



## REGULAR MEETING

For the **REGULAR MEETING** of Council to be held on Monday, April 8, 2024, at 7:00 pm in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

### 1. CALL TO ORDER

### 2. INTRODUCTION OF LATE ITEMS

### 3. APPROVAL OF AGENDA

#### **Recommendation:**

THAT the Agenda for the Regular Council Meeting of April 8, 2024, be adopted as presented.

### 4. PUBLIC COMMENT(S) REGARDING AGENDA ITEMS

### 5. CONSENT AGENDA

#### **a) Council minutes**

- i. Minutes of the Regular Meeting of March 25, 2024;
- ii. Minutes of the Committee of the Whole Meeting of March 25, 2024;

#### **b) Reports**

- iii. Request for Support for Curling Rink Grant Applications to Support Ramp Development;
- iv. Report from the Director of Corporate & Legislative Services Re: Noise Bylaw Complaints and legal review Re: City of Prince Rupert's Noise Control Bylaw No. 2430, 1982;

#### **c) Correspondence**

- v. BC Emergency Health Services Re: Updates on the Actions Being Taken by BCEHS to Support Patients in Prince Rupert and Other Northern Communities;
- vi. Prince Rupert Port Authority Re: PRPA Support for Improved Health Services in Prince Rupert;
- vii. Request for proclamation for April 16, 2024, for National Advanced Care Planning Day.
- viii. Request for proclamation for May 17, 2024, for International Day Against Homophobia and Transphobia.

**Recommendation:**

THAT all items on the Consent Agenda be approved as requested.

**6. REPORTS**

- a) Report from Director of Corporate & Legislative Services/Corporate Officer Re: 201 – 2<sup>nd</sup> Avenue West: Remedial Action Order (Lots 9, 10, 11 and 12, Section 1, District Lot 251, Range 5, Coast District Plan 923 (PIIDs: 007-578-067, 014-772-043, 014-772-051 and 014-772-060).**

**Recommendation:**

THAT Council amend the original Remedial Action Order of February 26, 2024, for clean-up under Section 74 of the *Community Charter* whereby the City of Prince Rupert will proceed with the clean-up of the Property, as set-out in items 1-7 in the report, located at 201 – 2<sup>nd</sup> Avenue West, legally known as Lots 9, 10, 11 and 12, Section 1, District Lot 251, Range 5, Coast District Plan 923 (PIIDs: 007-578-067, 014-772-043, 014-772-051 and 014-772-060), with the cost of the clean-up placed on the property taxes for the Property if the clean-up, as set-out in items 1-7 of the report, has not occurred as noted and accepted by Council by May 30, 2024.

- b) Report from Planner Re: Development Variance Permit #24-01 – PID 031-690-823, located on Seal Cove Circle.**

**Recommendation:**

THAT Council proceeds with the statutory notification process for Development Variance Permit (DVP) #24-01 – PID 031-690-823, located on Seal Cove Circle.

- c) Report from Chief Financial Officer Re: Resolution to Amend 2024 Five Year Financial Plan Bylaw No. 3526, 2023.**

**Recommendation:**

THAT Council approve the addition to the financial plan outlined in this report;

AND THAT the 2024 Five Year Financial Plan be amended accordingly.

**7. COUNCIL ROUND TABLE**

**8. ADJOURNMENT**



## MINUTES

For the **REGULAR MEETING** of Council to be held on March 25, 2024, at 7:00 pm in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

**PRESENT:** Councillor W. Niesh  
Councillor G. Randhawa  
Councillor B. Cunningham  
Councillor N. Adey  
Councillor T. Forster  
Councillor R. Skelton-Morven

**ABSENT:** Mayor H. Pond

**STAFF:** R. Buchan, City Manager (Remote)  
R. Miller, Director of Corporate & Legislative Services / Corp. Officer  
R. Pucci, Director of Operations & Intergovernmental Relations  
C. Bomben, Chief Financial Officer  
M. Pope, Director of Development Services (Remote)

### 1. CALL TO ORDER

The Mayor called the Regular Meeting of Council to order at 8:11 pm.

### 2. INTRODUCTION OF LATE ITEMS

### 3. APPROVAL OF AGENDA

MOVED by Councillor Adey and seconded by Councillor Randhawa THAT the Agenda for the Regular Council Meeting of March 25, 2024, be adopted as presented.

CARRIED

### 4. PUBLIC COMMENT(S) REGARDING AGENDA ITEMS

### 5. CONSENT AGENDA

#### a) Council minutes

- i. Minutes of the Regular Meeting of March 11, 2024;

#### b) Reports

- ii. Building Department Activity Report for February 2024;
- iii. Request for Support Application to the Local Government Development Approvals Process Fund;

- iv. Monthly Fire / Rescue Report for February 2024;
- v. Minutes of the Accessibility Committee of January 16, 2024; and,

**c) Correspondence**

- vi. Prince Rupert Children's Festival – Certificate of Appreciation.

MOVED by Councillor Skelton-Morven and seconded by Councillor Cunningham THAT all items on the Consent Agenda be accepted as noted and filed.

CARRIED

**6. REPORTS**

**a) Rotary Club of Prince Rupert Re: Bandshell Proposal – Pacific Mariners Memorial Park.**

MOVED by Councillor Forster and seconded by Councillor Cunningham THAT Council direct Staff to work with the Rotary Club of Prince Rupert in their efforts to fundraise and place a Bandshell in Pacific Mariners Park to ensure consistency and compliance with current park plans;

AND THAT Council provide a Letter of Support "in principle" to the Rotary Club of Prince Rupert for this project.

CARRIED

**7. COUNCIL ROUND TABLE**

**8. ADJOURNMENT**

MOVED by Councillor Forster and seconded by Councillor Skelton-Morven THAT the meeting be adjourned at 8:25 p.m.

CARRIED

Confirmed:

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MAYOR

Certified Correct:

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DIRECTOR OF CORPORATE  
& LEGISLATIVE SERVICES/ CORP. OFFICER



## COMMITTEE OF THE WHOLE MINUTES

For the **COMMITTEE OF THE WHOLE MEETING** of Council to be held on March 25, 2024, at 7:00 pm in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

**PRESENT:** Councillor W. Niesh  
Councillor G. Randhawa  
Councillor B. Cunningham  
Councillor N. Adey  
Councillor T. Forster  
Councillor R. Skelton-Morven

**ABSENT:** Mayor H. Pond

**STAFF:** R. Buchan, City Manager (Remote)  
R. Miller, Director of Corporate & Legislative Services  
C. Bomben, Chief Financial Officer  
M. Pope, Director of Development Services (Remote)

### 1. CALL TO ORDER

The Councillor Wade Niesh called the Committee of the Whole Meeting to order at 7:00 p.m.

### 2. ADOPTION OF THE AGENDA

#### **Recommendation:**

MOVED by Councillor Forster and seconded by Councillor Adey THAT the Agenda for the Committee of the Whole Meeting of Monday, March 25, 2024, be adopted as circulated.

CARRIED

### 3. PETITIONS & DELEGATIONS

- I. AltaGas Community Re: AltaGas/Vopak Ridley Island Energy Export Facility (REEF) Project Updates;
- II. BC Rural Health Network (Paul Adams); and,
- III. Delegation from Wayne Place (Bruce Rempel, John Arnold, Susan Visentin) Re: Noise and emission complaints from overnight area truck traffic.

### 4. QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

**5. ADJOURNMENT to Regular Council Meeting**

MOVED by Councillor Skelton-Morven and seconded by Councillor Adey THAT the meeting be adjourned at 8:10 p.m.

CARRIED

Confirmed:

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MAYOR

Certified Correct:

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CORPORATE ADMINISTRATOR



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** April 8<sup>th</sup>, 2024  
**TO:** Robert Buchan, City Manager  
**FROM:** Veronika Stewart, Manager of Communications, Engagement and Social Development  
**SUBJECT:** **SUPPORT FOR CURLING RINK GRANT APPLICATIONS TO SUPPORT RAMP DEVELOPMENT**

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#### **RECOMMENDATION:**

THAT Council direct staff to provide letters of support to the Prince Rupert Curling Rink for an accessibility ramp that would allow Special Olympics and other athletes and recreational users with accessibility needs to access their facility.

#### **REASON FOR REPORT:**

The Prince Rupert and Area Accessibility Committee has forwarded this request for letters of support to be provided to the Prince Rupert Curling Club to apply for grant funds so that a ramp and accessibility improvements can be made to the exterior of their facility.

#### **BACKGROUND:**

The Prince Rupert and Area Accessibility Committee is comprised of several members that work with or benefit from the local chapter of the Special Olympics BC (SOBC) in our community. The local chapter of SOBC has identified that they currently offer curling as part of their regular programming, but not all athletes are able to access the curling rink given the lack of ramp at the exterior of the building. Recent upgrades have been made to support accessibility in the interior of the facility, and an exterior ramp would complement that existing work.

#### **ANALYSIS:**

The curling rink is an external recreation offering, run by a dedicated board of community volunteers, and this project aligns with past support the City has provided to the facility, both with letters and in-kind grant writing capacity. Support for this project will not only enable all

Special Olympics athletes to make more fulsome use of the Curling Rink facility, but will also extend this recreational opportunity to all residents with accessibility needs. This improvement will also help to ensure that more seniors can age in place in Prince Rupert with a variety of recreational opportunities.

**LINK TO STRATEGIC PLAN:**

This work aligns with Council's direction regarding Justice, Equity, Diversity and Inclusion Policy as well as with Provincial direction to develop and support an Accessibility Committee and Plan. The project also supports the overall goal of community renewal.

**COST:**

The cost to the City of supporting this recommendation is staff time, and no direct financial cost.

**CONCLUSION:**

It is recommended that Council direct staff to provide letters of support to the Prince Rupert Curling Rink for an accessibility ramp that would allow Special Olympics and other athletes and recreational users with accessibility needs to access their facility.

**Report Prepared By:**

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Veronika Stewart,  
Manager of Communications,  
Engagement, And Social Development

Originally signed available on request

**Report Reviewed By:**

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Robert Buchan,  
City Manager



## REPORT TO COUNCIL

**DATE:** April 8, 2024  
**TO:** Mayor & Council  
**FROM:** Rosa Miller, Director of Corporate & Legislative Services/Corporate Officer  
**SUBJECT:** **Noise Bylaw Complaints and legal review Re: City of Prince Rupert's Noise Control Bylaw No. 2430, 1982 (the "Noise Bylaw")**

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### **RECOMMENDATION:**

**THAT Council receive this report for information purposes.**

### **REASON FOR REPORT:**

On Monday, March 25, 2024, a petition was presented, subsequent to a presentation to Council, on behalf of the residents of 630 Wayne Place. The petition is attached to this report for information purposes.

Staff confirm that several emails, calls and texts have been received in regards to a noise complaint from a resident at Wayne Place prior to the March 25 presentation. Since the March 25 meeting, there was an additional complaint filed. This most recent complaint came in at 3:29pm on March 26 indicating that trucks had "again" parked adjacent to the apartment block. Of note, there is a hardware business adjacent to the apartment building and it would not be unreasonable for deliveries to arrive during the day. In fact, I can confirm that on the day in question there was a delivery that arrived at approximately 2:30pm.

Most of the complaints are in relation to refrigeration trucks parking near the apartment causing the complainant to have disrupted sleep. This report provides some additional background as to the enforceability of the complaint as it relates to the Noise Bylaw.

As a result of the complaints, staff reached out to area businesses, who have advised that they have not received any complaints from their guests regarding refrigeration noise. Staff has also contacted the various trucking companies delivering to the area who noted that they would try as best they could to park further down.

It has been stated that Section b of the City's Noise Bylaw speaks directly to what is not permitted. Commentary in a bylaw above the enactment does not form a legal part of the bylaw and cannot be enforced. This verbiage is a pre-amble and intended for explanatory purposes. Section 2 of the Noise Bylaw does contain some generalities that

may suggest some grounds for enforcement, and Section 4(ii) states that where an authorized person has reasonable and probable grounds to believe a nuisance or disturbance exists, we may enforce. An authorized person in the Noise Bylaw includes the RCMP whom Staff have spoken with in regards to the matter. On all but one occasion the RCMP have noted that there was no sound that would warrant action. On the one occasion where it was noted the vehicle was "a bit" louder, the RCMP requested the vehicle move. Which they did.

Staff have also conducted research on the enforceability of our Noise Bylaw and whether it should be amended to include dB readings however, overnight quiet zones in the few bylaws that staff were able to find, usually have a dB of 45-50 at the point of reception, which is very quiet. A dB of 45 is about the same as a typical library. This level would be unreasonable for a downtown area.

It has also been suggested that the City could amend certain downtown parking zones to reflect no "overnight" parking however, this would not prohibit these trucks from parking in private lots adjacent to the property. The only way to further prohibit the parking of "reefers" in the downtown core would be to bring forth a zoning amendment that would prohibit trucks from overnighting in certain zones. This is not recommended by Staff and would be extremely prohibitive. Again, I confirm that every company spoken with in regards to overnight parking indicated a willingness to work with the City.

Staff do not conclude that there is an issue sufficient enough to warrant further action.

**Report Prepared By:**

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Rosa Miller,  
Director of Corporate & Legislative Services /  
Corporate Officer

Originally signed available on request

**Report Reviewed By:**

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Dr. Robert Buchan,  
City Manager

We, the undersigned, residents of 630 Wayne Place Prince Rupert, commonly known as Wayne Place Senior Housing, are concerned about our quality of life, comfort, peace, enjoyment and especially our rest during the night, that are greatly affected by the transport trucks creating an unacceptable level of noise as they park on 1st Avenue and the area of Prince Rupert Square Shopping Centre. This noise goes on from evening to the early hours of the morning.

Others, on occasion, come early in the morning, as they go to Home Hardware, they park on top of Wayne Place, so close to us that besides a high level of noise, the harmful fumes from their exhaust penetrate our residences.

We want immediate measures to stop it and prevent it, as our lives are affected.

Ian McDonagh <u>Ian M</u>	# 4 - 630 Wayne Pl.	778-210 2235
Kevin Woods <u>Kevin Woods</u>	# 7 - 630 Wayne Pl.	778-645-0471
Sally Edgars <u>Sally Edgars</u>	# 2 - 630 Wayne Place	778 884 8469
- Fran Verillard <u>F</u>	unit 120 630 Wayne Place	778884 9353
Fr. Goudreau	122 630 Wayne	6241 4641

We, the undersigned, residents of 630 Wayne Place Prince Rupert, commonly known as Wayne Place Senior Housing, are concerned about our quality of life, comfort, peace, enjoyment and especially our rest during the night, that are greatly affected by the transport trucks creating an unacceptable level of noise as they park on 1st Avenue and the area of Prince Rupert Square Shopping Centre. This noise goes on from evening to the early hours of the morning.

Others, on occasion, come early in the morning, as they go to Home Hardware, they park on top of Wayne Place, so close to us that besides a high level of noise, the harmful fumes from their exhaust penetrate our residences.

We want immediate measures to stop it and prevent it, as our lives are affected.

BRUCE RAGIS #1 630  
LAWRENCE DICK  
Susan A. Valentini #218

April 4, 2024

***Via email: [mayor@princerupert.ca](mailto:mayor@princerupert.ca), [cityhall@princerupert.ca](mailto:cityhall@princerupert.ca)***

Mayor Herb Pond and City Council  
City of Prince Rupert  
424 3<sup>rd</sup> Avenue West  
Prince Rupert, BC V8J 1L7

Dear Mayor Pond and Council:

I am writing to provide you with an update on the actions being taken by BC Emergency Health Services (BCEHS) to support patients in Prince Rupert and other northern communities as their local healthcare facilities deal with ongoing staffing challenges. This is one component of a larger, collaborative effort with BCEHS, regional health authorities and the Ministry of Health working together to provide patient care continuity.

In most areas of the province, particularly in rural, remote and Indigenous communities, healthcare facility closures or diversions result in increased transport times, as our paramedics must transport patients over significant distances to the next available health care facility.

Recent overnight emergency department closures in Prince Rupert have resulted in the temporary, proactive addition of multiple BCEHS resources in your community to support any emergency responses that may result in diversion to Terrace or elsewhere. This additional support includes increased paramedics and leadership as well as ambulance resources. I was also in your community along with our Chief Operations Officer Jennie Helmer last week to meet our crews and ensure they are getting the supports they need.

We are bringing this proactive approach to resource planning to Prince Rupert as well as other communities across the province that are also experiencing similar closures and diversions, and therefore these are dynamically deployed resources that will be relocated when the situation stabilizes.

Our additional support to your community is a short-term measure intended to better support our patients and our staff in Prince Rupert while the health authority works to improve its staffing.

Sincerely,



Leanne Heppell  
EVP & Chief Ambulance Officer  
BC Emergency Health Services  
Provincial Health Services Authority

April 4, 2024

Hon. David Eby  
Premier of British Columbia  
Legislative Assembly of British Columbia  
Victoria, BC V8V 1X4  
[Premier@gov.bc.ca](mailto:Premier@gov.bc.ca)

Hon. Adrian Dix  
Minister of Health  
Legislative Assembly of British Columbia  
Victoria, BC V8V 1X4  
[HLTH.Minister@gov.bc.ca](mailto:HLTH.Minister@gov.bc.ca)

**Re: Prince Rupert Port Authority Support for Improved Health Services in Prince Rupert**

Dear Premier Eby and Minister Dix,

On behalf of the Prince Rupert Port Authority (PRPA), I am writing to extend our concerns regarding the ongoing closures at Prince Rupert Regional Hospital's Emergency Department and concerns regarding the loss of primary care physicians and specialists from our community.

As you are aware, the Port of Prince Rupert continues to be a strategic gateway for British Columbia to global markets and facilitates critical market access for BC exports and imports, including energy, forestry, agriculture, and mining commodities. The Port is one of the largest in Canada and proudly anchors the fastest, most reliable supply chain between North America and Asia. Port operations stabilize west coast supply chains, positioned as a strategic alternative to congested urban ports, and continue to be a source of vitality for British Columbia, facilitating over \$60 billion worth of trade annually.

A lack of local health and emergency services threaten the resiliency of the Prince Rupert Gateway. We understand that many communities in our province grapple with similar healthcare staffing challenges, but we want to reiterate that the impacts of service disruptions at Prince Rupert Regional Hospital could have ramifications on port operations.

Port operations are supported locally by approximately 2000 individuals who help to ensure the efficient and reliable movement of trade through the Port of Prince Rupert. Currently, this number is even higher due to large port-related civil work construction projects either underway or expected to begin in the coming months. Port operations are largely industrial in nature, and the risk of worker injury is inherently higher in those environments. While the many businesses involved in those operations prioritize worker safety, have strong records in that respect, and adapt their current operations, as necessary, to ensure the robustness of on-site first aid response is present when local emergency services are reduced, this is not a replacement for local hospital-based emergency services.

With over \$2.5 billion being invested into port infrastructure, such as the Ridley Island Export Logistics Project, PRPA and its port partners are focused on expanding trade, which will have vast economic benefits throughout Canada. The Port's ability to continue to grow, and corresponding ability to create new employment opportunities in a wide variety of

businesses, will only add to the community's prioritization of labour force recruitment and retention. Perceptions that basic health and emergency services cannot be fulfilled within the community will make this task even more challenging.

PRPA and port partners continue to be vital community members that support Prince Rupert through ongoing port expansion, economic benefits, tax base growth and community investment. However, we all rely on adequate and reliable health services and a vibrant community to support the workforce demands that anchor our essential trade gateway for British Columbia and Canada.

PRPA recognizes the ongoing efforts of Minister Dix to address the challenges and are grateful to you for taking the time to meet directly with healthcare providers in Prince Rupert. We strongly encourage the Government of British Columbia to continue supporting Northern Health and the Prince Rupert Regional Hospital in mitigating short- and long-term concerns so that there is adequate and reliable health services in the Prince Rupert region.

Sincerely,

**Prince Rupert Port Authority**



Ken Veldman  
Vice President, Public Affairs & Sustainability

CC: Herb Pond, Mayor of Prince Rupert, [herb.pond@princerupert.ca](mailto:herb.pond@princerupert.ca)  
Knut BJORNDAL, Mayor of Port Edward, [kbjorndal@portedward.ca](mailto:kbjorndal@portedward.ca)  
Jennifer Rice, Member of Legislative Assembly North Coast, [jennifer.rice.mla@leg.bc.ca](mailto:jennifer.rice.mla@leg.bc.ca)  
Taylor Bachrach, Member of Parliament Skeena-Bulkley Valley,  
[taylor.bachrach@parl.gc.ca](mailto:taylor.bachrach@parl.gc.ca)  
Ciro Panessa, President & Chief Executive Officer, Northern Health,  
[ciro.panessa@northernhealth.ca](mailto:ciro.panessa@northernhealth.ca)

## Rosamaria Miller

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**From:** ANNE FALVO <princeruperthospicepresident@gmail.com>  
**Sent:** December 3, 2023 6:46 PM  
**To:** Rosamaria Miller  
**Subject:** ACP day proclamation request for 2024

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening Rosamaria,

As per our conversation on Friday night, I'm writing on behalf of Prince Rupert and District Hospice Society as president, to pursue the process of obtaining a mayoral proclamation again for . National Advanced Care Planning Day April 16.

We thank the council for their attention to our presentation held at the council of the whole meeting. Our Advance Care Planning Day events were well attended at the credit union and the Senior centre. civic centre. We respectfully request to be added to the agenda for an upcoming meeting in February or March as the schedule permits.

Please find attached our proposed proclamation. Further information about Hospice and ACP day can be obtained from our Hospice Coordinator, Joanne Ritchie, at [princeruperthospice@gmail.com](mailto:princeruperthospice@gmail.com) or by phone 250-622-6402 desk or 778-884-0811. Thank you for your consideration.



acp day mayoral proclamation 2024

President  
Prince Rupert and District Hospice Society 2009  
1305 Summit Avenue  
Prince Rupert Hospital A floor  
Prince Rupert, BC, Canada, V8J 2A6



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Friday, March 22, 2024

**Subject: Join the movement! Celebrate the International Day Against Homophobia and Transphobia on May 17.**

Hello,

Fondation Émergence's mission is to educate, inform and raise awareness of the realities of LGBTQ+ people. In 2003, it created the world's first International Day Against Homophobia and Transphobia (May 17), which is now celebrated in over a hundred countries. The date commemorates the removal of homosexuality from the WHO's list of mental illnesses on May 17, 1990. Today, it's the perfect time to converge awareness-raising activities and engage in constructive, positive public dialogue to counter homophobia and transphobia.

As part of the International Day Against Homophobia and Transphobia, Fondation Émergence is inviting all municipalities to send a message of inclusion to the residents of their municipality by raising the flag on May 17.

We also invite you to pass a resolution at your municipal council to mark this important day (see template attached in the e-mail). We also invite you to send us your resolution for inclusion on our map of municipalities [Map of municipalities - May 17](#)

Last year, 249 municipalities showed their support for LGBTQ+ people. Join the movement and help us raise awareness of sexual and gender diversity in all walks of life.

What's more, we invite you to share a photo on your social networks, tagging @journee17mai with #17mai, so that your municipality radiates its inclusivity throughout Quebec.

With your support, we'll continue to make Quebec history by taking a strong stand against homophobia and transphobia. Together, we can create a Quebec that fully accepts sexual and gender diversity.

Yours sincerely,

**Laurent Breault**  
Executive director

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Official presentator





## REPORT TO COUNCIL

**DATE:** February 26, 2024  
**TO:** Mayor & Council  
**FROM:** Rosa Miller, Director of Corporate & Legislative Services/Corporate Officer  
**SUBJECT:** **201 – 2<sup>nd</sup> Avenue West: Remedial Action Order (Lots 9, 10, 11 and 12, Section 1, District Lot 251, Range 5, Coast District Plan 923 (PIDs: 007-578-067, 014-772-043, 014-772-051 and 014-772-060)**

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### RECOMMENDATION:

THAT Council amend the original Remedial Action Order of February 26, 2024, for clean-up under Section 74 of the *Community Charter* whereby the City of Prince Rupert will proceed with the building clean-up for the located at 201 – 2<sup>nd</sup> Avenue West, legally known as Lots 9, 10, 11 and 12, Section 1, District Lot 251, Range 5, Coast District Plan 923 (PIDs: 007-578-067, 014-772-043, 014-772-051 and 014-772-060), with the costs of removal placed on the property taxes for the said property if clean-up as noted and accepted by Council.

### REASON FOR REPORT:

A Remedial Action Order was issued by Council on February 6, 2024. The Owner of the property noted has requested a reconsideration of the original order and have emailed to advise what they would be willing to do to address concerns with the exterior of the building. That communication has been appended to this report for information purposes.

Staff suggest the following for clean-up and have advised the Owners of same:

1. Removal of all unkept grass and weeds on the property;
2. Pressure wash the premises (entrances, property grounds, etc.);
3. Clean-up and removal of all garbage on site;
4. Removal (or covering up by way of painting the exterior) of all graffiti on the property;
5. Replace any damage fence panels;
6. Removal of the old, dilapidated signs at the corner of the property; and,
7. Removal (or appropriate replacement) of plywood window coverings.

### COST:

The cost for removal of debris and garbage will be borne by the property owner and placed on the property owner's property taxes should payment remain outstanding at year-end.

**Report Prepared By:**

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Rosa Miller,  
Director of Corporate & Legislative Services /  
Corporate Officer

Originally signed available on request

**Report Reviewed By:**

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Dr. Robert Buchan,  
City Manager

## Rosamaria Miller

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**From:** Frank Chirico <fchirico@telus.net>  
**Sent:** March 20, 2024 6:37 PM  
**To:** Rosamaria Miller  
**Cc:** Sal; Robert Buchan; b.cunningham@princerupert.ca  
**Subject:** 201-2nd ave west

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Rosa ,

Pls note this email as part of our communication re 201- 2nd ave west .

We (Chirico Ent ) have scheduled to commence our bi-annual cleanup of 201-2nd ave west .  
With the recent development of action we felt important to notify the city of Prince Rupert our plan to address concerns with relation to the exterior of the premises .

Our plan is to commence work on or by April 15th 2024 and be completed within 3-5 days, once work begins .  
Our areas of focus will be the following :

- remove moss from canopy areas as needed or applicable areas without creating any damage to existing cedar shakes
- . Our concern is not to create any issues with the structure of the canopy .
- clean weeds as needed .
- pressure wash entrances
- clean up any garbage
- paint plywood covering windows .
- paint any graffiti .
- inspect fence panels for damage .

Pls confirm you have received our communication and note our plan. I believe based on your last email we are scheduled for April 8th to review this plan also .

Pls let us know if you need further info or have any specifics we have missed .

Best,

Frank



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** April 08, 2024  
**TO:** Robert Buchan, City Manager  
**FROM:** Rodolfo Paras, Urban Planner 1

**SUBJECT: DEVELOPMENT VARIANCE PERMIT #24-01 – PID 031-690-823**

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#### **RECOMMENDATION:**

THAT Council proceeds with the statutory notification process for Development Variance Permit (DVP) #24-01

#### **REASON FOR REPORT:**

An application was received for a Development Variance Permit for the property with the Parcel Identifier 031-690-823, located on Seal Cove Circle.

The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2 Minimum Dimensions Required for Yards (c), to build a non-masonry chimney that would be 0.58 metres (22") from the side property line. The required side setback for a building in an R2 zone is 1.2 metres. The applicant is requesting a variance of 0.62 metres (24") to the side setback.

The Site Survey and elevation drawing are included as Attachment 3.

#### **BACKGROUND & ANALYSIS:**

The applicant requests the proposed variance to the north-east property setback to accommodate a non-masonry chimney, part of a proposed new private residence. The applicant intends to build a new house for their family, and although the proposed residence does not encroach, their proposed chimney would encroach into the side setback 24" (0.62 metres).

The encroachment into the side setback may affect the perceived views of the neighbours in a minor manner; however, neighbours and the public will have the opportunity to provide input during the public notification period. The proposed variance has no other known negative impacts on the surrounding neighbourhood.

The Draft Development Variance Permit is included as Attachment 1.

**COST:**

There are no costs or budget impacts to the City from granting, or not granting, the variance.

**CONCLUSION:**

This Development Variance Permit application is recommended to proceed to public notification.

**Report Prepared By:**

---

Rodolfo Paras,  
Urban Planner I

**Originally signed available on request**

Attachment(s):

- Attachment 1: Draft Development Variance Permit
- Attachment 2: Proposed Plan

**Report Reviewed By:**

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Robert Buchan,  
City Manager



**DEVELOPMENT VARIANCE PERMIT**  
**FILE NO. DVP-24-01**

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**PERMIT ISSUED BY:** The City of Prince Rupert (the City), a municipality incorporated under the *Local Government Act*, 424 3<sup>rd</sup> Avenue, Prince Rupert, BC, V8J 1L7

**PERMIT ISSUED TO OWNER(S):** AARON MALLETT

**APPLICANT:** AARON MALLETT

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1. This Development Variance Permit applies to those lands within the City of Prince Rupert that are described below, and any and all buildings, structures, and other development thereon:

**LEGAL DESCRIPTION:**

LOT A BLOCK 6 SECTION 7 RANGE 5 COAST DISTRICT PLAN EPP120579

**PARCEL IDENTIFIER:**

031-690-823

2. This permit varies the City's Zoning Bylaw (Bylaw #3462) as follows:
  - a. Section 5.2 Minimum Dimensions Required for Yards (c) varies from 1.2 metres to 0.62 metres (24 9/16 inches) setback from the side property line.
3. This permit is issued subject to the following conditions to the City's satisfaction:
  - a. The permittee(s) develop(s) the proposed development in accordance with the Site and Building Plan attached as Schedule 1.
  - b. Compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented.
4. If the permittee(s) does/do not substantially commence the development permitted by this permit within 24 months of the date of this permit, the permit shall lapse and be of no further force and effect.
5. This permit is **NOT** a Building Permit or Subdivision Approval.
6. This permit does not authorize works on adjacent properties. Encroachment on any adjacent property for the purposes of excavation, or the deposit or removal or fill requires the written consent of the owner of such adjacent property.

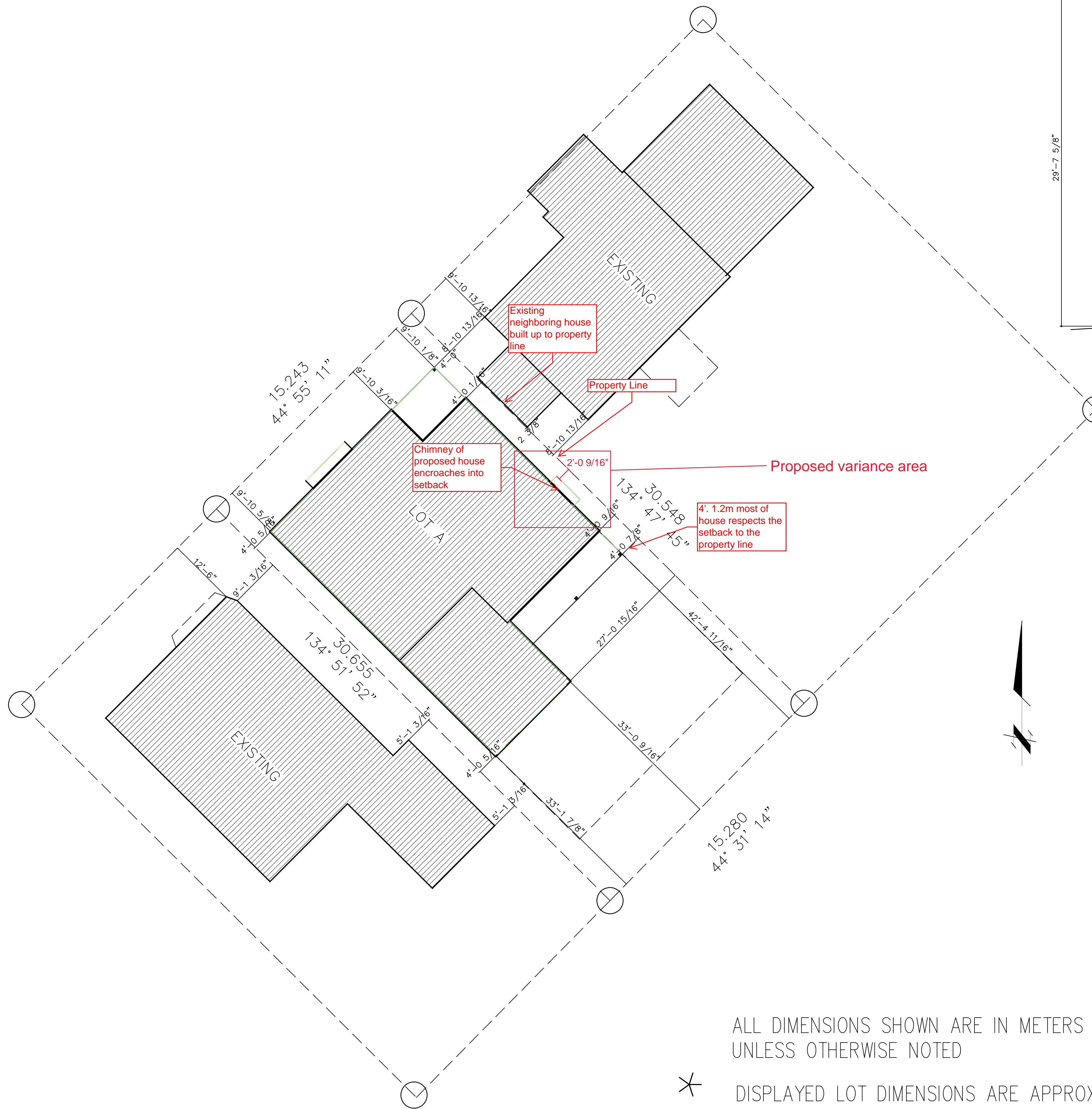
7. The terms and conditions contained in this permit shall inure to the benefit of, and be binding upon, the owner(s), their executors, heirs or administrators, successors and assignees as the case may be or their successors in title to the land.
8. The following plans and specifications are attached to and form part of this permit:
  - a. Schedule 1: Site and Building Plan

ISSUED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

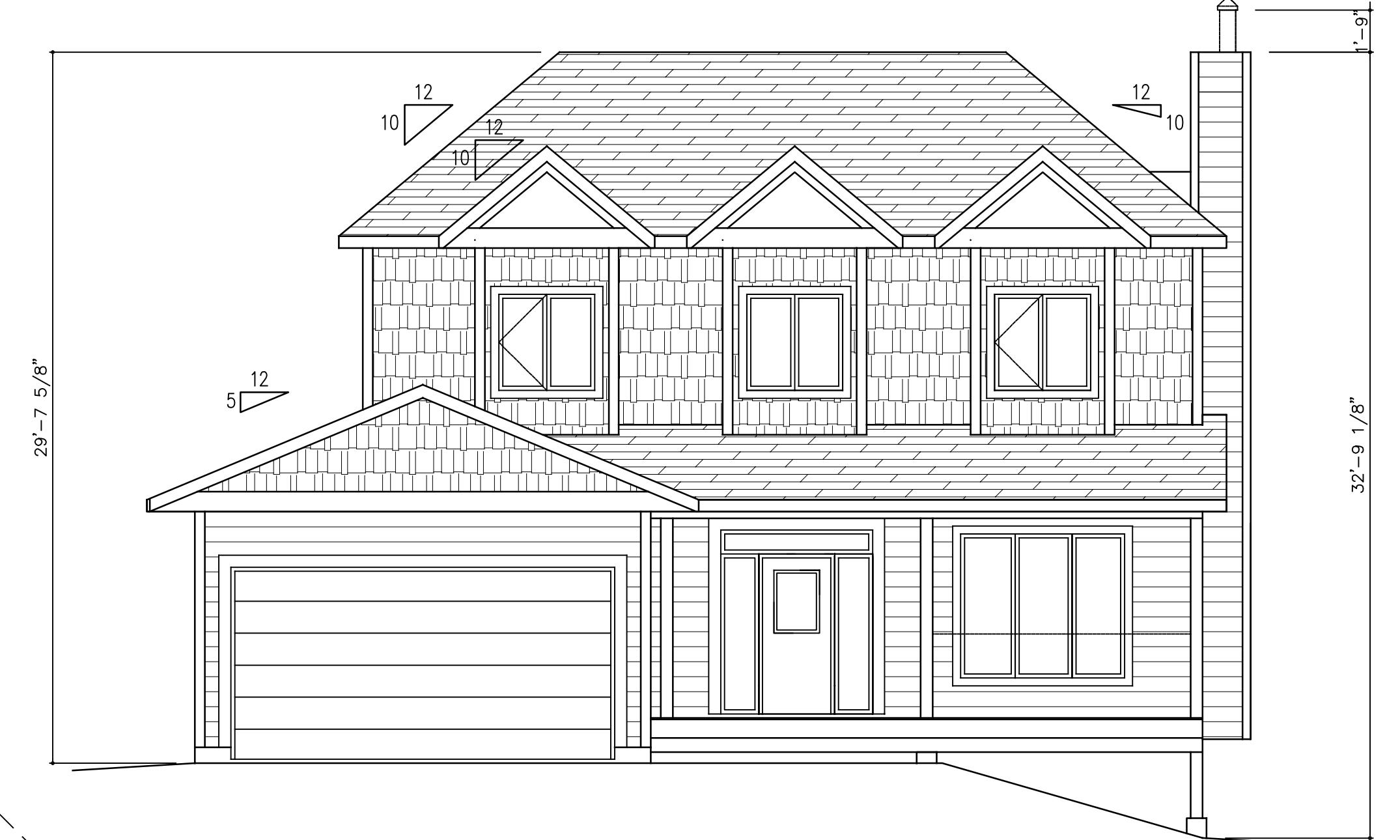
**CITY OF PRINCE RUPERT**  
**By an authorized signatory**

---

**Rosamaria Miller**  
Director of Corporate & Legislative  
Services Corporate Officer



## FRONT ELEVATION



# SITE PLAN

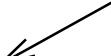
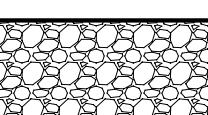
CIVIC ADDRESS:  
\_\_\_\_\_ SEAL COVE CIRCLE

LEGAL DESCRIPTION:  
LT A, BLK 6, DL 251, PL  
EPP120579, RANGE 5 LAND  
DISTRICT  
PID 031-690-823

**SIZE OF PROPERTY: 5025 SQ.FT.  
FOOTPRINT\*\*: 2200 SQ.FT.  
SITE COVERAGE: 44%**

**\*\* BUILDING PLUS DECKS OVER 2 FT  
ABOVE GROUND**

## LEGEND

	DRAINAGE FOR SURFACE WATER
	DRIVEWAY
+ 733.57	EXISTING ELEVATION

ALL DIMENSIONS SHOWN ARE IN METERS  
UNLESS OTHERWISE NOTED

DISPLAYED LOT DIMENSIONS ARE APPROXIMATE, NO LAND SURVEY PLAN WAS AVAILABLE AT TIME OF LATEST REVISION.

# SEAL COVE - SITE PLAN

CUSTOMER:		SEAL COVE	
DRAWING TITLE:		SITE PLAN	
REVISION NUMBER	DR. BY	AM	SQ. FT.: AS SHOWN
03	COM. NO.:	SEAL COVE	SCALE: NTS
SUPERSEDES	DATE:	MAY 12, 2023	SHEET: 11 OF: 11
PREVIOUS REVISIONS	LOCATION:	PRINCE GEORGE B.C.	
THIS PLAN IS ACCEPTED AS DRAWN.			
		CUSTOMER SIGNATURE	
		DATE	

# PUNNETT MALLETT RESIDENCE

## LOT A, BLOCK 6 SEAL COVE CIRCLE, PRINCE RUPERT, BC



## GENERAL NOTES

### STANDARD NOTES

- By commencing construction of a building from these drawings, the owner and/or contractor/builder acknowledge that they have read and understand the GENERAL NOTES AND SPECIFICATIONS as follows.
- The following notes are to be included with and become part of the attached plans.
- All work shall conform to the current edition of the BCBC or local Building Bylaws which may take precedence.
- All work shall be equal in all respects to good building practice.
- Written dimensions take precedence over scaled drawings.
- The consultant shall not be responsible for any variances from the structural drawings and specifications, or adjustments required which result from conditions encountered at the job site and is the sole responsibility of the owner or contractor.
- Construction loads on the structure caused by interim storage of materials or use of equipment shall not be allowed to exceed the design loads.
- Owner and/or contractor/builder to verify all dimensions and specifications before proceeding with construction.

### ERRORS AND OMISSIONS

The consultant makes every effort to provide complete and accurate home plans. However, the consultant assumes no liability for any errors or omissions which may affect construction. It is the responsibility of the contractor/builder to check and verify all dimensions, details and specifications before proceeding with construction.

Should any discrepancies be found on these plans, please advise the consultant at your earliest convenience. By doing so the consultant will be able to make corrections to the drawings and replace any plans purchased if necessary. In this way the consultant can better serve you and prevent errors from recurring.

### STRUCTURAL DESIGN

It is necessary in some instances to use beam sizes and framing details not specified by current Building Codes. Although these plans are designed using standard engineering and building practices, the authorities having jurisdiction may require confirmation by a Professional Engineer which is the responsibility of the owner or contractor/builder to provide.

### STRUCTURAL DESIGN CRITERIA

- Assumed roof design live load components: 39.7 GSL, 8.4 RL
- Assumed roof design dead load: 15psf
- Assumed floor design live load: 40psf
- Assumed floor design dead load: 15psf

Structural members in this home design have been designed to carry the loads listed above. Should you want to build this home plan in areas with verified higher environmental loads, or if heavier roofing & flooring materials are to be installed, the structural members must be checked or redesigned to meet these conditions. Please consult local building authorities as they may require adjustments to the plans or ask that the plans be engineered by a Professional Engineer at a cost to the owner or contractor/builder.

### HEATING

- Installation of heating systems must comply with manufacturers specifications and must conform to local codes and regulations.
- Gas connection will require separate permit and inspection.
- Fuel burning appliances, including furnaces, fireplaces and stoves, to be provided with combustion air supply from the exterior.

### WOOD FRAMING

- All framing & fastening to be in accordance to the BCBC 2018, unless noted otherwise.
- All LVL beams to be 2.0E, 2800Fb and posts to be 1.7E, 2650Fb. Laminate piles as per MFR specs.
- Owner or contractor/builder to confirm all rough openings for windows, doors and other units before construction begins. Consult the manufacturer/supplier of these units.
- Security blocking to be installed at mid height in stud cavities adjacent to exterior doors.
- Owner or contractor/builder to provide proper framed backing between studs, trusses, rafters and joist etc. for secure installation of special items such as handrails, grab bars, plumbing and electrical fixtures etc.
- Dimensions are from outside face of exterior wall sheathing to the face of partition wall framing unless otherwise noted. Drywall thickness is NOT included. The face of exterior wall sheathing, floor system rim joists and foundation wall faces to be flush unless noted or shown otherwise.
- Bearing length for girder trusses and engineered beams to be specified by a Professional Engineer, truss manufacturer and/or engineered beam supplier.

### FOUNDATIONS

- Foundations shall be concrete on solid undisturbed load bearing soil and below frost line. Please refer to part 9.4.4 of the NBC 2015 and BCBC 2018 for soil bearing capacities.
- Concrete foundation walls, columns and piers, fireplaces and chimneys, footings, grade beams to have a minimum compressive strength of 15 MPa after 28 days.
- Concrete in floor slabs in garages and carports, as well as in exterior steps and exterior floor slabs to have a minimum compressive strength of 32 MPa after 28 days.
- Concrete in other floor slabs to have a minimum compressive strength of 20 MPa after 28 days.
- Reinforcing bar shall conform to CAN/CSA-G30.18-M and have a min. yield strength of 400 MPa.
- Foundation walls shall not be back filled until concrete has reached its specified 28 day strength or until adequately braced subject to approval by authority having jurisdiction.
- Grades shown on plans are estimated. Foundation wall heights may require adjustment to suit site.
- All concrete and masonry foundation walls exceeding height limits as specified by current Building Codes will require a Professional Engineer's certificate at a cost to the owner.
- Any pier extending above grade 24" or more than it does below grade shall have diagonal bracing to resist lateral forces. Design of piers and lateral bracing to be provided by a Professional Engineer at a cost to the owner or contractor/builder.
- Perimeter drainage shall be installed to comply with current Building Code min. requirements

### INSULATION AND FENESTRATION

Step Code 3 Performance Path for Part 9 Buildings - Compliance Report Provided by Energy Advisor

Prescriptive Alternative for Part 9 Buildings if permitted by the Authority Having Jurisdiction

Minimum effective RSI value requirements w/ HRV and/or Heat Pump per Table 9.36.2.6.C BCBC 2018:

Building Assembly	Zone 4	Zone 5	Zone 6	Zone 7A	Zone 7B	Zone 8
Ceilings below attics	8.67	8.67	10.43	10.43	10.43	10.43
Cathedral ceilings & flat roofs	4.67	4.67	4.67	5.02	5.02	5.02
Framed exterior walls	3.08	3.69	3.69	3.69	3.96	3.96
Floors over unheated space	4.67	4.67	4.67	5.02	5.02	5.02
Foundation walls	3.46	3.97	3.97	3.97	3.97	3.97
Unheated Floor below frost line	2.98	2.98	2.98	2.98	2.98	2.98
Unheated Floor above frost line	3.46	3.46	3.46	3.46	3.46	3.46
Heated floors	3.46	3.46	3.46	3.97	3.97	3.97
Slab-on-grade with an integral flg.	3.46	3.46	3.46	3.97	3.97	3.97
Fenestration & Doors (Prescriptive)	1.22	1.22	1.22	1.22	1.22	1.22
Fenestration & Doors (Performance)	1.84	1.84	1.61	1.61	1.44	1.44

### PLUMBING AND ELECTRICAL

- Install plumbing and electrical services to comply with current Building Code min. requirements.
- Outlet locations are to comply with current Building Code minimum requirements. Install according to the owner's and/or local authority's requirements.
- No electrical or plumbing fixture or outlet or any service run may be installed in or through party/fire separation walls between suite units.

### CONSTRUCTION SITE NOTES

- The owner or contractor/builder shall be responsible for the correct positioning of this home on the property. The consultant assumes no liability for plans complying with zoning regulations or lot conditions.
- Wells and septic disposal systems to be located and constructed in accordance with health authorities having jurisdiction.
- Driveways, walkways, steps, retaining walls, and all other site works to be designed and specified by others. Slope finish grade level away from the home.

### FIREPLACES

- All masonry applications shall be in accordance with the current Building Codes.
- All fireplace and chimney installations shall be governed, inspected and approved by the authorities having jurisdiction. A separate permit may be required.
- Zero clearance metal fireplaces and metal chimneys to be CSA approved and installed to manufacturer's specifications.
- Chimney placement to be determined after review of truss layout to ensure min. 2" clearance to framing.

### FINISHING

- All interior and exterior finishing shall be specified by owner. Finishing shown on plans shall be confirmed by owner.
- Perforated soffit to be installed to all exterior trussed ceilings.
- It is recommended that water resistant wall board be installed adjacent to plumbing fixtures.
- Exterior doors shall be solid core and weather-stripped.
- Flash at all horizontal changes in exterior finishings and caulk around all unflushed exterior openings. Flash over all unprotected openings.
- All glass in doors shall be safety glass.
- Door and window sizes are shown in feet and inches. i.e. 4036 = 4' - 0" (1219 mm) wide by 3' - 6" (1067 mm) high. Door and window rough openings to be confirmed before construction begins.

FINAL PLAN COPY  
FOR PERMITS & CONSTRUCTION

CUSTOMER:  
PUNNETT  
MALLETT  
RESIDENCE

DRAWING TITLE:  
TITLE PAGE

SITE ADDRESS:  
LOT A, BLOCK 6  
SEAL COVE CIRCLE,  
PRINCE RUPERT, BC

DRAWN BY:  
JH

SCALE:  
1/4" = 1'-0"

DATE:  
02/06/24

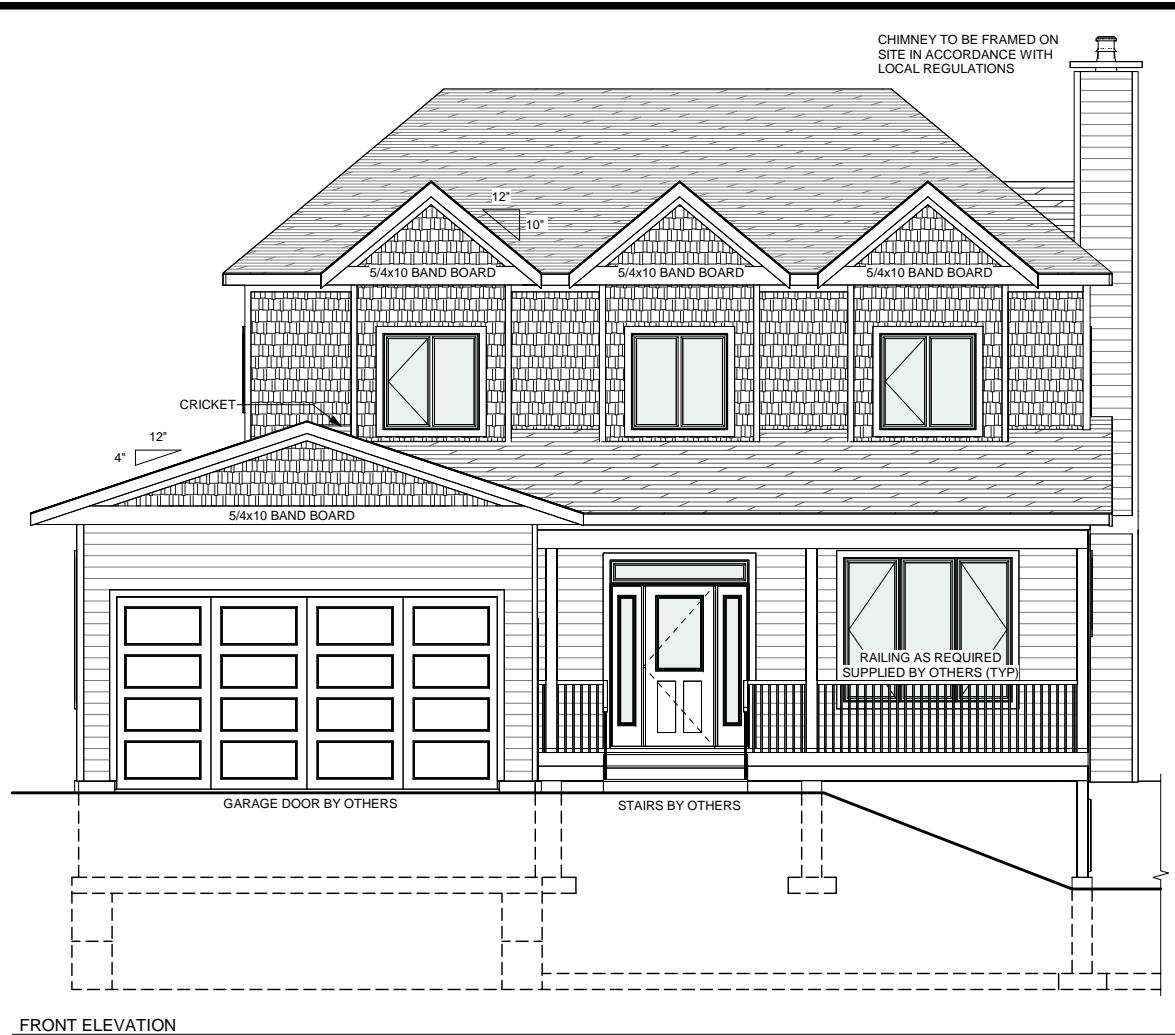
COMM NUMBER:  
DRF-23-071

WORK ORDER NUMBER:  
SUPERCEDES ALL  
PREVIOUS REVISIONS

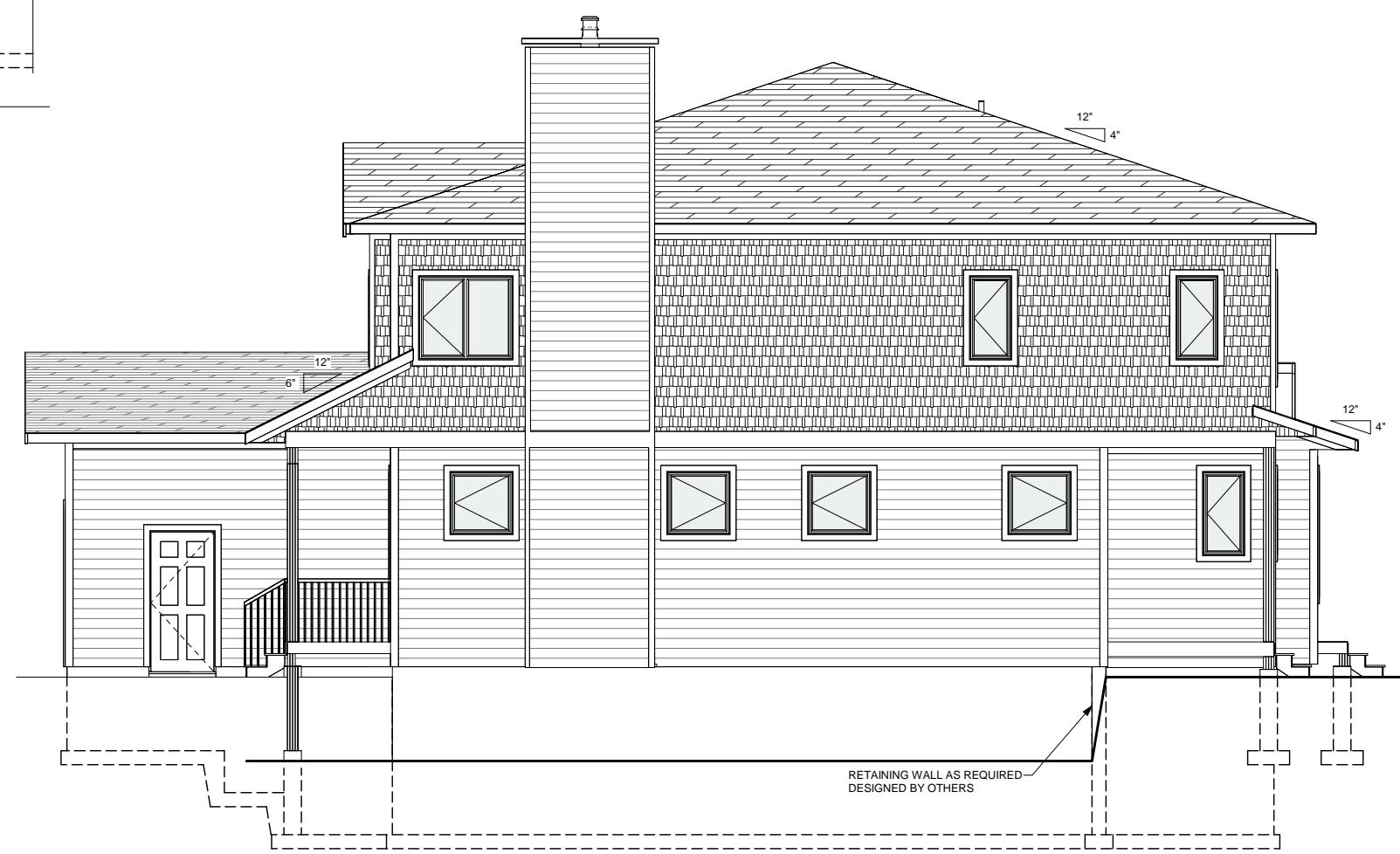
5

590A Tomlin Road  
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V2K 4L4  
Canada  
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SCALED DIMENSIONS.



FRONT ELEVATION  
1/4" = 1'-0"



RIGHT ELEVATION  
1/4" = 1'-0"

REVISION TABLE	
REV 02	REVISED ENSUITE SHOWER TO BE 60"x36"
REV 02	ENLARGED LINEN CLOSET ON SECOND FLOOR
REV 02	MOVED FIREPLACE BACK TO LIVING ROOM
REV 02	ADDED RETAINING WALL TO RIGHT ELEVATION
REV 02	REVISED FAMILY BUMP-OUT TO HAVE A 7650 WINDOW
REV 02	RECONFIGURED FRIDGE WALL
REV 02	APPROVAL FINAL
REV 03	REVISED SECOND FLOOR SIDING TO ALL BE SHAKE
REV 03	ADDED 2040 WINDOW TO RIGHT WALL OF KITCHEN
REV 03	ADDED LAUNDRY SINK TO LAUNDRY ROOM
REV 03	REVISED APPROVAL FINAL
REV 04	REVISED FAMILY ROOM WINDOW FROM 7650 TO 7660
REV 04	REVISED OFFICE WINDOW FROM 4050 TO 4060
REV 05	REVISED VINYL SIDING TO HARDIE SIDING WITH RAINSCREEN
REV 05	REVISED FAMILY AND DINING ROOM DOUBLE DOORS TO 6080 GARDEN DOORS
REV 05	ALIGNED MAIN AND SECOND FLOOR TRUSSES TO 14" DEEP AS PER STURCTURAL DESIGN
REV 05	FINAL PLAN



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CUSTOMER:  
PUNNETT  
MALLETT  
RESIDENCE

DRAWING TITLE:  
EXTERIOR  
ELEVATIONS

SITE ADDRESS:  
LOT A, BLOCK 6  
SEAL COVE CIRCLE,  
PRINCE RUPERT, BC

DRAWN BY: JH	SHEET: 2 OF 6
SCALE: 1/4" = 1'-0"	REVISION NO.:
DATE: 02/06/24	5
COMM NUMBER: DRF-23-071	SUPERCEDES ALL PREVIOUS REVISIONS
WORK ORDER NUMBER:	



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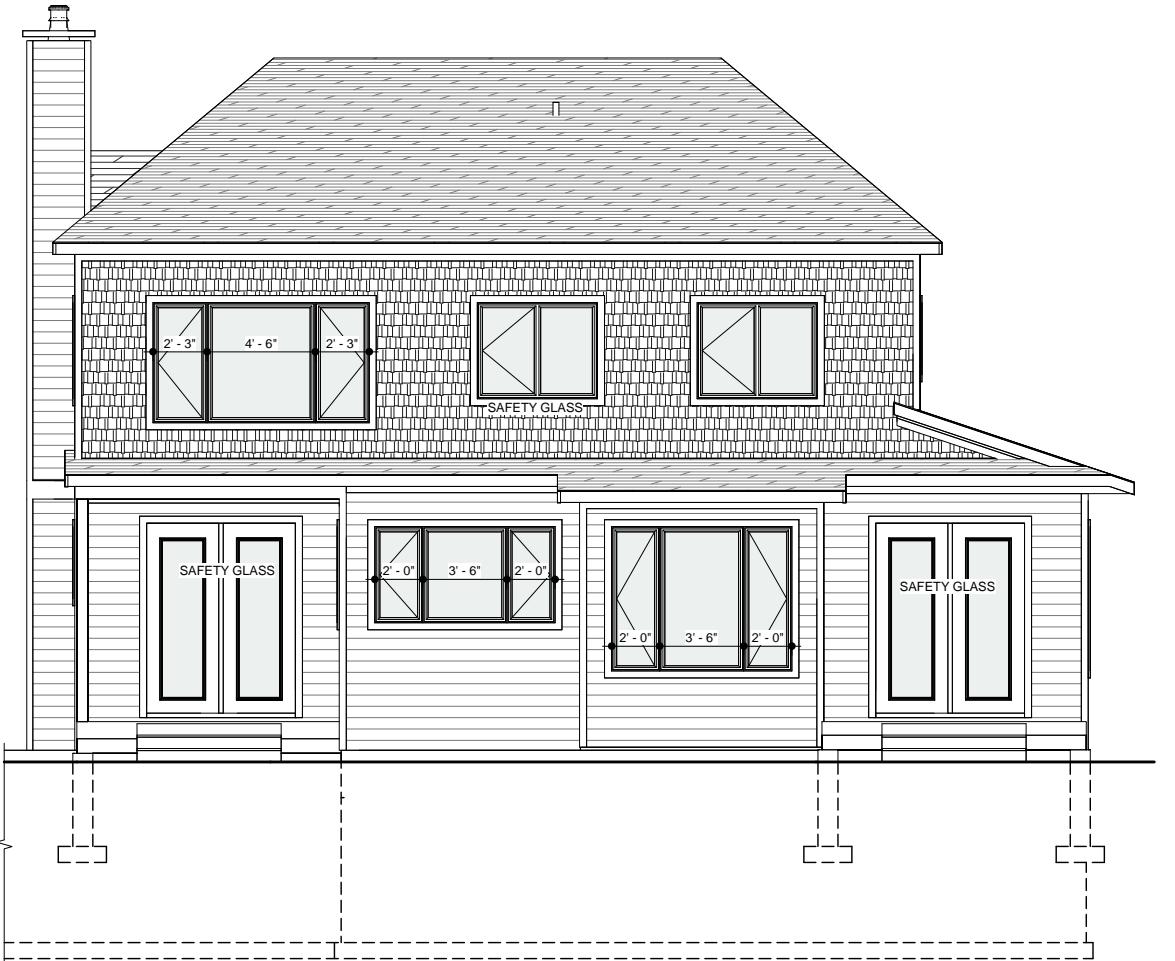
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FOR PERMITS & CONSTRUCTION

**TOMER:  
PUNNETT  
MALLETT  
RESIDENCE**

## WING TITLE: EXTERIOR ELEVATIONS

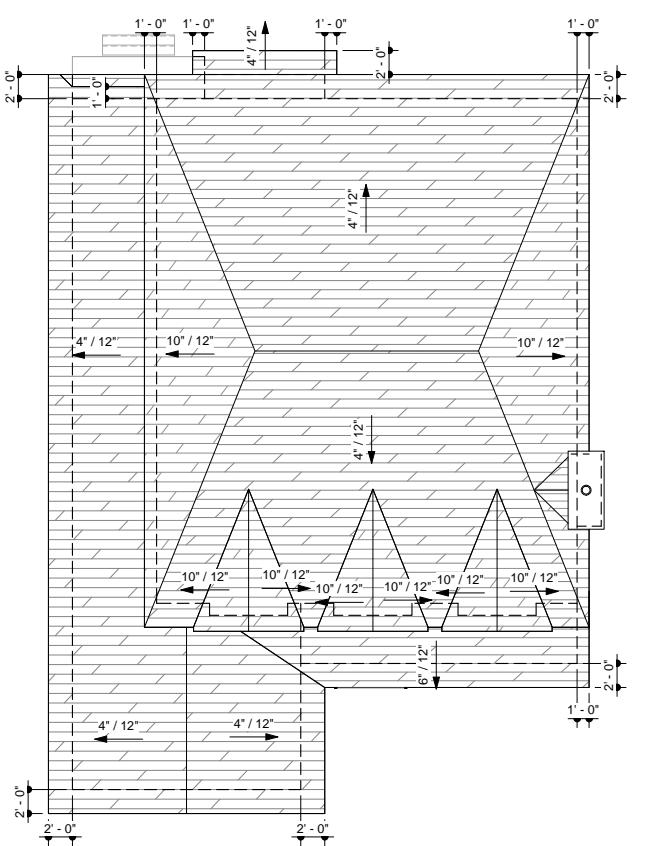
ADDRESS:  
LOT A, BLOCK 6  
SEAL COVE CIRCLE,  
PRINCE RUPERT, BC

BY:	SHEET:		
<b>JH</b>	<b>3</b>	<b>OF</b>	<b>6</b>
LE: <b>As indicated</b>	REVISION NO.:		
RE: <b>02/06/24</b>			
IM NUMBER: <b>DRF-23-071</b>	SUPERCEDES ALL PREVIOUS REVISIONS		
WK ORDER NUMBER: _____			



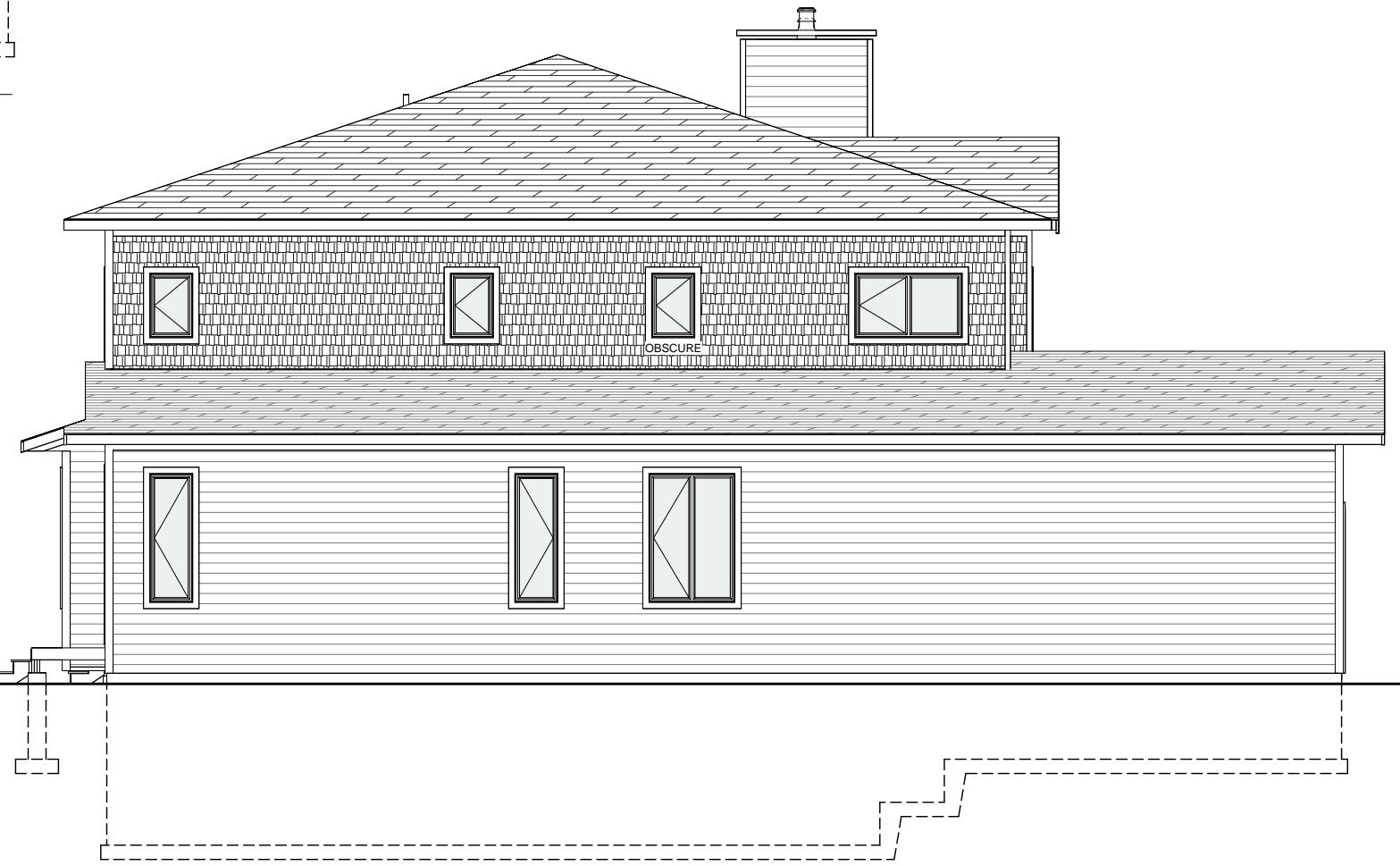
REAR ELEVATION

REAR EEE



## ROOF PLAN

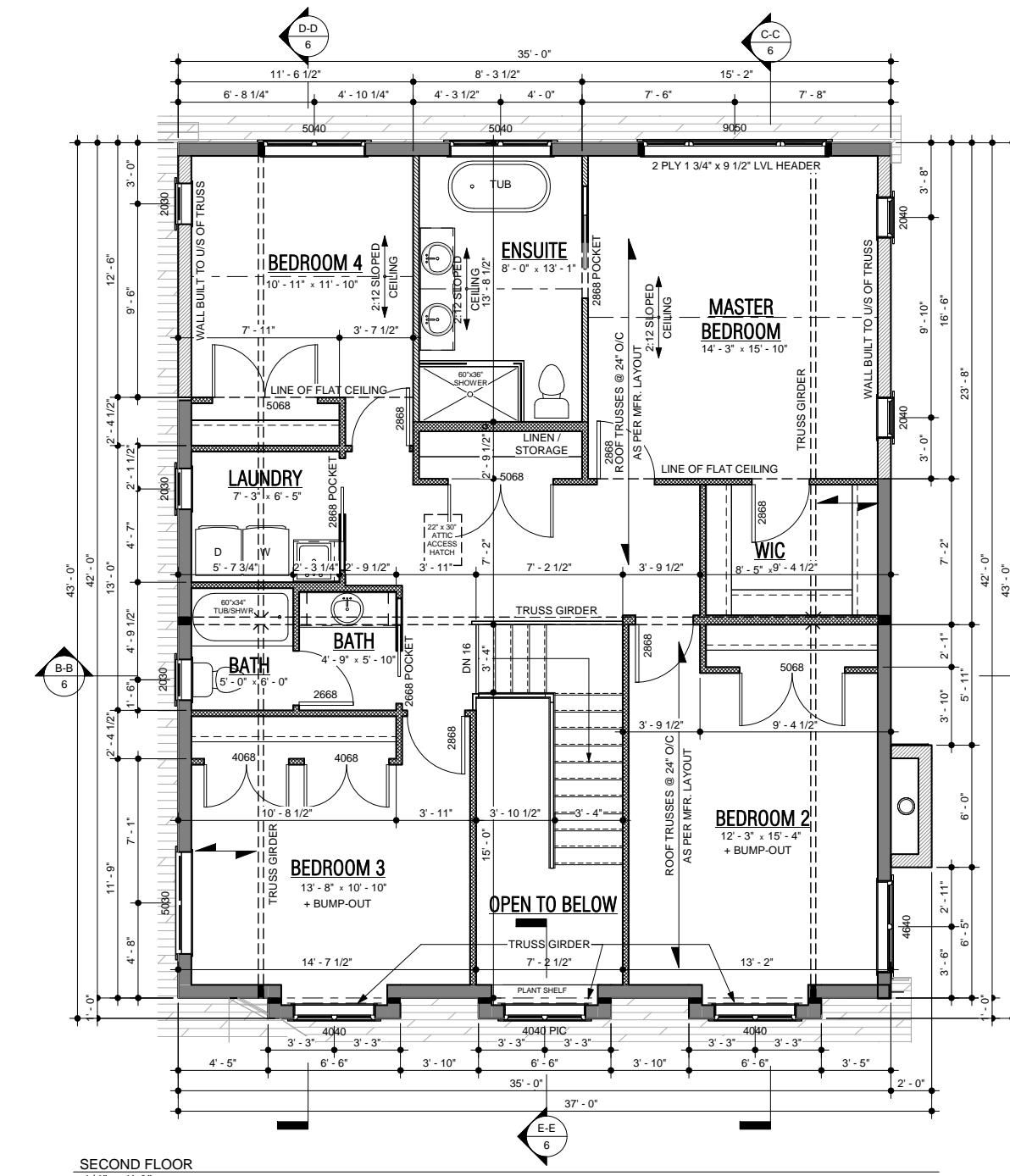
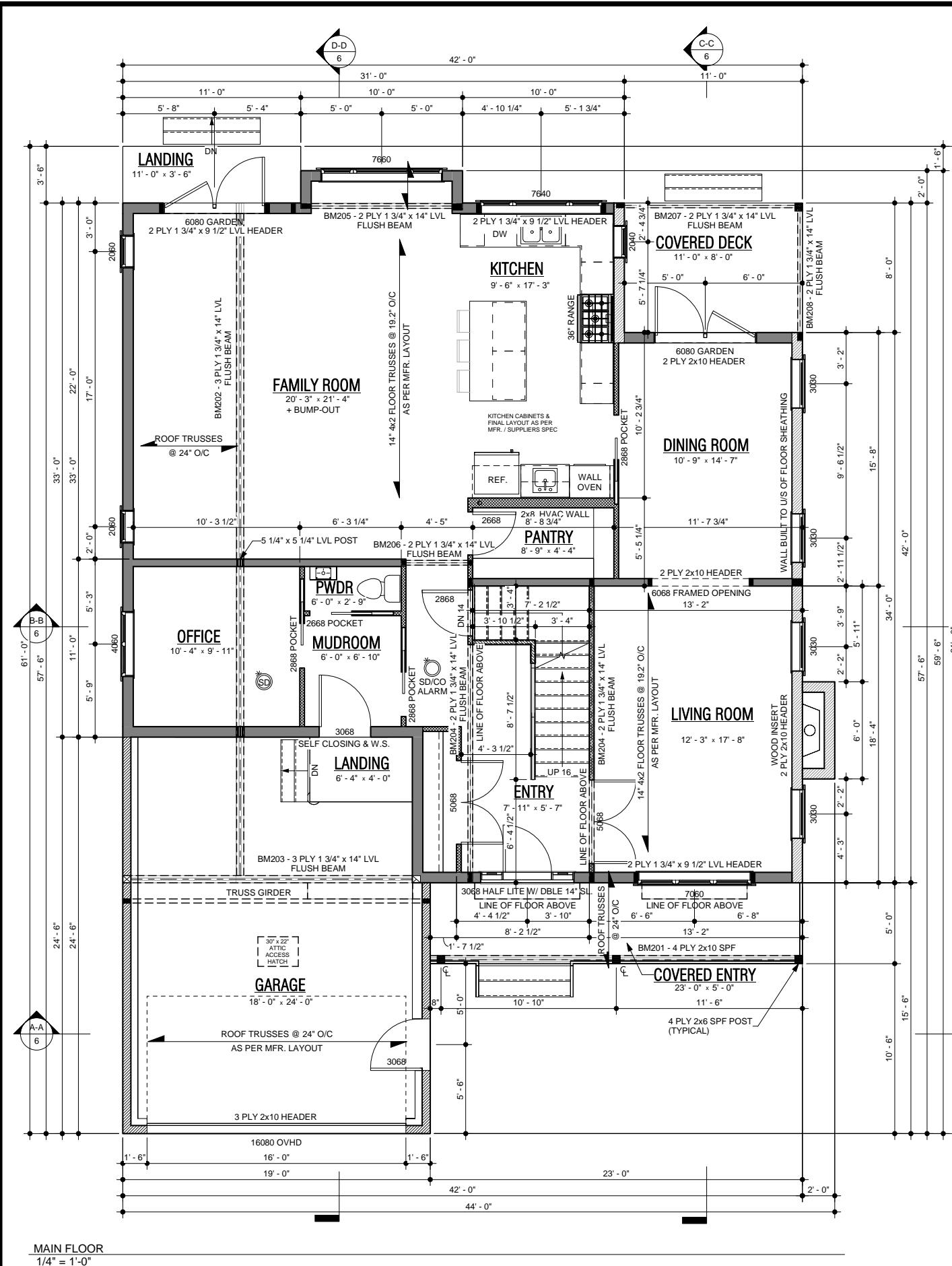
1/8" = 1'-0"



## LEFT ELEVATION

/4" = 1'-0"



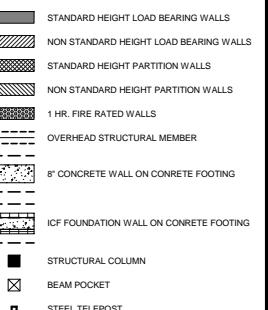


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### **FRAMING LEGEND**



# FINAL PLAN COPY FOR PERMITS & CONSTRUCTION

CUSTOMER:

# MAIN & SECOND FLOOR PLAN

SITE ADDRESS:  
LOT A, BLOCK 6  
SEAL COVE CIRCLE,  
PRINCE RUPERT, BC

DRAWN BY:	JH	SHEET:	5 OF 6
SCALE:	As indicated		
DATE:	02/06/24		
COMM NUMBER:	DRF-23-071		
WORK ORDER NUMBER:			
		SUPERCEDES ALL PREVIOUS REVISIONS	





## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** April 8, 2024

**TO:** Robert Buchan, City Manager

**FROM:** Corinne Bomben, Chief Financial Officer

**SUBJECT: RESOLUTION TO AMEND 2024 FIVE YEAR FINANCIAL PLAN BYLAW NO. 3526, 2023**

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#### **RECOMMENDATION:**

**THAT Council approve the addition to the financial plan outlined in this report**

**AND THAT the 2024 Five Year Financial Plan be amended accordingly.**

#### **REASON FOR REPORT:**

Council adopted the 2024 Five-Year Financial Plan December 11, 2023. Since then, information has been received by staff resulting in a recommendation to amend the 2024 budget to include additional design funds towards the new Public Works site development.

#### **BACKGROUND:**

The City conducted a Request for Proposals (RFP) for a design-build construction approach to the renovation of the new Public Works site (MacCarthy Building). It was noted in the budget adopted in December that further information about the renovation would be included in a budget amendment, which is the subject of this report.

#### **ANALYSIS:**

The RFP for a design-build phased delivery model was conducted given it was determined to be the best delivery approach to contain costs and meet desired timelines for occupancy by the City's Operations Department staff.

The original budget included \$75,000 in funds to analyze the needs of the Operations Department and determine an Owner's Statement of Requirements (OSR). While evaluating this approach, it became apparent that a phased design-build delivery would provide the OSR and more certainty for the renovation and addition components of the

subsequent phase; construction. This proposed delivery model was then integrated into the Request for Proposals.

Two proposals were received, both with design costs in excess of the original estimate included in the budget. This is reasonable given the original budget did not contemplate detailed design.

In order to proceed with the design phase of the delivery model, Council is asked to approve the resolution to include the budget change as proposed in the table below so it may be reflected in the upcoming amendment to the 2024 Five Year Financial Plan set to be provided to Council late April. All design costs are proposed to be funded through a dividend from the City's wholly owned corporation, Prince Rupert Legacy Inc, and therefore will not impact property taxes.

The revision to the budget is proposed as follows:

Project	Asset / Project Cost			Funding
	Original Cost	Revision	Difference	Dividend
Public Works Design	\$ 75,000	\$365,000	\$290,000	(\$290,000)

Once substantial design is complete and a construction budget is known, staff will come forward with a recommendation for funding the next phase of the project for Council's consideration.

### **LINK TO STRATEGIC PLAN:**

This resolution to amend the Five-Year Financial Plan supports overall required service provision to the public.

### **CONCLUSION:**

The Community Charter permits amendments to the financial plan. Should Council approve the change to the proposed project, it will be included in the future Five-Year Financial Plan bylaw amendment.

**Report Prepared By:**

---

Corinne Bomben,  
Chief Financial Officer

**Report Reviewed By:**

---

Robert Buchan,  
City Manager

Originally signed available on request