THE CORPORATION OF THE CITY OF PORT COQUITIAN

COMMITTEE MEETING AGENDA

May 25th, 1992

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1	Representative of Gartner Lee will present the Environmental Assessment for Port Coquitlam	1
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4	Administrator, re: Potential Acquisition of Lands - Chester Street and Coquitlam Avenue	11
5	Engineer, re: Storm Sewer Requirements, West Side of Broadway - Viam Holdings Ltd.	13
6	Parks & Rec. Director, re: Reeve Street Park - School Proposal	20

MEMORANDUM

TO:

Mayor and Council

DATE: May 13, 1992

File: O.C.P. - 1992 Series

FROM:

Carlos Felip

Director of Planning

RE:

Environmental Assessment of Port Coquitlam

Enclosed please find a copy of the draft Environmental Assessment of Port Coquitlam prepared by Gartner Lee Ltd. as part of the Official Community Plan, 1992, work. Please note that this report is confidential until it has been presented to Council.

The preliminary draft of the "Environmental Assessment of Port Coquitlam was referred for input, on March 17, 1992, to the City Engineer, to Landscope Consulting Corporation (Coquitlam Indian Band) to Adrian Duncan, Environmental Review Committee (FREMP) and was also referred by Landscope Consultant Corporation to the Coquitlam Indian Band and the Consulting Firms of Race & Company and Mandell Pinder.

The attached draft Environmental Assessment of Port Coquitlam incorporates the comments received from all of the above.

Representatives of Gartner Lee will be present at the next Council in Committee, on May 25, 1992 to make a brief presentation of the Environmental Assessment document and respond to any questions that Council may have.

Carlos Pelip, M Arch., M.C.I.P.

Registered Planner Director of Planning

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COMMITTE MAY 2 5 1992

THE CORPORATION OF THE CITY OF PORT COQUITLAM

IN COMMITTEE

MEMORANDUM

TO:

Mayor and Aldermen

DATE: May 13, 1992

FROM:

Bryan R. Kirk

City Administrator

RE:

Potential Lane Sale - Lane behind 2471 Kitchener Avenue

RECOMMENDATION:

THAT an appraisal be obtained on the lane allowance running directly behind 2471 Kitchener Avenue (Lot 7, District Lot 4, Plan 1333).

BACKGROUND AND COMMENTS:

The attached letter was received from William and Ann Pratt expressing interest in purchasing the lane allowance running directly behind their property at 2471 Kitchener (map attached).

Attached, for your information, is a letter from our legal counsel advising us on previous plan cancellation applications from residents on Kitchener.

Bryan R. Kark

City Administrator

/dp

Att.

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WILLIAM HENRY PRATT and ANN LOUISE PRATT 2471 Kitchener Avenue Port Coquitlam, B.C. V3B 2B2 Tel: 464-5580

May 6, 1992

CITY OF PORT COQUITLAM 2580 Shaughnessy Street Port Coquitlam, B.C. V3C 2A8

Attention: Bryan Kirk, City Administrator

Dear Sirs:

Re: 2471 Kitchener Avenue, Port Coquitlam, B.C. Lot 7 District Lot 4 Plan 1333

We are writing to inquire as to the possibility of purchasing the vacant lane allowance running directly behind our above-noted property.

Would you please telephone and advise us as to how we would go about this acquisition.

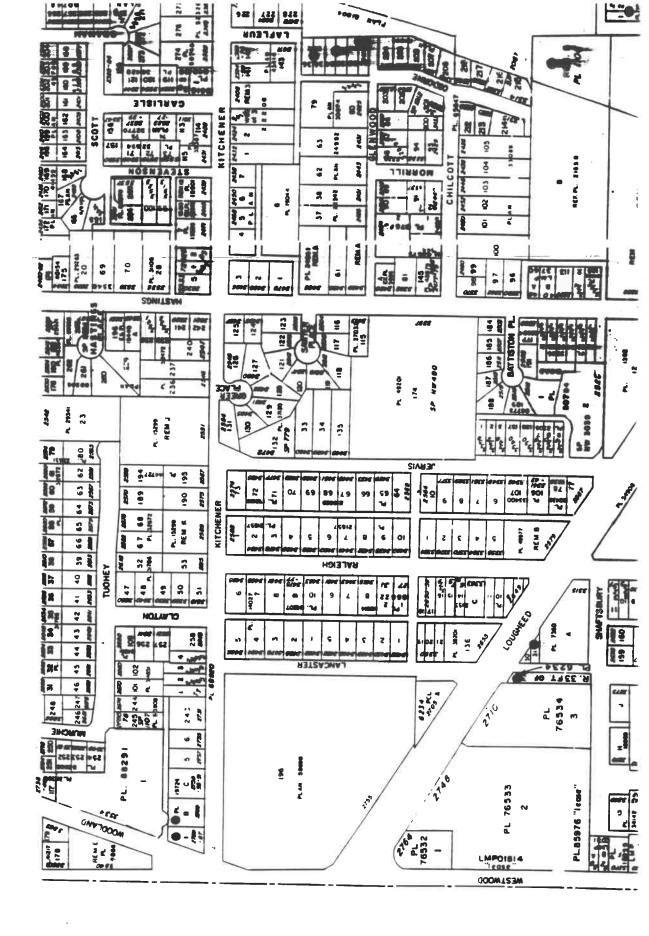
Your early attention to this matter would be appreciated.

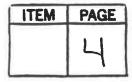
Yours truly,

William Henry Pratt and Ann Louise Pratt

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LIDSTONE, YOUNG, ANDERSON

BARRISTERS & SOLICITORS

501 - 1803 Douglas Street

Victoria, B.C. V8T 5C3

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Telephone: (604) 689-7400 Telecopier: (604) 689-3444

BY TELECOPIER

May 11, 1992

Mr. Igor Zahynacz, P. Eng. City Engineer City of Port Coquitlam 2580 Shaughnessy Street Port Coquitlam, B.C. V3C 2A8

Dear Igor:

Re:

Kitchener Avenue Lane

Plan Cancellation Applications

Our File No. 19-290

Further to your letter of March 20, 1992 and our inspection of the above-noted site, we have reviewed the Petition and supporting Affidavits in the plan cancellation applications by David Crockett and others. The application is set to be heard by the Registrar this Wednesday, May 13 in New Westminster.

As you know, the current law is that when a road allowance has been unopened and unused for many years and the municipality has no plans to open the allowance for highway purposes in the foreseeable future, the Registrar will order that the plan be cancelled and the land vested in adjoining owners unless there is some compelling public interest reason why the land should be maintained for public highway purposes.

In this case, our site inspection revealed that the lane allowance has been incorporated into the rear yards of properties fronting on Kitchener Avenue and used by the occupants of those properties for many years, probably since the land was subdivided in 1958. The City has no plans to open the lane allowance for public use and the lane is not needed for access to any existing parcels.

We have considered whether the proposed subdivision of Lot 8, Plan 19044 could support an argument that the lane should not be closed, so that it may be exchanged for land in Lot 8. On reviewing the plans for the proposed subdivision, we conclude:

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- Lot 8 can be subdivided without the proposed exchange, although the number of lots may be reduced.
- 2. There is no obvious reason why the owner of Lot 8 should have the benefit of any more than half of the lane allowance, with the owners of the property fronting Kitchener Avenue taking the benefit of the other half.

Notwithstanding that inquiries were made regarding subdivision of Lot 8 prior to the applications for plan cancellation, Lot 8 is subdividable without use of the entire lane allowance and we see no reason why the City should favour the owner of Lot 8 over the owners of the Kitchener Avenue properties (who have been allowed to use the lane for an extended time)

We have reviewed the material filed in support of the plan cancellation applications and see no obvious defects in that material. However, the Registrar has ordered that notice of the applications be posted on the affected lands for at least four weeks prior to hearing, applications be posted on the affected lands for at least four weeks prior to hearing, pursuant to Section 124(1)(c) of the Land Title Act. No such notices were evident during our site inspection.

On the first Ryan Street plan application, the Registrar made an order of cancellation subject to the provision of affidavit evidence that the required posting had been carried out. No doubt she would take the same approach in this matter.

Taking all of the above into account, our recommendation is that we deliver a letter to the Registrar and to Mr. Bledsoe, stating that the City will be taking no position with regard to the cancellation applications but that the City is concerned that the required notices appear not to have been posted on the lands. We further recommend that the City not appear at the hearing of the applications.

Please call to discuss this matter and provide us with your instructions at your earliest convenience.

Sincerely,

LIDSTONE, YOUNG, ANDERSON

LY aut Anduson

Grant Anderson

GA/5270

cc: Mr. Bryan Kirk, Administrator

cc: Ms. Susan Rauh, Acting City Clerk

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THE CORPORATION OF THE CITY OF PORT COQUITIAN

IN COMMITTEE

MEMORANDUM

TO:

Mayor and Aldermen

DATE: May 12, 1992

FROM:

Bryan R. Kirk

City Administrator

RE:

1226 Pitt River Road

RECOMMENDATION:

THAT Parcel "C", Block 21, District Lot 232, Plan 1163 and Southerly 10 feet lane allowance, more commonly known as 1226 Pitt River Road, be tendered at a minimum upset price of \$12.83 per square foot (\$74,500.00)

BACKGROUND AND COMMENTS:

The property (see attached map) is currently zoned Small Lot Residential (RS-2) and measures 5,806 square feet.

The Penny & Keenleyside appraisal price of \$87,000.00 has been reduced by \$12,500.00 to reflect the servicing costs (see Operations Manager memorandum of May 8/92). The appraisal summary sheet is attached for your information.

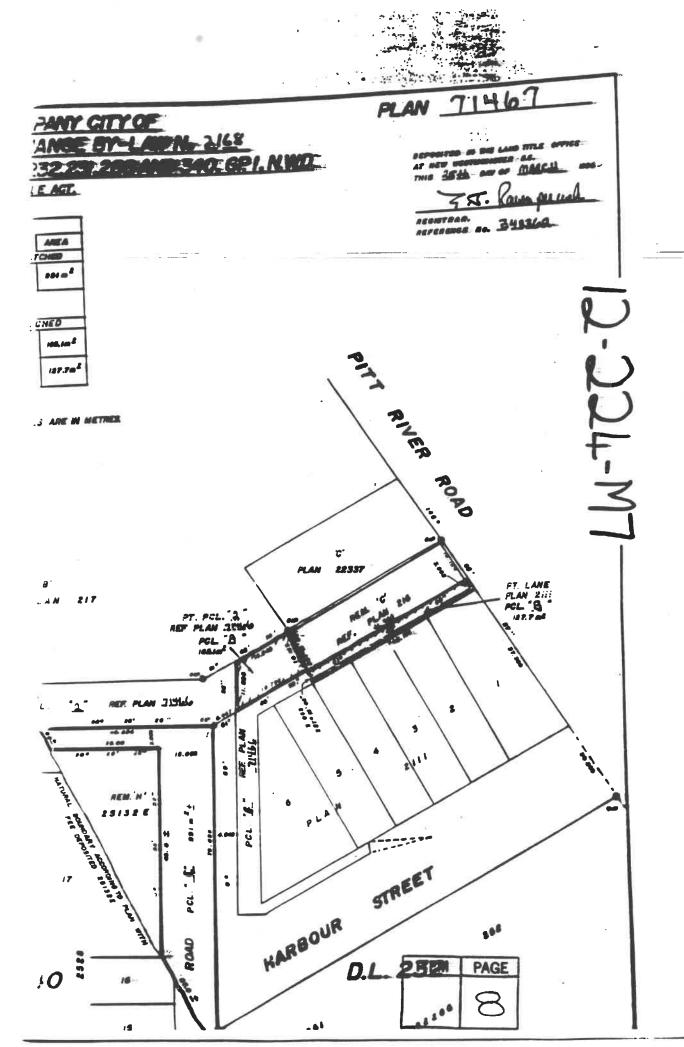
A complete copy of the appraisal is available from the Administration Department.

Bryan R. Kirk

City Administrator

Att.

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THE CORPORATION OF THE CITY OF PORT COQUITLAM

MEMORANDUM

MEMO TO:

Bryan Kirk:

DATE: May 8, 1992

City Administrator

MEMO FROM:

Gordon Voncina

Operations Manager

SUBJECT:

Estimates For Utility Work - 1226 Pitt River Road

I have recently reviewed the estimates prepared by staff for the servicing of 1226 Pitt River Road. The estimates were prepared for sanitary sewer, storm and water for a total cost of \$12,508.

I wish to make you aware that this section of roadway was recently constructed, and the installation of these utility services will require crews to cut several trenches across the pavement.

Respectfully submitted,

Gordon Voncina

GV/AL 1226pitt

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Mr. Bryan Kirk April 22, 1992 Page 6

Final Estimate of Value

File No: 92NW-126

In my opinion, the market value of the subject property located at 1226 Pitt River Road, Port Coquitlam, BC, as of April 21, 1992 was:

EIGHTY SEVEN THOUSAND DOLLARS

(\$87,000) *

* Subject to servicing

Certification

I hereby certify that I have no interest, present or contemplated, in the property appraised and neither employment to make the appraisal nor the compensation is contingent on the value of the property.

I hereby certify that I personally inspected the property on April 21, 1992 and that, according to my knowledge and belief, all statements and information in this report are true, subject to the assumptions and limitations as previously stated.

The Appraisal Institute of Canada offers a Continuing Professional Development Program. I hereby certify that I fulfilled the requirements of the program, on a voluntary basis, for the period ending December 31, 1991. I hereby certify that this appraisal and the procedures related thereto have been prepared in accordance with the code of ethics and standards of professional practice of the professional institutes to which I belong.

Respectfully submitted, PENNY & KEENLEYSIDE APPRAISALS LTD., per,

Robert J. Simpson, AACI

RJS/jf

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RENLEYSIC	E APPRAIS	ALS LTD.

MEMORANDUM

TO:

Mayor and Aldermen

DATE: May 13, 1992

FROM:

B.R. Kirk

City Administrator

RE:

Potential Acquisition of Lands - Chester Street and Coquitlam Avenue

RECOMMENDATION:

THAT an appraisal on the above-noted properties be obtained for further consideration by Council.

BACKGROUND AND COMMUNES:

A member of Council requested information on the properties noted on the attached map with a view to purchase.

Information on the lots follows:

1. Lots 21 and 22 - 2215 Coquitlam Avenue (Roll #544515)

(Zoning: Highway Commercial (CS-1)

Owned by: North Pacific Sales Ltd.

830 Ultra Court

Coquitlam, B.C.

V3J 6R3

Tel.: 461-0088

2. Lot 23 - 2225 Coquitlam Avenue (Roll #544516)
Zoning: Highway Commercial (CS-1)

Owned by: Superior Signs Ltd.

2225 Coquitlam Avenue

Port Coquitlam, B.C.

V3B 1J6

Tel.: 942-6636

3. Lot 24 - 2227 Coquitlam Avenue (Roll #544520)
Zoning: Highway Commercial (CS-1)

Owned by: Crown Lands

4. Plan 5943, Parcel A - P3047 Shaughnessy Street (Roll #544510)
Zoning: Public Institutional (P-1)

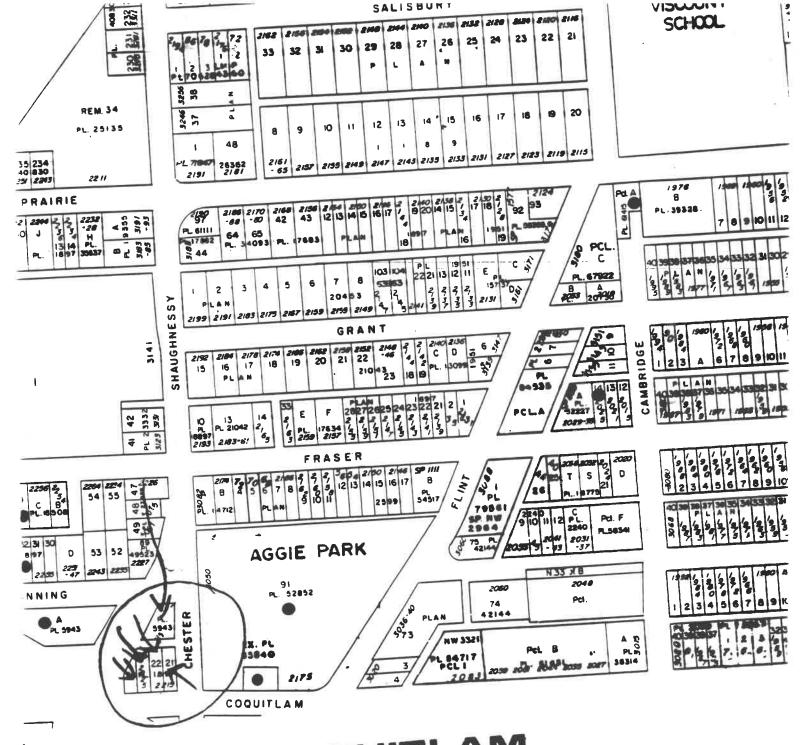
Owned by: City of Port Coquitlam

Bryan R. Kirk

City Administrator

/dp

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COQUITLAM



THE CORPORATION OF THE CITY OF PORT COQUITLAM

DATE: May 20, 1992

MEMORANDUM

TO:

B.R. Kirk

City Administrator

FROM:

I.R. Zahynacz, P. Eng.

City Engineer

SUBJECT:

STORM SEWER REQUIREMENTS WEST SIDE OF BROADWAY

VIAM HOLDINGS LTD.

(Public Works Committee Meeting of May 19, 1992)

RECOMMENDATION:

That the City of Port Coquitlam adopt the policy of utilizing a drainage ditch storm sewer system along the west side of Broadway between Kingsway and the Mary Hill Bypass and that the developer be required to construct an access bridge to their properties over the drainage ditch.

BACKGROUND & COMMENTS:

At the March 23, 1992 "In Committee" meeting, Council considered the attached memorandum from the City Engineer dated March 18, 1992 regarding three optional policies for storm sewer requirements along Broadway and selected Option 2 - required developers to install a concrete box storm sewer along the west side of Broadway, based on a City contribution of 25% of the storm drainage cost (Drainage Development Cost Charges would be waived).

I discussed Council's policy for a concrete storm sewer with Mr. and Mrs. Decotas of Viam Holdings on April 22, 1992. They noted the following:

- Their property on Broadway has already been preloaded and a access bridge has already been constructed based on the City's previous open drainage ditch policy.
- Other properties in the area were not required to construct a concrete storm

The Decotas's stated that Viam Holdings would be placed in an economic disadvantage compared to other warehouse sites in this area and that Viam Holdings may pursue legal action if the City requires concrete storm sewers.

In the attached letter from Lidstne Young Anderson dated May 19, 1992, Mr. Anderson notes that any construction at the storm sewer by Viam Holdings would have to be voluntary, i.e. Viam Holdings could elect to pay the Drainage DCC's because this storm sewer is a designated DCC project.

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LIDSTONE, YOUNG, ANDERSON

BARRISTERS & SOLICITORS

501 - 1803 Douglas Street Victoria, B.C.

V8T 5C3

Telephone: (604) 383-2063 Telecopier: (604) 689-3444 1414 - 808 Nelson Street Box 12147, Nelson Square Vancouver, B.C. V6Z 2H2 Telephone: (604) 689-7400 Telecopier: (604) 689-3444

BY TELECOPIER

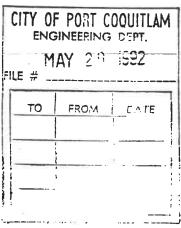
May 19, 1992

Mr. Igor Zahynacz, P. Eng. City Engineer City of Port Coquitlam 2580 Shaughnessy Street Port Coquitlam, B.C. V3C 2A8

Dear Igor:

Re: Storm Sewer Requirements

West Side of Broadway Viam Holdings Ltd. Our File No. 19-289





Further to your memorandum of May 5, 1992 and our site inspection on April 29, this letter addresses Council's authority to require the construction of a storm sewer along Broadway between Kingsway and Mary Hill Bypass in front of the proposed Viam Holdings development, as a condition of construction of proposed warehouse buildings on the Viam property.

We understand that although City bylaws have required the construction of storm drains adjacent to properties upon development, during the past several years the City has permitted several developments along Broadway without requiring construction of the storm sewer. Instead, developers have paid a development cost charge for drainage purposes under a development cost charge bylaw which includes the Broadway storm sewer project. It is now recognized that the development cost charge is insufficient to meet the cost of the proposed storm sewer and that the City will have to bear a large proportion of the cost of the storm sewer if the sewer is not provided by adjoining owners.

Your primary question is whether, having waived the construction requirement for other owners, City Council may now require Viam Holdings to construct its portion of the storm sewer.

Section 989(1)(c) of the <u>Municipal Act</u> empowers Council, by bylaw, to require that a drainage collection system be installed within a subdivision "in accordance with the standards prescribed in the bylaw". Section 989(4) also provides that Council may require as a condition of the issuance of a building permit:

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"that the owner of the land provide works and services, in accordance with the standards prescribed under this section, on that portion of a highway immediately adjacent to the site being subdivided or developed, up to the centre-line of the highway."

Thus off-site drainage works may be required adjacent to a development, either by bylaw or resolution.

"Development Management Bylaw, 1987, No. 2242" requires that prior to issuance of a building permit, the owner of land provide works and services on a highway immediately adjacent to the site being developed. Section 14 of the Development Management Bylaw states that the works and services required include storm drainage to the standards established in "Subdivision Servicing Bylaw, 1987, No. 2241".

Thus Council has established a requirement under Section 989(4) of the <u>Municipal Act</u> that off-site drainage be installed. However, Section 989(6) states:

"(6) Requirements under subsections (4) and (5) shall only be made insofar as they are directly attributable to the subdivision or development and shall not include specific works or services that are included in the calculations used to determine the amount of a development cost charge, unless the owner agrees to provide the works or services, in which case the calculation of a development cost charge will be subject to Section 983(8)."

If in fact the calculations employed in preparing "Drainage Facilities Development Cost Charge bylaw, 1980, No. 1736" included a storm sewer along Broadway between Kingsway and Mary Hill Bypass, Council has no jurisdiction to require Viam Holdings Ltd. to construct the storm sewer. Rather, the City may only require the payment of applicable drainage development cost charges. Any construction of the storm sewer by Viam would have to be voluntary.

If Council is concerned that owners along Broadway are not meeting a fair proportion of the storm sewer servicing costs, there are two options available:

- 1. increase the amount of the development cost charge; or
- 2. repeal the development cost charge bylaw insofar as it applies to Broadway and require construction of the storm sewer under Development Management Bylaw No. 2242.

Any amendment or repeal of the development cost charge bylaw would require the approval of the Inspector of Municipalities under Sections 987 and 943(1) of the Municipal Act.

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In order to be enforceable against Viam Holdings, the bylaw amendment would have to be adopted prior to the date of application for building permits.

Sincerely,

LIDSTONE, YOUNG, ANDERSON

(1rawt Anderson

Grant Anderson

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THE CORPORATION OF THE CITY OF PORT COQUITLAM

TO:

B.R. Kirk

City Administrator

MAR 2 3 1992

FROM:

I.R. Zahynacz, P. Eng.

City Engineer

SUBJECT:

Options for Storm Sewer Requirements - Developments Along: West Side: o

Broadway, Kingsway to Mary Hill Bypess

(Public Works Committee Meeting, March 17, 1992)

Recommendation:

That Council select one of the three policies for storm sewer requirements for development along the west side of Broadway Avenue:

- Utilize the existing open drainage ditch system: along the west side: of Broadway and 1. require developers to construct a bridge access to properties being developed.
- Require developers to install a concrete box storm sewer along the west side of 2. Broadway based on a City contribution of 25% of the storm drainage cost (Drainag Development Cost Charges would be waived).
- Require that the developer construct a concrete box storm sewer along Broadway at h. 3. cost (Drainage Development Cost Charges would be waived).

Background:

At the January 6, 1992 Council Meeting, Council adopted a policy requiring developers t construct an enclosed storm sewer on Broadway as part of the engineering requirments for an future developments.

The Developer of 1485, 1553, & 1551 Broadway (Viam Holdings) has recently asked the City reconsider this requirement because his storm drainage costs would be approximately \$800,00 (net of credits) and this requirement would therefore stop development.

Comments:

The Public Works Committee considered the attached memorandum dated March 11, 1992 fro the City Engineer regarding options for storm sewer standards on Broadway.

Cont'd /2...



Report to B.R. Kirk, Cont'd ...

The basic dilemma is that an open ditch is undesirable due to safety, liability, esthetics, and environmental concerns; while an enclosed storm sewer (\$3.1 M.) appears too expensive to the City and developers.

Council could consider the following options for storm sewer requirements:

Options

- 1. Adopt a policy of an open drainage ditch system with bridges for Broadway for this area.
- 2. Developer install the concrete box culvert & the City contribute a portion of the cost (say 25%)
- 3. Require developers to install the concrete storm sewer at their full cost.

Comments

Negative safety liability & environmental effects

The City would have to contribute approx. \$2.35 M. from general taxation & DCC's.

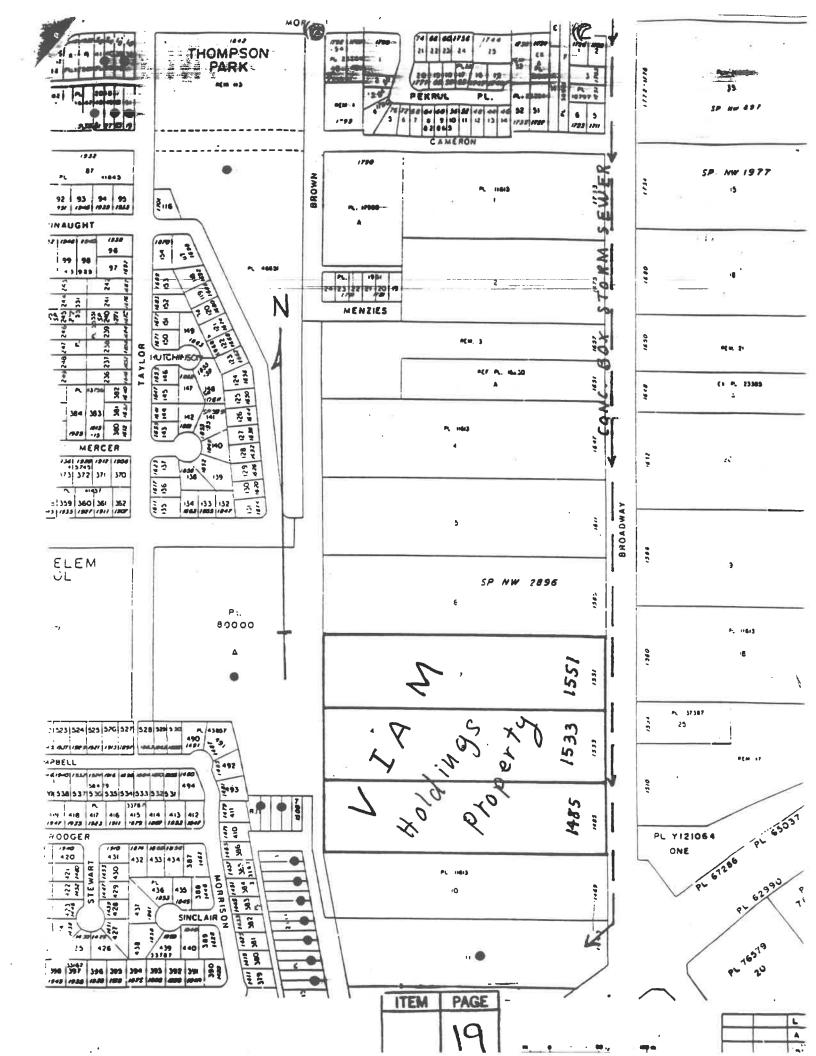
The City would have to contribute approx. \$2.1 M. from general taxation & DCC's.

I.R. Zahynacz, P. Eng.

City Engineer

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THE CORPORATION OF THE CITY OF PORT COQUITLAM

COMMITTEE OF COUNCIL

May 20, 1992

TO:

B.R. Kirk, City Administrator

FROM:

K. Janna Taylor, Parks & Recreation Director

SUBJECT:

Reeve Street Park - School Proposal

Recommendations:

1. That the City approve up to \$10,000 to do a detailed concept plan on the inclusion of a community theatre in the new proposed high school at Reeve Street Park.

2. That the \$10,000 be taken from land sales.

3. That the School Board be required to name the high school after the name of the park.

Background & Comments:

Bryan Kirk, Jim Maitland, Igor Zahynacz and Janna Taylor have had two meetings with senior staff from School District #43. The purpose of these meetings was to discuss the possible construction of a high school in Reeve Street Park.

One of the items being discussed is the possible joint construction of a community theatre. In order to have a clear picture of what the community theatre will look like and have a full understanding of what the City will get for its financial contribution, a concept plan with costing needs to be done.

A sum of up to \$10,000 is being recommended towards doing a plan and that this money come from land sales.

K. Janna Taylor

Parks & Recreation Director

KJT/pg

File No: 201.1

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