to the north. A Pacific dogwood and Sourwood tree are proposed for the yards.



Proposed Site Plan



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In accordance with flood plain regulations, the below grade portions of the duplex below the 5.15 m flood construction elevation only contains non-habitable space. Each unit contains a mechanical room and lobby/foyer area, each limited to 10 m², and a garage, with all other floor area being crawl space. To obscure the portion of the crawl space appearing above grade, planters and planting are included around the perimeter of the building.

Should the rezoning be approved, the details of the building design and landscaping, including tree protection, would be addressed through issuance of a development permit to ensure conformance with the applicable regulations and policies. No variances have been requested.



Rendering of the Unit 1 entrance as seen from St Thomas Street



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Rendering of the Unit 2 entrance as seen from Patricia Avenue

Project Statistics

	Bylaw Regulations	Proposed	Variance
FAR	0.55 (418.55 m ²)	0.549 (417.49 m ²)	-
Lot Coverage	40% (304.4 m ²)	34% (265.27 m ²)	-
Setbacks			
Front (St Thomas)	7.5 m	7.92 m	
Rear (west/lane)	7.5 m	7.92 m	-
Side interior (north)	10% (max. 1.8 m)	2.16 m	-
Side exterior (south)	20% (max. 3.5 m)	3.52 m	-
Height	9 m (with 4 in 12 roof	8.97 m (2.97 m finished	-
	pitch)	grade)	
Impervious Surfaces	65% (494.65m ²)	50% (381.6 m ²)	
Parking	2 stalls per dwelling	2 stalls per dwelling	-

Trees: The attached arborist report details four on-site trees, including one Western red cedar that is significant and in fair condition. Retention of this significant Western redcedar is proposed and the arborist has recommended protection of a 5 m critical root zone which has been incorporated into the landscape and development plans for the site.

The arborist report recommends removal of the other trees as they have poor form and condition, including two European hazel clusters along the north property line and a Mountain Ash that conflicts with the proposed driveway for Unit 2.



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Trees Locations On-site

Another European hazel, European mountain ash, and Western red cedar are located within the municipal boulevard along St Thomas Street. These trees are in poor shape as they have been pruned by BC Hydro due to conflict with overheard power lines and are recommended for removal.

Offsite Works and Services: In accordance with the Subdivision Servicing bylaw, the applicant will be responsible for frontage and servicing improvements, including landscaping and street lighting along the St Thomas Street frontage and sidewalk, landscaping, and street lighting along the Patricia Avenue frontage. Lane paving, including drainage, is to be included along the rear property line. 3 m x 3 m corner cut road dedications are also required at the lane intersection with Patricia Avenue and the Patricia Avenue and St Thomas Street intersection.

New sets of municipal water, sanitary, and sewer connections, as well as third-party services, are required for each dwelling. Replacement of the sanitary main from the property line to the manhole at Patricia Avenue is also required.

DISCUSSION

The application is in keeping with the Residential OCP designation that provides for consideration of a duplex rezoning when the lot is a corner lot and the rezoning would result in the dedication of lands for roads and installation of off-site infrastructure.



The duplex has been designed to provide for retention of a significant tree and will provide for attractive street fronts on both Patricia Avenue and St. Thomas Street. The infill duplex provides two ground- and family-oriented dwellings within the community; both housing types recommended by the 2022 Housing Needs Report.

Staff recommend the rezoning application for approval with specified conditions.

FINANCIAL IMPLICATIONS

The rezoning and construction of a new building is anticipated to raise the assessed value of the property resulting in increased property tax revenue for the City.

PUBLIC CONSULTATION:

The applicant has posted a development sign on both the Patricia Avenue and St. Thomas Street sides of the property and has advised neighbours of the proposal. The applicant reports that surrounding property owners were generally receptive of the duplex and expressed no concerns.

To date, staff have not received any comments regarding the application.

Staff conducted a site visit on September 22, 2023 to confirm the development signs were standing and in good condition.





Development Sign on Patricia Avenue

<u>OPTIONS</u> (\checkmark = Staff Recommendation)

	#	Description
\checkmark	1	Recommend to Council that the zoning of 3609 St. Thomas St be amended from RS1 to RD subject to the specified conditions being met prior to adoption of the rezoning bylaw.
	2	Request additional information or recommend amendments or conditions to address specified issues prior to deciding on the application.
	3	Recommend to Council that the rezoning application be refused.

ATTACHMENTS

Attachment 1 - Arborist report

Lead author(s): Paul Cloutier.



Report To: Department: Approved by: Meeting Date:



Construction Consulting - Tree Inventory and Management Report for Juan Duque

Site Address: 3609 Saint Thomas Street Port Coquitlam, BC V3B 2Y9



Root and Crown Tree Consultants Inc. PO Box 157 STN Matsqui Abbotsford B.C. V4X 3R2 778.838.9720 info@rootandcrown.ca rootandcrown.ca

Date: May 11, 2022

Client: Juan Duque

Site Address: 3609 Saint Thomas Street Port Coquitlam, BC V3B 2Y9

Scope of Work: Create inventory of trees for proposed duplex construction project. Provide tree management report detailing tree preservation and replacement requirements.

Methods Used in this Assessment: Camera, diameter measuring tape.

Site Observations and History: 761 square metre / 8174 Square foot corner lot. Current dwelling is slated for demolition. Proposed duplex construction.

Inventory: One significant tree, one multi-trunked tree, three cluster shrubs / trees, one neighbouring tree, two boulevard cluster shrubs / trees.



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Figure 1: Site plan noting location of trees.



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Figure 2: First floor plan noting existing trees.

Aerial Photo:



Figure 3: Aerial photo noting location of trees.

Tree Table:

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Tree #	Species name Botanical/common	DBH	Condition	Critical Root Zone	Photo Reference figure
924	Sorbus aucuparia /	Multi-stem	Fair	1.08 metres / 3.5 feet	4 & 5
	European Mountain Ash	18 cm / 7 inches		5.5 leet	
925	Corylus avellana / European Hazel	Multi-stem 14 cm / 5.5 inches	Poor	.84 metres / 2.75 feet	6&7
926	Corylus avellana / European Hazel	Multi-stem 23 cm / 9 inches	Poor	1.38 metres / 4.5 feet	8
927	Corylus avellana / European Hazel	Multi-stem 21 cm / 8.26 inches	Poor	1.26 metres / 4.13 feet	9
928	Sorbus aucuparia / European Mountain Ash	Multi-stem 40 cm / 15.74 inches	Fair	2.4 metres / 7.87 feet	10, 11, 12, 13
929	Thuja plicata / Western Red Cedar	Multi-stem 84 cm / 33 inches	Fair	5.04 metres / 16.5 feet	14, 15, 16
Off site	Thuja plicata / Western Red Cedar	65 cm / 25.59 inches	Poor	3.9 metres / 12.79 feet	

Findings and Recommendations:

A visual assessment and mallet sounding was conducted on the trees listed in the Tree Table.

924 Cluster Shrub / Tree Mountain Ash is located on the City boulevard. Reference Figure 4.

- Fair condition.
- This plant is interfering with the utility lines and requires clearance pruning. Reference Figure 5.
- Berries are a bear attractant.

Due to the location, growth habit, and species, I recommend the City of Port Coquitlam consider replacing this Mountain Ash with a fruitless, single-trunk street tree suitable for growing under utility lines.

925 Cluster Shrub / Tree European Hazel is located on the City boulevard. Reference Figure 6.

• Poor condition.

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- This plant is interfering with the utility lines and requires clearance pruning. Reference Figure 6.
- Plant appears to be infected with Anisogramma anomala / Filbert blight. Reference Figure 7.

Due to the location, growth habit, and disease concerns, I recommend the City of Port Coquitlam consider replacing the Hazel with an alternative species street tree, suitable for growing under utility lines.

926 & 927 Cluster Shrubs / Trees European Hazel are along the North property line in the rear yard. Reference Figures 8 & 9.

- Poor condition.
- Plants appears to be infected with Anisogramma anomala / Filbert blight.
- Both have sparse crowns with medium and small deadwood.
- Critical root zones will be impacted by building footprint. Reference Figure 2.

Due to location and disease concerns, removal of these Hazels for the proposed construction is appropriate.

928 Mountain Ash is along the West property line in the rear yard.

- Fair condition.
- Main scaffold branches arise codominantly low on the trunk. Reference Figure 11. The resulting 'V' shaped unions have weak attachments and included bark, putting them at high risk of failure.
- One dead stem is in advanced decay. Reference Figure 12. This is a vector for vertical decay potentially affecting the lower trunk and roots.
- Vertical cracks in the stems. Reference Figure 13. Long term they can cause structural problems or provide an opportunity for decay.
- Critical root zone will be impacted by driveway. Reference Figure 2.

Due to structural defects and decay, removal of this Mountain Ash for the proposed construction is appropriate.

929 Western Red Cedar is on the Southwest corner of the property.

• Fair condition.

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- Low lying branches are bowed and contacting the ground. Resulting in multiple off-shoots expanding the dripline. Reference Figure 15.
- Codominant stems arise at the base of the tree. One 'V' shaped union has included bark. One union with stem extending laterally East of the main stem. Reverence Figure 16.
- Tree may be impacted by construction, and Southwest corner setback.

Tree removal may be necessitated due City requirements for setbacks. Tree retention is only possible if the City of Port Coquitlam development requirements, and approved building envelope will accommodate a critical zone of 5.04 metres from the trunk. If tree is to be retained, I recommend pruning, including the removal of the lower buried limbs, and crown raising. Recommended tree protection details are included in the Tree Management and Replacement section.

Neighbouring tree Western Red Cedar is located north of this property in the front yard of the adjacent home.

• Tree has been repeatedly topped.

Recommended tree protection details are included in the Tree Management and Replacement section.

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Figure 4: Cluster 924



Figure 5: Cluster 924 noting interference with utility lines



Figure 6: Cluster 925 noting interference with utility lines



Figure 7: Cluster 925 noting Anisogramma anomala / Filbert blight cankers.



Figure 8: Cluster 926



Figure 9: Cluster 927

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Figure 10: Tree 928



Figure 11: Tree 928 multi-stem trunk



Figure 12: Tree 928 dead stem

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Figure 13: Tree 928 vertical crack

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Figure 14: Tree 929



Figure 15: Tree 929 noting lower branches in contact with ground.



Figure 16: Tree 929 multi-stem trunk

Tree Management and replacement:

To promote the health of the trees before, during, and after construction activities you should adhere to these recommendations:

1. Prior to pre-construction activities, including tree removal, setting demolition staging areas, and equipment arrival, erect tree protection barriers to visually indicate tree preservation zones (TPZs). Be sure to:

- Abide by the restrictions listed in City of Port Coquitlam Bylaw No. 4108
- Use tree protection fence that is highly visible, sturdy, and restricts entry into the TPZ.
- Reference Figure 17. for City of Port Coquitlam Tree Protection Detail.

2. Communicate the intent of the tree protection barriers to the construction workers to ensure that TPZs are not disturbed during construction activities.

3. Prohibit these activities in the TPZ:

- Stockpiling of any type, including construction material, debris, soil, and mulch.
- Altering soils, including grade changes, surface treatment, and compaction due to vehicle, equipment, and foot traffic.
- Trenching for utility installation, or repair.
- Attaching anything to trunks or use of equipment that causes injury to the trees.

4. Keep all tree protection barriers in place until the project is completed.

If the City of Port Coquitlam determines tree 929 Western Red Cedar is to be retained, it shall be pruned according to sound Arboriculture standards. Removal of buried limbs and off-shoots. Crown raised, and limb length reduction to limit interference with roofline of new construction. Upon completion of pruning, Tree protection fencing shall be erected 5.04 metres from the trunk. Reference illustration Figure 18.

For the neighbouring tree to the North, erect Tree Protection fencing along the North property line. Reference illustration Figure 18.

During the landscaping phase of construction, two replacement trees should be planted in the front yards of the duplex. Recommended species are Oxydendrum arborum / Sourwood, and Parrotia persica / Persian Ironwood.







Figure 18: Tree protection zone illustration

Limitations of this Assessment

This Assessment is based on the circumstances and observations as they existed at the time of the site inspection of the Client's Property and the trees situate thereon by Root and Crown Tree Consultants Inc. ("Root and Crown Tree Consultants") and upon information provided by the Client to Root and Crown Tree Consultants. The opinions in this Assessment are given based on observations made and using generally accepted professional judgment, however, because trees and plants are living organisms and subject to change, damage and disease, the results, observations, recommendations, and analysis as set out in this Assessment are valid only as at the date any such testing, observations and analysis took place and no guarantee, warranty, representation or opinion is offered or made by Root and Crown Tree Consultants as to the length of the validity of the results, observations, recommendations and analysis contained within this Assessment. As a result, the Client shall not rely upon this Assessment, save and except for representing the circumstances and observations, analysis and recommendations that were made as at the date of such inspections. It is recommended that the trees discussed in this Assessment should be re-assessed periodically.

Further Services

Neither Root and Crown Tree Consultants, nor any Assessor employed or retained by Root and Crown Tree Consultants (the "Assessor") for the purpose of preparing or assisting in the preparation of this Assessment shall be required to provide any further consultation or services to the Client, save and except as already carried out in the preparation of this Assessment and including, without limitation, to act as an expert witness or witness in any court in any jurisdiction unless the Client has first made specific arrangements with respect to such further services, including, without limitation, providing the payment of the Assessor's regular hourly billing fees.

Root and Crown Tree Consultants accepts no responsibility for the implementation of all or any part of the Assessment, unless specifically request to examine the implementation of such activities recommended herein. In the event that inspection or supervision of all or part of the implementation is request, that request shall be in writing and the details agreed to in writing by both parties.

Assumptions

The Client is hereby notified and does hereby acknowledge and agree that where any of the facts and information set out and referenced in this Assessment are based on assumptions, facts or information provided to Root and Crown Tree Consultants by the Client and/or third parties and unless otherwise set out within this Assessment, Root and Crown Tree Consultants will in no way be responsible for the veracity or accuracy of any such information. Further, the Client acknowledges and agrees that Root and Crown Tree Consultants has, for the purposes of preparing their Assessment, assumed that the Property, which is the subject of this Assessment is in full compliance with all applicable federal, provincial, municipal and local statutes, regulations, by-laws, guidelines and other related laws. Root and Crown Tree Consultants explicitly denies any legal liability for all issues with respect to non-compliance with any of the above-referenced statutes, regulations, bylaws, guidelines and laws as it may pertain to or affect the Property to which this Assessment applies.

Publication

The Client acknowledges and agrees that all intellectual property rights and title, including without limitation, all copyright in this Assessment shall remain solely with Root and Crown Tree Consultants. Possession of this Assessment, or a copy thereof, does not entitle the Client or any third party to the right of publication or reproduction of the Assessment for any purpose save and except where Root and Crown Tree Consultants has given its prior written consent. This Assessment may not be used for any other project or any other purpose without the prior written consent of Root and Crown Tree Consultants.

Neither all nor any part of the contents of this Assessment shall be disseminated to the public through advertising, public relations, news, sales, the internet or other media (including, without limitation, television, radio, print or electronic media) without the prior written consent of Root and Crown Tree Consultants.

Hazardous Materials

Root and Crown Tree Consultants has no knowledge of and has made no inquiries or investigations in preparing this Assessment with respect to the existence of hazardous materials and/or any hazardous site conditions on the Property. Root and Crown Tree Consultants is not qualified to detect or evaluate said hazardous materials or hazardous site conditions. The Assessment was carried out based on the assumption that no such hazardous materials or hazardous site conditions exist on or near the Property. No legal liability is assumed by Root and Crown Tree Consultants, or it's directors, officers, employees, agents or contractors, for any such materials and conditions or for any expertise required to discover, analyze, remediate or document them in the Assessment or to disclose them to the Client. The Client does hereby acknowledge and agree that Root and Crown Tree Consultants has advised the Client to retain an expert in the field of hazardous materials and/or hazardous site conditions.

Restriction of Assessment

The Assessment carried out was restricted to the Property. No Assessment of any other trees or plants has been undertaken by Root and Crown Tree Consultants. Root and Crown Tree Consultants is not legally liable for any other trees or plants on the Property except those expressly discussed herein. The conclusions of this Assessment do not apply to any areas, trees, plants or any other property not covered or referenced in this Assessment.

Professional Responsibility

In carrying out this Assessment, Root and Crown Tree Consultants and any Assessor appointed for and on behalf of Root and Crown Tree Consultants to perform and carry out the Assessment has exercised a reasonable standard of care, skill and diligence as would be customarily and normally provided in carrying out this Assessment. The Assessment has been made using accepted arboricultural techniques. These include a visual examination of each tree for structural defects, scars, external indications of decay such as fungal fruiting bodies, evidence of insect attack, discolored foliage, the condition of any visible root structures, the degree and direction of lean (if any), the general condition of the tree(s) and the surrounding site, and the current or planned proximity of property and people. Except where specifically noted in the Assessment, none of the trees examined on the property were dissected, cored, probed, or climbed and detailed root crown examinations involving excavation were not undertaken.

While reasonable efforts have been made to ensure that the trees recommended for retention are healthy, no guarantees are offered, or implied, that these trees, or all parts of them will remain standing. It is professionally impossible to predict with absolute certainty the behaviour of any single tree or group of trees, or all their component parts, in all given circumstances. Inevitably, a standing tree will always pose some risk. Most trees have the potential to fall, lean, or otherwise pose a danger to property and persons in the event of adverse weather conditions, and this risk can only be eliminated if the tree is removed.

Without limiting the foregoing, no liability is assumed by Root and Crown Tree Consultants or its directors, officers, employers, contractors, agents or Assessors for:

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- a) any legal description provided with respect to the Property;
- b) issues of title and or ownership respect to the Property;
- c) the accuracy of the Property line locations or boundaries with respect to the Property; and

d) the accuracy of any other information provided to Root and Crown Tree Consultants by the Client or third parties;

- e) any consequential loss, injury or damages suffered by the Client or any third parties, including but not limited to replacement costs, loss of use, earnings and business interruption; and
- f) the unauthorized distribution of the Assessment.

The total monetary amount of all claims or causes of action the Client may have as against Root and Crown Tree Consultants, including but not limited to claims for negligence, negligent misrepresentation and breach of contract, shall be strictly limited solely to the total amount of fees paid by the Client to Root and Crown Tree Consultants pursuant to the Contract for Services for which this Assessment was carried out.

Further, under no circumstance may any claims be initiated or commenced by the Client against Root and Crown Tree Consultants or any of its directors, officers, employees, contractors, agents or Assessors, in contract or in tort, more than 12 months after the date of this Assessment.

Third Party Liability

This Assessment was prepared by Root and Crown Tree Consultants exclusively for the Client. The contents reflect Root and Crown Tree Consultants' best Assessment of the trees and plants situate on the Property considering the information available to it at the time of preparation of this Assessment. Any use which a third party makes of this Assessment, or any reliance on or decisions made based upon this Assessment, are made at the sole risk of any such third parties. Root and Crown Tree Consultants accepts no responsibility for any damages or loss suffered by any third party or by the Client as a result of decisions made or actions based upon the use or reliance of this Assessment by any such party.

Intellectual Property Ownership

All legal rights and ownership in all drawings, renderings, images, deliverables and work product in any form prepared by Root and Crown Tree Consultants and its directors, officers, employees, representatives and agents in the performance of the Services, and all intellectual property in such drawings, renderings, images, deliverables and work product in any form, including without limitation, all copyright and moral rights, are reserved unto and at all times shall remain the property of Root and Crown Tree Consultants. Notwithstanding anything to the contrary in this Agreement, Root and Crown Tree Consultants shall have the unrestricted right to utilize all its intellectual property in other contexts, including the rights to use its intellectual property for its own purposes. Unauthorized distribution and/or alteration of Root and Crown Tree Consultants' intellectual property by the Client or third parties or for any other use not expressly permitted herein is strictly prohibited, save and except with the prior written consent of Root and Crown Tree Consultants.

General

Any plans and/or illustrations in this Assessment are included only to help the Client visualize the issues in this Assessment and shall not be relied upon for any other purpose. This report is best viewed in colour. Any copies printed in black and white may make some details difficult to properly understand. Root and Crown Tree Consultants Inc. accepts no liability for misunderstandings due to a black and white copy of the report.

The Assessment has 27 pages. It shall be considered as a whole, no sections are severable, and the Assessment shall be considered incomplete if any pages are missing.

Dated: May 12, 2022

Root and Crown Tree Consultants Inc.

Per:

Authorized Signatory

Tracey Mallinson ISA Certified Arborist # PN-6637A Tree Risk Assessor Qualified ITA Red Seal Landscape Horticulturist

CITY OF PORT COQUITLAM

ZONING AMENDMENT BYLAW, 2023

Bylaw No. 4346

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

1. <u>CITATION</u>

This Bylaw is cited as "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2023, No. 4346".

2. ADMINISTRATION

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

Civic Address: 3609 St. Thomas Street

Legal Descriptions: Lot 59, Section 6, Township 40, New West District, Plan NWP19853

From: RS1 (Residential Single Dwelling 1)

To: RD (Residential Duplex)

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

READ A FIRST TIME this	24 th day of	October, 2023
READ A SECOND TIME this	24 th day of	October, 2023
PUBLIC HEARING HELD this	day of	, 2023
READ A THIRD TIME this	day of	, 2023
ADOPTED this	day of	, 2023

Mayor

Corporate Officer

Schedule 1



