



CITY OF PRINCE RUPERT

ZONING BYLAW AMENDMENT BYLAW NO. 3536, 2024

A BYLAW TO AMEND CITY OF PRINCE RUPERT ZONING BYLAW NO. 3462, 2021

WHEREAS the Council of the City of Prince Rupert has enacted Zoning Bylaw No. 3462, 2021 for the City of Prince Rupert;

WHEREAS the Province of British Columbia introduced amendments to the *Local Government Act* concerning density and obligating compliance by local governments, including the City of Prince Rupert; AND,

NOW THEREFORE the Council of the City of Prince Rupert in an open meeting assembled, enacts as follows:

1. Amend the City of Prince Rupert zoning Bylaw No. 3462, 2021 "Schedule A" Sections 1, 3 and 5 in accordance with Attachment 1, attached hereto and forming a part of this Zoning Bylaw Amendment No. 3536, 2024.
2. Amend all zones labelled R2 to R1 within Schedule B (Zoning Map) as indicated in Attachment 2, attached hereto and forming a part of this Zoning Bylaw Amendment No. 3536, 2024.
3. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
4. This Bylaw may be cited as Prince Rupert Zoning Bylaw Amendment No. 3536, 2024

READ A FIRST TIME this 22nd day of May, 2024.

READ A SECOND TIME this 22nd day of May, 2024.

READ A THIRD TIME this 22nd day of May, 2024.

MINISTRY OF TRANSPORTATION & INFRASTRUCTURE EXCEPTION: M114 (27-May-2024)

READ A FOURTH & FINAL TIME this 27th day of May, 2024.

This Bylaw was adopted by Council.

To view the signed original,
contact City Hall Administration at
(250) 627 0934 or email
cityhall@princerupert.ca

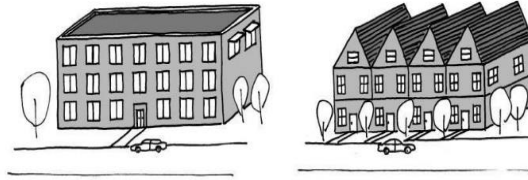
MAYOR

CORPORATE OFFICER

Attachment 1

Amendments to the Prince Rupert Zoning Bylaw Schedule A

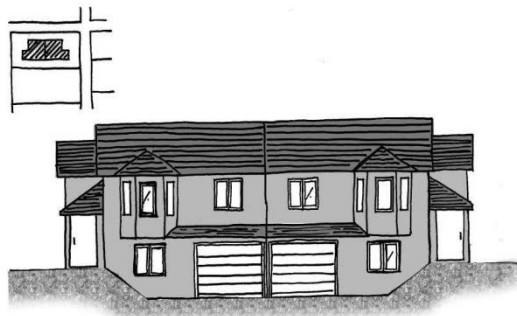
Amendments to Section 1: Definitions



1. AMEND DWELLING UNITS DEFINITION TO THE FOLLOWING:

DWELLING UNIT means one or more rooms with self-contained sleeping, living, and sanitary facilities containing no more than one kitchen. A dwelling unit is intended for use as a residence or domicile for one or more persons. It specifically excludes a recreational vehicle. Additionally, dwelling units may be a:

- (a) **MULTI-FAMILY RESIDENTIAL DWELLING** means a dwelling unit that is located within an apartment or multi-family residential building. A multi-family residential building must be part of a development with 5 or more dwelling units (attached or detached) on a single lot;
- (b) **SMALL SCALE RESIDENTIAL DWELLING** means a building or single lot that contains up to four (4) principal or accessory dwelling units, and may take form in any mix of Single Family Dwellings, Duplexes, Houseplex, and attached or detached accessory dwelling unit configurations. It does not apply to any mobile unit.
 - a. **SINGLE FAMILY DWELLING** means a detached building that is used for a residential use. It must contain one dwelling unit, or one dwelling unit with a secondary suite if permitted.
 - b. **DUPLEX** means a building that contains two principal dwelling units, and may include up to one secondary suite per principal dwelling. These principal dwelling units may be either one above another and separated by a ceiling and floor that extends from an exterior wall



Two Family or Duplex Building

to exterior wall, or they may be located side by side and separated by a common party wall that extends from ground to roof. This includes detached dwelling units that are connected by a carport or garage if they share a continuous permanent foundation and common roof area.

- c. **HOUSEPLEX** means a building that contains three or four principal dwelling units. This includes detached dwelling units that are connected by a carport or garage if they share a continuous permanent foundation and common roof area. This can include row houses.
- d. Principal dwelling unit refers to the dwellings units that are not accessory dwelling units.

2. AMEND SECTION 1 TO ADD IN DEFINITION FOR PRINCIPAL BUILDING.

PRINCIPAL BUILDING means a building that, in the opinion of the City (a) occupies the major or central portion of the lot; (b) is the chief or main building or use among one or more buildings or uses on a site; and (c) constitutes, by reason of its use, the primary purpose for which the site is used. It does not include buildings that exclusively contain accessory uses permitted on the lot.

3. AMEND SECTION 1 TO ADD DEFINITION FOR GARDEN SUITE

GARDEN SUITES means a self-contained, detached dwelling unit containing cooking, eating, living, sleeping and sanitary facilities, located on the same parcel and smaller than the principal dwelling unit. This does not include mobile units.

Amendments to Section 3: General Provisions

4. AMEND SECTION 3.4 AS INDICATED IN TABLE 1

Table 1

<u>Current</u>	<u>Proposed Amendment</u>
<p>3.4 Accessory Dwelling Units</p> <p>a) A Secondary Suite is permitted as an accessory use to a single or two-family dwelling as permitted in Section 5 of this Bylaw.</p> <p>b) A Lock-off Suite is permitted as an accessory use to a dwelling unit within multifamily housing, or other type of dwelling unit as permitted in Section 5 and 6 of this Bylaw.</p> <p>3.4.1 General Regulations for Secondary and Lock-Off Suites</p> <p>a) Secondary suites must have a floor area of no more than 90m², or 40% of the buildings habitable area, whichever is less.</p> <p>b) Lock-offs suite must have a floor area of no more than 45m² or 40% of the buildings habitable area, whichever is less.</p>	<p>3.4 Accessory Dwelling Units</p> <p>a) A Secondary Suite is permitted as an accessory use to a small-scale residential dwelling as permitted in Section 5 of this Bylaw.</p> <p>b) A Lock-off Suite is permitted as an accessory use to a dwelling unit within multifamily housing, or other type of dwelling unit as permitted in Section 5 and 6 of this Bylaw.</p> <p>c) A Garden Suite is permitted as an accessory use to a small-scale residential dwelling as permitted in Section 5 of this Bylaw.</p> <p>3.4.1 General Regulations for Accessory Dwelling Units</p> <p>a) Secondary suites must have a floor area of no more than 90m², or 40% of the buildings habitable area, whichever is less.</p> <p>b) Garden Suites must have a floor area of no more than 90m².</p>

<p>c) The minimum size for an accessory dwelling unit is 22 m²</p> <p>d) The suite and primary dwelling must be a single real estate entitlement, Strata titling is not permitted. To achieve this, the owner shall register a covenant that specifically prohibits stratification of the suite.</p> <p>e) A suite must not be short term rental (less than one month).</p> <p>f) There is only one suite permitted for each principal dwelling.</p> <p>g) The suite must be completely contained within the primary dwelling.</p> <p>h) A single additional off-street parking space per accessory dwelling must be provided for the exclusive use of the occupants</p>	<p>c) Lock-offs suite must have a floor area of no more than 45m² or 40% of the buildings habitable area, whichever is less.</p> <p>d) The minimum size for an accessory dwelling unit is 22 m²</p> <p>e) Garden Suites shall not be located in the front yard, with an exemption for suites attached to garages.</p> <p>f) Accessory dwelling units must not be short term rentals.</p> <p>g) There is only one accessory dwelling unit permitted for each principal dwelling.</p>
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Amendments to Section 5: Residential

5. **REMOVE SECTION THE ENTIRETY OF SECTION 5.1.0 AND REPLACE WITH 5.1.0 INTENTIONALLY DELETED**
6. **RENAME 5.2.0 R2: DUPLEX AND TWO-FAMILY RESIDENTIAL ZONE TO 5.2.0 R1: SMALL-SCALE RESIDENTIAL ZONE**
7. **AMEND SECTION 5 R2: DUPLEX AND TWO FAMILY RESIDENTIAL ZONES AS INICATED IN TABLE 2 BELOW:**

Table 2

<p>5.2.0 R2: Duplex and Two Family Residential Zone</p> <p>Permitted Uses: The following principal uses and no others are permitted:</p> <p>(a) One Single-Family Dwelling, or;</p> <p>(b) One Two Family Dwelling.</p> <p>Subject to general provisions, the following accessory uses and no others are permitted:</p> <p>(a) Accessory Dwelling Units.</p> <p>(b) Home Occupation.</p> <p>(c) The keeping of not more than 2 boarders or lodgers within a dwelling unit.</p> <p>(d) Accessory buildings and structures.</p> <p>(e) Bed & Breakfast Accommodations.</p> <p>Subdivision Regulation:</p> <p>(a) The minimum lot area for a single-family dwelling shall be 230m².</p> <p>(b) The maximum floor area for an accessory building shall be 70m².</p>	<p>5.2.0 R1: Small – Scale Residential Zone</p> <p>Permitted Uses: The following principal uses and no others are permitted:</p> <p>(a) Small-Scale Residential Dwelling.</p> <p>Subject to general provisions, the following accessory uses and no others are permitted:</p> <p>(b) Accessory Dwelling Units.</p> <p>(c) Home Occupation.</p> <p>(d) The keeping of not more than 2 boarders or lodgers within a dwelling unit.</p> <p>(e) Accessory buildings and structures.</p> <p>(f) Bed & Breakfast Accommodations.</p> <p>Subdivision Regulation:</p> <p>(g) The maximum floor area for an accessory building shall be 70m².</p> <p>(h) The maximum floor area for a dwelling unit shall be 700m² or an area equal to but not exceeding the lot area, whichever is less.</p> <p>(i) All accesses must connect to dedicated roadways</p>
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<p>(c) The maximum floor area for a dwelling unit shall be 700m² or an area equal to but not exceeding the lot area, whichever is less.</p> <p>Lot Coverage Not more than 50% of the site.</p> <p>Density (a) One Single Family Dwelling per lot, or; (b) One Two Family Dwelling per lot.</p> <p>Minimum Dimensions Required for Yards (a) 3.6 metres from the front property line. (b) 3.0 metres from the rear property line. (c) 1.2 metres from a side property line. (d) No part of an accessory building shall be closer to the rear property line than 0.3 metres where the building site abuts a public lane; and 1.2 metres where the rear property line abuts another parcel.</p> <p>Maximum Building Height (a) Principal building 9.0 metres. (b) Accessory building 3.6 metres.</p>	<p>designed and constructed to MMCD Standards as per the City of Prince Rupert Subdivision and Servicing bylaw.</p> <p>Lot Coverage Not more than 50% of the site.</p> <p>Density 4 units per lot, inclusive of principal and accessory dwelling units.</p> <p>Minimum Dimensions Required for Yards (j) 2 metres from the front property line. (k) 1.5 metres from the rear property line. (l) 1.2 metres from a side property line. (m) No part of an accessory building shall be closer to the rear property line than 0.3 metres where the building site abuts a public lane; and 1.2 metres where the rear property line abuts another parcel.</p> <p>Maximum Building Height (n) Principal building 11.0 metres or three storeys, whichever is smaller. (o) Accessory building 4.6 metres. (p) Accessory buildings that contain a dwelling unit over a garage 7.2 metres</p> <p>Access Requirements Primary access for all buildings containing a dwelling unit shall be constructed no farther than 30 m from an operational public street or laneway constructed to MMCD standards and must have a 1.5 m path to that street or laneway that is lighted and clear of obstructions.</p>
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