



# City of Prince Rupert

## AGENDA

For the **REGULAR MEETING** of Council to be held on January 25, 2021 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. ADOPTION OF AGENDA

**Recommendation:**

THAT the Agenda for the Regular Council Meeting of January 25, 2021 be adopted as presented.

### 3. MINUTES

**a) Recommendation:**

THAT the Minutes of the Special Council Meeting of January 11, 2021 be adopted. (attached)

**b) Recommendation:**

THAT the Minutes of the Regular Council Meeting of January 11, 2021 be adopted. (attached)

### 4. RESOLUTIONS

**a) Report from Corporate Administrator – Re: DVP-20-25 for 250 Parker Drive.**  
(attached)

**Recommendation:**

THAT Council review the application Development Variance Permit No. DP-20-125 for 250 Parker Drive and advise staff on Final Approval.

### 5. BYLAWS

**a) Report from the Corporate Administrator Re: Downtown Core Revitalization Tax Exemption Program Bylaw No. 3466, 2020.**  
(attached)

**Recommendation:**

THAT Council give Fourth and Final Reading to the Downtown Core Revitalization Tax Exemption Program Bylaw No. 3466, 2020.

**b) Report from iPlan Limited Re: Official Community Plan Bylaw No. 3460 and Zoning Bylaw No. 3462.**  
(attached)

**Recommendation:**

THAT Council accept, by resolution, to include the recommended amendments to the Official Community Plan Bylaw No. 3460 as reflected in the attached report; and,

THAT Council accept, by resolution, to include the recommended amendments to the Zoning Bylaw No. 3462 as reflected in the attached report; and,

THAT Council direct Staff and iPlan Limited to proceed to Public Hearing following guidelines and recommendations set-out by Provincial Health Orders.

**c) Report from iPlan Limited Re: Development Approval Information Bylaw No. 3468, 2021.**

(attached)

**Recommendation:**

THAT Council give First, Second and Third Readings to the Development Procedures Bylaw No. 3468, 2021.

**d) Report from iPlan Limited Re: Development Procedures Bylaw No. 3469, 2021.**

(attached)

**Recommendation:**

THAT Council give First, Second and Third Readings to the Development Procedures Bylaw No. 3469, 2021.

**6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL**

**7. ADJOURNMENT**



# City of Prince Rupert

## MINUTES

For the **SPECIAL MEETING** of Council held on January 11 at 5:00 p.m. in the Council Chambers of City Hall, 424 - 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

**PRESENT:** Mayor L. Brain  
Councillor B. Cunningham (by tele-conference)  
Councillor W. Niesh (by tele-conference)  
Councillor N. Adey (by tele-conference)  
Councillor G. Randhawa (by tele-conference)  
Councillor R. Skelton-Morven (by tele-conference)  
Councillor B. Mirau (by tele-conference)

**STAFF:** R. Long, City Manager  
C. Bomben, Chief Financial Officer  
R. Miller, Corporate Administrator  
R. Pucci, Director of Operations

### 1. CALL TO ORDER

The Mayor called the Special Meeting of Council to order at 5:00 p.m.

### 2. RESOLUTION TO EXCLUDE THE PUBLIC

MOVED by Councillor Skelton-Morven and seconded by Councillor Niesh that the meeting be closed to the public under Section 90 of the Community Charter to consider items relating to one or more of the following:

- 90.1 (c) labour relations or other employee relations; and,  
(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that such disclosure could reasonably be expected to harm the interests of the municipality.

CARRIED

Confirmed:

\_\_\_\_\_  
MAYOR

Certified Correct:

\_\_\_\_\_  
CORPORATE ADMINISTRATOR



# City of Prince Rupert

## MINUTES

For the **REGULAR MEETING** of Council held on January 11, 2021 at 7:00 pm in the Council Chambers of City Hall, 424 - 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

**PRESENT:** Mayor L. Brain  
Councillor W. Niesh (by tele-conference)  
Councillor G. Randhawa (by tele-conference)  
Councillor B. Cunningham (by tele-conference)  
Councillor N. Adey (by tele-conference)  
Councillor R. Skelton-Morven (by tele-conference)  
Councillor B. Mirau (by tele-conference)

**STAFF:** R. Long, City Manager  
C. Bomben, Chief Financial Officer  
R. Miller, Corporate Administrator

### 1. CALL TO ORDER

The Mayor called the Regular Meeting of Council to order at 7:00 pm

### 2. ADOPTION OF AGENDA

MOVED by Councillor Niesh and seconded by Councillor Randhawa that the Agenda for the Regular Council Meeting of January 11, 2021 be adopted as presented.

CARRIED

### 3. MINUTES

a) MOVED by Councillor Cunningham and seconded by Councillor Adey that the minutes of the Special Council meeting of December 7, 2020, be adopted.

CARRIED

b) MOVED by Councillor Randhawa and seconded by Councillor Skelton-Morven that the minutes of the Regular Council meeting of December 7, 2020, be adopted.

CARRIED

#### **4. RESOLUTIONS**

**a) Report from the Corporate Administrator – Re: DVP-20-25 for 250 Parker Drive**

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven THAT Council approval Development Variance Permit No. DP-20-25 for 250 Parker Drive to proceed to Public Notification.

**b) Report from the Corporate Administrator re: Resolution from Closed Meeting**

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council review the applicants for the Prince Rupert Airport Authority and make appointments being Gloria Rendell, Knut Bjorndahl and Kelly Sawchuck; and,

THAT Council release the resolution at a future Regular meeting of Council.

CARRIED

**c) Report from the Corporate Administrator re: Resolution from Closed Meeting**

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council review the applicants for the Prince Rupert Library Board and make appointments being Andrea Wilmot, Dale White and Brendan Turner; and,

THAT Council release the resolution at a future Regular meeting of Council.

CARRIED

**d) Report from the Corporate Administrator re: Application to Obtain a Trade or Business License Re: FCC Enterprises Inc. (DBA TBD)**

MOVED by Mayor Brain and seconded by Councillor Niesh THAT Council, by Resolution, instruct Staff to provide a letter to the Liquor and Cannabis Regulation Branch ("LCRB") to support the attached application for a provincial Cannabis Retail License.

CARRIED

#### **5. BYLAWS**

**a) Report from Corporate Administrator – Re: Downtown Core Revitalization Tax Exemption Program Bylaw No. 3466, 2020.**

Moved by Councillor Mirau and seconded by Councillor Skelton-Morven THAT Council give Third Reading to the Downtown Core Revitalation Tax Exemption Program Byaw No. 3466, 2020 as amended with the following 2 further amendments:

My proposed amendment is as follows:

1. Add three WHEREAS clauses to the introduction of the bylaw: 1) "Council wishes to encourage the development of multi-family residences in the Midtown District" AND 2) "Council wishes to encourage the clustering of commercial development in the Downtown and Cow Bay Districts" AND 3) "Council wishes to encourage the redevelopment of existing commercial properties in the Midtown, Downtown, and Cow Bay Districts"; and,
2. Modify the Schedule A map of eligible lands to denote that eligible exemptions in the Midtown District are limited to multi-family residential and existing commercial redevelopments.

CARRIED

## **6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL**

## **7. ADJOURNMENT**

MOVED by Councillor Randhawa and seconded by Councillor Skelton-Morven that the meeting be adjourned at 8:07 p.m.

CARRIED

Confirmed:

\_\_\_\_\_  
MAYOR

Certified Correct:

\_\_\_\_\_  
CORPORATE ADMINISTRATOR

CITY OF PRINCE RUPERT

REPORT TO COUNCIL

**DATE:** January 25, 2021

**TO:** Mayor and Council

**FROM:** Rosa Miller, Corporate Administrator

**SUBJECT:** APPLICATION FOR DEVELOPMENT VARIANCE PERMIT – 250 Parker Drive

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**RECOMMENDATION:**

THAT Council review Development Variance Permit Application No. DP-20-25 for 250 Parker Drive and advise Staff on Final Approval.

**REASON FOR REPORT:**

On December 3, 2020 an application was received for a Development Variance Permit for the property located at 250 Parker Drive.

The application is to vary the City of Prince Rupert Zoning Bylaw, Section 5.2.3 (a): Principal Building Height from the minimum 9.0 m (29.5 ft) to 9.5 m (31.1 ft).

The full application is included as Attachment #1.

**BACKGROUND and ANALYSIS:**

The location of the subject property is illustrated on the context map, included with the application.

The proposed variance is a minor height increase which should not be significantly obstructive to the immediate neighbors' views or the neighborhood in general. The neighboring residents will have the opportunity to provide feedback during the public consultation period.

This application has been reviewed by iPlan, the City's planning consultant. Internal staff referrals resulting in no adverse comments.

**COST and BUDGET IMPACT:**

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

**CONCLUSION:**

At the time of this report, Staff have received three (3) written communications to the negative in regards to this proposal and no comments in the positive. These reports were provided to Council under separate cover.

**Report Prepared By:**

**Report Reviewed By:**

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Rosa Miller,  
Corporate Administrator

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Robert Long,  
City Manager

Attachment(s):  
1. Application



CITY OF PRINCE RUPERT  
Development Services  
424 3<sup>rd</sup> Avenue West  
Prince Rupert, BC, V8J 1L7  
Phone: (250) 627 0996 Fax: (250) 627 0979  
Email: [planning@princerupert.ca](mailto:planning@princerupert.ca)

## APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT

(PLEASE PRINT CLEARLY)

### OFFICE USE ONLY

Date Received: DECEMBER 3/20

Application/File No.: DP-20-25 (DVP)

### APPLICANT:

Name: [REDACTED]

Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

### REGISTERED OWNER(S):

Name: \_\_\_\_\_

Address: Same as above

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

### SUBJECT PROPERTY INFORMATION:

Civic Address: 950 Parker Drive

Legal Description: Lot 24 Range 5 PRP 240 42034 DL251

Current Zoning: \_\_\_\_\_

Current Use: \_\_\_\_\_

### PROPOSAL DESCRIPTION:

Proposed Variance: To vary height of Proposed building

Describe proposed variance 1'6" (1 foot 6 inches)

**MUST ATTACH ADDITIONAL INFORMATION INCLUDING LETTER OF INTENT, DRAWINGS**

### AUTHORIZATION:

As applicant or approved agent, I hereby make application in accordance with the City of Prince Rupert Bylaws and declare that statements in this application are true and correct. I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for the purpose of public hearing.

Applicant Signature: Bala Date: Dec 3, 2020

*This application is made with my full knowledge and consent.*

Registered Owner Signature: Bala Date: Dec 3, 2020



**REQUIRED SUBMISSIONS:**

- ☒ Application Fee \$330.-  
☒ Certificate of Title Fee \$15.-  
(Cert. must be dated within 30 days of date of application)
- ☐ Owner's Authorization  
☐ Site Profile – in accordance with Environmental  
Management Act and Contaminated Sites Regulation

Receipt No.: 343864

Signature of Official: \_\_\_\_\_ Date: \_\_\_\_\_



**FRONT ELEVATION**  
SCALE: 1/4" = 1'



**REAR ELEVATION**  
SCALE: 1/4" = 1'

## TOORA HOME PLANS

TEL: (604) - 951 - 4343  
FAX: (604) - 951 - 4373  
EMAIL: toorahomeplans@gmail.com

ADDRESS:  
12966 - 107 AVENUE  
SURREY, B.C. V3T 2E9

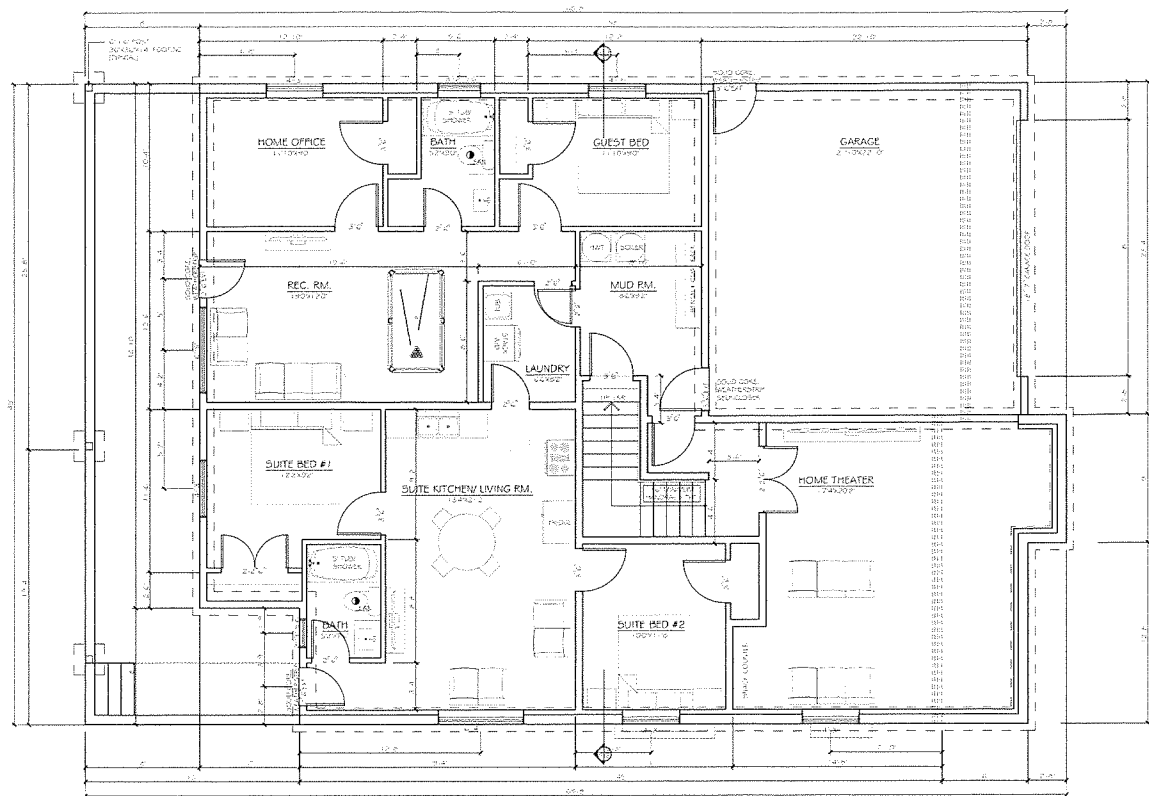
### CLIMATE ZONE 4

THESE PLANS CONFORM TO REQUIREMENTS  
IN THE B.C. BUILDING CODE 2016.

PROPOSED SINGLE FAMILY  
DWELLING  
LOT #24 @ 250 PARKER DRIVE  
PRINCE RUPERT, B.C.

TITLE	PLAN SET
SCALE	1/4" = 1'
DATE	2016-2017
DESIGNER	KAL TOORA
DRAFTER	

A5



**BASEMENT FLOOR**  
SCALE: 1/4" = 1'

NET FLOOR AREA	875.34 sq. ft.
GROSS FLOOR AREA	24.2 sq. ft.
GARAGE AREA	2.87 sq. ft.
UNFINISHED SPACE	70.14 sq. ft.

## TOORA HOME PLANS

TEL: (604) - 951-4343  
FAX: (604) - 951-4373  
EMAIL: toorahomes@gmail.com

ADDRESS:  
12965 - 107 AVENUE  
SURREY, B.C. V3T 2E9

**COMPLIANCE PATH CHOSEN:**  
PERSCRIPTIVE METHOD AS PER  
SECTION 9.36.2-9.36.4 of BCBC

**HEATING:**  
IN-FLOOR RADIANT HEAT SYSTEM WITH HRV  
(PASSIVE AIR INLET FOR SECONDARY SUITE)

**CLIMATE ZONE 4**

THESE PLANS CONFORM TO REQUIREMENTS  
IN THE B.C. BUILDING CODE 2018.

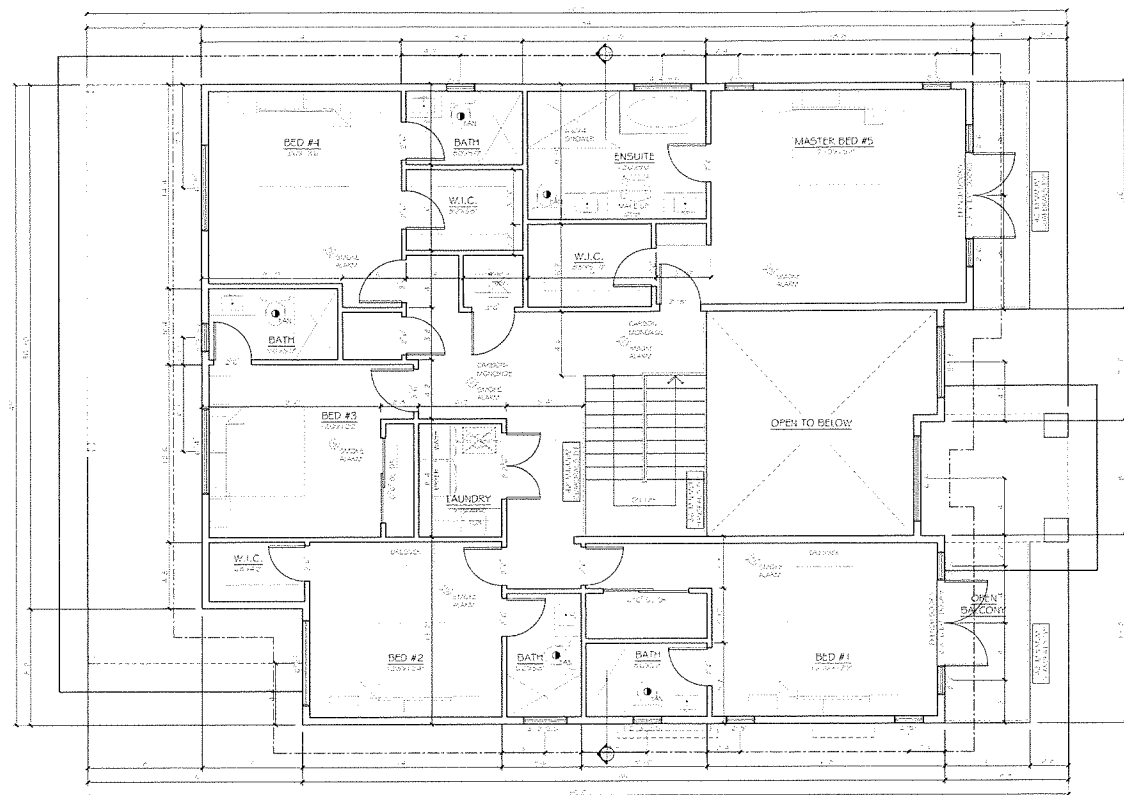
PROPOSED SINGLE FAMILY  
DWELLING

LOT #24 @ 250 PARKER DRIVE

PRINCE RUPERT, B.C.

TITLE	BASEMENT FLOOR PLAN
SCALE	1/4" = 1'
DATE	REVISIONS
DESIGNER	K.A. COOK
DRAFTER	

A4



UPPER FLOOR  
SCALE: 1/4" = 1'

TOTAL FLOOR AREA	2128 SQ. FT.
STAIRS AREA	160 SQ. FT.
CLIMBING AREA	250 SQ. FT.
WALKWAY AREA	147 SQ. FT.

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EMAIL: toorahomeplans@gmail.com

ADDRESS:  
12968-107 AVENUE  
SURREY, B.C. V3T 2E9

### COMPLIANCE PATH CHOSEN:

PERSCRIPTIVE METHOD AS PER  
SECTION 9.36.2.9.36.4 of BCBC

### HEATING:

IN-FLOOR RADIANT HEAT SYSTEM WITH HWY  
(PASSIVE AIR INLET FOR SECONDARY SUITE)

### CLIMATE ZONE 4

THESE PLANS CONFORM TO REQUIREMENTS  
IN THE B.C. BUILDING CODE 2018.

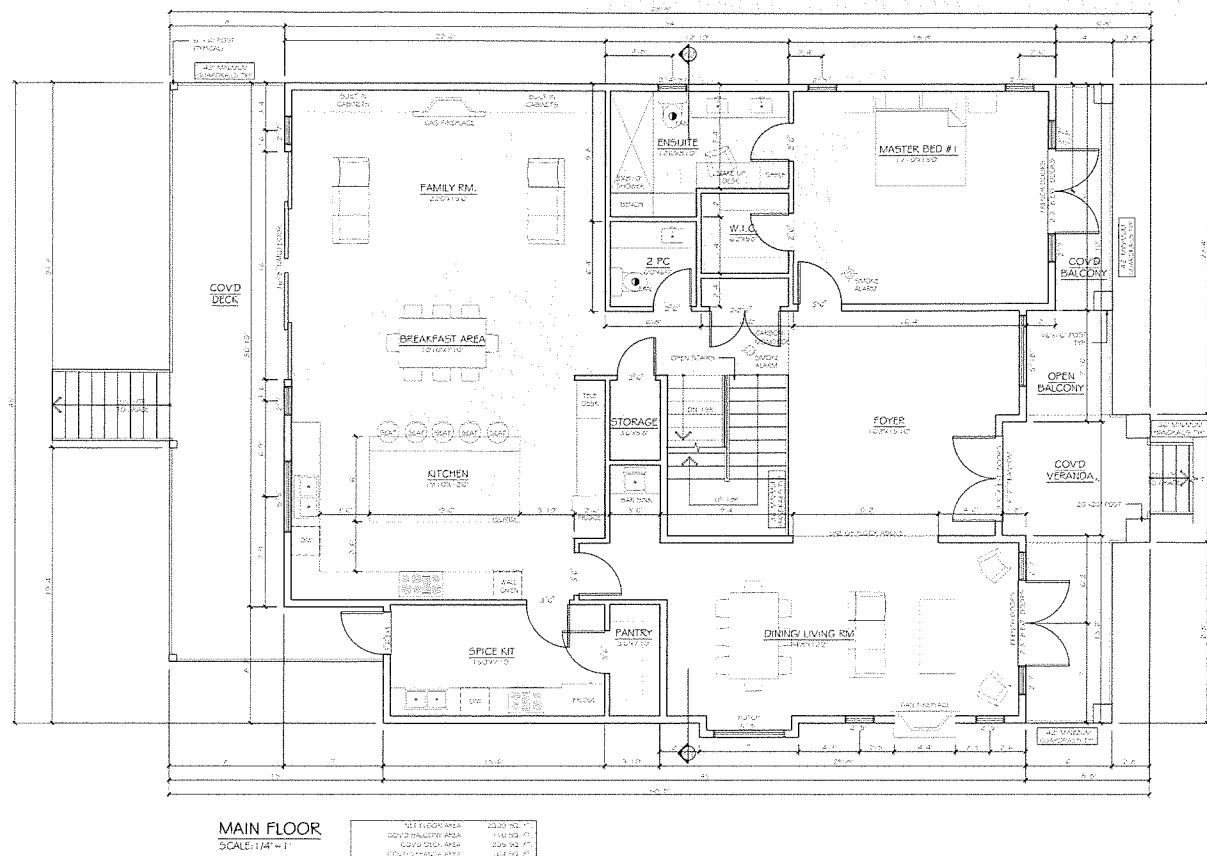
PROPOSED SINGLE FAMILY  
DWELLING

LOT #24 @ 250 PARKER DRIVE

PRINCE RUPERT, B.C.

TITLE	UPPER FLOOR PLAN
SCALE	1/4" = 1'
DATE	MAY/2020
DESIGNER	N.A. TOORA
DRAFTER	

A3



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ADDRESS:  
12968 - 107 AVENUE  
SURREY, B.C. V3T 2E9

### COMPLIANCE PATH CHOSEN:

PERSCRIPTIVE METHOD AS PER  
SECTION 9.36.2-9.36.4 of BCBC

### HEATING:

IN-FLOOR RADIANT HEAT SYSTEM WITH HRV  
(PASSIVE AIR INLET FOR SECONDARY SUITE)

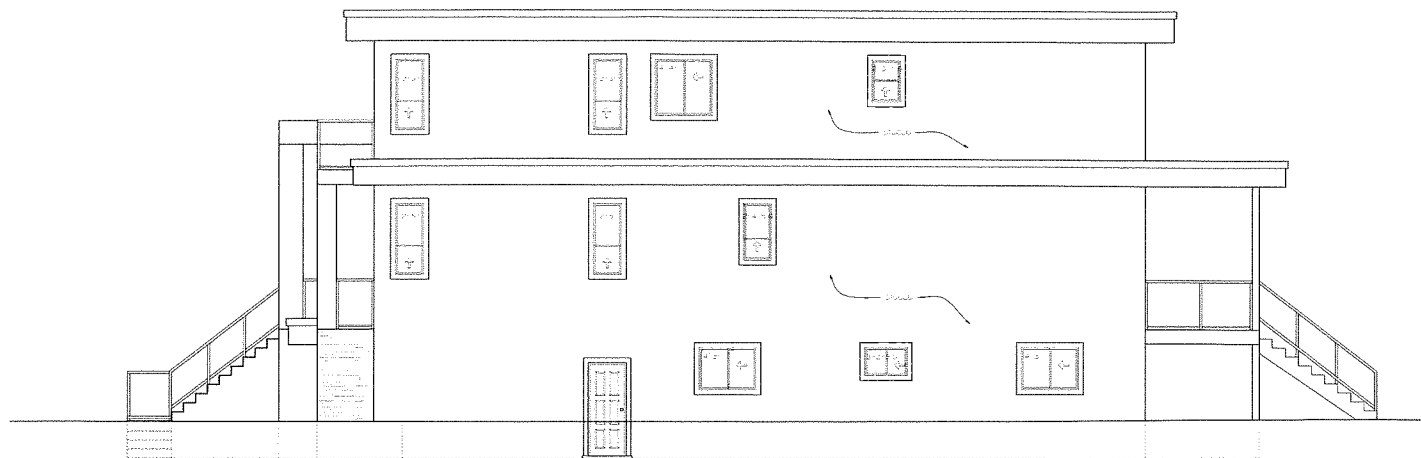
### CLIMATE ZONE 4

THESE PLANS CONFORM TO REQUIREMENTS  
IN THE B.C. BUILDING CODE 2018.

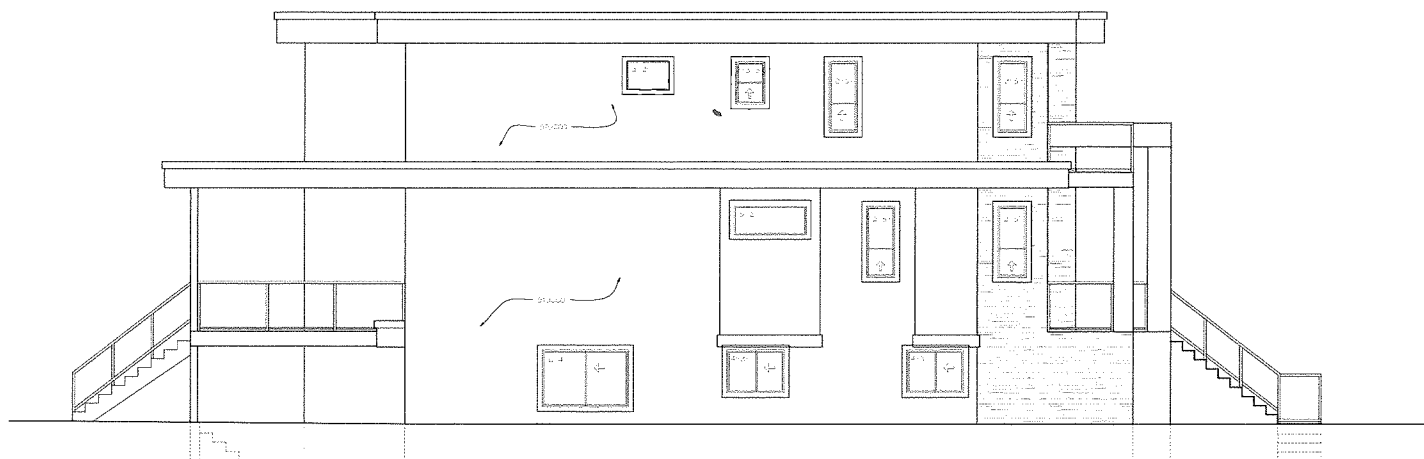
PROPOSED SINGLE FAMILY  
DWELLING  
LOT #24 @ 250 PARKER DRIVE  
PRINCE RUPERT, B.C.

TITLE	MAIN FLOOR PLAN
SCALE	1/4" = 1'-0"
DATE	REVISION
DESIGNER	MR. TOORA
DRAWER	

A2



RIGHT ELEVATION  
SCALE: 1/4" = 1'



LEFT ELEVATION  
SCALE: 1/4" = 1'

## TOORA HOME PLANS

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EMAIL: toorahomes@gmail.com

ADDRESS:  
12950 107 AVENUE  
SURREY, B.C. V3T 2E9

### CLIMATE ZONE 4

THESE PLANS CONFORM TO REQUIREMENTS  
IN THE B.C. BUILDING CODE 2018.

PROPOSED SINGLE FAMILY  
DWELLING

LOT #24 @ 250 PARKER DRIVE

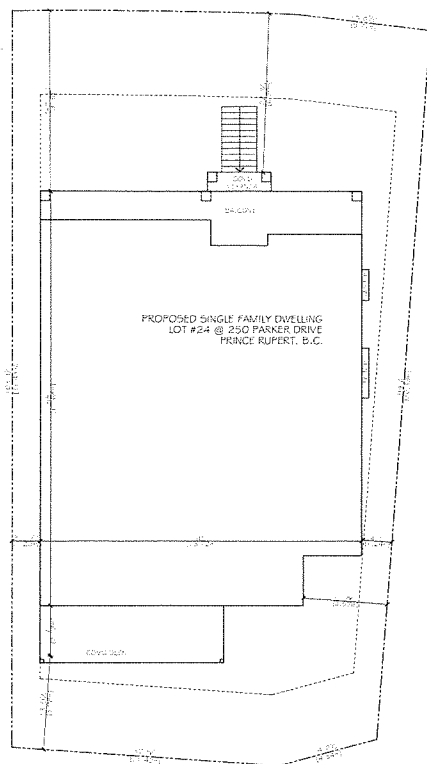
PRINCE RUPERT, B.C.

TITLE	REVISIONS
SCALE	DATE
DATE	SCALE
DESIGNER	DATE
DRAWN	DATE

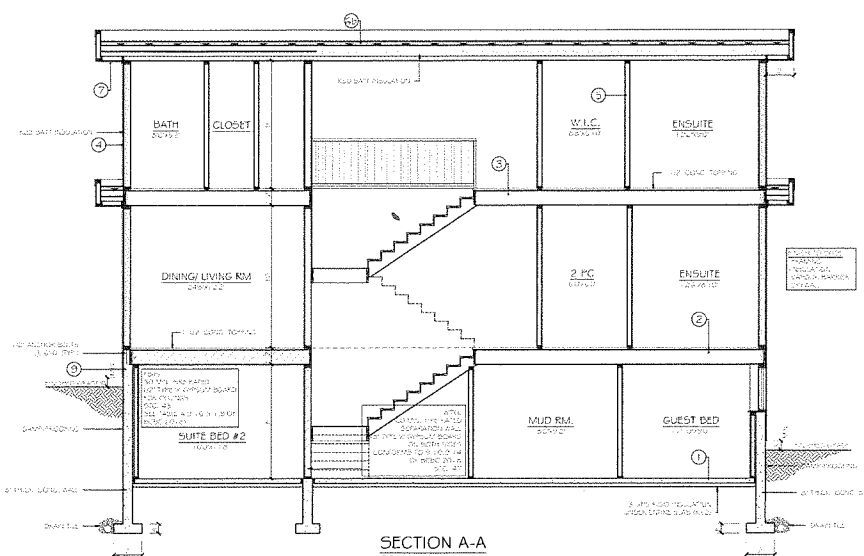
A6



PARKER DRIVE



SITE PLAN  
SCALE: 1/8" = 1'



SECTION A-A  
SCALE: 1/4" = 1'

## R2 ZONING

LOT AREA	MINIMUM LOT AREA	MINIMUM LOT AREA
1.000	1.000	1.000
2.000	2.000	2.000
3.000	3.000	3.000
4.000	4.000	4.000
5.000	5.000	5.000
6.000	6.000	6.000
7.000	7.000	7.000
8.000	8.000	8.000
9.000	9.000	9.000
10.000	10.000	10.000
11.000	11.000	11.000
12.000	12.000	12.000
13.000	13.000	13.000
14.000	14.000	14.000
15.000	15.000	15.000
16.000	16.000	16.000
17.000	17.000	17.000
18.000	18.000	18.000
19.000	19.000	19.000
20.000	20.000	20.000

## CONSTRUCTION SPECIFICATIONS

1	ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
2	ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE SPECIFIED.
3	ALL ROOFING SHALL BE ASPHALT/FLY ASBESTOS OR EQUIVALENT.
4	ALL EXTERIOR WALLS SHALL BE CONCRETE OR BRICK.
5	ALL INTERIOR WALLS SHALL BE GYPSUM BOARD OR EQUIVALENT.
6	ALL FLOORS SHALL BE CONCRETE OR GYPSUM BOARD.
7	ALL CEILING SHALL BE GYPSUM BOARD OR EQUIVALENT.
8	ALL DOORS SHALL BE SOLID CORE.
9	ALL WINDOWS SHALL BE DOUBLE GLAZED.
10	ALL STAIRS SHALL BE CONCRETE OR BRICK.
11	ALL BATHS SHALL BE PRECAST CONCRETE OR EQUIVALENT.
12	ALL KITCHENS SHALL BE PRECAST CONCRETE OR EQUIVALENT.
13	ALL LAUNDRIES SHALL BE PRECAST CONCRETE OR EQUIVALENT.
14	ALL BASEMENTS SHALL BE CONCRETE OR BRICK.
15	ALL FOUNDATIONS SHALL BE CONCRETE OR BRICK.
16	ALL EXTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
17	ALL INTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
18	ALL MECHANICAL SYSTEMS SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
19	ALL ELECTRICAL SYSTEMS SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
20	ALL PLUMBING SYSTEMS SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.

## NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
2. ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE SPECIFIED.
3. ALL ROOFING SHALL BE ASPHALT/FLY ASBESTOS OR EQUIVALENT.
4. ALL EXTERIOR WALLS SHALL BE CONCRETE OR BRICK.
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12. ALL KITCHENS SHALL BE PRECAST CONCRETE OR EQUIVALENT.
13. ALL LAUNDRIES SHALL BE PRECAST CONCRETE OR EQUIVALENT.
14. ALL BASEMENTS SHALL BE CONCRETE OR BRICK.
15. ALL FOUNDATIONS SHALL BE CONCRETE OR BRICK.
16. ALL EXTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
17. ALL INTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
18. ALL MECHANICAL SYSTEMS SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
19. ALL ELECTRICAL SYSTEMS SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.
20. ALL PLUMBING SYSTEMS SHALL BE IN ACCORDANCE WITH THE B.C. BUILDING CODE 2018.

# TOORA HOME PLANS

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ADDRESS:  
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SURREY, B.C. V3T 2E9

COMPLIANCE PATH CHOSEN:  
PERSCRIPTIVE METHOD AS PER  
SECTION 9.36.2 9.36.4 of BCBC

HEATING:  
IN-FLOOR RADIANT HEAT SYSTEM WITH HRV  
(PASSIVE AIR INLET FOR SECONDARY SUITE)

CLIMATE ZONE 4

THESE PLANS CONFORM TO REQUIREMENTS  
IN THE B.C. BUILDING CODE 2018.

PROPOSED SINGLE FAMILY  
DWELLING

LOT #24 @ 250 PARKER DRIVE

PRINCE RUPERT, B.C.

TITLE	DATE
SCALE	1/8" = 1'
DATE	2024-01-15
DESIGNER	AL TOORA
DRAWER	

A1



**CITY OF  
PRINCE RUPERT**  
OPERATION DEPARTMENT

424 3rd Avenue West, Prince Rupert B.C. V8J 1L7

250 Parker Drive  
DP-20-25 (DVP)  
Context Map



Scale: 1:800

Orientation:



Coordinate System: NAD 1983 UTM Zone 9N

Data Sources: City of Prince Rupert GIS  
ICISociety

Project #: DP-20-25

Author: RB

Checked: -

Status: -

Version: 1

Date: 2021 / 1 / 8



CITY OF PRINCE RUPERT

**DOWNTOWN CORE REVITALIZATION TAX EXEMPTION PROGRAM  
BYLAW NO. 3466, 2020**

BEING A BYLAW TO ESTABLISH A DOWNTOWN CORE AREAS  
REVITALIZATION MUNICIPAL TAX EXEMPTION PROGRAM

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**WHEREAS** Section 226 of the *Community Charter*, SBC 2003, Chapter 26, provides that a council may create a bylaw that will establish a revitalization tax exemption program;

**AND WHEREAS** Council wishes to encourage revitalization in the Downtown Core of Prince Rupert, as depicted in Schedule A;

**AND WHEREAS** Council wishes to encourage the development of multi-family residences in the Midtown District;

**AND WHEREAS** Council wishes to encourage the clustering of commercial development in the Downtown and Cow Bay Districts;

**AND WHEREAS** Council wishes to encourage the redevelopment of existing commercial properties in the Midtown, Downtown, and Cow Bay Districts.

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

1. This Bylaw may be cited for all purposes as **“DOWNTOWN CORE REVITALIZATION TAX EXEMPTION PROGRAM BYLAW NO. 3466, 2020”**
2. In this bylaw, the following terms are defined as:

**BUILDING** means a building that is used for an *Eligible Use*.

**COMPLETE** means:

- a) That the work carried out by the **Owner** is completed within the conditions set out by the *“Builders Lien Act”*; and
- b) That an occupancy permit has been issued by the City’s building inspector for an *Eligible Improvement*.

**DOWNTOWN CORE AREA** mean that area of land in the City of Prince Rupert shown outlined on the Map attached as **Schedule A**.

**DOWNTOWN CORE REVITALIZATION TAX EXEMPTION PROGRAM** means the revitalization tax exemption program established under this Bylaw for *Eligible Improvements*.

**ELIGIBLE IMPROVEMENT** means:

- a) A new **Building** that is constructed on **Eligible Land**; or
- b) An existing **Building** on **Eligible Land** that is being redeveloped and has exterior building improvements valued at \$50,000 or more.

**ELIGIBLE LAND** means a **Parcel** within the **Downtown Core Area**.

**ELIGIBLE USE** means a commercial use, a light industrial use, or a residential use comprising a multiple family dwelling, as those terms are used in the City's Zoning Bylaw.

**MUNICIPAL PROPERTY TAXES** mean such portion of property value taxes that are imposed or levied pursuant to Section 197(1)(a) of the *Community Charter*, on all taxable land and improvements, which for clarity, as of the date of this Bylaw, includes without limitation, general municipal, debt and transit purposes of the City, and do not include taxes pursuant to Section 197(1)(b) of the *Community Charter* or taxes collected for other authorities including, but not limited to hospital, school, Municipal Finance Authority, North Coast Regional District, and BC Assessment Authority taxes;.

**NON-MARKET INCREASE** means an increase in the assessed value of a **Building** that is greater than the average increase in the assessment of that class of improvements in the **Downtown Core Area** resulting from new construction or redevelopment as determined by the *British Columbia Assessment Authority*.

**OWNER** means the registered owner of **Eligible Land**.

**PARCEL(S)** means any lot, block or other area in which land is held or into which it is subdivided;

**REDEVELOPMENT** means the alteration or addition to an existing **Building** that results in the **Non-Market Increase** in value.

**REVITALIZATION TAX EXEMPTION AGREEMENT** means the agreement between the City of Prince Rupert and the **Owner** of **Eligible Land** that is substantially in the form attached to this Bylaw as **Schedule B**.

**TAX EXEMPTION** means the amount of the downtown revitalization tax exemption for an **Eligible Improvement** authorized under this Bylaw.

**TAX YEAR** means the calendar year from January 01 to December 31.

### 3. DOWNTOWN REVITALIZATION TAX EXEMPTION PROGRAM

- a) There is hereby established a revitalization tax exemption program under Section 226 of the Community Charter for the granting of Tax Exemptions and the issuance of **Revitalization Tax Exemption Certificates** for **Eligible Lands** in accordance with terms and conditions prescribed in this Bylaw.

- b) The revitalization tax exemption program is established under this Bylaw to promote the revitalization of the **Downtown Core Area**, through the construction or redevelopment of buildings used for commercial, light industrial or multiple family residential purposes.
- c) The revitalization tax exemption program is intended to accomplish the revitalization of the **Downtown Core Area** through economic incentives in the form of municipal property tax exemption for construction of new **Buildings** or redevelopment of existing **Buildings** that are on **Eligible Lands**.

**4. ELIGIBLE LANDS**

For a **Parcel** to be eligible for a **Tax Exemption** in the relevant **Tax Year**:

- (a) the Parcel must be located within the Downtown Core Area; and
- (b) the Parcel must be used for an Eligible Use.

**5. DOWNTOWN (CITY) CORE AREAS TAX EXEMPTION APPLICATION PROCESS**

Council may pass a resolution to authorize a municipal property tax exemption in accordance with this Bylaw, under the conditions described in this section:

- a) The **Owner** has applied to Council for a municipal property tax exemption in the form attached to this Bylaw as **Schedule C**. The application must include all supporting documentation, a building permit application, and the application fee of \$150;
- b) In the case where a building permit application is not required, the **Owner** must submit a completed application in the form attached to this Bylaw as **Schedule C** prior to undertaking construction of any **Eligible Improvement**. The application must include all supporting documentation, a complete set of architectural drawings, and the application fee of \$150;
- c) Council shall determine if the **Owner's** application meets the requirements set out in this Bylaw;
- d) If the application has been approved by Council, the **Owner** may proceed with entering into a revitalization tax agreement with the City of Prince Rupert in a form substantially in the form attached to this Bylaw as **Schedule B**;
- e) Upon execution of a revitalization tax agreement between the **Owner** and the City, a tax exemption certificate shall be issued and applied to the subject property.

**6. DOWNTOWN CORE AREAS REVITALIZATION TAX EXEMPTION'S**

- a) The **Tax Exemption** for construction of a new **Building** is as follows:
  - i. New Commercial Buildings: 10 years of non-market tax increase as a result of new developments.

- ii. New Multi-family Residential Buildings: 10 years of non-market tax increase as a result of new developments.
  - iii. New Light Industrial Buildings (Excluding Port Authority): five years of non-market tax increase as a result of new developments.
  - iv. In the final five years of a ten year tax exemption, taxes shall begin to increase proportionally each year until on the 11<sup>th</sup> year taxes are fully payable on the non-market increase.
- b) The amount of ***Tax Exemption*** for redevelopment of existing ***Buildings*** are as follows:
- i. Redeveloped Commercial Buildings: five years of non-market tax increase as a result of new developments.
  - ii. Redeveloped Multi-family Residential Buildings: five years of non-market tax increase as a result of new developments.
  - iii. Redevelopments must include \$50,000 or more of improvements to the building exterior to qualify for the exemption.

READ A FIRST TIME this \_\_\_\_ day of \_\_\_\_\_, 2020.

READ A SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2020.

PUBLIC NOTIFICATION this \_\_\_\_ day of \_\_\_\_\_, 2020.

MINISTRY OF TRANSPORTATION APPROVAL this \_\_\_\_ day of \_\_\_\_\_, 2020 (APPROVAL NO. \_\_\_\_\_).

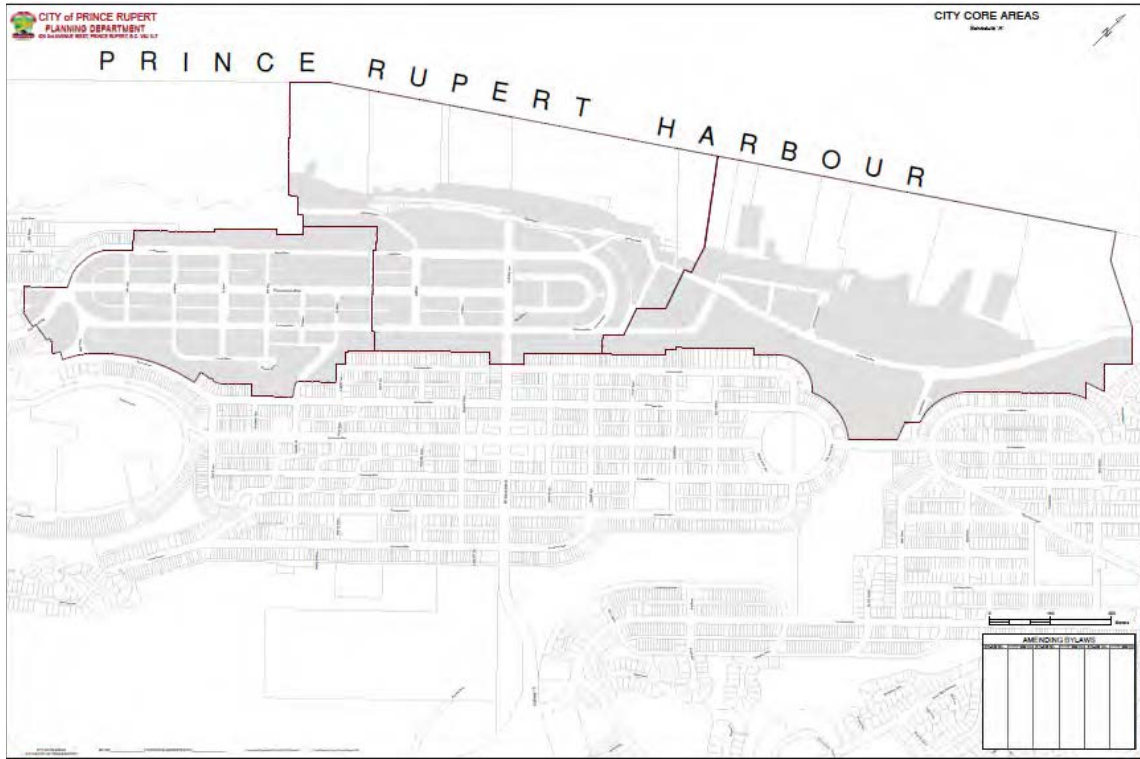
READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2020.

FINALLY CONSIDERED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Administrator

**SCHEDULE “A”**  
**Description of *Eligible Lands***



Note: Eligible exemptions in the Midtown District are limited to multi-family residential and existing commercial redevelopments.

**SCHEDULE "B"**  
**Downtown Core Area Revitalization Tax Exemption Agreement**

**THIS AGREEMENT** dated for reference the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**BETWEEN:**

**THE CITY OF PRINCE RUPERT (the "City")**

**AND:**

\_\_\_\_\_  
*Name of the owner of **Eligible Land***

\_\_\_\_\_  
*Address of the owner of **Eligible Land***

(the "**Owner**")

**WHEREAS**

- A.** The City has established the Revitalization Tax Exemption Program (through Bylaw 3466) for the purpose of encouraging the construction and redevelopment of buildings for multi-family, commercial, and light industrial purposes within the Downtown Core Areas depicted in Schedule A;
- B.** The Owner is the registered owner in fee simple of those lands situate in the City of Prince Rupert and legally described as:  
PID: \_\_\_\_\_  
Legal Description: \_\_\_\_\_  
(the "**Property**");
- C.** The Owner has applied for a municipal property tax exemption in respect of the Property under the provisions of Bylaw 3466; and
- D.** As part of the Revitalization Tax Exemption Program, the parties have agreed to enter in this Agreement to formalize the terms and conditions of a revitalization tax exemption applicable to the Property.

**NOW THEREFORE THIS AGREEMENT WITNESSES** that in consideration of the mutual covenants and agreements contained herein and the payment provided by the Owner to the City in the amount of Ten Dollars (\$10) the receipt and sufficiency of which is hereby acknowledged by the City, the Owner and the City covenant and agree with each other as follows:

1. **DEFINITIONS** (this whole section was done differently

In this Agreement, the following terms are defined as:

**“Agreement”** means this agreement including all recitals and schedules;

**“Building”** means a building that is used for either commercial, light industrial, or multi-family residential purposes;

**“Bylaw 3466”** means the Downtown Core Revitalization Tax Exemption Program Bylaw No. 3466, 2020;

**“City”** means the City of Prince Rupert;

**“Complete”** means:

- a) that the work carried out by the Owner is completed within the conditions set out by the “Builders Lien Act”; and
- b) that an occupancy permit has been issued by the City’s building inspector for an Eligible Improvement;

**“Downtown Core Area”** means that area of land in the City of Prince Rupert shown outlined on the Map attached as Schedule A;

**“Eligible Land”** means a parcel of land that meets the eligibility requirements in Section 4 of the Bylaw;

**“Eligible Improvement”** means:

- a) a new Building that is constructed on Eligible Land; or
- b) an existing Building on Eligible Land that is being redeveloped and has exterior building improvements valued at \$50,000 or more;

**“Municipal Property Taxes”** mean such portion of property value taxes that are imposed or levied pursuant to Section 197(1)(a) of the *Community Charter*, on all taxable land and improvements, which for clarity, as of the date of Bylaw 3466, includes without limitation, general municipal, debt and transit purposes of the City, and do not include taxes pursuant to Section 197(1)(b) of the *Community Charter* or taxes collected for other authorities including, but not limited to hospital, school, Municipal Finance Authority, North Coast Regional District, and BC Assessment Authority taxes;

**“Non-Market Increase”** means an increase in the assessed value of a Building that is greater than the average increase in the assessment of that class of improvements in the relevant Downtown Core Area resulting from new construction or redevelopment as determined by the *British Columbia Assessment Authority*;

**“Owner”** means the registered owner of Eligible Land;

**“Redevelopment”** means the alteration or addition to an existing Building that results in the Non-Market Increase in value;

**“Revitalization Tax Exemption Certificate”** means the revitalization tax exemption certificate that is issued in accordance with section 8 of this Agreements, and in accordance with Bylaw 3466;

**“Revitalization Tax Exemption Program”** means the downtown revitalization tax exemption for Eligible Improvements authorized under Bylaw 3466;

**“Tax Exemption”** means the amount of the downtown revitalization tax exemption for Eligible Improvement authorized under Bylaw 3466 but in no event to exceed assessed Municipal Taxes;

**“Tax Exemption Certificate”** has the meaning given in Section 6; and

**“Tax Year”** means the calendar year from January 01 to December 31;

## **2. TERM**

The Agreement shall commence on the day of its execution and will continue in effect until the earlier of:

- (a) the cancellation or expiry of the Tax Exemption Certificate; and
- (b) termination of this Agreement in accordance with section 9.

## **3. APPLICABLE IMPROVEMENTS**

This Agreement and the Tax Exemption shall only apply to the Eligible Improvements on Eligible Land.

## **4. REPRESENTATIONS AND WARRANTIES**

The Owner represents and warrants to the City that:

- (a) \_\_\_\_\_ [insert where the owner is a corporation] is a corporation that is duly incorporated under the laws of \_\_\_\_\_ [place of jurisdiction], and has the power and authority to enter into this *Agreement* and perform the actions required of the *Owner* under this agreement and has been properly authorized by all requisite proceedings;
- (b) The *Owner* is the sole owner of the *Eligible Land* and the *Eligible Improvements* for the purpose of property assessment and taxation.

## **5. REQUIREMENTS FOR TAX EXEMPTION CERTIFICATE**

Subject to the fulfillment of the conditions set out in this Agreement and Bylaw 3466, the City will issue a Revitalization Tax Exemption Certificate to the British Columbia Assessment Authority entitling the Owner to a Tax Exemption for the Tax Years during the Term (the **“Tax Exemption Certificate”**).

## **6. CONDITIONS**



The issuance of a Tax Exemption Certificate by the City to the Owner in respect of a Parcel is subject to the following conditions:

- (a) The Owner must submit the following to the City for pending approval:
  - i. Confirmation in a form that is satisfactory to the City, the Owner shall have completed the Eligible Improvements in complete conformity with the plans attached in Schedule "A" to this Agreement; and
  - ii. A copy of the occupancy permit that is issued by the City's building inspector for the Eligible Improvements.
- (b) The City must be in receipt of the following from the British Columbia Assessment Authority:
  - i. In the case of an Eligible Improvement for a new Building, the confirmation of the assessed non-market value of the Eligible Improvement; and
  - ii. In the case of an Eligible Improvement for a Building being redeveloped, the confirmation of the Non-Market Increase of the Eligible Improvement from redevelopment.

For an Owner to qualify for a Tax Exemption for each Tax Year of the Term, the Owner must continuously use the Eligible Improvements for the use that is stated in the Owner's Revitalization Tax Exemption Application, as submitted to the City.

## **7. OWNER'S COVENANTS**

The Owner covenants and agrees that:

- a) The Owner is solely responsible for all of the costs that are associated with the construction of the eligible improvements, this includes but is not limited to the costs of connecting to any City infrastructure or services that are required for the operation or construction of the eligible improvements;
- b) The Owner shall follow all of the applicable statutes and regulations and be in accordance with all permits and approvals that are issued for the eligible improvements; and
- c) The Owner shall, at their own expense, comply with all of the legal requirements set out by all authorities in respect to the construction of the eligible improvements.

## **8. CANCELLATION OF REVITALIZATION TAX CERTIFICATE**

The Revitalization Tax Exemption Certificate may be cancelled by the City:

- a) if requested by the Owner;
- b) if at any time any of the conditions in the Tax Exemption Certificate or in this Agreement are not satisfied; or
- c) If this Agreement is terminated in accordance with Section 12.

## **9. TERM OF TAX EXEMPTION**

Provided that the requirements of this Agreement and Bylaw 3466 are satisfied, and subject to the Term of the Tax Exemption will be for a maximum period of ten (10) years. As long as the Revitalization Tax Exemption Certificate has not been cancelled, the eligible improvements shall be exempt from municipal property taxes subject to the conditions this Certificate provides.

## **10. SCOPE OF TAX EXEMPTION**

The Owner acknowledges and agrees that the Tax Exemption applies solely in respect of Municipal Taxes and will not apply in respect of any taxes levied by other agencies whether or not collected by the District, nor in respect of local improvement charges or any other taxes, fees, charges or levies of the District or any other agency or entity.

## **11. CITY'S RIGHTS**

This Agreement shall, in no way, affect the City's rights and powers in the exercise of its functions or its rights and powers under any public or private statutes, bylaws, orders, or regulations to the extent the same are applicable to the Eligible Lands depicted in Schedule A of Bylaw 3466, all of which may be fully exercised in relation to such Eligible Lands as if this Agreement had not been executed and delivered by the Owner.

## **12. TERMINATION OF AGREEMENT**

The City may, at any time, terminate this Agreement if the following events occur:

- a) the construction of the Eligible Improvements have not commenced within six (6) months of the date of this Agreement; or
- b) the Owner fails to comply with Section 6.

## **13. TAX RECAPTURE**

- (a) In the event the Revitalization Tax Exemption Certificate is cancelled during a year where the Owner of the Eligible Improvements has already received the Tax Exemption, the Owner will remit to the City, no later than 30 days after receiving notice from the City of the cancellation, a recapture amount equal to the amount of the Tax Exemption prorated for the balance of the Tax Year remaining from the cancellation date.
- (b) The parties agree that any amount owing under section 13(a) are Municipal Taxes and any such amounts that are not paid by December 31 of the Tax Year will become taxes in arrears in the following year and collectable as taxes in arrears.

## **14. NO REPRESENTATIONS**

The City has made no representations, covenants, agreements, warranties, or promises (oral or otherwise) that are expressed or implied with the Owner of the eligible improvements except for the ones that are expressed within this Agreement.

**15. GENERAL PROVISIONS**

Both the City and the Owner agree that:

**16. TIME**

Time is of the essence of this Agreement.

**17. ENTIRE AGREEMENT**

This Agreement constitutes the entire agreement between the City and the Owner in regards to all the subject matter in this Agreement, and it replaces any previous agreements, understandings, and negotiations (oral or otherwise) between the City and the Owner.

**18. NO RIGHT OF ACTION**

The Owner will have no cause of action for any losses incurred if this Agreement is found, for any reason, to be illegal, invalid or unenforceable by an authority of competent jurisdiction and in the event of the finding of such illegality, invalidity or unenforceability, the Agreement shall terminate with no liability to any of the parties.

**19. ASSIGNMENT**

This Agreement and the associated tax exemption benefit may be assigned, by the Owner, to a subsequent owner in fee simple of the Parcel, and then only with the prior written consent of the City, not to be unreasonably withheld, and subject to the satisfactory execution of an agreement between the City and the third party purchaser regarding the terms and conditions of the Tax Exemption.

**20. NOTICES**

Any notices that are required to be provided under this Agreement will be in writing and will be delivered either by personal delivery by hand, pre-paid registered mail, by fax transmission or by email:

To the City at:

Chief Financial Officer

424 3rd Ave West

Prince Rupert, BC

V8J 1L7

Fax: 250-627-0999

Email: \_\_\_\_\_

To the Owner at: [insert address and fax number]

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Any notice given in accordance with this section 150 will be deemed to be received immediately upon delivery if properly delivered by hand, seventy-two (72) hours after the time and date of mailing, if sent by pre-paid registered mail, or at the time of sending, provided that reasonable confirmation of delivery is provided by the sender, if sent before 5:00 pm on a Business Day and otherwise on the next Business Day, if sent by fax transmission or by email. If a disruption of the mail delivery in the Province British Columbia occurs, by reason of strike, slow down, lock out, or other labour dispute, then notice may only be given by fax transmission or in person delivery by the Owner or a party delegated by the Owner.

## **21. BINDING EFFECT**

This Agreement shall take effect to the benefit of and be bound to the parties involved in this Agreement and their respective heirs, executors, successors, and permitted assignees.

## **22. AMENDMENT**

The parties involved in this Agreement may amend such Agreements terms if both parties are under agreement, and such amendment shall be provided in writing and executed by both parties.

## **23. LAW APPLICABLE**

This Agreement shall be interpreted in accordance with and governed by the laws applicable in the Province of British Columbia.

## **24. INTERPRETATION**

- a) When the singular or neuter are used in this Agreement, they shall include the plural or the feminine or masculine, body politic or corporate where the context or parties require;
- b) All of the provisions within this Agreement are to be construed as covenants and agreements as though the words importing covenants and agreements were used in each separate paragraph; and
- c) The headings to the clauses in this Agreement have been inserted only as a matter of convenience and in no way do they define, limit or enlarge the scope or meaning of this Agreement or provision of it.

## **25. EXECUTION BY COUNTERPART**

This Agreement may be executed in counterpart, and its delivery may be made by facsimile or other electronic transmission, and each such counterpart so executed will be as valid and binding as if it were an originally signed copy of a single agreement executed by the parties.

**IN WITNESS WHEREOF** the parties have executed this Agreement the day and year first above written.

<b>The City of Prince Rupert</b> by its authorized signatories:  _____ Mayor  _____ Corporate Administrator	<b>[OWNER]</b> by its authorized signatories:  _____ Print Name:  _____ Print Name:
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**SCHEDULE "C"**  
**Application for Downtown Core Area Tax Exemption**

Date: \_\_\_\_\_

Name:

\_\_\_\_\_

Address:

\_\_\_\_\_

Legal Description:

\_\_\_\_\_

Roll Number: \_\_\_\_\_

I hereby certify that:

- a) I am the registered owner of the property identified within the boundaries set out in **Schedule A** of Bylaw 3466;
- b) I intend to:
  - a. construct a new multi-family, commercial, or light industrial building in the revitalization tax exemption area within the boundaries set out in **Schedule A** of Bylaw 3466; or
  - b. redevelop an existing multi-family, commercial, or light industrial building in the Revitalization tax exemption area within the boundaries set out in **Schedule A** of Bylaw 3466, and have received all of the necessary authorizations, including a building permit, for that redevelopment work;
- c) I fully acknowledge that the grant of the revitalization tax exemption is subject to all of the conditions and requirement of Bylaw 3466, including but not limited to the terms and conditions of the **Revitalization Tax Exemption Agreement** and **Revitalization Tax Exemption Certificate**;
- d) I have attached to this application:
  - i. True copies of the architectural plans created by a registered professional for the proposed building/development work;

- ii. A true copy of the building permit for the proposed building/redevelopment work.

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Signature of Applicant or authorized signatory

**SCHEDULE "D"**  
**Revitalization Tax Exemption Certificate**

Date of Issuance: \_\_\_\_\_ Certificate Number: \_\_\_\_\_

Term [xx Years]: \_\_\_\_\_ Date of Expiry: \_\_\_\_\_

Legal Description of the Property: PID: \_\_\_\_\_  
\_\_\_\_\_

Property Address: \_\_\_\_\_, Prince Rupert, B.C. V\_\_\_\_\_

Property Roll Number: \_\_\_\_\_

Exemption Amount: The amount of the tax exemption is as follows: \_\_\_\_\_

1. This Certificate is subject to the condition that:

- a) The Owner continuously meets all of the covenants and obligations under the **Revitalization Tax Exemption Agreement** between the Owner and the City dated \_\_\_\_\_ (Agreement Date);
- b) The conditions needed to receive the annual tax exemption are continuously met throughout the entire term of the Agreements; and
- c) The Agreement not be subject to early termination.

2. In the event the **Revitalization Tax Exemption Certificate** is cancelled during a year where the Owner of the eligible improvements has already received the revitalization tax exemption, a recapture amount is payable and shall be calculated as equal to the percentage of the amount of the exemption with the percentage being equal to the percentage of the remaining taxation year from the date of cancellation.

Effective date: This certificate does not apply to taxation in a calendar year unless it is issued on or before October 31 of the preceding year.

Issued by: \_\_\_\_\_  
[Chief Financial Officer]



## THE CITY OF PRINCE RUPERT REPORT TO COUNCIL

**DATE:** January 14, 2021  
**TO:** Dr. Robert Long, City Manager  
**FROM:** Chris Buchan, iPlan Planner  
**SUBJECT:** Report on the Parking Standards Analysis & the Proposed Amendments to the Draft OCP and Draft Zoning Bylaw

### **RECOMMENDATION:**

**THAT** Council:

- 1) Amend the OCP Bylaw #3460 to include the recommended amendments in this report;
- 2) Amend the Zoning Bylaw #3462 to include the recommended amendments in this report; and
- 3) Proceed to Public Hearing following Public Health Orders

### **REASON FOR REPORT:**

During the Council meeting on December 7<sup>th</sup>, Council identified areas in both the Draft OCP and Draft Zoning Bylaw that requires more information or that they would like amended. Additionally, the City Staff have directed iPlan to conduct an analysis on the off-street parking standards of the City of Prince Rupert. This report will provide both feedback from iPlan and proposed amendments for areas identified as needed.

### **BACKGROUND:**

The Draft OCP and Zoning Bylaw have already proceeded through first and second reading.

Council identified the following areas in the Draft Zoning Bylaw that they would like to see amended:

- 1) Section 3.4.1 g) restricting residences attached to secondary suites as owner occupied; and
- 2) Section 3.19.0 b) on specific zones permitting the use of shipping containers.

Some questions raised by Council were focused on the provisions for home occupations and the potential implications of this policy. iPlan has reviewed this section and compared it to the previous Zoning Bylaw policy. It is recommended keeping the proposed policy as it includes an important distinguishment between home offices and home businesses which provides greater flexibility for home offices as an accessory use. Furthermore, the introduced policy on home businesses provides supporting provisions for home daycare operations while clearly laying out the allowed and prohibited uses for other types of home businesses. The intent of these regulations is to ensure that home businesses remain an accessory use; therefore, these types of occupations should be of minimal disturbance in the residential zones which they operate in.

Residents that wish to operate a business that the Bylaw would not permit could request Council to approve a TUP. This would enable Council to set conditions that may mitigate any residential impact in the neighbourhood.

Council identified the following areas in the Draft OCP that they would like to see additional language or amendment:

- 1) Include language on the McBride Street as the 'Gateway' to the City;
- 2) Include language on the bypass route;
- 3) Include language on Airport access; and
- 4) Prepare policy statements for the landfill section, exploring options like 'waste to energy'.

## **MAJOR CHANGES:**

### Zoning Bylaw:

- 1) Deleted Section 3.4.1 c) to provide flexibility for non-resident landlords. This change would allow non-owner occupation of a dwelling and suite.
- 2) Amended section 3.19.0 b) to allow shipping container use in M1 zones (containers must still comply with Development Permit Guidelines in the Draft OCP)

### OCP:

- 1) iPlan reviewed language in the Draft OCP regarding the McBride Street 'Gateway' to the Downtown. Two maps currently exist in the Development Permit Guidelines Section that depict this street as a gateway, with the current language "To create a strong sense of arrival at two major city gateways: at McBride Street as it enters Downtown, at Rupert's Landing and all along the waterfront experience" supporting this map. It is not recommended to include any additional language.
- 2) It is proposed to amend page 52 on road systems to include language on the Bypass Route as an alternate link from Downtown to the North Shore of the Harbour. (See Appendix: B)
- 3) It is proposed to add language into Section 6.3 of page 73 which states that the City is highly supportive of initiatives from both local agencies or senior government to create a link between Kaien Island and Digby Island. (See Appendix: B)
- 4) It is proposed to add an additional section following 4.9.3 "Waste Disposal". This section includes a preamble which states that the City intends to explore options that incorporate circular economy and zero waste principals. The following policy will state that the City aims to increase public awareness for recycling, the City aims to reduce the rate of solid waste into the landfill, and the City aims to improve conditions in the current landfill.

## **OFF-STREET PARKING ANALYSIS**

The off-street parking analysis compared six municipalities in Northern British Columbia, these consist of Fort St. John, Smithers, Prince George, Quesnel, Vanderhoof, and Terrace. This assessment report (attached as Appendix: A) considers new OCP goals and policy. New parking standards has been proposed based on the assessment and include:

- 1) Revisions to the off-street parking standards;
- 2) Requirement for paved off-street parking spaces;
- 3) A new payment-in-lieu policy;
- 4) Electric Vehicle parking standards; and

- 5) Bike infrastructure/parking standards.

**CONCLUSION:**

It is recommended that Council amend the Bylaws #3460 and #3462 in accordance with the recommendations within this report.

**Report Prepared By**

**Chris Buchan, iPlan Planner**

**Reviewed by**

**Dr. Robert Long, City Manager**

**APPENDIX A: (INSERT Parking Standards Analysis)**

## **APPENDIX B: Proposed Amendments to the Draft OCP and Zoning Bylaw**

### **1. Bypass Route Addition:**

**Page 52:**

The only new roads being planned for in the near future include possible extension(s) of Third Avenue through Lot 9 and a possible extension of 5th Ave (see Map 11). The City's wholly owned subsidiary, Prince Rupert Legacy Inc., has acquired property for the Third Ave extension and will require the road to be constructed by the eventual developer of the land. The exact alignment and design of the extension will be determined at the time of development.

**Revised To:**

The only new roads being planned for in the near future include possible extension(s) of Third Avenue through Lot 9, a possible extension of 5th Ave (see Map 11), and a bypass route that will serve as an alternate link from downtown to the north shore of the harbour. The City's wholly owned subsidiary, Prince Rupert Legacy Inc., has acquired property for the Third Ave extension and will require the road to be constructed by the eventual developer of the land. The exact alignment and design of the extension will be determined at the time of development.

**2. Airport Access Addition:**

The airport is an integral piece to the functionality of Prince Rupert. The reliance on the ferry transport to Digby Island, however, imposes a time and locational disadvantage. The City is highly supportive of initiatives by local agencies and encourages any senior government initiatives to provide a fixed bridge link from Kaien Island to Digby Island. This link will achieve a number of objectives, from improving the access to the airport terminal to opening access to nearby lands and First Nation communities. This link may serve as an important connector to enable harbour expansion and increased regional economic growth.

**3. Landfill Reductions Section:****PREAMBLE:**

The Landfill of Prince Rupert is currently operating at capacity and will either require an expansion to the existing landfill or a new site designated for a landfill. This issue is not unique to Prince Rupert, in 2014 approximately 2.4 million tonnes of municipal solid waste has been disposed of in British Columbia (Ministry of Environment, 2016). The City may seek to promote principals like the circular economy and zero waste practices. In consideration of these principles, the City may explore opportunities to utilize waste to energy programs and recycling programs allowable under the Environment Management Act. Such programs may include but are not limited to composting facilities, organics diversion, recycling facilities, or solid waste combustion facilities. The objective of these programs is to minimize the solid waste input into landfill facilities while utilizing the energy potential these refuse contain. The City should ensure that any option pursued for waste reduction will align with the City's goal of Greenhouse Gas Emissions Reductions.

**POLICY STATEMENTS:**

The City aims to increase public awareness and action in reducing, reusing, and recycling (the three R's) by:

- ⇒ Improving access to recycling and re-use opportunities;
- ⇒ Supporting public education on the benefits of the three R's;
- ⇒ Promoting the purchasing habits that prioritize the least GHG intensive products and services.

The City aims to reduce the rate of solid waste disposal into the landfill by:

- ⇒ Continuing to monitor the per capita rate of waste disposal and recycling as the primary means of measuring achievement of such waste reduction objectives;

- ⇒ Exploring waste to energy infrastructure with consideration of the proposed Greenhouse Gas Reduction goals to reduce the solid waste physical footprint while making use of the energy resources the waste contains.
- ⇒ Pursuing ways to allow for the conversion, waste burning and demolition/disposal sites.

The City aims to improve the current landfill by:

- ⇒ Encouraging the use of new technology to minimize the odours and other pollutants
- ⇒ Pursuing ways to allow for the rehabilitation of the existing landfill

***Zoning Bylaw:***

1. Deleted Section 3.4.1

- c) The single family dwelling attached to the secondary suite must be owner-occupied.

2. Amended Section 3.19.0 b)

Shipping containers are permitted only in the M2 and M3 and M6 zones and are not to be stored in any other zone.

**Revised To:**

Shipping containers are permitted only in the M1, M2, M3 and M6 zones and are not to be stored in any other zone.



# City Wide Parking Standards Analysis: The City of Prince Rupert

January 14, 2021

Chris Buchan: Assistant Planner  
iPlan LTD.

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## Purpose

The City of Prince Rupert has undertaken updates to the Zoning Bylaw and the Official Community Plan following the Prince Rupert Vision 2030 event held in December of 2019. These updates have triggered the review of other bylaws and processes. This report is a review of the analysis of off-street parking requirements. The purpose of this review is to update the current off-street parking provisions to ensure the sustainability of the long-term growth in Prince Rupert.

## Background/Context:

Parking regulations are used to regulate the supply and design of off-street parking facilities; they are an important tool used by municipalities to regulate parking supply. Parking regulations are used to achieve the City's goal to encourage sustainable transportation, long term planned growth, and densification. Implications of insufficient/outdated parking regulations can impact transportation behaviour and the viability of local development. As Prince Rupert has projected to significantly grow over the next decade, it is important to update parking standards.

The Zoning Bylaw contains current parking regulations that may restrict growth in the City Core Areas. This review of the off-street parking standards will provide policy recommendations based on a comparison of six (6) different municipalities in Northern British Columbia, these municipalities are:

- Fort St. John;
- Smithers;
- Prince George;
- Quesnel;
- Vanderhoof; and
- Terrace.

The City has conducted public surveys which have indicated a significant public support towards for a walkable community with infrastructure to support electric vehicles, bikes, and improved pedestrian paths.

The most significant recommendations within this report include proposed regulations and opportunities for bicycle/EV (Electric Vehicle) parking, the reduction of off-street parking minimums for commercial uses, and updating the payment in lieu policy to \$12,500 (previously \$200).

## Scope

It is recognized that on-street and off-street parking is an issue in the City of Prince Rupert. The scope of this report focuses only on off-street parking regulations; loading zone standards have not been reviewed. It is recommended to revise the minimum requirements for off-street parking standards and to introduce new policy for alternative transportation infrastructure/regulations. This aligns with the goals and objectives in the new Official Community Plan which calls for development of a Master Transportation Plan that includes strategies for active transportation and city-wide parking.

Future studies will contribute to the development of a City-wide parking strategy that will ensure the different elements within Prince Rupert's transportation network are aligned. This report only focuses on private property off-street parking standards which will affect new development.

## Prince Rupert 2030 Vision

The 2030 Vision highlighted a need for adequate parking and storage for both housing and retail uses. This includes the storage of RV's, boats, trailers, and large trucks. In relation to off-street parking, Prince Rupert Vision 2030 has recommended three (3) areas for attention:

- i. Need for improved parking standards
  - The City of Prince Rupert requires appropriate parking regulations for retail units, especially in the City Core Areas. This will motivate residents to shop locally, strengthening the local service industry economy. Retail parking in the City Core Areas should support underground parking infrastructure in key locations.
  - The City of Prince Rupert requires solutions to residential parking that will address special parking arrangements such as boats, trailers and large trucks. Off-street parking on residential lots should preferably be tucked away with back-lane access.
  - The City of Prince Rupert should support public and tourist facilities through improving accessibility of off-street parking infrastructure.
- ii. Incentives for parking
  - To support development in desirable areas, the City of Prince Rupert should develop an incentive program in the form of a comprehensive priority-development support package to support parking in key areas where the City would like to see increased development.
- iii. Future Studies to be conducted
  - The Prince Rupert Vision 2030 document focuses both on off-street and on-street parking, with recommendations to support the development of the City Core Areas with strategically placed parking infrastructure.

Consideration of these three (3) areas has been given; however, certain recommendations such as underground parking facilities and parking incentive programs are best addressed in a Master Transportation Plan.

## OCP

The new OCP is a high-level document that describes the long-term vision of the community and land development in Prince Rupert. It includes the goals which direct the City's future decisions. The new OCP includes planning principles that are used to guide decision making in the next decade. These planning principles are important to ensure the success of a complete, sustainable and walkable community as it continues to grow. The new City Core Areas provide a vision for the Prince Rupert Downtown Area, with more opportunities for mixed use residential, office spaces, and retail units. This means that off-street parking standards must be sufficient to enable these types of uses to operate. It also means that the vision for increased densification in the City Core Areas requires an assessment of the City's current parking standards. The following topics discussed in the new OCP influence this report's recommendations:

### *Planning Principles*

#### 1. Sustainable Cities:

Sustainable development means “meeting the needs of the present without compromising the ability of future generations to meet their own needs.” A Sustainable City may be achieved through successful long-term planning and incorporating green technologies such as electric vehicles, bikeways, and pedestrian paths.

Sustainable City principles guide the OCP with policies to ensure that the transportation system is accessible and planned for the long-term vision. It encourages walking and cycling when possible and requires minimum provisions for on-site parking and storage of bicycles and other personal transportation equipment to achieve densification.

#### 2. Smart Growth:

Smart Growth promotes a walkable community through the practices of compact development and mixed land uses. Dense and walkable neighbourhoods reduce the need for the daily use of a personal vehicle, while supporting local commercial centres and reinforcing the community character.

A walkable city can be achieved with the implementation of covered walkways, bike lanes, and other alternative transportation infrastructure. This reduces the demand on the City’s overall parking supply.

#### 3. Complete Communities:

Complete Communities, much like Smart Growth, promotes community densification to shorten the distance of services. This is achieved through a focus on mixed use development. The Complete Communities principle promotes a variety of transportation options to allow residents the access to all services within the community. This principle promotes residents to shop locally, reducing the need to travel to other communities for services or employment.

These principles share many commonalities, including the promotion of a variety of transportation options. This can be achieved by creating a more walkable community through developing compact and mixed-use facilities in the City Core Areas. These principles are not meant to eliminate the City’s parking supply, but to reduce the need to use a personal vehicle within the City’s boundaries. This will result in a lower demand for parking. However, for the City to function sustainably, there must be sufficient parking for business and residential uses. Therefore, this assessment works towards lower but sufficient parking standards.

### *Greenhouse Gas Policy/Sustainable Transportation*

The new Official Community Plan introduces objectives and goals to reduce the City’s Greenhouse Gas Emissions. It is stated that “the City of Prince Rupert aspires to meet or exceed an 80% GHG reduction of 2007 levels by 2050”. The City will achieve these actions through retrofitting buildings with clean energy infrastructure, traffic and transportation management, the electrification of buildings and vehicles, and encouraging cycling and walking in relation to all decision making. In terms of off-street parking, the OCP states that lowering the off-street parking minimums for new developments is an effective tool in reducing emissions. It also states that it is beneficial to create a walkable urban centre with density along major transit lines.

## Policy Statements:

- #20 states that the City should support the electrification of vehicles and the use and encouragement of alternative clean energy. This includes building level three charging stations in the City Core Areas.
- #21 states that the City should promote cycling and walking in relation to all municipal decision-making relating to civic facility and infrastructure development.

This policy was introduced for public comment during the Rupert Talks Surveys which revealed significant public support for this type of policy. Because the new OCP encourages green technology/alternative transportation, and because the public was supportive for alternative transportation infrastructure, this report includes recommendations on policy for bicycle, scooter, and electric vehicle options.

## Zoning Bylaw

The draft Zoning Bylaw has already proposed some revisions to the parking regulations through the removal of the payment in lieu policy and creating secondary suite parking policy. Previously, the policy on payment in lieu was \$200 per stall. This was not an accurate reflection of the costs associated with land prices and building a parking stall. This policy has allowed developers to provide parking spaces below the minimum requirements within the City Core Areas. The result is a lower stock in parking for commercial and residential units throughout the City. City Staff have conducted an analysis of the land and construction costs associated with providing parking. Staff found that the payment in lieu policy should be increased to \$12,500 per stall. This cost will enable the City to provide parking stalls in key locations to meet parking demand.

The City is starting to experience increased development opportunities stemming from the Downtown Core Revitalization Tax Exemption Bylaw initiated in November of 2020. It is important to compare Prince Rupert's current standards to other comparable municipalities. This analysis will reveal where the current standards are insufficient, and alternative recommendations will be provided.

## Rupert Talks Public Input

The Rupert Talks Surveys addressed a range of topics including infrastructure, greenhouse gases, social development, and food systems. The overall consensus was positive, with the majority of public showing support (87.5%) for the development of an active transportation plan that builds on the infrastructure for the use of EVs/charging stations, biking infrastructure and increased pedestrian walkability.

## Alternative Transportation Modes: Electric Vehicle and Bicycle Parking

There is OCP and public support for including standards for Electric Vehicle parking, bicycle/scooter parking and amenities, and walkable communities. The City may wish to create new electric vehicle charging infrastructure to support the goals introduced in the new OCP. Recommendations on the inclusion of EV parking/charging infrastructure and bicycle/scooter

policy will be given in the recommendations section of this report. This policy will address the goals for GHG emissions reductions and help to achieve the planning principles goals for a walkable, dense, and complete community.

There does not appear to be a common standard for the electrification of off-street parking stalls. To determine the amount of energized parking spaces for multifamily units this assessment reviewed other cities in British Columbia. For example, the City of Colwood has proposed to establish the minimum energized spaces for multifamily residential developments to 100% of the available parking. It is also reported that 74% of the residents in the City of Vancouver are unlikely to purchase an EV in the next 5 years (Bunt & Associates, 2018). This leaves 26% of residents in Vancouver who may switch to EVs as their primary vehicle. Prince Rupert, however, contains a different demographic than these cities. Prince Rupert currently contains less supporting infrastructure which may discourage residents to purchase an EV. Transport Canada has recently set targets to have 10 percent of all light vehicles being electric by 2025, with an increase to 30% by 2030 (Transport Canada, 2020). To address EV parking standards for multifamily units, a conservative minimum of 15% of all parking units is proposed; however, it is also recommended that the City monitor actual demand for electric vehicles and make adjustments to its regulations as necessary.

## Analysis of Current Off-Street Parking Conditions

This analysis uses six Northern British Columbia Municipalities for comparison. The policy has been grouped into the categories that currently apply to the Prince Rupert Parking standards, if the category does not apply to a municipalities standard it is marked “N/A”. From this analysis, the averages of all applicable standards were weighed, with an additional note for the most common standard used.

## Comparison of Northern B.C Municipal Standards

<b>Parking Use: Commercial</b>	<b>Prince Rupert</b>	<b>Smithers</b>	<b>Fort St. John</b>	<b>Prince George</b>	<b>Quesnel</b>	<b>Vanderhoof</b>	<b>Terrace</b>	<b>Average/most common/ Common Additional Criteria:</b>
<b>Entertainment Centres</b>	1 space per 30m <sup>2</sup> of gross floor area (GFA)	1 space per 24m <sup>2</sup> of GFA	1 space per 20m <sup>2</sup> of GFA	1 space per 2 seating spaces or 3.1 spaces per 100m <sup>2</sup> ; whichever is greater	3 spaces per 100m <sup>2</sup> of GFA	3 per bowling alley, 2 per court, 1 per billiard/pool table plus 1 per 20m <sup>2</sup> of activity space	1 space per 8 seating spaces, or 1 space per 40m <sup>2</sup> of GFA	<b>Common: 1 per 30m<sup>2</sup></b>  <b>Average: 1 per 29 m<sup>2</sup></b>
<b>Neighborhood Pubs</b>	1 space per 20m <sup>2</sup> of GFA	1 space per 10 seats	1 space per 4 seats	1 space per 4 seats	1 space per 6 seats for patron use	1 space per 4 seats	1 space per 5 seats	<b>Common: 1 space per 4 seats</b>  <b>Average:1 space per 5.5 seats</b>
<b>Offices</b>	1 space per 45m <sup>2</sup> of gross leasable floor area (GLFA)	1 space per 45m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA and not less than 1 space for each office or suite of offices occupied by a single tenant	3.4 space per 100m <sup>2</sup> of GFA	3 spaces per 100m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA	<b>Common:1 space per 30m<sup>2</sup> of GFA</b>  <b>Average: 1 space per 35m<sup>2</sup></b>

<b>Retail Use</b>	1 space per 20m <sup>2</sup> of GFA, a minimum of 3 spaces per retail use.	1 space per 45m <sup>2</sup> of GFA	1 space per 20 m <sup>2</sup> of GFA	a) (If GFA is 2,500 <sup>2</sup> or less) 5 spaces per 100m <sup>2</sup> of GLFA, or 2.2 per 100m <sup>2</sup> of GFA, whichever is greater b) (If GFA is greater than 2,500 <sup>2</sup> ) 5.0 per 100m <sup>2</sup> of GFA	3 spaces per 100m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA	<p><b>Common: 1 space per 20m<sup>2</sup>, or 1 space per 30m<sup>2</sup></b></p> <p><b>Average: 1 space per 30m<sup>2</sup> of GFA</b></p> <p><b>Additional criteria: GLFA= 5 spaces per 100m<sup>2</sup> or GFA = 2.2 spaces per 100m<sup>2</sup>; whichever is greater</b></p>
<b>Personal Service Shops</b>	1 space per 20m <sup>2</sup> of GFA	1 space per 45m <sup>2</sup> of GFA	1 space per 15m <sup>2</sup> of GFA	a) (If GFA is 2,500 <sup>2</sup> or less) 5 spaces per 100m <sup>2</sup> of GLFA, or 2.2 per 100m <sup>2</sup> of GFA, whichever is greater b) (If GFA is greater than 2,500 <sup>2</sup> ) 5.0 per 100m <sup>2</sup> of GFA	3 spaces per 100m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA	<p><b>Common: 1 space per 30m<sup>2</sup> of GFA</b></p> <p><b>Average: 1 space per 30m<sup>2</sup></b></p>

<b>For Every 2 Boarders or Lodgers</b>	1 space per 100m <sup>2</sup> of gross building floor area	1 per sleeping unit	N/A	1 space per 2 sleeping units, plus spaces required for the corresponding base dwelling	N/A	N/A	(DORMITORY): 1 space per 2 beds	<b>Common: 1 space per 2 sleeping units (beds)</b>  <b>Average: 1.5 spaces per sleeping unit/bed</b>
<b>Laundromat</b>	3 spaces	1space per 45m <sup>2</sup> of GFA	1 space per 20m <sup>2</sup> of GFA	a) (If GFA is 2,500 <sup>2</sup> or less) 5 spaces per 100m <sup>2</sup> of GLFA, or 2.2 per 100m <sup>2</sup> of GFA, whichever is greater b) (If GFA is greater than 2,500 <sup>2</sup> ) 5.0 per 100m <sup>2</sup> of GFA	3 spaces per 100m <sup>2</sup> of GFA	1 space per 3 washing machines	1 space per 4 washing machines	<b>Common: N/A</b>  <b>Average: one space per 36m<sup>2</sup> of GFA</b>  <b>Additional criteria: spaces per washing machines</b>
<b>Liquor Primary Establishments</b>	1 space per 3 seats	1 space per 10 seats	1 space per 4 seats	1 space per 4 seats	1 space per 6 seats	1 space per 4 seats	1 space per 5 seats	<b>Common: 1 space per 4 seats</b>  <b>Average: 1 space per 5 seats</b>
<b>Restaurants</b>	1 space per 2 employees, and 1 space per 5 seats.	1 space per 6.5 m <sup>2</sup> of GFA	1 space per 3 seating spaces	1 space per 4 seats	13.3 space per 100m <sup>2</sup> of GFA	1 space per 4 seats	1 space per 5 seats	<b>Common: 1 space per 5 seats, 1 space per 4 seats</b>  <b>Average: 1 space per 4 seats</b>



<b>Traveler Accommodation</b>	1 space per sleeping unit. An additional 1 space per 3 seats in the restaurant, bar or lounge. An additional space per 12m <sup>2</sup> of meeting area.	1 space per sleeping unit, subject to other parking standards (ex. Restaurants) if it is a permitted use. When combined, 1 space may be reduced per 10 sleeping units.	Hotel: 1 space per 2 guest rooms, plus 1 space per 3 seats at a bar or restaurant Motel: 1 space per room, plus 1 space per 3 seats at a bar or restaurant	Hotel: 1 space per 2 sleeping units plus 1 space per 4 seats of any associated eating or drinking establishment Motel: 1 space per unit plus 1 space per 4 seats of any associated eating or drinking establishment.	Hotel- 0.57 per unit Motel- 0.54 per unit	1 space per sleeping unit plus additional spaces for each accessory use plus 1 space per 10 seats for meeting rooms	1 space per guest room	<b>Common: 1 space per room/sleeping unit.</b>
<b>Parking Use: Industrial</b>	<b>Prince Rupert</b>	<b>Smithers</b>	<b>Fort St. John</b>	<b>Prince George</b>	<b>Quesnel</b>	<b>Vanderhoof</b>	<b>Terrace</b>	<b>Average:</b>
<b>Automobile Gasoline Bars &amp; Laundries</b>	1 space per 5m <sup>2</sup> of sales floor area (SFL) and 2 spaces per service bay or car wash bay.	N/A	1 space per 20 m <sup>2</sup> of GFA	2 spaces per service bay	4 spaces in addition to spaces required for vehicle fueling.	1 space per 2 employees plus 2 spaces per service bay	1.5 spaces per service bay	<b>Common: 2 spaces per service bay</b>  <b>Average: 2 spaces per service bay</b>  <b>Additional criteria: spaces per employees, spaces per m<sup>2</sup> GFA</b>

<b>Automotive Service &amp; Repair</b>	2 spaces per 10m <sup>2</sup> of SFL and 1 space per service bay.	N/A	1 space per 70m <sup>2</sup> of Retail floor space plus 1 space per service bay plus 1 space per 2 employees	2 spaces per service bay	3 spaces per 100 m <sup>2</sup> of GFA	1 space per 35m <sup>2</sup> of sales floor area plus 1 space per 2 service bays.	1 space per 40m <sup>2</sup> of GFA	<b>Common N/A</b>  <b>Average: 1 space per 35m<sup>2</sup> (36.6 m<sup>2</sup>)</b>
<b>General Industrial Use</b>	1 space per 100m <sup>2</sup> of gross building floor area (GBFL)	1 space per 90m <sup>2</sup> of GFA	1 space per 100m <sup>2</sup> of GFA	Light industrial: 1 space per 100m <sup>2</sup> , or 3 spaces per tenant/establishment Heavy industrial: 0.5 spaces per 100m <sup>2</sup> GFA up to 2000m <sup>2</sup> plus 0.2 per additional 100m <sup>2</sup> of GFA	1.5 spaces per 100 m <sup>2</sup> of GFA	1 space per 90 m <sup>2</sup> of GFA	N/A	<b>Common: N/A</b>  <b>Average: 1 space per 90m<sup>2</sup> (92.5m<sup>2</sup>)</b>
<b>Service Station</b>	1.5 spaces per service bay	N/A	1 space per 70m <sup>2</sup> of Retail floor space plus 1 space per service bay plus 1 space per 2 employees	2.2 spaces per 100m <sup>2</sup> of GLA for retail sales plus 2 per service bay	3 spaces per 100m <sup>2</sup> of GFA	1 space per 35m <sup>2</sup> of sales floor area plus 1 space per 2 service bays.	1.5 spaces per vehicle bay	<b>Common: 1.5 spaces per service bay</b>  <b>Average: 1 space per service bay, or 1 space per 45m<sup>2</sup></b>  <b>Additional criteria: space per m<sup>2</sup></b>

<b>Warehousing, storage, mini storage, and similar uses</b>	1 space per 200m <sup>2</sup> of GFA	1 space per 90m <sup>2</sup> of GFA	1 space per 100m <sup>2</sup> of GFA	0.5 spaces per 100m <sup>2</sup> GFA up to 2000m <sup>2</sup> plus 0.2 per additional 100m <sup>2</sup> of GFA	1 space per 186m <sup>2</sup> of GFA or 1 space per 2 employees, whichever is greater. Plus 1 space for every company vehicle used in connection with business conducted or from the premises	1 space per 90m <sup>2</sup> of GFA	1 space per 180m <sup>2</sup> of GFA	<b>Common: 1 space per 90m<sup>2</sup></b>  <b>Average: 1 space per 130m<sup>2</sup> (128m<sup>2</sup>)</b>
<b>Parking Use: Healthcare</b>	<b>Prince Rupert</b>	<b>Smithers</b>	<b>Fort St. John</b>	<b>Prince George</b>	<b>Quesnel</b>	<b>Vanderhoof</b>	<b>Terrace</b>	<b>Average:</b>
<b>Animal Hospital or Clinic</b>	1 space per 20m <sup>2</sup> of GFA	N/A	4 spaces per veterinarian	4 spaces per veterinarian	3 spaces per 100m <sup>2</sup> of GFA	4 spaces per veterinarian	1 space per 30m <sup>2</sup> of GFA	<b>Common: 4 spaces per veterinarian</b>  <b>Average: 4 spaces per vet or 1 space per 30m<sup>2</sup> (28m<sup>2</sup>)</b>
<b>Hospitals, Convalescent Homes</b>	1 space per 4 patient beds	1 space per adult bed or dwelling	1 space per 3 beds plus 1 space per doctor	1.1 spaces per 100m <sup>2</sup> of GFA	1.8 spaces per bed	1 space per 2 employees and 1 space per 5 beds	1 space per 2 beds for employee parking, 1 space per 4 beds for visitor parking.	<b>Common: 1 space per 4 beds</b>  <b>Average: 1 space per 2 beds</b>

<b>Medical &amp; Dental Offices</b>	1 space per 18m <sup>2</sup> of net floor area	1 space per 45m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA	4 spaces per practitioner	3 spaces per 100m <sup>2</sup> of GFA	4 spaces per doctor or dentist	1 space per 30m <sup>2</sup> of GFA	<b>Common: 1 space per 30m<sup>2</sup>, or 4 spaces per practitioner</b>  <b>Average: 4 spaces per practitioner or 1 space per 30m<sup>2</sup> (31.8m<sup>2</sup>)</b>
<b>Parking Use: Other</b>	<b>Prince Rupert</b>	<b>Smithers</b>	<b>Fort St. John</b>	<b>Prince George</b>	<b>Quesnel</b>	<b>Vanderhoof</b>	<b>Terrace</b>	<b>Average:</b>
<b>Beverage Container Return Centres</b>	1 space per 40m <sup>2</sup> of GFA or a minimum of 6 spaces, whichever is greater.	1 space per 45m <sup>2</sup> of GFA	1 space per 20m <sup>2</sup> of GFA	3 spaces per employee	3 spaces per 100m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup>	N/A	<b>Common: N/A (m<sup>2</sup>)</b>  <b>Average: 1 space per 35m<sup>2</sup></b>
<b>Bus &amp; Airline Terminals</b>	1 space per 10m <sup>2</sup> of waiting or lobby area.	4 spaces for staff and 4 spaces for public	1 space per 2 m <sup>2</sup> of waiting room plus 2 spaces	1 space per employee	N/A	1 space per 20m <sup>2</sup> of waiting room plus 1 space per 2 bays for loading buses	1 space per 10m <sup>2</sup> of waiting room area	<b>Common: 1 space per 10m<sup>2</sup> of waiting room area</b>  <b>Average: 1 space per 10m<sup>2</sup></b>

<b>Community &amp; Commercial Assembly Halls</b>	1 space per 12m <sup>2</sup> of GFA	1 space per 10m <sup>2</sup> of GFA	1 space per 40 m <sup>2</sup> of GFA	1 space per 5 fixed seating spaces; plus 20 spaces per 100m <sup>2</sup> of floor area used by patrons	5 spaces per 100m <sup>2</sup> of public assembly floor area	1 space per 5 seats plus 1 space per 10m <sup>2</sup> of floor are in areas without fixed seats (including playing surfaces)	N/A	<b>Common: N.A (m<sup>2</sup>)</b>  <b>Average: 1 space per 15m<sup>2</sup> (16.2m<sup>2</sup>)</b>
<b>Elementary Schools</b>	1 space per employee	1.5 spaces per classroom	10 spaces per classroom	2 spaces per classroom or 1 space per 10 students, whichever is greater	2 per classroom	1 space per classroom	2 spaces per classroom	<b>Common: 2 spaces per classroom</b>  <b>Average: 3 spaces per classroom</b>  <b>Additional criteria: spaces per students, spaces per employees</b>
<b>Schools</b>	1 space per 20m <sup>2</sup> of GFA	N.A	N/A	N/A	N.A	N/A	N/A	<b>Rational: Remove this section, add an (or 1 space per 20m<sup>2</sup> of GFA) to the secondary/post-secondary section</b>
<b>Parking Use: Other II</b>	<b>Prince Rupert</b>	<b>Smithers</b>	<b>Fort St. John</b>	<b>Prince George</b>	<b>Quesnel</b>	<b>Vanderhoof</b>	<b>Terrace</b>	<b>Average:</b>

<b>Theatres, Assembly Hall, Churches, Funeral Homes</b>	1 space per 10 seats provided for public seating	1 space per 10m <sup>2</sup> of GFA <b>Churches: 1 space per 3.75m<sup>2</sup> of sanctuary floor area plus 1 space per 20m<sup>2</sup> used for assembly purposes</b>	1 space per 3 seats or 1 space per 9m <sup>2</sup> , whichever is greater	1 space per 8m <sup>2</sup> of floor area used for assembly purposes	5 spaces per 100m <sup>2</sup> of floor area.	1 space per 5 seats	1 space per 8 seating spaces	<b>Common: N/A</b>  <b>Average: 1 space per 6.5 seats, 1 space per 10m<sup>2</sup> (11.75m<sup>2</sup>)</b>  <b>Note: PR is the most relaxed of all municipalities</b>
<b>Indoor Recreation Use</b>	1 space per 2 employees and 1 space per 2 player capacity.	1 space per 10m <sup>2</sup> of GFA	1 space per 10m <sup>2</sup> of skating arena, plus 1 space per 4m <sup>2</sup> of pool area, plus 1 space per 4 player capacity for other sports.	1 space per 3.5 seats; or 3.1 spaces per 100m <sup>2</sup> GFA used by patrons; or 5 spaces per 4000m <sup>2</sup> of area used for sports fields, whichever is greater	1 per 25m <sup>2</sup> of GFA	1 space per 5 seats plus 1 space per 10m <sup>2</sup> of floor are in areas without fixed seats (including playing surfaces)	1 space per 8 seating spaces	<b>Common: N/A (m<sup>2</sup>)</b>  <b>Average: 1 space per 5.5 seats, 1 space per 20m<sup>2</sup> (18m<sup>2</sup>)</b>
<b>Secondary Schools or other adult education</b>	1 space per 10 students	6 spaces per classroom	10 spaces per classroom	High school: 5 spaces per classroom or 1 space per 5 students, whichever is greater University: 10 spaces per classroom	5 per classroom	5 spaces per classroom	(secondary) 5 spaces per classroom  (College) 10 spaces per classroom	<b>Common: 5 spaces per classroom</b>  <b>Average: 7 spaces per classroom</b>

<b>Parking Use: Residential</b>	<b>Prince Rupert</b>	<b>Smithers</b>	<b>Fort St. John</b>	<b>Prince George</b>	<b>Quesnel</b>	<b>Vanderhoof</b>	<b>Terrace</b>	<b>Average:</b>
<b>Single Family, Two Family &amp; Multi-family</b>	1 space per dwelling unit	2 spaces per dwelling, except townhouse (1.5 spaces per dwelling	2 spaces per dwelling	2 spaces per dwelling  <b>MULTI-FAMILY:</b> 1 space per studio dwelling, plus 1 space per 1 bedroom dwelling, plus 1.5 spaces per 2 bedroom dwelling, plus 1.75 spaces per 3+ bedroom dwelling, plus 1 space per 7 dwellings as designated visitor parking	2 spaces per dwelling unit <b>Multifamily: 1 space per dwelling unit with an additional space for every 7 dwelling units</b>	Single family or two family: 2 spaces per dwelling Multi- family or group housing: 1 space per studio or bedroom dwelling unit. 1.5 spaces per 2 bedroom unit. 2 spaces per 3 bedroom dwelling unit. Plus 1 space per 7 dwelling units.	1 space per dwelling  (multifamily) 1.25 spaces per bachelor and 1 bedroom units, 1.5 spaces for 2 and 3 bedroom units and 0.5 spaces per each bedroom exceeding 3 rooms. 15% of the spaces marked visitor.	<b>Common: 2 space per dwelling (Non multi family), 1 space per bachelors and 1.5 for 2 bdrm and 2 for 3+ bdrm (multifamily) plus 1 space per 7 dwelling units (multifamily)</b>  <b>Average: (non multifamily) 2 spaces per dwelling (1.7)</b>  <b>Additional criteria: spaces for visitor parking (15% of spaces or 1 per 7 dwellings)</b>  <b>Note: Prince Rupert has most relaxed rules for residential</b>

<b>Senior Citizens Housing</b>	1 space per 4 living units	1.5 spaces per sleeping unit or dwelling	1 space per 70 m <sup>2</sup>	N/A	1 space per 3 beds.	N/A	1 space per 4 beds	<b>Common: 1 space per 4 units/beds</b>  <b>Average: 1 space for every 1.5 units</b>  <b>Additional criteria: space per m<sup>2</sup></b>
<b>Secondary Suites</b>	1 space per dwelling unit	1 space per dwelling unit	1 space per suite bedroom plus principal unit requirements	1 space per unit	1 space per dwelling unit	2 per dwelling	1 space per dwelling	<b>Common: 1 space per dwelling unit</b>  <b>Average: 1 space per unit (1.2)</b>
<b>Special Care Residential</b>	1 space per 3 beds	1 space per 45m <sup>2</sup> of GFA	0.5 spaces per sleeping unit	1 space per 2 employees plus 1 space per 10 patrons with a minimum of 4 spaces.	1 space per 3 dwelling units	N/A	1 space per 4 beds	<b>Common: 1 space per 3 beds/units</b>  <b>Average: 1 space per 3 beds/units</b>



## Results:

Many changes are proposed which will reduce the minimum parking standard while aligning with the common or average parking standards based on the six Northern British Columbia Municipalities.

### *Important Changes:*

#### **Retail:**

The assessment show that the parking minimums for retail uses and personal service shops are higher than the minimums in other municipalities. This may act as a deterrent to new development. It also does not align with the goals for densification within the City Core Areas. Therefore, the standard is proposed to increase from 1 space per 20m<sup>2</sup> to 1 space per 30m<sup>2</sup>.

#### **Schools:**

The current Zoning Bylaw's standards for schools are divided into three categories and apply to elementary schools, secondary school/other adult education, and Schools (general). This standard is proposed to be refined to provide more clarity.

#### **Assembly Halls:**

Assembly halls are mentioned in a standalone section, as well as in a section with Theatres, Churches, and Funeral Homes. It is proposed to remove Assembly Halls from the "Theatres, Assembly Hall Churches, and Funeral Homes" category to reduce redundancy and potential confusion.

#### **Residential**

All housing types are grouped into a single category with one space per dwelling. This is a low standard; however, it aligns with the OCP goals for reduced minimum standards for increased densification.

#### **Automotive:**

Three separate categories exist for automotive standards: Service Station, Automotive Service and Repair, and Automotive Gasoline Bar & Laundries. These categories contain some replication, It is proposed to combine these three categories into a single category.

#### ***The following categories are proposed to be removed because of redundancy and clarity:***

- Schools
- Automotive Service & Repair
- Service Station
- Automotive Gasoline Bars & Laundries

#### ***The following categories are proposed to be added:***

- College/University: 1 space per 10 students
- Automotive Gasoline Bars, Service and Repair: 1 space per 5m<sup>2</sup> of sales floor area (SFL) and 2 spaces per service bay or car wash bay

#### ***The following categories are proposed to be renamed:***

- **From:** Theatres, Assembly Hall, Churches, Funeral Homes;

- **To:** Theatres, Churches, and Funeral Homes.

The proposed changes will reflect the standards common to the sample of Municipalities. The retail space minimum standard has been increased from one space per 20m<sup>2</sup> to one space per 30m<sup>2</sup>. This will allow retail development to occur a more reasonable parking standard.

Residential parking standards in Prince Rupert currently have lower minimums than other the other Municipalities. However, this meets the City's goals for increased density in the three City Core Areas. It is worth noting that the new proposed parking standard would result in a number of legal non-conforming development.

It is worth noting that the only significant increase to minimum standards are:

- Hospitals, Convalescent Homes: The current standards are significantly lower than the other municipalities. It is important that these types of uses have a large portion of parking available.
- Theatres, Churches, Funeral Homes: The current standards are significantly lower than the other municipalities. The proposed standards are more likely to reflect the actual parking demand for these uses.
- Secondary Schools: Secondary school standards are proposed to be raised and will reflect similar standards to the other Municipalities. The previous standard of 1 space per 10 students now applies to the new category "College/University".

### *Proposed Parking Standards Table*

In total, six of the minimum standards were decreased, three standards were increased, 17 standards are roughly equivalent, two categories were added, and four categories were deleted. These proposed changes are based on the comparable municipalities which will reduce redundancy, provide more clarity, and facilitate better development in the City Core Areas.

Parking Use: Prince Rupert	Current Standard	Recommended Standard
Entertainment Centres	1 space per 30m <sup>2</sup> of gross floor area (GFA)	1 space per 30m <sup>2</sup> of gross floor area (GFA)
Neighborhood Pubs	1 space per 20m <sup>2</sup> of GFA	1 space per 5 seats for patron use
Offices	1 space per 45m <sup>2</sup> of gross leasable floor area	1 space per 35m <sup>2</sup> of gross floor area
Retail Use	1 space per 20m <sup>2</sup> of GFA, a minimum of 3 spaces per retail use.	1 space per 30m <sup>2</sup> of GFA, a minimum of 3 spaces per retail use.
Personal Service Shops	1 space per 20m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA
For Every 2 Boarders or Lodgers	1 space per 100m <sup>2</sup> of gross floor area	1 space per 2 sleeping units
Laundromat	3 spaces	1 space per 36 m <sup>2</sup> of GFA
Liquor Primary Establishments	1 space per 3 seats	1 space per 5 seats
Restaurants	1 space per 2 employees, and 1 space per 5 seats.	1 space per 4 seats for patron use
Traveler Accommodation	1 space per sleeping unit. An additional 1 space per 3 seats in a restaurant or lounge. And additional 1 space per 12m <sup>2</sup> of meeting space	1 space per room and 1 space per 4 seats in a restaurant or lounge. And additional 1 space per 12m <sup>2</sup> of meeting space
Animal Hospital or Clinic	1 space per 20m <sup>2</sup> of GFA	1 space per 30m <sup>2</sup> of GFA
Hospitals, Convalescent Homes	1 space per 4 patient beds	1 space per 2 patient beds
Medical & Dental Offices	1 space per 18m <sup>2</sup> of net floor area	1 space per 35m <sup>2</sup> of net floor area
Automobile Gasoline Bars, Service & Repair	N/A	1 space per 5m <sup>2</sup> of sales floor area (SFL) and 2 spaces per service bay or car wash bay.
General Industrial Use	1 space per 100m <sup>2</sup> of gross floor area (GFA)	1 space per 100m <sup>2</sup> of gross floor area (GFA)
Service Station	1.5 spaces per service bay	<b>Delete Category</b>
Warehousing, storage, mini storage, and similar uses	1 space per 200m <sup>2</sup> of GFA	1 space per 200m <sup>2</sup> of GFA
Beverage Container Return Centres	1 space per 40m <sup>2</sup> of GFA or a minimum of 6 spaces, whichever is greater.	1 space per 40m <sup>2</sup> of GFA or a minimum of 6 spaces, whichever is greater.
Bus & Airline Terminals	1 space per 10m <sup>2</sup> of waiting or lobby area.	1 space per 10m <sup>2</sup> of waiting or lobby area.

<b>Community &amp; Commercial Assembly Halls</b>	1 space per 12m <sup>2</sup> of GFA	1 space per 20m <sup>2</sup> of GFA
<b>Elementary Schools</b>	1 space per employee	2 spaces per classroom
<b>Theatres, Churches, Funeral Homes</b>	1 space per 10 seats provided for public seating	1 space per 6 seats provided for public seating
<b>Indoor Recreation Use</b>	1 space per 2 employees and 1 space per 2 player capacity.	1 space per 2 employees and 1 space per 2 player capacity.
<b>Secondary Schools</b>	1 space per 10 students	1 space per 5 students
<b>Single Family, Two Family &amp; Multi-family</b>	1 space per dwelling unit	1 space per dwelling unit
<b>Senior Citizens Housing</b>	1 space per 4 living units	1 space per 4 living units
<b>Secondary Suites</b>	1 space per secondary dwelling unit	1 space per secondary dwelling unit
<b>Special Care Residential</b>	1 space per 3 beds	1 space per 3 beds
<b>College/University</b>	N/A	1 space per 10 students

## Recommendations:

### *Off-Street Parking Standards Revision:*

It is recommended to change the current parking standards table to the new “Proposed Parking Standards Table” proposed in this report. These recommended standards align with comparable municipalities.

### *Additional Policy:*

#### **1. Parking Space Calculation:**

##### **Policy:**

Where the calculation of a required off-street parking space results in a fraction, the required number of parking spaces shall be rounded to the nearest whole number.

#### **2. Driveway material Policy:**

In five of the six municipalities in this study, standards for parking surface material have been established. It is proposed to incorporate similar policy that will establish hard-surfaced parking standards for all commercial zones, and larger residential uses. This will increase costs to develop, but it will also enable the development of a more attractive City consistent with the goal of Prince Rupert becoming a world class port city.

##### **Definition:**

**Hardsurfaced** means the provision of durable, dust free road surface construction of concrete, asphalt or similar material.

##### **Policy:**

All required off-street parking areas in residential zones with more than four units, and all required off-street parking areas in all commercial zones shall consist of hardsurfaced materials defined in this Bylaw.

All parking areas that do not require hardsurfaced materials shall be surfaced with gravel or crushed rock and must be compacted and treated to suppress dust and weeds.

#### **3. Payment in lieu:**

**Policy:**

In lieu of providing the required on-site parking in the City Core Areas, an owner or developer shall pay to the City \$12,500 for every parking space not provided in compliance with the requirements of this Bylaw.

**4. Electric Vehicle Policy (including table):****Definition:**

**Energized Space:** means a vehicle parking space that is equipped with an energized EV outlet and, where required, Electric Vehicle supply equipment.

**Policy:**

The minimum number of energized spaces shall be provided in the table below:

Use	Parking Requirement	Minimum Energized Spaces
Hospital	1 space per 100m <sup>2</sup> of GFA	5%
Recreational Facility	1 space per 50m <sup>2</sup> of GFA	5%
Multi-family Residential	15% of the total parking spaces.	15%
Office	1 space per 45m <sup>2</sup> of GFA	10%

To determine the amount of energized parking spaces for multifamily units, it was reported that 74% of the residents in the City of Vancouver are unlikely to purchase an EV in the next 5 years (Bunt & Associates, 2018).

**5. Bike infrastructure/parking policy (including table):****Definition:**

**Oversized Bicycle:** means larger, non-standard bicycle such as cargo bikes, bicycles with trailers, recumbent bicycles, and other larger bicycles.

**Policy:*****Bicycle Parking Spaces and Dimension Requirements***

1. Bicycle parking space and aisle dimensions shall be in accordance with the standards in the table below.
2. All bicycle parking spaces shall be located within 15 metres of the building's primary entrance and be accessible to the visitors and public.
3. All bicycle parking shall be on surface level and separated from the vehicle parking facilities.
4. All bicycle parking shall not interfere with pedestrian travel.

	Minimum Dimensions		
	Width	Depth	Overhead Clearance
Ground Anchored Rack (standard)	0.6 m	1.8 m	2.1 m
Ground Anchored Rack (oversized)	0.9 m	3.0 m	
Wall Mounted Vertical Rack	0.6 m	1.2 m	
Access Aisle	1.5 m		

Access Door	1.0 m	
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### **General Bicycle Parking Policy**

1. The owners of any building in any zone shall provide parking for bicycles and scooters as specified in the table below.
2. The spaces required in the table below may be open or enclosed and should be under the roof of a building.

### **Bicycle and Mobility Scooter Parking Spaces/Facilities:**

Use	Required Bicycle Parking Spaces	Required Mobility Scooter Spaces
Multi-Family Residential	6 spaces per building	N/A
Retail	1 space per 250m <sup>2</sup> of GFA	1 space per building
Office	1 space per 250m <sup>2</sup> of GFA	1 space per building
Elementary, Secondary Schools	5 spaces per classroom	3 spaces per building
College/University	5 spaces per classroom	5 spaces per building
Restaurant/Pub	1 space per 10 seats	N/A

### **References:**

Bunt & Associates. 2018. **Social and Supportive Housing Parking Research.** *Report to Council, The City of Vancouver.*

Transport Canada. 2020. **Zero-emission Vehicles.** *Government of Canada, tc.canada.ca*

CITY OF PRINCE RUPERT

**ZONING BYLAW NO. 3462, 2020**

A BYLAW TO REGULATE THE USE OF LAND INCLUDING THE SURFACE OF WATER WITHIN THE CITY OF PRINCE RUPERT, AND FOR THAT PURPOSE TO DIVIDE THE CITY INTO LAND USE ZONES, REGULATE BUILDINGS, STRUCTURES, SIGNS, PARKING AND LOADING SPACES, SCREENING, AND LANDSCAPING.

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The Council of City of Prince Rupert in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as **"ZONING BYLAW NO. 3462, 2020"**
2. That the Schedule "A" – Zoning Bylaw, attached to and forming part of this Bylaw comes into force upon final consideration and adoption.
3. That the Schedule "B" – Zoning Map, attached to and forming part of this Bylaw comes into force upon final consideration and adoption.
4. That the Schedule "C" – Area where retail sale of recreational cannabis is permitted.
5. That the City of Prince Rupert Zoning Bylaw 3290, 2010 is hereby repealed.

READ A FIRST TIME this \_\_\_\_ day of \_\_\_\_\_, 2020.

READ A SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2020.

PUBLIC NOTIFICATION this \_\_\_\_ day of \_\_\_\_\_, 2020.

MINISTRY OF TRANSPORTATION APPROVAL this \_\_\_\_ day of \_\_\_\_\_, 2020  
(APPROVAL NO. \_\_\_\_\_).

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2020.

FINALLY CONSIDERED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor

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Corporate Administrator



**City of Prince Rupert**

**ZONING BYLAW**

**Zoning Bylaw No. 3462, 2020**

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## Bylaw Application:

This bylaw shall be applicable to the whole of the area within the boundaries of the City of Prince Rupert including buildings and structures.

## Section 1 – Definitions

This bylaw includes a number of words that have specific meanings with respect to permitted uses and related regulatory requirements. These words and phrases are defined in this section and in some instances are augmented by illustrative drawings to provide further explanation.

**ACCESSORY BUILDING, STRUCTURE OR USE** means a building, structure or use customarily incidental and subordinate to the principal buildings, structure or use located on the same site, and the definition of accessory building shall not include a building intended as a dwelling unit.

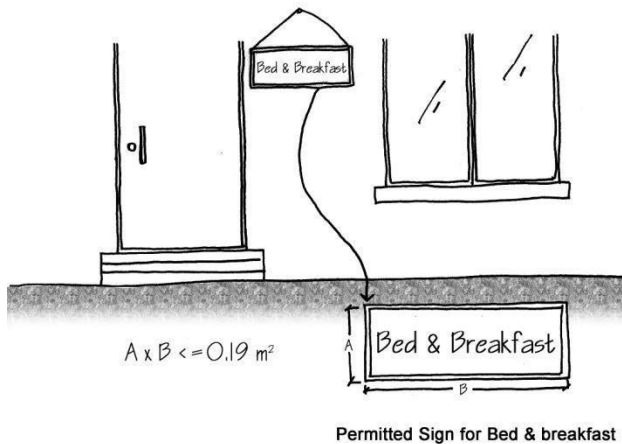
**ASSEMBLY HALL** includes any premises occupied or used by a gathering of persons for civic, political, travel, social, religious, educational, and recreational or like purposes.

**AUTOMOTIVE SERVICE AND REPAIR** means a business devoted exclusively to the service, repair, and sales of automotive parts, excluding the sale of vehicle fuels.

**AVERAGE FINISHED GRADE** means the sum of measurements obtained from the midpoint of each exterior wall at the finished grade, divided by the total number of applicable perimeter measures.



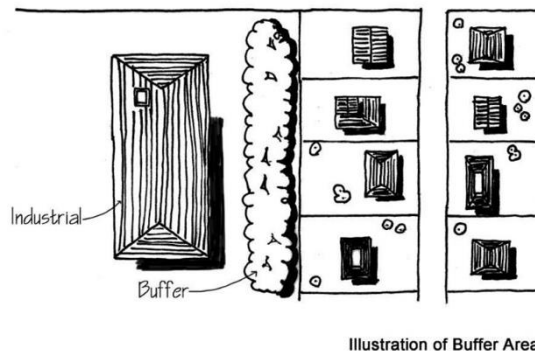
**BED & BREAKFAST ACCOMMODATION** means the use of a detached single family dwelling or duplex for the accommodation of the traveling public in guest rooms without cooking facilities where the room rate includes breakfast served on the premises, with one permitted sign subject to a maximum size of 0.19m<sup>2</sup>. For the purpose of this Bylaw, a bed & breakfast is considered a short term rental accommodation.



**BOARDER OR LODGER** means a person who pays for and occupies a sleeping room, with or without individual toilet facilities, in a dwelling unit occupied by a family to which he is not related by blood or marriage.

**BOARDING OR LODGING HOUSE** - means a building containing four (4) or more rooms for rental as sleeping units, with or without meals being provided for the persons living therein.

**BUFFER** means a landscaped barrier to air, noise and vibrational pollution, and visibility.



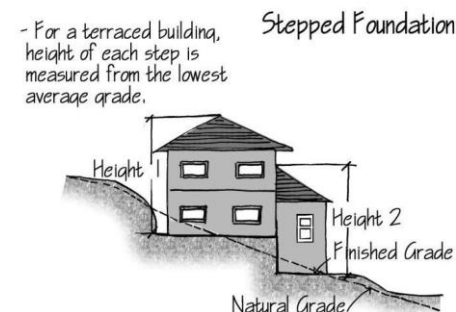
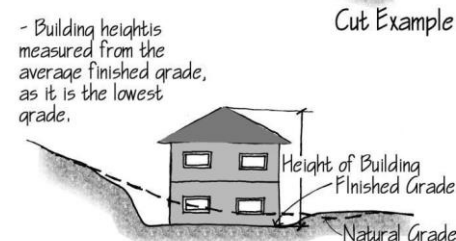
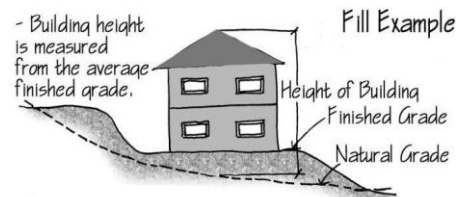
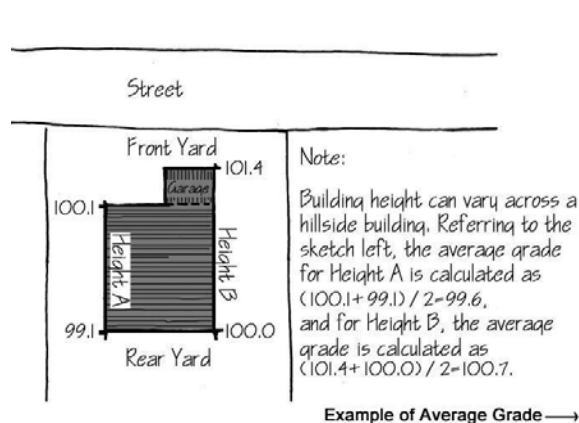
**BUILDING** means a structure having a roof supported by columns or walls and used for the shelter or accommodation of persons, animals or chattels.

**BUILDING HEIGHT** means the vertical distance from the average finished grade, measured at the perimeter of a building or structure to the highest point of the building or structure and excludes chimneys, aerials, antennae, steeples and service structures having an area of not more than 10% of the area of the principal building.

**CAMP SITE** means a site occupied and maintained to be occupied for the temporary accommodation of recreation vehicles and tents, including customary accessory sales.

**CANNABIS** has the same meaning as in the Cannabis Act (Canada), and subject to any prescribed modifications.

**CANNABIS RETAIL SALES** means a business under the regulations of the Cannabis Control and Licensing Act and where the principal business is the retail sales of Cannabis for consumption off site and includes government and private stores.



Determining from what grade the building height is measured.

**COMMERCIAL CANNABIS OPERATIONS** means cannabis cultivation, propagation and processing for retail purposes.

**COMMERCIAL USE** means a use providing for the selling of goods or services, for personal services, or for the servicing and repair of goods; includes retail uses, personal service establishments, wholesaling in conjunction with retail sales, commercial and governmental offices, recreation facilities, commercial schools, household services and all associated repairs; excludes manufacturing, salvaging, warehousing, the selling, servicing and repair of heavy industrial machinery, service stations and tourist accommodation.

**CONSTRUCTION CAMP** means a series of mobile homes established to accommodate persons on temporary stay and directly involved in construction of major projects, along with accessory uses including but not limited to: communal kitchen and dining facilities, communal recreation facilities; training classrooms; communal laundry facilities, and cleaning facilities generally required to maintain a large number of individuals.

**DERELICT VEHICLE** means a motor vehicle without a license under the Motor Vehicle Act for a period of more than one year and is not housed in a garage or carport; an unlicensed car stored outside for a period or more than six months is considered derelict.

**DENSITY, COMMERCIAL** means the floor area ratio that is permitted in the commercially zoned parcel of land. Where a commercial zone permits a residential or mixed use, the number of residential dwelling units permitted shall be regulated by the permitted maximum floor area ratio of the applicable zone.

**DENSITY, RESIDENTIAL** means the number of dwelling units permitted on a lot. This shall be expressed by the lot area multiplied by the number of dwelling units permitted for the same unit of area for that lot based on the zoning in effect, and for the final number rounding off fractions of 0.50 or greater to the next highest whole number and fractions of less than 0.50 to the next lowest number.

**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 3 or more dwelling units (attached or detached) on a single lot;
- (b) **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. This does not apply to any mobile or modular units.
- (c) **TWO-FAMILY RESIDENTIAL DWELLING** means a building or single lot that contains two principal dwelling units. These units may be either one above another and separated by a ceiling and floor that extends from an exterior wall 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.



**EDUCATION CENTRE** means any use dedicated to education for various age groups and needs, including elementary, secondary, post-secondary, technical and vocational, and includes public and private sector education centres.

**ENERGIZED SPACE** means a vehicle parking space that is equipped with an energized EV outlet and, where required, Electric Vehicle supply equipment.

**ENTERTAINMENT CENTRE** means a building or part thereof which is used for the entertainment of the public through provision of live music and performances and includes the provision of pool tables, gaming centres, billiard tables, pinball or video game machines or other amusement-vending mechanical, electronic, automatic or computerized game machines where the number of these devices is five or greater.

**FAMILY** means persons sharing a household, consisting of: (a) two (2) or more persons related by blood, marriage, common law, adoption, or foster parenthood, and (b) three (3) or fewer unrelated persons.

**FENCE** means a hedge, railing or paling, trellis louveres or other screening forming a boundary to or enclosing some area, provided that if such fence forms a part of any principal or accessory building then it shall be regulated as part of such building.

**FIRST STOREY** means the first habitable floor accessible from a grade level entrance.

**FLOOR AREA RATIO** means the figure obtained when the gross floor area of all floors of a building on a lot is divided by the area of the lot.

**GENERAL INDUSTRIAL USE** means the assembly, manufacture, warehousing, processing, fabrication, repair, storage and transfer facilities for industrial commodities and includes service industrial uses.

**GROSS FLOOR AREA** means the total floor area as measured to the outer walls of the building, but excludes parking structures, swimming pools and deck, balcony and patio areas as long as such structures or areas do not exceed 0.6m above the average ground elevation.

**HARDSURFACED** means the provision of durable, dust free road surface construction of concrete, asphalt or similar material.

**HOME BUSINESS** means a **home occupation** that is permitted as an accessory use to a single family or two family dwelling that may include on-site customers.

**HOME OCCUPATION** means any permitted business, trade or profession carried on within a dwelling unit or accessory building to a dwelling unit. A home occupation must clearly be an ancillary use to the residential use of the dwelling unit or to the residential use of the lot occupied by the dwelling unit. A home occupation may be one of two types: 1) home office; 2) home business.

**HOME OFFICE** means a **home occupation** which operates without the on-site attendance from clients or customers.

**HOSTEL** means a type of traveller's accommodation which contains one or more dormitories (four or more beds per room) and includes common areas for washing, cooking, dining and socializing, sanitary, kitchen, and social facilities.

**IMPOUNDMENT YARD** means the commercial storage of vehicles and boats for an interim period of time and excludes the wrecking or sale of scrap materials.

**INSTITUTIONAL FACILITY** means a building that is intended to provide administrative, judicial, medical, cultural, recreational, educational, and related uses.

**KITCHEN** means a room or an area within a building that is designed or used for the preparation and storage of food. A Kitchen is designed to contain a sink, refrigerator, stove, and hotplate or microwave oven.

**LANE** means a road allowance more than 6m but less than 10m in width used exclusively for the collection of garbage, loading and unloading of vehicles.

**LIGHT INDUSTRIAL USE** means assembly, manufacture, warehousing, process, repair and service industrial uses that have their use contained within a fully enclosed building but may include fully screened exterior storage areas.

**LOT** means an individual parcel of land registered in the Land Titles Office.

**LOT LINE** means the boundary of a lot, and:

- (1) **FRONT LOT LINE** means the lot line that is common to the lot and abutting highway or access route in

a bare land strata plan, in the case where there are two or more such lot lines the shortest is considered the front lot line. In the case of a panhandle lot means the lot line or lot lines nearest the abutting highway, but not forming a boundary of the access strip as indicated in the definition of panhandle lot;

- (2) **REAR LOT LINE** means the lot line that is opposite to the front lot line when a lot has only four sides, and where the rear portion of a lot is bounded by intersecting side lot lines means the point of intersection;
- (3) **EXTERIOR SIDE LOT LINE** means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan; and
- (4) **INTERIOR SIDE LOT LINE** means a lot line that is not a front, rear, or exterior lot line.

**LOT COVERAGE** means the combined footprint of all buildings on a lot, expressed as a percentage of the lot, and excludes trellises, unenclosed patios, and underground parking structures as long as such structures do not exceed 6m above the average ground elevation.

**MARINE COMMERCIAL USE** means a retail and/or service use including boat and equipment sale and rentals, charter operations, chandleries, boat building and repair, water taxis, yacht clubs and moorage, seafood loading, processing and sales.

**MOBILE HOME** means a dwelling unit structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured as an individual unit or module, and intended to be moved from one place to another by being towed or carried and which is in compliance with CSA 240 specifications.

**NON-CONFORMING USES** are defined by the Local Government Act. In general, a non-conforming use means any lawful use existing at the time of the Bylaw adoption which does not conform to all the provisions of this Bylaw for the Zone in which such building or use is located.

**OFF STREET PARKING** means a use providing for temporary parking or storage of vehicles.

**OVERSIZED BICYCLE** means larger, non-standard bicycle such as cargo bikes, bicycles with trailers, recumbent bicycles, and other larger bicycles.

**PANHANDLE LOT** means any lot that is situated directly behind another lot such that an access strip provides the lot frontage.

**PERSONAL SERVICE ESTABLISHMENT** means a commercial service intended to serve the health, grooming, financial, recreational, athletic activities or related well-being of an individual.

**PRINCIPAL RESIDENCE** means the dwelling unit is where a person lives for at least five consecutive months per calendar year and where such person conducts their daily affairs which include paying bills and receiving mail. For the purpose of operating a short term rental accommodation, a person cannot have more than one principal residence.

**RETAIL USE** means the sale and display of goods and services, including food and beverage services, to consumers; and may include wholesale warehousing and distribution.

**SERVICE COMMERCIAL USE** means retail and service uses that can include ancillary exterior storage and display areas, repair facilities, vehicle and marine sales, service and repairs, transit terminals, horticultural centres, warehouses, recycling centres, wholesale and distribution outlets.

**SECONDARY SUITE** means an accessory dwelling unit located within a principal dwelling.

**SERVICE STATION** means a vehicle fueling station which may include the sale of accessory food and convenience items.

**SHIPPING CONTAINER** means a metal transport container with an assigned GVW weight. It is designed for and customarily associated with road, rail or ocean transport with a maximum dimension of eight feet wide by forty feet long by eight feet high.

**SHORT TERM RENTAL ACCOMMODATION** means an accessory use of a dwelling unit that is used for a temporary commercial accommodation for short term use of any paying guests within a period of 30 days or less. This includes but is not restricted to bed & breakfast accommodations; however, this is not a home occupation and it does not include tourist accommodation.

**SITE** means an area of land or surface of water consisting of one or more lots used as a unit devoted to a common use or development and excludes from its area required environmental setbacks or unbuildable slopes.

**STORY** means a part of a building comprising all the rooms that are on the same level. The height of each story is based on the ceiling height of the rooms plus the thickness of the floors between each pane. The height of the story is defined as 4.3 metres.

**STRUCTURE** means anything that is constructed, erected or placed, the use of which requires the location on the ground or attachment to something having location on the ground. This includes a satellite dish antenna, heat pump, gas meter, propane tank, or other attached mechanical equipment. This excludes any fence, beehive, retaining wall, underground sewage disposal facility, and paved or concrete surface.

**SUPPORTIVE HOUSING** means the use of a principal dwelling for providing a supportive and structured environment to residents, which is registered under the Community Care and Assisted Living Act or governed by a Housing Agreement, and may include counselling, educational services, homemaking and transportation. The character of use is that residents live together as a single house-keeping group and use a common kitchen. Typical uses include but are not limited to sober living homes and transition homes for vulnerable persons.

**TEMPORARY STRUCTURE** means a structure or building that is intended to be used for a period of time not exceeding the building permit expiry, after which time it must be removed from the site.

**TRAVELER ACCOMMODATION** means a use providing for the accommodation of a transient public in a permanent structure, with individual dwelling units or sleeping units (each with private washrooms) such as a hotel, short term accommodation or motel, or providing space for such lodging. It also includes hostels; and may include dining and beverage facilities. This does not include tents, trailers, or recreational vehicles.

**UNENCLOSED STORAGE** means an area not contained within a building or structure where materials or equipment are stored, baled, placed, piled, or handled. This includes but is not limited to: construction materials, solid fuels, lumber and new building materials, monuments, utility equipment, goods, machinery or equipment for industrial and construction use, derelict vehicles, or any materials which are ordinarily placed in a landfill.

**URBAN AGRICULTURE** means the act of growing food on a lot. In addition to produce grown in a garden, this also includes community gardens, fruit and nut tree production, the keeping of hens and/or bees, and agricultural retail sales.

**UTILITY BUILDING** means a building or structure related to the operation and maintenance of utilities such as drainage, water supply, wastewater collection (but excluding treatment), telephone, and power.

**WIND POWER PROJECT** means a project of not more than 25 wind powered electricity generating machines including associated maintenance and substation buildings, roads, and transmission lines.

**WIND POWER TURBINE** means an electric generating machine which consists of generating housing (nacelle) and wind blended rotor situated/mounted on top of a free standing tubular steel lattice or concrete tower.

## **Section 2 – Administration**

### **2.1.0 Administration**

- a) The Administrator, City Clerk, Deputy City Clerk, Community Planner, Building Inspector, License Inspector, Bylaw Enforcement Officer, Approving Officer, Public Works Director and their designates and any other person appointed by the Council are hereby authorized to administer this Bylaw.
- b) Persons appointed under subsection (a) are hereby authorized to enter, at all reasonable times, upon properties subject to the provisions of this Bylaw to ascertain whether the provisions of the Bylaw are being obeyed.
- c) No person may obstruct the Bylaw Enforcement Officer or any other designated person engaged in the administration or enforcement of this Bylaw.

### **2.2.0 Application**

- a) This Bylaw shall apply to all land, the surface of water, buildings, and structures within the boundaries of the City of Prince Rupert subject to the provisions of other Provincial and Federal statutes;
- b) Where a lot is divided by a zone boundary, the areas created by such division shall be deemed to be separate lot areas for the purpose of determining the requirements of this bylaw.

### **2.3.0 Prohibition**

Subject to the provisions of the Local Government Act respecting non-conforming uses, land, including the surface of water, building or structures shall not be used, constructed, reconstructed, altered, moved or extended contrary to any provision of this Bylaw.

### **2.4.0 Violation**

Any person who violates any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any provision of this Bylaw is guilty of an offence.

### **2.5.0 Penalty**

- a) Any person convicted of an infraction of this Bylaw shall be liable on summary conviction to the penalties not exceeding \$10 000 and the costs of prosecution.
- b) Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
- c) Upon conviction, the magistrate may direct that no prosecution under Subsection (b) may be made, with respect to the continuance of the violation, for such period of time as directed.

### **2.6.0 Severability**

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

### **2.7.0 Requirements for Compliance**

- a) Land or the surface of water within the City of Prince Rupert may not be used, land may not be subdivided, buildings and structures on land or the surface of water may not be altered, constructed, used, or located, and signs may not be erected or located on any land unless permitted by this Bylaw.
- b) All siting measurements must be made on the horizontal plane from the natural boundary, lot line, or other feature specified in this Bylaw to the nearest portion of the building, structure, or use in question.

## **Section 3 – General Provisions**

### **3.1.0 Uses Permitted in Several Zones**

The following uses are permitted as indicated, but are subject to the siting requirements as stated for the Zone in which the use is situated:

- a) Churches and places of worship are permitted in all Commercial and Residential zones
- b) Education centres, providing for education of grades 1 and higher, are permitted in all Residential, Commercial and Public Facilities Zones
- c) Utility buildings are permitted in all zones except for Residential zones.
- d) Golf courses are permitted in all Residential zones.
- e) Parks and recreation facilities are permitted in all zones.
- f) Cemeteries are permitted in all zones.
- g) Hospitals, medical clinics and treatment centres are permitted in all Residential, Commercial and Public Facilities Zones, subject to the lot having a minimum area of 1,100m<sup>2</sup>.
- h) Non-market and non-profit housing facilities are allowed to dedicate up to 20% of the total gross floor area to office spaces necessary to manage the facilities, administer programs and provide counselling in all Multiple Family Zones, and the parking requirements will be regulated according to the use.

### **3.2.0 Non – Conforming Uses**

- a) The regulations governing non-conforming uses are set forth in the Local Government Act.
- b) The lawful use of any land, building or structure existing at the time of the adoption of this Bylaw may be continued (subject to the provisions of the Local Government Act), although such use does not conform with the provisions of this Bylaw

### **3.3.0 Siting Exceptions**

- a) Freestanding lighting poles, warning devices, utility poles, wires, flag poles, signs and sign structures may be sited on any portion of a lot, except as otherwise limited in other bylaws.
- b) Except as otherwise provided in this or other bylaws, canopies or awnings may be constructed in Commercial zones within 0.6 metres of the existing curb line within a minimum or 2.7 metres vertical clearances from street level, subject to the City granting a license of occupation to the owner.
- c) Bay windows, eaves and cornices of buildings may extend into the required minimum front and rear yard setback by 0.6 metres.
- d) Within the residential zones the foundations for masonry chimneys and fireplaces shall be no closer than 0.6 metres from the side property line. Chimneys constructed with other materials must adhere to regular setback requirements.
- e) Within the residential zones, no part of any sidewalk, patio, sundeck, or stairs which is more than 1.2 metres above grade shall be closer to the side property line than 0.6 metres.
- f) Notwithstanding the front setback requirements in this Bylaw for single and two family dwellings, when a single or two family dwelling has no other means of access either from the rear or from the side, a private garage may be located closer to the street than the required setback line subject to the roof if such garage is not more than 60 cm above the general elevation of the road.

### **3.4.0 Secondary Suites**

A suite is permitted as an accessory use to a single family dwelling, or other type of dwelling unit as permitted in Section 5 of this Bylaw.

#### **3.4.1 General Regulations for Secondary Suites**

- a) There is only one suite permitted for each applicable lot.
- b) The secondary suite must be completely contained within the single family dwelling.



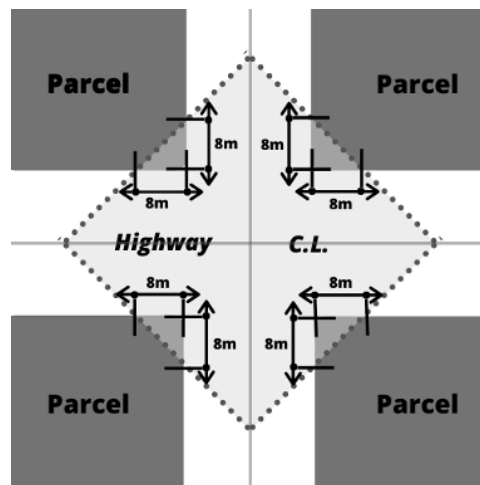
- c) The secondary suite must have a floor area of no more than 90m<sup>2</sup>, or 40% of the buildings habitable area, whichever is less.
- d) A single additional off-street parking space must be provided for the exclusive use of the tenant.
- e) The suite and the single family dwelling must be a single real estate entitlement, Strata titling is not permitted. To achieve this, the owner shall register a covenant that specifically prohibits stratification of the suite.
- f) A secondary suite must not be short term rental (less than one month).

### 3.5.0 Height Exceptions

The heights of buildings and structures permitted elsewhere in this Bylaw may be exceeded for retaining walls, church spires, monuments, chimney and smokestacks, flagpoles, stadium bleachers, lighting poles, apartment elevator shafts and stair towers.

### 3.6.0 Setbacks – Sight Triangle

A corner parcel shall not obstruct the line vision above 0.5 meters of an established grade of a highway that is within the sight triangle (refer below). This is calculated by extending a 8 meter boundary along each edge of the corner of the parcel. This is applicable to all zones unless otherwise specified.



### 3.7.0 Fences

No fence in the residential zones shall exceed 1.8 metres in height in the rear and side yard areas, and not more than 1.2 metres in height in the front yard area.

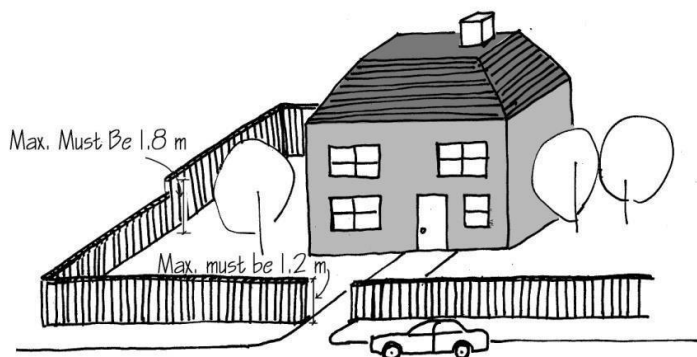


Illustration of Permitted Fence Height

### 3.8.0 Home Occupations

There are two types of home occupations identified for the purpose of this Bylaw. They are permitted depending on the dwelling unit type and the size of the lot in which the home occupation is located. The two types of home occupations are subject to the following general regulations:

Home occupations permitted are subject to the conditions below:

- a) A home office is permitted as an accessory use in any dwelling unit.
- b) A home business is permitted as an accessory use to a single family or two family dwelling.
- c) The occupation shall be carried out entirely within the dwelling unit or permitted accessory building and its function shall be subordinate to the residential nature of the building.
  - i. Notwithstanding section 3, a home daycare may include an outdoor play area for children.
- d) No more than 25% or 65 m<sup>2</sup> of the entire gross floor area of a dwelling unit may be used for any home occupation.
- e) A home occupation shall not cause any noise, odour, effluent, smoke, dust, vibration, electrical interference, bright or flashing light or other objectionable condition which would interfere with the quiet enjoyment of a residential neighbourhood; and there shall be no visible signs of such occupation from the exterior, and without limiting the generality of the foregoing, the storage or display of goods, materials, machinery, or equipment on or about the premises is prohibited.
- f) The home business operator must obtain a Business License issued by the City of Prince Rupert.
- g) The home occupation must comply with all licensing, health and other application regulations of British Columbia and the City of Prince Rupert.
- h) A home occupation shall not require more than one delivery of goods or materials per week, and no more than one customer or client vehicle parked on site at one time.
- i) A home occupation shall be carried out only by the residents of the dwelling unit except as permitted in Sub-section (e) below.
  - i. Daycare facilities operating as home occupations may employ equivalent to one full-time child-development specialist for a child in need of support.
- j) The following uses are prohibited for all types of home occupations:
  - i. Orchestra or band training;
  - ii. Restaurant;
  - iii. Any light industrial use;
  - iv. Salvage or repair of automobiles or automobiles;
  - v. Business that requires any use of large automobiles;
  - vi. Storage of more than one automobile or one large automobile;
  - vii. Retail or wholesale of goods, with the exception of goods produced as part of a home business;
  - viii. Cannabis grow operation.

- k) There may only be one sign with the maximum dimensions 0.2 m<sup>2</sup> for the home business in accordance with the conditions in this bylaw. **Neon or internal illumination for home occupation signs is prohibited.**

### **3.8.1 Home Offices**

A home office may not serve customers on the lot in which it is located, nor cause any increase in demand or usage of both on-site and adjacent street parking.

### **3.8.2 Home Businesses**

The following regulations apply to home businesses:

- a) The following uses and no others are permitted as home businesses:
- i. Artist/craftsperson studio and household equipment/appliance service and repair. This excludes:
    - a. Boat refurbishment or building;
    - b. Auto refurbishment;
    - c. Furniture making;
    - d. Cabinet making.
  - ii. Community care facility
  - iii. Home daycare facility
  - iv. Office
  - v. Personal service establishment and pet grooming
    - a. With the limitation to a single patron at any given time.
- b) All Business activities including storage of materials or supplies must be contained within the principal dwelling.

### **3.9.0 Short Term Rental Accommodation:**

The following requirements apply to all short term rental accommodations:

- a) No person may operate a short-term rental accommodation unless the dwelling is the principal residence of that person.
- b) A short term rental accommodation is not permitted within a secondary suite, accessory dwelling unit, caretaker dwelling accessory residential unit, accessory building, mobile home, or any structure or shelter that is not a dwelling unit.
- c) Short term rental accommodations are only permitted in zones where bed and breakfast uses are permitted in residential zones.
- d) A short term rental accommodation must comply with the parking regulations on bed and breakfasts in section 9.1.2: Table 1.

### **3.10.0 Use of Mobile Homes, Tents or Trailers**

It shall be unlawful to use or occupy a mobile home, tent or trailer as a dwelling place, or living or sleeping quarters anywhere in the City of Prince Rupert save and except where such mobile home, tent or trailer is located within a mobile home park, campsite or construction camps as defined and permitted under this Bylaw and which is approved and regulated under the Health Act.

### **3.11.0 Education Centre**

Education Centre, where permitted, shall comply with the following:

- a) Minimum site area is 2500m<sup>2</sup>, except where the centre comprises part of an office building.
- b) All yards abutting residential zones shall be effectively screened by fences, building walls or other approved means to a height of not less than 2.4 metres above grade, and such screens shall be kept in good repair,

- c) Screen planting at least 1.5 metres high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 metres high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

### **3.12.0 Bed & Breakfast Accommodation**

In Addition to the regulations under section 3.9, a Bed & Breakfast, where permitted, must comply with the following general guidelines:

#### **3.12.1 General Guidelines**

- (a) Regulations contained in the Food Premises Regulations and Swimming Pool Regulations pursuant to the Health Act, and in accordance with any regulations of the Office of the Fire Commissioner
- (b) Be limited to no more than two (2) guest rooms.
- (c) The guest rooms shall be inspected and approved by the City Fire Department, the City Building Inspector and the Provincial Electrical Inspector.
- (d) Be located within a single detached single family dwelling only.
- (e) The sale of alcoholic beverages is prohibited.
- (f) The maximum number of guests shall be two (2) guests per guest room (exclusive of children under the age of sixteen under the care and supervision of such guests).
- (g) The minimum permitted floor area for any guest room is nine (9) square metres
- (h) The maximum permitted gross floor area for any guest room is twenty two (22) square metres.
- (i) The minimum lot area for a Bed & Breakfast Accommodation shall be three hundred and forty (340) square metres.
- (j) No boarders or lodgers shall be permitted within a dwelling where a Bed & Breakfast Accommodation is operated.

#### **3.12.2 Location and Parking**

- (a) Shall be on a site serviced by municipal water and sewer.
- (b) Shall provide parking in the amount of one (1) space per guest room to a maximum of two (2) off street parking spaces.

### **3.13.0 Use Prohibition**

All commercial fishing gear, including but not limited to crab traps, prawn nets and any ancillary gear is not permitted in any zone other than the M2, M3 and M6 zones and provided that a minimum 10 metres buffer be maintained where the abutting lot is zoned residential.

### **3.14.0 Antenna Systems**

All exterior transmitting devices – or group of devices – used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas and including a supporting tower, mast or other supporting structure, and an equipment shelter are regulated by the City of Prince Rupert Antenna Siting Policy. This includes Freestanding antenna systems and building/structure-mounted antenna systems.

### **3.15.0 Retail Liquor Sales**

No retail liquor sales, except for pubs, grocery stores, and restaurants, may occur within one kilometer of another liquor establishment as measured in a straight line from primary entrance to primary entrance.

### **3.16.0 Supportive Housing**

Supportive Housing, where permitted, shall comply with the following:

- (a) Be subject to a Housing Agreement that specifies the terms and conditions regarding eligibility, occupancy and other provisions as set out in the Local Government Act.
- (b) Not be operated where there is a secondary suite, residential care use, boarding use, or home occupation on the lot.
- (c) Have no indication that the building is used for a purpose other than a residential use.

**3.17.0 Cannabis Retail Stores**

Cannabis Retail Store, where permitted, shall comply with the following:

- (a) Must be located within the area delineated in Schedule "F".
- (b) No Cannabis Retail Store may occur within 75 meters of another Cannabis Retail Store as measured in a straight line from primary entrance to primary entrance.
- (c) In case of buildings with multiple primary entrances, measurements will be from the closest primary entrance to the proposed Cannabis Retail Store primary entrance.

**3.18.0 Commercial Cannabis Operations**

Commercial Cannabis Operations are only permitted in M2 (General Industrial) and M3 (Waterfront Industrial) zones and must be contained within enclosed buildings.

**3.19.0 Shipping Containers**

- (a) No shipping container may be located on any property and/or used as a temporary structure on any property unless it is designated in this Bylaw.
- (b) Shipping containers are permitted only in the M1, M2, M3 and M6 zones and are not to be stored in any other zone.

**3.20.0 Vehicle Storage**

- (a) Except for those zones that specifically permit a wrecking and salvage yard, no lot shall be used for the outdoor storage of a derelict vehicle.
- (b) Except in industrial zones, no lot shall be used for the storage, parking, or repair of vehicles in excess of 4,000 kilograms gross vehicle weight, an exception to this being the temporary parking of any vehicles being used for ongoing on-site construction.
- (c) Except as otherwise permitted, no lot shall be used for the storage, parking, or repair of recreational vehicles.
- (d) One recreational vehicle shall be permitted to be stored per lot, unless otherwise permitted by the zone.

## Section 4 – Establishment of Zones

**4.1.0 Zones**

For the purpose of this Bylaw, the area incorporated into the City of Prince Rupert is classified and divided into the following zones:

<u>Short Form</u>	<u>Zone Designation</u>
R1	Single Family Residential Zone
R2	Two Family Residential Zone
RM1	Multiple Family Residential Zone
RM2	Multiple Family Residential Zone
RM3	Multiple Family Residential Zone
RM4	Mixed Use Zone
RM5	Multiple Family Residential Zone
RMH	Mobile Home Residential Zone
RS	Special Care Residential Zone
C1	Core Commercial Zone
C2	General Commercial Zone
C3	Service Commercial Zone
C4	Neighbourhood Commercial Zone

C5	Marine Commercial Zone
C6	Downtown Highrise Zone
M1	Light Industrial Zone
M2	General Industrial Zone
M3	Waterfront Industrial Zone
M4	Auto Wrecking Zone
M5	Liquefied Natural Gas and Marine Terminal Facility Zone
M6	Major Projects Ancillary (Supporting) Zone
P1	Public Facilities Zone

- (a) The extent of each zone is shown on the Zoning Map(s) which are attached to and form part of this Bylaw and which bear the words "Prince Rupert Zoning Map Schedule 'A'".
- (b) When the zone boundary is designated as following a road allowance or watercourse, the centre line of such road allowance or watercourse shall be the zone boundary.
- (c) Where a zone boundary does not follow a legally defined lot line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Zoning Map(s) referred in subsection (b) above.

## Section 5 – Zoning Regulations & Requirements: Residential Zones

### 5.1.0 R1: Single Family Residential Zone

#### Permitted Uses:

The following principal uses and no others are permitted:

- (a) One Single-Family Dwelling.

Subject to general provisions, the following accessory uses and no others are permitted:

- (a) One Secondary Suite.
- (b) Home Occupation.
- (c) The keeping of not more than 2 boarders or lodgers within a dwelling unit.
- (d) Accessory buildings and structures.
- (e) Bed & Breakfast Accommodations.

#### Subdivision Regulation:

- (a) The minimum lot area for a single family dwelling shall be 230m<sup>2</sup>.
- (b) The maximum floor area for an accessory building shall be 70m<sup>2</sup>.
- (c) The maximum floor area for a dwelling unit shall be 700m<sup>2</sup> or an area equal to but not exceeding the lot area, whichever is less.

#### Lot Coverage

Not more than 50% of the site.

#### Density

One Single Family dwelling per lot.

**Minimum Dimensions Required for Yards**

- (a) 3.6 metres from the front property line.
- (b) 1.2 metres from the side property line.
- (c) 3.0 metres from the rear 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.

**Maximum Building Height**

- (a) Principal building 9.0 metres.
- (b) Accessory building 3.6 metres.

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**5.2.0 R2: Duplex and Two Family Dwelling Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) One Single-Family Dwelling, or;
- (b) One Two Family Dwelling.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) One Secondary Suite.
- (b) Home Occupation.
- (c) The keeping of not more than 2 boarders or lodgers within a dwelling unit.
- (d) Accessory buildings and structures.
- (e) Bed & Breakfast Accommodations.

**Subdivision Regulation:**

- (a) The minimum lot area for a single family dwelling shall be 230m<sup>2</sup>.
- (b) The maximum floor area for an accessory building shall be 70m<sup>2</sup>.
- (c) The maximum floor area for a dwelling unit shall be 700m<sup>2</sup> or an area equal to but not exceeding the lot area, whichever is less.

**Lot Coverage**

Not more than 50% of the site.

**Density**

- (a) One Single Family Dwelling per lot, or;
- (b) One Two Family Dwelling per lot.

**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.

**Maximum Building Height**

- (a) Principal building 9.0 metres.
- (b) Accessory building 3.6 metres.

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**5.3.0 RM1: Multiple Family Residential Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Multiple family dwelling buildings.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Accessory buildings and structures.

**Lot Coverage**

- (a) Not more than 40% of the site area.
- (b) The maximum floor area for an accessory building shall be 70m<sup>2</sup>.

**Density**

For multiple family dwellings the maximum density is 42 units per hectare.

**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.

**Maximum Building Height**

- (a) Principal building 10.0 metres.
  - (b) Accessory building 3.6 metres.
- 

**5.4.0 RM2: Multiple Family Residential Zone**

**Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Multiple Family Dwelling Buildings.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Accessory buildings and structures.

**Lot Coverage**

- (a) Not more than 50% of the site area.
- (b) For accessory buildings not more than 10% of the site area.

**Density**

For multiple family dwellings the maximum density is 75 units per hectare.

**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.

**Maximum Building Height**

- (a) Principal building 13.0 metres.
  - (b) Accessory building 3.6 metres.
- 

**5.5.0 RM3: Multiple Family Residential Zone**

**Permitted Uses:**

**The following principal uses and no others are permitted:**



- (a) Multiple Family Dwelling Buildings, and,
- (b) Boarding or lodging house.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Accessory buildings and structures.

**Lot Coverage**

- (a) Not more than 40% of the site area.
- (b) For accessory buildings not more than 10% of the site area.

**Density**

The maximum floor area ratio for multiple family dwellings is 1.25.

**Minimum Dimensions Required for Yards**

- (a) 6.0 metres from the front property line.
- (b) 3.0 metres from the rear property line.
- (c) 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.

**Maximum Building Height**

- (a) Principal building 17 metres.
  - (b) Accessory building 3.6 metres.
- 

**5.6.0 RM4: Mixed Use Zone**

**Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Multiple Family Dwelling Buildings.
- (b) Boarding or lodging house.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Retail use as part of a multiple family dwelling building.
- (c) Offices as part of a multiple family dwelling building.
- (d) Accessory buildings and structures.
- (e) Retail and office use shall be limited to the first floor with ground level access.

**Subdivision Regulation:**

The minimum lot area shall be 1800m<sup>2</sup>.

**Lot Coverage**

Not more than 40% of the site area.

**Density**

The maximum floor area ratio for multiple family dwellings is 1.50.

**Minimum Dimensions Required for Yards**

- (a) 6.0 metres from the front property line.
- (b) 3.0 metres from the rear property line.
- (c) 1.2 metres from a side property line.

**Maximum Building Height**

- (a) Principal building 17 metres.
- (b) Accessory building 3.6 metres.

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**5.7.0 RM5: Multiple Family Residential Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Multiple family dwellings.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home office.
- (b) Accessory buildings and structures.

**Lot Coverage**

Not more than 35% of the site area.

**Density**

The maximum floor area ratio for multiple family dwellings is 3.0.

**Minimum Dimensions Required for Yards**

- (a) 6.0 metres from the front property line.
- (b) 3.0 metres from the rear property line.
- (c) 3.0 metres from a side property line.

**Building Height**

- (a) For a principle building 36.0 metres.
  - (b) Accessory building 6.0 metres.
- 

**5.8.0 RMH: Mobile Home Residential Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Mobile Home Parks.
- (b) Mobile Home subdivisions.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) A home occupation or business office.
- (b) Accessory buildings and structures.

**Subdivision Regulation:**

The minimum lot area for a mobile home parcel shall be 232m<sup>2</sup>.

**Lot Coverage**

Not more than 35% of the site area.

**Density**

- (a) The maximum number of mobile home units shall not exceed 18 units per hectare.
- (b) More than one principal building is permitted in mobile home parks.
- (c) Only one principal building is permitted per parcel in mobile home subdivisions.

**Minimum Dimensions Required for Yards**

- (a) 3.6 metres from the front property line.
- (b) 3.1 metres from the rear property line.
- (c) 1.2 metres from a side property line.

**Building Height**

- (a) For a principle building 7.0 metres.
  - (b) Accessory building 5.0 metres.
-

**5.9.0 RS: Special Care Residential Zone****Permitted Uses:**

**The following principal uses and no others are permitted:**

- (a) Single Family Dwelling.
- (b) Supportive Housing.

**Subject to general provisions, the following accessory uses and no others are permitted:**

- (a) Home Office.
- (b) Accessory buildings and structures.

**Subdivision Regulation:**

- (a) The minimum floor area for a single family dwelling shall be 230m<sup>2</sup>.
- (b) The max. floor area for an accessory building shall be 70m<sup>2</sup>.

**Lot Coverage**

Not more than 50% of the site area.

**Density**

The maximum floor area ratio for Single Family Dwellings and Supportive housing units is 1.0.

**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.

**Building Height**

- (a) Principal building 9.0 metres.
- (b) Accessory building 3.6 metres.

**Section 6 – Zoning Regulations & Requirements: Commercial Zones****6.1.0 C1: Core Commercial Zone****Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use.
- (b) Cannabis retail stores.
- (c) Personal service establishment.
- (d) Office.
- (e) Entertainment centre located beyond 200 metres of a school property line.
- (f) Traveler accommodation.
- (g) Theater.
- (h) Multiple family dwellings.
- (i) Assembly hall.
- (j) Sales of alcoholic beverages on lots with a minimum area of 250m<sup>2</sup>.

**Lot Coverage**

For multiple family dwellings 50% of the site area.

**Density**

The maximum floor area ratio for multiple family dwellings is 1.50.

**Minimum Dimensions Required for Yards**

2 metres from the front lot line, applicable only to entertainment centre, traveler accommodation, theatre, and multiple family dwellings.

**Maximum Building Height**

Maximum of 16 metres as measured from the fronting sidewalk.

---

**6.2.0 C2: Core Commercial Zone****Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use.
- (b) Cannabis retail stores.
- (c) Personal service establishment.
- (d) Office.
- (e) Entertainment centre.
- (f) Traveler accommodation.
- (g) Theater.
- (h) Multiple family dwelling Buildings.
- (i) Sales of alcoholic beverages on lots with a minimum area of 250m<sup>2</sup>.
- (j) Entertainment centre located beyond 200 metres of a school property line.

**Lot Coverage**

For buildings housing multiple family dwellings 50% of the site area.

**Density**

The maximum floor area ratio for multiple family dwellings is 1.50.

**Minimum Dimensions Required for Yards**

- (a) For entertainment centres, traveler accommodation, theatres and multiple family dwellings the minimum front yard shall be 3.0 metres.
- (b) For multiple family housing the minimum rear yard shall be 3.0 metres.
- (c) For multiple family housing the minimum side yard shall be 1.2 metres.

**Maximum Building Height**

Maximum of 20 metres.

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**6.3.0 C3: Mixed Use Core Commercial Zone****Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use.
- (b) Cannabis retail stores.
- (c) Personal service establishment.
- (d) Office.
- (e) Traveler accommodation.
- (f) Camp site.
- (g) Theatre.
- (h) Assembly Hall;
- (i) Service commercial use.
- (j) Service station.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings:**

- (a) Multiple family dwellings with separate exterior entrances.
- (b) Recycling centres with no more than 300m<sup>2</sup> of the gross floor area.
- (c) Accessory buildings and structures.

**Lot Coverage**

For buildings housing multiple family dwellings 50% of the site area.

**Minimum Dimensions Required for Yards**

Front yard 3.6 metres.

**Maximum Building Height**

Maximum of 17 metres.

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**6.4.0 C4: Core Commercial Zone**

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use that is fully contained within a building.
- (b) A Personal service establishment that is fully contained within a building.
- (c) Office.
- (d) Accessory buildings and structures.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings:**

- (a) Multiple family dwellings with separate exterior entrances.
- (b) Accessory buildings and structures.

**Density**

- (a) Total floor area shall not exceed 400m<sup>2</sup>.
- (b) The maximum number of multiple family units on a site is limited to 6.
- (c) Office use shall not exceed a floor area of 200m<sup>2</sup>.

**Minimum Dimensions Required for Yards**

- (a) Front yard 3.6 metres.
- (b) Rear yard 3.6 metres.
- (c) Side yard 3.0 metres.
- (d) An accessory building and structure shall be 3.0 metres from rear property line, or 0.3 metres if the accessory building abuts a public lane.

**Maximum Building Height**

- (a) Principal building 10.0 metres.
- (b) Accessory building 3.6 metres.

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**6.5.0 C5: Marine Commercial Zone**

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use;
- (b) Cannabis Retail stores.
- (c) A Personal service establishment.
- (d) Office.
- (e) Service Commercial use.
- (f) Marine Commercial use.
- (g) Petroleum product loading and unloading.
- (h) Traveler accommodations.
- (i) Distillery.

**Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings:**

- (a) Multiple family dwellings with separate exterior entrances.
- (b) Accessory buildings and structures.

**Density**

The maximum number of multiple family units on a site is limited to 6.

**Minimum Dimensions Required for Yards**

An accessory building and structure shall be 3.0 metres from rear property line, or 0.3 metres if the accessory building abuts a public lane.

**Maximum Building Height**

Principal building 13 metres.

Accessory building 3.6 metres.

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**6.6.0 C6: Downtown Highrise Zone****Permitted Uses:****Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Retail use.
- (b) Cannabis Retail Stores,
- (c) Personal service establishment.
- (d) Office.
- (e) Entertainment Centre.
- (f) Travel Accommodation.
- (g) Theatre.
- (h) Multiple Family dwelling.
- (i) Assembly Hall.

**Density**

The maximum floor area ration for multiple family dwellings is 3.0.

**Minimum Dimensions Required for Yards**

4.5 metres from any residential use.

**Maximum Building Height**

Maximum of 35 metres.

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## **Section 7 – Zoning Regulations & Requirements: Industrial Zones**

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### **7.1.0 M1: Light Industrial Zone**

#### **Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Automobile body and repair shops, sales and rentals.
- (b) Light industrial use.
- (c) Service commercial use.
- (d) Office.
- (e) Retail use with a floor area not exceeding 1000m<sup>2</sup>.
- (f) Contractor offices, shops, works and storage use.
- (g) Accessory buildings and structures.
- (h) Entertainment centre.
- (i) Freight and truck terminal.
- (j) Impoundment Yard.
- (k) Unenclosed Storage.
- (l) Assembly Halls.
- (m) Traveler Accommodation and Restaurant.

**The following accessory uses and no others are permitted:**

A single residence for the purpose of security.

#### **Landscaping and Screening:**

- (a) All storage yards shall be effectively screened by fences, building walls or other approved means to a height of not less than 2.4 metres above grade, and such screens shall be kept in good repair.
- (b) Screen planting at least 1.5 metres high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 metres high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

#### **Minimum Dimensions Required for Yards**

3 metres from any property zoned Residential.

#### **Maximum Building Height**

- (a) Principal building 12.0 metres.
- (b) Accessory buildings 3.6 metres.

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### **7.2.0 M2: General Industrial Zone**

#### **Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Automobile body and repair shops, sales and rentals,
- (b) Light industrial use.
- (c) Service commercial use.
- (d) Key lock fuel installation.
- (e) Office.
- (f) Contractor offices, shops, works and storage use.
- (g) Retail use with a floor area not exceeding 1000m<sup>2</sup>.
- (h) Shipping Container.
- (i) Marine commercial use.
- (j) Fuel products storage, loading and unloading.
- (k) General industrial use.

- (l) Log Booming and sorting.
- (m) Impoundment yard.
- (n) Accessory buildings and structures.
- (o) Fish processing.
- (p) Net loft.
- (q) Unenclosed Storage.
- (r) Marine service station.
- (s) Freight and truck terminal.
- (t) Primary processing of forest products, fuel products storage, loading and unloading, and impoundment yards with a minimum area of 7,500m<sup>2</sup> shall not be situated on a parcel where any contiguous parcel is zoned Residential.

**The following accessory uses and no others are permitted:**

A single residence for the purpose of security.

**Landscaping and Screening:**

- (a) All storage yards shall be effectively screened by fences, building walls or other approved means to a height of not less than 2.4 metres above grade, and such screens shall be kept in good repair.
- (b) Screen planting at least 1.5 metres high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 metres high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

**Minimum Dimensions Required for Yards**

3 metres from any property zoned Residential.

**Maximum Building Height**

- (a) Principal building 19 metres.
- (b) Accessory building 4.5 metres.

### **7.3.0 M3: Waterfront Industrial Zone**

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Fish processing, excluding reduction plant.
- (b) Netloft.
- (c) Marine transportation use.
- (d) Shipbuilding and repair.
- (e) Transportation terminal.
- (f) Bulk commodity storage and terminal.
- (g) Marina.
- (h) General industrial use.
- (i) Marine commercial use.
- (j) Marine fuel station.
- (k) Automotive body and repair shops, sales and rental.
- (l) Light industrial use.
- (m) Log booming and sorting.
- (n) Shipping container.
- (o) Service commercial.
- (p) Key lock fuel installation.
- (q) Office.
- (r) Unenclosed Storage.
- (s) Contractor offices, shops, works and storage use.



- (t) Entertainment centre.
- (u) Fuel products storage, loading and unloading.
- (v) Accessory buildings and structures.
- (w) Primary processing of forest products, fuel products storage, loading and unloading, and impoundment yards with a minimum area of 7,500m<sup>2</sup> shall not be situated on a parcel where any contiguous parcel is zoned Residential modified.

**The following accessory uses and no others are permitted:**

- (a) A single residence for the purpose of security.

**Landscaping and Screening:**

- (a) All storage yards shall be effectively screened by fences, building walls or other approved means to a height of not less than 2.4 metres above grade, and such screens shall be kept in good repair.
- (b) Screen planting at least 1.5 m high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 metres high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

**Minimum Dimensions Required for Yards**

3 metres from any property zoned Residential.

**Maximum Building Height**

- (a) Principal building 19 metres.
- (b) Accessory building 4.5 metres.
- (c) Petroleum products storage tanks shall not exceed 4.3 metres above the natural grade of the site.

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#### **7.4.0 M4: Auto Wrecking Yard**

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Autowrecking yard.
- (b) Impoundment yard.
- (c) Unenclosed Storage.
- (d) Storage, handling and sales of scrap material.

**The following accessory uses and no others are permitted:**

- (a) Accessory buildings and structures.
- (b) A single residence no greater than 56m<sup>2</sup> for security staff.

**Landscaping and Screening:**

- (a) Storage yards shall be effectively screened by fences, building walls, or other approved means to a height of not less than 2.4 meters above grade and such screens shall be kept in good repair.
- (b) Screen planting at least 1.5 metres high in a strip at least 1.5 metres wide or a solid fence of at least 1.5 meters high shall be provided along all property lines separating the developed portion of the site from any residential zoned land.

**Minimum Dimensions Required for Yards**

For an accessory building 3 metres.

**Building Height**

- (a) Principal building 11 metres.
- (b) Accessory building 4.5 metres.

### 7.5.0 M5: Liquefied Natural Gas and Marine Terminal Zone

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Natural Gas Liquefaction and export Facility, excluding all oil products including crude oil or bitumen.
- (b) Marine terminal facility.
- (c) Marine transportation.
- (d) Unenclosed Storage.
- (e) Bulk commodities storage, transportation and ancillary uses.

**The following accessory uses and no others are permitted:**

- (a) Accessory buildings and structures.
- (b) A single residence no greater than 56m<sup>2</sup> for security staff.

**Minimum Dimensions Required for Yards**

- (a) 30 metres from any property line.
- (b) 50 metres from the Community Water Shed.

### 7.6.0 M6: Major Projects Ancillary (Supporting) Zone

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Construction Camps.
- (b) Unenclosed storage, Storage, material handling, reloading and laydown areas, excluding manufacturing and assembling operations.
- (c) Office.

**The following accessory uses and no others are permitted:**

- (a) Accessory buildings and structures.
- (b) A single residence in areas used for storage, handling and laydown with an area no greater than 56m<sup>2</sup> for security staff.

**Landscaping and Screening:**

Storage handling and laydown yards shall be effectively secured by a fence to a height of not less than 2.4 metre above grade and which shall be kept in good repair.

**Minimum Dimensions Required for Yards**

- (a) 3 metres from any property line.
- (b) 10 metres when abutting any residential zone.

**Building Height**

Maximum of 12 metres.

## Section 8 – Zoning Regulations & Requirements: Public Facilities Zone

### 8.1.0 P1: Public Facilities Zone

**Permitted Uses:**

**Subject to general provisions, the following principal uses and no others are permitted:**

- (a) Park and recreation facilities.
- (b) Public institutional facilities.
- (c) Public utility building.
- (d) Education centre.
- (e) Unenclosed Storage.
- (f) Cemeteries.
- (g) Resource lands and activities.
- (h) Wind power project.

**The following accessory uses and no others are permitted:**

- (a) Accessory building and structures.

**Minimum Dimensions Required for Yards**

3.0 metres from any property zoned Residential.

**Building Height**

Accessory building 3.6 metres.

## **Section 9 – Off-Street Parking and Off-Street Loading**

### **9.1.1 Off-Street Parking**

Where off-street parking is required under the provisions of this Bylaw, it shall be provided and maintained in accordance with the following:

**(a) Location of Parking**

i. Residential Zones:

Every required parking space in a residential zone shall be located on the building site of the building for which the parking site is required; or, where impractical, on an adjacent parcel of land secured by and easement that gives an ongoing right to park on the adjacent parcel.

ii. Other than Residential Zones:

Parking spaces may be provided upon a public or privately owned and operated parking lot or parking garage owned by a person other than the owner of the building for which the parking is required, provided that the owner of the building requiring the parking space submits proof (an easement on Title) to the City that such parking spaces will be available at all times during which they are required to be provided under bylaws of the City in respect of the building concerned.

iii. In the Downtown:

For parcels fronting 2<sup>nd</sup> Avenue, or 3rd Avenue, between McBride and 8th Street, no parking is permitted to be located between the front face of the building and the street line.

**(b) Size of Parking Spaces**

- i. Individual and end parking spaces shall be not less than 2.6 metres in width and not less than 5.8 metres in length.

- ii. Parking spaces bounded on either side by other parking spaces shall be not less than 2.7 metres in width and not less than 5.8 metres in length.

**(c) Construction and Maintenance of Parking Spaces**

All parking spaces shall be constructed and maintained to be safe and convenient for the user thereof; and, in particular, the driveway access, maneuvering area and parking spaces shall be paved and well drained and kept free of mud, snow, ice or other obstructions to vehicular or pedestrian traffic at all times.

**(d) Layout Design and Marking Signs**

The layout design of driveways, manoeuvring areas, ramps and parking spaces shall be in accordance with good architectural and engineering standards for such work and the marking of spaces and installation of signs shall be made to clearly indicate the proper order of parking and traffic routes.

**(e) Lighting**

Required parking lots in other than R1 and R2 Zones containing three or more parking spaces shall be adequately lighted in accordance with illuminating engineering standards.

## 9.1.2 PARKING REQUIREMENTS

**Table 1: Required Parking Spaces**

Use	Recommended Standard
Entertainment Centres	1 space per 30m <sup>2</sup> of gross floor area (GFA)
Neighborhood Pubs	1 space per 5 seats for patron use
Offices	1 space per 35m <sup>2</sup> of gross floor area
Retail Use	1 space per 30m <sup>2</sup> of GFA, a minimum of 3 spaces per retail use.
Personal Service Shops	1 space per 30m <sup>2</sup> of GFA
For Every 2 Boarders or Lodgers	1 space per 2 sleeping units
Laundromat	1 space per 36 m <sup>2</sup> of GFA
Liquor Primary Establishments	1 space per 5 seats
Restaurants	1 space per 4 seats for patron use
Traveler Accommodation	1 space per room and 1 space per 4 seats in a restaurant or lounge. And additional 1 space per 12m <sup>2</sup> of meeting space
Animal Hospital or Clinic	1 space per 30m <sup>2</sup> of GFA
Hospitals, Convalescent Homes	1 space per 2 patient beds
Medical & Dental Offices	1 space per 35m <sup>2</sup> of net floor area
Automobile Gasoline Bars, Service & Repair	1 space per 5m <sup>2</sup> of sales floor area (SFL) and 2 spaces per service bay or car wash bay.
General Industrial Use	1 space per 100m <sup>2</sup> of gross floor area (GFA)
Service Station	<b>Delete Category</b>
Warehousing, storage, mini storage, and similar uses	1 space per 200m <sup>2</sup> of GFA
Beverage Container Return Centres	1 space per 40m <sup>2</sup> of GFA or a minimum of 6 spaces, whichever is greater.
Bus & Airline Terminals	1 space per 10m <sup>2</sup> of waiting or lobby area.
Community & Commercial Assembly Halls	1 space per 20m <sup>2</sup> of GFA
Elementary Schools	2 spaces per classroom
Theatres, Churches, Funeral Homes	1 space per 6 seats provided for public seating
Indoor Recreation Use	1 space per 2 employees and 1 space per 2 player capacity.
Secondary Schools	1 space per 5 students
Single Family, Two Family & Multi-family	1 space per dwelling unit
Senior Citizens Housing	1 space per 4 living units
Secondary Suites	1 space per secondary dwelling unit
Special Care Residential	1 space per 3 beds
College/University	1 space per 10 students

### 9.1.3 Special Parking Provisions

The following special provisions and exemptions shall apply:

- (a) **Exceptions**  
The required off-street parking shall not apply to any existing building or structure so long as the building or structure continues to be put to a use that does not require more parking or loading spaces than were required for the use existing at the time this Bylaw came into force.
- (b) **Commercial Parking Lots**  
Parking lots operated for gain by renting or leasing shall be governed by the regulations of (b), (c), (d), and (e) contained in Section 9.1.1.
- (c) In lieu of providing the required on-site parking in the City Core Areas, an owner or developer shall pay to the City twelve thousand and five hundred dollars (\$12,500) for every parking space not provided in compliance with the requirements of this Bylaw.

### 9.1.4 Disabled Person's Parking Spaces

- (a) Parking spaces for the use of persons with a physical disability shall be provided according to the following cumulative ratios:

No. of Required Parking Spaces	No. of Disabled Person's Parking Spaces
1-10	0
11-20	1
21-100	2
101-1000	2 per 100 required spaces or part thereof
1001+	1 per 100 required spaces or part thereof

- (b) Each Disabled Person's Parking Space shall be:
  - i. A minimum of 3.7 metres in width and a minimum of 5.8 metres in depth.
  - ii. Clearly identified as being for use only by disabled persons.
  - iii. Located within convenient access of an accessible building entrance or in a central location where a parking lot serves several buildings.

4.6.0 The maximum grade of the parking space and access to a building or structure shall not exceed 8%.

### 9.1.5 Unlawful Uses of Parking Facilities

- (a) No area designated as a required parking area in connection with any designated building or use shall be operated as a commercial or public parking lot providing parking spaces for the general public.
- (b) Required parking facilities accessory to a residential use shall be used solely for the parking of passenger automobiles or commercial vehicles of not more than 8,600 kg gross weight.

### 9.1.6 Off-street Loading

- (a) Except as hereinafter provided, every owner or occupier of any building in any zone is required to provide off-street loading space for such building in which a business is or will be carried on involving the receipt or delivery of goods or materials by vehicles, and all such off-street loading spaces shall be so constructed that every vehicle involved in the loading and unloading operation will be entirely off any highway or any other public property.
- (b) In every zone where there is a public lane at the rear or side of the building site upon which an off-street loading space or spaces, is or are required, such space or spaces shall be accessible for vehicular ingress and egress to such registered lane.
- (c) Where any off-street loading space is bounded by a building or structure, the minimum clearance shall not be less than 3.4 metres in height, 3.7 metres in width, and 6.1 metres in depth.

## **9.2 Parking Space Calculation**

Where the calculation of a required off-street parking space results in a fraction, the required number of parking spaces shall be rounded to the nearest whole number.

## **9.3 Surfacing of Off-Street Parking**

- (a) All required off-street parking areas in residential zones with more than four units, and all required off-street parking areas in all commercial zones shall consist of hardsurfaced materials defined in this Bylaw.
- (b) All parking areas that do not require hardsurfaced materials shall be surfaced with gravel or crushed rock and must be compacted and treated to suppress dust and weeds.

#### 9.4 Electric Vehicle Parking

The minimum number of energized spaces shall be provided in the table below:

Use	Parking Requirement	Minimum Energized Spaces
Hospital	1 space per 100m <sup>2</sup> of GFA	5%
Recreational Facility	1 space per 50m <sup>2</sup> of GFA	5%
Multi-family Residential	15% of the total parking spaces.	15%
Office	1 space per 45m <sup>2</sup> of GFA	10%

#### 9.5 Bicycle/Scooter Parking

1. Bicycle parking space and aisle dimensions shall be in accordance with the standards in the table below.

	Minimum Dimensions		
	Width	Depth	Overhead Clearance
Ground Anchored Rack (standard)	0.6 m	1.8 m	2.1 m
Ground Anchored Rack (oversized)	0.9 m	3.0 m	
Wall Mounted Vertical Rack	0.6 m	1.2 m	
Access Aisle	1.5 m		
Access Door	1.0 m		

2. All bicycle parking spaces shall be located within 15 metres of the buildings primary entrance and be accessible to the visitors and public.
3. All bicycle parking shall be on surface level and separated from the vehicle parking facilities.
4. All bicycle parking shall not interfere with pedestrian travel.
5. The owners of any building in any zone shall provide short and long-term parking for bicycles and scooters as specified in the table below.
6. The spaces required in the table below may be open or enclosed and should be under the roof of a building.

Use	Required Bicycle Parking Spaces	Required Mobility Scooter Spaces
Multi-Family Residential	6 spaces per building	N/A
Retail	1 space per 250m <sup>2</sup> of GFA	1 space per building
Office	1 space per 250m <sup>2</sup> of GFA	1 space per building
Elementary, Secondary Schools	5 spaces per classroom	3 spaces per building
College/University	5 spaces per classroom	5 spaces per building
Restaurant/Pub	1 space per 10 seats	N/A

#### Section 10: Signs

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### 10.1.0 Definitions

In this section of the Bylaw, the following definitions apply:

**ABANDONED SIGN** means a sign that advertises or promotes an activity, service event or product no longer available or conducted at the premises where the sign is located.

**AWNING** means a hood or shelter constructed of fabric on a frame which projects from the exterior wall of a building.

**AWNING SIGN** means a sign which is erected in or on the surface of an awning.

**BANNER SIGN** means a sign made up of fabric or other flexible material of which the attachment to a building or other support structure does not require specialized structural members or alteration to support the sign.

**BILLBOARD** means a sign that directs attention to goods, products or services not sold or provided on the premises on which the sign is located, and includes:

1. Poster panels or bulletins, typically mounted on a building wall or freestanding structure with advertising copy in the form of pasted paper
2. Multi-prisms providing alternating or sequential messages in a single display area, and
3. Bulletins in which the advertiser's message is painted directly on the background of a wall-mounted or freestanding display area.

**BALCONY SIGN** means a sign affixed to the balcony of a building for purposes of advertising or promotion.

**CANOPY** means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as the theatre marquee but does not include normal architectural features such as lintels, sills, and mouldings.

**CANOPY SIGN** means a sign erected in or on a face of a canopy but does not include an under canopy sign.

**COMBINATION SIGN** means any sign incorporating any combination of the features of pole, projecting and roof signs.

**COPY** means the wording on a sign surface either in permanent or removable letter form.

**FACIA SIGN** means any sign, illuminated or unilluminated, running for its entire length parallel to the face of the wall of the structure to which it is attached to the fascia.

**FREESTANDING SIGN** means a sign which is entirely self-supporting and is neither attached to nor forms part of any building and is permanently fixed to the ground.

**ILLUMINATION** means a method of giving forth artificial light, either directly from a source of light incorporated in or connected with a sign, or indirectly from an artificial source.

**MURAL** means a work of graphic art painted or applied to a building wall which contains no advertising or logos.

**MARQUEE SIGN** means a sign affixed wholly beneath a permanent marquee or walkway covering and situated perpendicular to the face of the building of which the said marquee or walkway covering is a part.

**NAME PLATE** means the display of a number or name by a self supporting device in the ground or attached to a building with a maximum area of .09 square metres per name plate.



**PARAPET** means a wall or sloped overhang serving as a guard at the edge of a roof.

**POLE SIGN** means a sign wholly supported by a sign structure in the ground.

**PROJECTING SIGN** means a sign which is attached to and projects from the face or wall of a building, by more than 0.2metres, and is normally at right angles to such building face but does not include an awning sign, canopy sign or under canopy sign.

**PROMOTIONAL SIGN** means a temporary sign made of cloth, cardboard or like material, the purpose of which is to promote sales campaigns for a period not exceeding 30 days.

**REAL ESTATE SIGN** means a sign advertising a lot or parcel of land or improvements. Such sign shall not have a total area of over 0.8 square metres for residential use and 3.0 square metres for commercial and industrial use. Two such signs shall be permitted per lot, parcel or structure.

**ROOF LINE** means the line delineated by the intersection of the plane of the outside face of the exterior wall of the building and the plane of the roof of the building, except that in the case of a pitched roof with projecting eaves the roof line shall be at the eaves level, and where the building has a continuous roof parapet or mansard the roof line shall be the line of the top of the parapet or mansard.

**ROOF SIGN** means a sign erected upon the roof or on top of the parapet of a building, the entire face of which is situated above the roof line of the building to which it is attached.

**SANDWICH BOARD SIGN** means a non-illuminated sign having an "A" shape which is set upon the ground and has no external support structure.

**SHOPPING CENTRE** means a group of retail stores in one or more buildings designed as an integral unit and having a common parking area and erected on a site of land having an area of not less than 2.0 hectares.

**SIGN** is any medium including its structure and component parts, which is used or intended to be used, to attract attention to the subject matter for advertising or promotion purposes.

**SIGN STRUCTURE** is any structure which supports or is capable of supporting any sign. A sign structure may be a single pole and may or may not be an integral part of the building.

**TEMPORARY SIGN** means a sign which is not in a permanently installed or affixed position, advertising a product or an activity on a limited basis.

**THIRD PARTY ADVERTISING** means content on a sign which directs attention to products sold or services provided which cannot be considered as the principal product sold or principal services provided on the premises at which the sign is located.

**THIRD PARTY SIGN** means a sign which directs attention to a business, profession, activity, commodity, service or entertainment other than one conducted, sold or offered upon the premises where such sign is located.

**UNDER CANOPY SIGN** means a sign which is suspended beneath and attached to a canopy or awning and includes an under-awning sign.

**WINDOW SIGN** means any sign, which is erected in or on a window, which is intended to be seen from off the premises on which the premises is located and which is constructed in such a manner as intended to be of a permanent nature, but shall not include illuminated signs commonly used to advertise products sold on the premises.

**WALL SIGN** means any sign attached to or erected against the wall of any building or structure or painted on a wall, with the exposed face of the sign in a plane parallel to the plane of the said wall.

### 10.1.1 General Sign Provisions

- (a) No person shall erect, alter, or maintain a sign except in the areas permitted and in compliance with this Bylaw.

#### **10.1.2 Prohibited Signs**

No person shall erect, keep or alter on a premise any of the following types of signs:

- (a) A billboard;
- (b) A sign which by reason of size, location, content, colouring or manner of illumination obstructs the vision, or movement, of drivers or pedestrians or obstructs or detracts from the visibility or effectiveness of any traffic sign, traffic control device, warning or instructional sign on highways;
- (c) A sign painted on, attached to, or supported by a tree or other living vegetation, stone, or other natural object, or utility pole;
- (d) A sign which no longer advertises a business conducted, or a product sold on the premises (abandoned sign);
- (e) A sign that is not in a safe condition;
- (g) A third party sign or a sign which includes a third party advertising message that exceeds one-third of the allowable sign area;
- (h) A roof sign or any other sign including support structures that extends or projects above the roof line of the building on which it is erected;
- (i) A sign erected on a motor vehicle or trailer and parked, on public or private premises, with the primary purpose of providing a sign not otherwise allowed by this Bylaw.

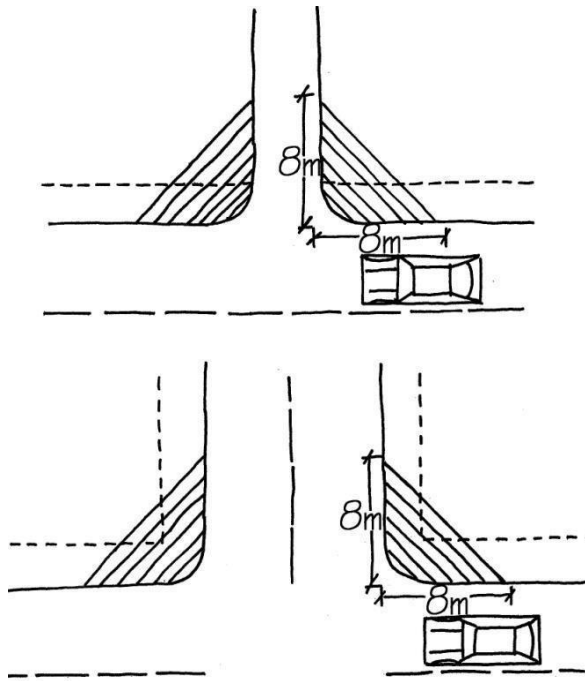
#### **10.1.3 Exempt Signs**

The following signs shall be permitted in all Zones and shall be exempted from the requirements of a Sign Permit subject to the provisions specified:

- (a) Public information signs.
- (b) Home improvement signs provided there shall be only one (1) such sign not exceeding 0.6 m<sup>2</sup> in sign area and 1.0 metres height for each site. Such sign shall be located on the site of the described activity and the sign shall be displayed only until approval of the final inspection or the project is substantially completed, but in no event longer than thirty (30) days.
- (c) One sandwich board sign, not already incorporated in permitted freestanding signs, provided such signs are non-illuminated and that the total sign area of all such signs on a site is less than 2.3m<sup>2</sup>.
- (d) Temporary sign such as a real estate sign, subject to a maximum of 2 per lot or structure.

#### **10.1.5 Vision Clearance Area**

- (a) No Sign may be located within a vision clearance area as defined below.
- (b) Support structures for a sign may only be located in a vision clearance area if the combined total width is 0.3 metres or less and the combined total depth is 0.3 metres or less.
- (c) Vision clearance areas are triangular-shaped areas located at the intersection of any combination of highways or driveways. The sides of the triangle extend 8.0 metres from the intersection of the curb lines or the vehicle travel areas where there are no curb lines. See drawings.



#### 10.1.6 Awning Signs

Awning Signs are permitted as follows:

- (a) Awning signs are permitted in the C-Commercial zones, M-Industrial zones; and P-zones.
- (b) The maximum sign area is limited to 30 percent of the awning face area on which the sign is erected.

#### 10.1.7 Banner Signs

Banner Signs are permitted as follows:

- (a) Banner signs are permitted in the C- commercial zones, M-industrial zones; and P zones.
- (b) A sign permit shall not be required if the sign area does not exceed 10 m<sup>2</sup>, the maximum height is 7.62 metres, it is installed for a maximum 30 day period and it conforms to all specification set out in this Bylaw.

#### 10.1.8 Canopy Signs

Canopy Signs are permitted as follows:

- (c) Canopy signs are permitted in the C- commercial zones, M-industrial zones; and P zones.
- (d) The maximum canopy sign area shall be 0.75 m<sup>2</sup> per lineal metre of the canopy frontage to which it is affixed, except that for theatres and cinemas this ratio may be increased to 1.5 m<sup>2</sup> per lineal metre.

#### 10.1.9 Electronic Message Centres

Electronic message centres are permitted as follows:

- (a) Canopy signs are permitted in the C-commercial zones, M-industrial zones; and P-zones.

- (b) The electronic message centre of a freestanding sign shall be located a minimum of 2.4 metres above grade or in a secure enclosure.

#### **10.1.10 Fascia Signs**

Fascia Signs are permitted as follows:

- (a) One fascia sign per building, for the purpose of identification only, on each frontage in the RM zones and shall not exceed 0.7 m<sup>2</sup> in area.
- (b) One fascia sign per business for every wall facing a highway or yard in the C- commercial zones, M-industrial zones; and P zones.
- (c) The area of all fascia signs shall not exceed 25 percent of the façade of a building to which they are affixed.
- (d) Where more than one business occupies a building, provision shall be made where feasible to provide sign space on the fascia of each such business by limiting each sign to the portion of the frontage and the area of the facade containing the business referred to.
- (e) Businesses located in the portions of the premises not on frontage shall be permitted signage on the frontage of the premises, provided that the signs are located in conformity with other signage on the premises, and the maximum allowable sign area for each building façade is not exceeded.

#### **10.1.11 Freestanding Signs**

Freestanding Signs are permitted as follows:

- (a) In the C-commercial zones, M-industrial zones; and P-zones.
- (b) In the RM zones one freestanding sign per frontage of a site is permitted only as an identification sign, and the maximum sign area shall be 1.5 m<sup>2</sup> and the maximum sign height shall not exceed 2.0 m.
- (c) Where two or more signs are permitted on a site, such signs must be separated by a distance of not less than 50 metres, measured along the frontages.
- (d) Freestanding signs shall not exceed a height of 7.62 metres.
- (e) The sign area of any freestanding sign on any site shall not exceed 0.30 m<sup>2</sup> per metre of frontage to a maximum of 9.3 m<sup>2</sup>.

#### **10.1.12 Painted Wall Sign**

Painted Wall Sign are permitted as follows:

- (a) Painted wall signs are permitted in the C- commercial zones, M-industrial zones and P zones.
- (b) One painted wall sign shall be permitted per business for every wall facing a highway or yard.
- (c) For each wall the maximum area permitted for painted signs shall not exceed 25 percent of the façade upon which the sign or signs have been painted.

#### **10.1.13 Pedestal Signs**

Pedestal Signs are permitted as follows:

- (a) In the C-commercial zones, M-industrial zones and P-zones.
- (b) The sign area of any pedestal sign on any site shall not exceed 0.30 m<sup>2</sup> per metre of frontage to a maximum of 9.3 m<sup>2</sup>.

#### **10.1.14 Portable Signs**

Portable Signs are permitted as follows:

- (a) Portable signs shall be permitted in all zones except Residential, Multiple Family Residential, and Mobile Home Park Zones.
- (b) The sign shall not exceed 3 m<sup>2</sup> in area per side.
- (c) Portable signs are permitted to be located on a site for a maximum of 90 days per business per year.

#### **10.1.15 Under Canopy Signs**

Under Canopy Signs are permitted as follows:

- (a) Under canopy signs are permitted in the C- commercial zones, M-industrial zones; and P zones.
- (b) One under canopy sign shall be permitted for each business within a building or for each entry to a large business which might have more than one frontage entrance.
- (c) The maximum vertical dimension of an under canopy sign shall be 0.3 metres.
- (d) Under canopy signs shall generally be at right angles to the supporting wall.

#### **10.1.16 Sandwich Board Signs**

Sandwich board Signs are permitted as follows:

- (a) Shall be of a painted finish, be neat and clean, and be maintained in such condition.
- (b) Be of a size not exceeding 0.6 metres wide by 1.0 metre high, and not less than 0.30 metres wide by 0.6 metres high.

#### **10.1.17 Window Signs**

Window Signs are permitted as follows:

- (a) Signs within a retail display window or attached thereto shall occupy a maximum of thirty percent (30%) of each retail display window.

#### **10.1.18 Abandoned, Dangerous or Defective Signs**

- (a) Except as otherwise provided in the Bylaw, any sign which pertains to a time, event or purpose which no longer applies or no longer fulfills its function under the terms of a Sign Permit shall be deemed to have been abandoned.
- (b) The Building Inspector may order the removal of an abandoned sign by giving written notice to the property owner who shall remove the sign and related structural components within 30 days of the date of the notice of removal. The property owner shall bear all costs related to such removal.
- (c) Where, in the opinion of the Building Inspector, any sign is in a dangerous or defective condition, the Building Inspector shall notify the owner, lessee, or agent of the premises upon which such sign is located, to remove at once such sign or place the same in a proper state of repair within such time as the Building Inspector specifies.
- (d) Upon receipt of such notice from the Building Inspector, the owner, lessee, or agent of such premises shall
- (e) all at once proceed to repair or remove such sign.

#### **10.1.19 Liability for Damages**

The provisions of this Bylaw shall not be constructed as relieving or limiting the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of such sign or resulting from the negligence or willful acts of such person, his agents or employees, erection, alteration

maintenance or removal of any sign erected in accordance with a permit issued hereunder. Nor can it be construed as imposing upon the City or its officers or employees any responsibility or liability by reason of the approval of any signs, materials or sign structures under provisions of this Bylaw.

## THE CITY OF PRINCE RUPERT REPORT TO COUNCIL

**DATE:** January 8<sup>rd</sup>, 2021  
**TO:** Dr. Robert Long, City Manager  
**FROM:** Chris Buchan, iPlan Planner  
**SUBJECT:** Proposed Development Approval Information Bylaw No.3468

### **RECOMMENDATION:**

**THAT** Council Give First, Second and Third Readings to the Bylaw No. 3468.

### **REASON FOR REPORT:**

The new Official Community Plan Bylaw #3460 includes provisions for a Development Approval Information Bylaw for the City of Prince Rupert. A Development Approval Information Bylaw would allow the City Planner, Director of Operations, or the Approving Officer to require supporting information and reports by qualified professionals for an amendment to the Zoning Bylaw, a Development Permit, or a Temporary Use Permit.

### **BACKGROUND:**

The *Local Government Act* enables the City to require development approval information for an amendment to the Zoning Bylaw, a Development Permit, or a Temporary Use Permit under Section 485. Furthermore, Section 486 of the *Local Government Act* requires the City of Prince Rupert to create a bylaw that establishes the policy and procedures for the City to require such development approval information. The Council has given first and second reading to the Official Community Plan Bylaw #3460 which provides for a Development Approval Information Bylaw.

The ability to require information and reports for qualified professionals will allow the City to address potential impacts for developments and establish approval conditions that minimize or mitigate these impacts.

### **FINANCIAL CONSIDERATION:**

This Bylaw enables the City of Prince Rupert to require an Applicant to require development approval information at their own expense. The City will not be responsible for any costs associated with this Bylaw.

**CONCLUSION:**

With the future adoption of the City of Prince Rupert's Official Community Plan Bylaw No. 3460, the Council should consider adopting the proposed Development Approval Information Bylaw No.3468. This Bylaw will provide the City with the authority to require development approval information from an Applicant if the development falls within the designated areas.

**Report Prepared By:**

**Chris Buchan, iPlan Assistant Planner**

**Rob Buchan, iPlan Planner**

**Reviewed by:**

**Dr. Robert Long, City Manager**







**City of Prince Rupert**

**DEVELOPMENT  
APPROVAL INFORMATION  
BYLAW**

**SCHEDULE A TO  
Bylaw No. 3468, 2021**

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## 1.0 Definitions

This Bylaw includes a number of words that have specific meanings with respect to development procedures. These words and phrases are defined in this section.

### In this Bylaw:

**APPLICANT** means a person who makes an application for:

- a) an amendment to the current Zoning Bylaw, under Section 479 of the *Local Government Act*;
- b) a development permit under Section 488 of the *Local Government Act*; or
- c) a temporary use permit under Section 493 of the *Local Government Act*.

**APPROVING OFFICER** means the person who was appointed by Council to that position, it can include a person designated to act in their place.

**CITY** means the City of Prince Rupert.

**COUNCIL** means the appointed Council of the City of Prince Rupert.

**DIRECTOR OF OPERATIONS** means the person who was appointed by Council to that position.

**CITY PLANNER** means the person who was appointed by Council to that position.

**QUALIFIED PROFESSIONAL** means a registered professional who is listed in the table under Section 2.6 of this Bylaw in the subject matter about which an Applicant may be required to provide a report under this Bylaw.

**REPORT** means any study or information containing development approval information that fulfils or intends to fulfil the requirements of this Bylaw.

## 2.0 Procedures and Policies

2.1 Where the Official Community Plan Bylaw identifies the circumstances in which the development approval information is required, the procedures and policies for requiring development approval information is set out in this Bylaw.

2.2 An official referred to in Section 2.3 may require that an Applicant will provide the development approval information in accordance to this Bylaw when giving consideration to the following applications:

- a. An amendment to the Zoning Bylaw;

- b. A development permit; or
- c. A temporary use permit.

2.3 Listed below are the officials who may require the development approval information from the applicant by writing a letter detailing the Terms of Reference for the Report:

- a. Director of Operations;
- b. Approving Officer; and
- c. City Planner.

2.4 The development approval information must be provided by the Applicant at their own expense. The development approval information must be in the form of a report completed by a Qualified Professional.

2.5 The development approval information report must comply with and fully address the Terms of Reference that were provided by an official.

2.6 A report provided under Section 2.4 must be prepared by a Qualified Professional according to the table below:

	<b>SUBJECT</b>	<b>QUALIFIED PROFESSIONAL</b>
<b>A.</b>	Transportation	Traffic Engineer (P. Eng.)
<b>B.</b>	Local Infrastructure	Civil Engineer (P. Eng.)
<b>C.</b>	The Natural Environment	Registered Professional Biologist (R.P. Bio)
<b>D.</b>	Hazardous Conditions	Hydrological Engineer (P. Eng.) Geotechnical Engineer (P. Eng.) Professional Geologist (P. Geo.)

2.7 Within the report, a quality assurance statement with the signatures and seals of the Qualified Professionals involved must be included.

2.8 The City may distribute and publicize the results of the Applicant's report.

### **3.0 Terms of Reference**

3.1 The Terms of Reference can require one or more reports that are related to any number of the following subject areas:

- A. Transportation
- B. Local Infrastructure
- C. Natural Environment
- D. Hazardous Conditions

3.2 The Terms of Reference can require the Applicant's report to include all of, or part of, the information outlined in 'Schedule B' of this Bylaw.

3.3 Unless specified otherwise, the Applicant's Report must include the following components:

- a. The property's legal description and property identifier (PID);
- b. A descriptive list of all of the relevant land use covenants, easements, statutory rights of way, or other charges that could potentially affect the use and development of the property registered on title for the subject property;
- c. The properties location and context map;
- d. The description of the report's methodology and assumptions, or sufficient detail regarding the methodology and assessment to facilitate a professional peer review if required under Section 4.2.
- e. Identification and definition of the context, interaction, scope, magnitude, and significance of the possible impacts the proposed activity or development poses. This report must also include the data and methodological accuracy, assumptions, uncertainties, acceptability thresholds, and how the anticipated impacts of the activity or development could contribute to the present risks, stressors, and threats; and

- f. Recommendations for either conditions or requirements that the City Council or other government official may impose to reduce the possible impacts.

#### **4.0 Report Review**

- 4.1 If the City of Prince Rupert finds that the submitted report is incomplete or deficient, it shall notify the Applicant in the form of a written detail of the deficiencies. In order to proceed, the Applicant must submit a new report addressing these deficiencies.
- 4.2 Without limiting Section 4.1, the Director of Operations, the City Planner, or the Approving Officer may require a peer review of the submitted report after reviewing such report. This is done so at the Applicant's expense if the initial report does not meet satisfaction in a standard, guideline, policy, or other matter within this Bylaw.
  - a. If an official outlined in Section 2.3 requires a peer review, one peer within the class of the applicable professionals referred to in the Section 2.6 list will be selected to carry out this peer review. The peer selected is agreed to by both the City of Prince Rupert and the Applicant.

#### **5.0 Reconsideration**

- 5.1 The Applicant may apply to ask the Council to reconsider an administrative decision requiring development approval information under this Bylaw. This can be done by submitting a written application for reconsideration to the City of Prince Rupert within the 30 days after the decision was made in writing.
- 5.2 If the Applicant applies for a reconsideration, they must establish the grounds upon which they consider inappropriate or inadequate. The Applicant must also state what decision the Council should substitute, including any materials the Applicant may consider relevant to the reconsideration.
- 5.3 The City of Prince Rupert must appropriately place each application for reconsideration on the Council's agenda as soon as reasonably practicable after the application for reconsideration has been submitted. Once established, the City must notify the Applicant of the date in which the meeting will take place.
- 5.4 At the meeting for reconsideration, the Council may hear from the Applicant and any other parties of interest, there they can confirm the current decision or establish a substitute decision.

#### **6.0 Severability**

- 6.1 If any part of this Bylaw is found invalid by any court or competent jurisdiction, the remaining portions of this Bylaw will remain valid.

## **Schedule B to Bylaw 3468, 2021: Terms of Reference for Development Approval Information**

The Local Government Act specifies under Section 484 of Division 6 that development approval information is defined as the information on an anticipated impact of a proposed activity or development on the community. This can include information on the following matters

### **A. Transportation**

If the City of Prince Rupert requires the development approval information when a development or activity may relate to transportation patterns, the following information may be required:

- Provide a traffic impact assessment for the given development or activity. This must consider the growth areas identified in the City of Prince Rupert's Official Community Plan, as well as areas of potential growth that are adjacent to the City. This includes the provincial highway and other city facilities.
- Provide an analysis on the development or activities impact on any public right of way.
- Provide a breakdown of the traffic flows, this includes different days of the week and time of day. Additionally, the report must also provide an estimate of the additional number of vehicles generated by the proposed development or activity.
- An identification of certain public right of way's that will need upgrading or reconfiguration so it can accommodate the additional trips by pedestrians, bicycles, and vehicles generated by the development or activity. This includes provincial highways and city facilities.
- An identification of any pedestrian sidewalks, paths, and bicycle lanes/infrastructure that will be provided in order to accommodate for the development. It must also be identified how they will be integrated into the City's transportation network.
- An identification of any opportunity or improvement that will be required to facilitate transit use.
- An analysis of any safety concerns for the planned road network.
- Provide a context map that illustrates the connections between the proposed development and existing city road networks, trails, and/or bicycle and pedestrian infrastructure.

### **B. Local Infrastructure**

If the City of Prince Rupert requires the development approval information in the form of a report when a development or activity may impact local infrastructure, the following information may be required:

- An identification of any potential deficiencies and the impact of the proposed development on existing local infrastructure and site servicing. This can include but is not restricted to drainage and water sewers.
- Provide a conceptual plan on site servicing, this must show the proposed water-main network, water pressure zones, and any applicable pumping stations that are associated with the development.

- An average estimate on the potential water demand that the proposed development poses, and an outline on the conservation measures and impacts.
- An analysis of the current public water system, with an outline of the options proposed for the supply and delivery of water to the development proposed. This should include an analysis of the developments potential impact on the city's water pressure zones and water reservoir.
- An analysis that outlines the current sewage treatment and disposal systems, including the developments proposed options for sewage disposal and treatment.
- An estimate of the overall amount of surface drainage water that the proposed development will generate, including the developments proposed drainage options for collection, storage, and dispersal.
- The life cycle costs of any new infrastructure.
- An identification of the new capital works of the water, sewer and drainage systems for the proposed development. This should include the systems costs and potential funding sources.

### **C. The Natural Environment and Hazardous Conditions**

If the City of Prince Rupert requires the development approval information that relate to the impact from a development or activity on the natural environment, or for the protection from hazardous conditions, the following information may be required:

- Both an analysis and report on the natural environment. These include an analysis on ecosystems, biological diversity, species at risk, regionally significant species, and riparian zones.
- An analysis on the bio-inventory in the area. This should utilize the Ministry of Environments literature *"Develop with Care: Bio-Inventory Terms of Reference"*.
- Recommendations to protect, maintain, and restore environmentally valuable resources that are within a development's boundaries.
- An analysis of any environmental impact. This can include, but is not limited to noise, vibration, glare, and electronic interference.
- A tree analysis on the development's property, and an analysis on any possible impacts from tree removal that the development will pose on neighbouring properties.
- A hydrological and/or hydrogeological assessment of the proposed development site. This should include infiltration, interception, groundwater, aquifers, overland flow, accretion, and erosion.
- An analysis on the proposed developments possible impact on nearby fish habitat as well as both ground and surface water quality, this should include pollution, silts, pathogens, and nutrients.
- An analysis of the overall geotechnical conditions on the proposed development's site. This should include, but is not limited to, soil composition and profiles, geologic process and terrain stability, and slopes greater than 30 degrees at one metre contours.

- An analysis of all hazardous conditions present on the proposed development's site. This should include, but is not limited to, mud flow, debris torrents, land erosion, rock falls, avalanche areas with the specified setbacks from the natural boundary required, property boundary or feature, the ecosystem or hazard area with a statement of the lands safety for the intended developments infrastructure from a professional engineers or geoscientist registered in British Columbia.
- A map and overlay onto the site plan for the proposed development, at a suitable scale, with the results from the required natural environment and/or Hazardous Conditions analysis.
- A site plan should be provided that outlines soil removal and soil deposit on the site.



## THE CITY OF PRINCE RUPERT REPORT TO COUNCIL

**DATE:** January 7, 2021.  
**TO:** Dr. Robert Long, City Manager  
**FROM:** Chris Buchan, iPlan Assistant Planner; Rob Buchan, iPlan Planner  
**SUBJECT:** Updated Development Procedures Bylaw

### **RECOMMENDATION:**

**THAT** Council give First, Second, and Third readings to Bylaw No. 3469

### **REASON FOR REPORT:**

As requested by Council, an update to Bylaw No. 3425 “Development Procedures Bylaw” has been prepared to create a more efficient development approval process. This is also an opportunity to make a number of changes to improve clarity and align with the new Official Community Plan.

### **BACKGROUND:**

Council has expressed support to change the Development Procedures Bylaw to make the process more efficient and to initiate referrals and public consultation earlier. This report introduces the updated Development Procedures Bylaw No. 3469. Under Section 229 of the *Local Government Act*, this Bylaw would delegate all Development Permit, Minor Development Permit, and Sign/Minor Works Permit applications to the City Manager, City Planner, or the Director of Operations. In doing so, this will create a more efficient process that will reduce the timeframe for application processing. The delegation of DP approvals is a common practice in British Columbia municipalities. The updated Bylaw includes provisions for an Applicant to request that Council reconsider the Staff decision regarding a permit application.

It is proposed to adjust the OCP and Zoning Bylaw amendment process to combine the first and second reading within the same Council meeting. This will expedite the process for amendment approval's by removing the need for an additional Council meeting. It is also proposed to include public consultation prior to the first reading. This will provide more information and transparency to the public on any OCP or Zoning Bylaw amendment prior to a Council meeting/reading.

### **MAJOR CHANGES:**

A few major changes are proposed to increase clarity and efficiency. A new section (5) has been created to reflect this new structure, with an additional Appendix (E) included.

*It is proposed to:*

- 1) Revise Section 2.9 “Delegation of Authority” to delegate all Development Permit Applications and Sign/Minor Works Applications to the City Manager, City Planner, and Director of Operations;
- 2) Add Section 2.10 “Council Reconsideration of a Staff Decision” to provide an Applicant with the option to request Council reconsider a Staff decision;
- 3) Change Appendix A on the requirement for separate application for multiple variances associated with a development; this requirement is inefficient and unnecessary;
- 4) **OCP and Zoning Bylaw amendment process:**
  - a) Undertake Application Review and Public Consultation prior to the report to Council; and
  - b) Identify where MOTI referral and approval is required.
- 4) **Permit Application process:**
  - a) Introduce Appendix E “Development Permit with a Variance”; and
  - b) Revise Permit policy to clarify the different processes for Development Permits (delegated to the City Manager, City Planner, or the Director of Operations) and Development Variance Permits or Temporary Use Permits.

#### **Section 5 “Process”:**

It is proposed to introduce an additional Section (5.0) “Process” which will provide a visual representation of each application process. This section provides clarity on the process for each type of application, indicating the steps taken by both the City and the Applicant.

#### **MINOR CHANGES:**

Many small changes are proposed to increase clarity and improve on the language in the Development Procedures Bylaw.

*It is proposed to:*

- 1) Provide a definition for a “Minor Development Permit”;
- 2) Incorporate the new DPA’s established in the new OCP.
- 3) Change the maximum value of works Minor Development Permit from \$5,000 to \$10,000.
- 4) Include the new DPA’s introduced by the draft Official Community Plan;
- 5) Remove a broken hyperlink to the “Ministry of Environment Guidance on Contaminated Sites” under Section 2.4; and
- 6) Revise Appendix A note to improve efficiency.

#### **CONCLUSION:**

This report and Bylaw responds to Council direction to improve development procedures. It includes minor changes to clarity and grammar. It is also proposed to place the application review prior to the

report to Council in Section 3.0. This proposed Bylaw update outlines the new process with visual representations for increased clarity. This update incorporates changes introduced by the draft OCP. This will help to promote and accelerate future development growth in the City of Prince Rupert because of its increased streamline process.

**Report Prepared By:**

**Chris Buchan, iPlan Assistant Planner**

**Robert Buchan, iPlan Planner**



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**City of Prince Rupert**

**DEVELOPMENT  
PROCEDURES BYLAW  
SCHEDULE A TO  
Bylaw No. 3469, 2021**

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Section 5 – Process .....	9

## 1.0 Definitions

This bylaw includes a number of words that have specific meanings with respect to development procedures. These words and phrases are defined in this section.

**APPLICANT** means the Owner or a representative of the owner duly authorized to act on the Owner's behalf in relation to an application.

**APPLICATION** means a written request by an Applicant to amend the Official Community Plan, Zoning Bylaw or for the issuance of a Permit.

**CITY** means the City of Prince Rupert.

**CITY MANAGER** means the professional appointed by the Council of the City of Prince Rupert as the City Manager.

**CITY PLANNER** means the planning professional appointed by the Council of the City of Prince Rupert as the City Planner.

**COMMUNITY INFORMATION MEETING** means a meeting conducted by the Applicant to provide information about an application under this bylaw in order to obtain comments from the public prior to a Public Hearing on the application.

**COUNCIL** means the elected Council of the City of Prince Rupert.

**DIRECTOR OF OPERATIONS** means the professional appointed by the Council of the City of Prince Rupert as the Director of Operations.

**INTAKE** means the process of receiving a complete application including applicable fees.

**MINOR DEVELOPMENT PERMIT** means a Development Permit application with a total value of works under \$10,000.

**OWNER** means a person listed in the Land Title Office as the Owner of a parcel.

**PERMIT** means a Development Permit, Development Variance Permit and Temporary Use Permit.

**QUALIFIED PROFESSIONAL** means an accredited professional engineer, geoscientist, architect, biologist, planner or other professional with experience and certificates relevant to the applicable matter.

## **2.0 General Requirements**

### **2.1 Application Requirements**

Applications must include supporting documentation and attachments obtained at the Applicant's expense, as required by the City Planner.

- (a) Applications that are deficient of required supporting documentation and attachments may be refused.
- (b) When refusing to accept an application under Paragraph (a), the City Planner must inform the Applicant of the requirements that must be met for the application to comply with this Bylaw.
- (c) Council may require further supporting documentation.

### **2.2 Owner's Consent**

No application shall be accepted except from the Owner of land involved, or from an Applicant with written authorization of the Owner to act on their behalf.

### **2.3 Application Fees**

No application shall be accepted or deemed complete until an application fee has been paid in full as prescribed in Appendix A – Fees.

### **2.4 Site Profile**

Site Profile shall be submitted in accordance with Ministry of Environment Guidance on Contaminated Sites to the City Planner for review.

A checklist provided by the Ministry of Environment will be completed and submitted with the application. If there are any "YES" answers in the checklist the City shall forward the Site Profile to the Director of Waste Management, Land Remediation Section, Ministry of Environment.

### **2.5 Pre-Application Meeting**

A pre-application meeting with staff and the applicant is strongly encouraged.

### **2.6 Process**

Every application for an amendment to the Zoning Bylaw or OCP shall be processed by the City Planner, who shall present a report to Council for consideration. Every application for a permit shall be processed and either approved or rejected by the City Manager, City Planner, or the Director of Operations. Every non-delegated Development Permit shall have clarified public consultation and should differentiate land on size and scale.

### **2.7 Public Consultation & Referrals**

- (a) The City Planner will implement the public consultation requirements which may be composed of:
  - i. the Applicant, at their cost, convening an advertised Community Information Meeting;
  - ii. the Applicant preparing and distributing public information packages and feedback opportunity;
  - iii. the Applicant providing online information and feedback opportunities; and
  - iv. the Applicant providing a summary report of the consultation methods taken.
- (b) The City Planner will consider the size and scale of an application when determining the form of public consultation. For example, a proposal with only a few residential units may only need to provide a public information package to the residents within 50 metres of the development site.
- (c) The City Planner will circulate referrals to local, regional and provincial agencies whose interests may be affected.

## 2.8 Other Considerations

Notwithstanding any provisions of this Bylaw, no person shall be prevented from submitting, or Council considering, any development application under Part 14 of the *Local Government Act*.

## 2.9 Delegation of Authority

In Accordance with Section 154 of the Community Charter,

- i. Council herein delegates the following to the City Manager, City Planner, and Director of Operations:
  - (a) The power to require Development Approval Information;
  - (b) The power to require security for works;
  - (c) The power to determine the form of permits issued under this bylaw;
  - (d) The power to determine the form and content of application forms;
  - (e) The power to issue or amend all permits created under Section 488(1)(f) of the Local Government Act (Form and Character of Commercial, Industrial or Multi-Family Residential Development) where variances are not requested;
  - (f) The power to issue or amend all Development Permits within Development Permit Areas created under Section 488(1)(a) of the Local Government Act for protection of the natural environment;

## 2.10 Council Reconsideration of a Staff Decision

- i. Within 30 days of being notified in writing of the decision of the City Manager, City Planner, or Director of Operations, the Applicant may request Council to reconsider the decision regarding a Development Permit Application.
- ii. The Applicant must give written notice to City Clerk and include the following information:
  - (a) The Applicant's address for receiving correspondence related to the request for reconsideration;
  - (b) A copy of the written specific decision;
  - (c) Reasons why the Applicant wishes the specific decision to be reconsidered by Council;
  - (d) The decision which the Applicant requests be made by Council as a substitute to staff decision;
  - (e) Reasons in support of the decision requested from Council; and
  - (f) A copy of any documents which support the Applicant's request for reconsideration by Council
- iii. The City Clerk will notify the City Planner of the request(s) for reconsideration and the staff will, prior to the date of the meeting at which the reconsideration will occur provide a written report to Council setting out the rationale for their decision.
- iv. The City Clerk will place the request(s) for reconsideration on the agenda of a meeting of Council to be held as soon as reasonably possible.
- v. The City Clerk will notify the Applicant of the date of the meeting at which reconsideration will occur.
- vi. Council will review the information provided by the Applicant and staff, and either confirm the decision made by staff, or substitute its own decision including Development Permit conditions.

## 2.11 Re-Application

Subject to Section 460 of the Local Government Act a re-application for an amendment or permit that has been refused by Council shall not be considered within a six (6) month period immediately following the date of refusal. Re-application will require the payment of a new application fee.



## 2.12 Lapse in Application

Commencing with intake and during the entire application process if at any time any Applicant does not comply with a request from the City Planner for supporting information for longer than six (6) months but not to exceed 24 months from the application date, the application has lapsed.

## 2.13 Refunds

All application fees are non-refundable.

## 2.14 Severability

If a portion of this bylaw is held invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to be adopted without the severed section.

# 3.0 Official Community Plan and Zoning Bylaw Amendments

<b>3.1 Application</b>	Shall be submitted in accordance with Appendix B as amended from time to time by the City Planner.
<b>3.2 Application Review &amp; Consultation</b>	The City Planner shall examine the application for completeness and if complete shall: <ol style="list-style-type: none"> <li>1) Request the Applicant proceed with public consultation;</li> <li>2) Send referrals to internal departments and external agencies; and</li> <li>3) The Applicant must install a sign in accordance with Appendix C which is attached and forms part of this Bylaw; this will be completed at the Applicant's expense.</li> </ol>
<b>3.3 Report to Council</b>	The City Planner will review the application and prepare a report that contains: <ol style="list-style-type: none"> <li>(a) A summary of the application;</li> <li>(b) An assessment of the potential impact of the activity or development on the community;</li> <li>(c) A review of the application with reference to City bylaws and policies;</li> <li>(d) A summary of relevant referral responses; and</li> <li>(e) Any other matters the City Planner considers relevant.</li> </ol>
<b>3.4 Council's Initial Considerations</b>	For complex proposals, the application proceeds to Committee of the Whole or, for a time sensitive or minor application, to Council for initial consideration. The Committee of the Whole may recommend proceeding to 1st and 2nd reading at next Council meeting. Council may waive the Public Hearing in accordance with the Local Government Act, subject to: <ol style="list-style-type: none"> <li>(i) compliance with the Official Community Plan Policies; and</li> <li>(ii) as determined by Council, no significant objections or issues raised or received at the Neighbourhood Public Meeting.</li> </ol>
<b>3.5 Notice of Public Hearing</b>	A Notice of Public Hearing shall be prepared by the City as follows: <ol style="list-style-type: none"> <li>(a) Individual notices shall be mailed or otherwise delivered to the owner on the assessment roll as at the date of the application and to the tenants within a distance of 100 m (330 ft.) of any property line of the property subject of the bylaw amendment. The notification area may be expanded by Council when development proposals are deemed to have a significant impact;</li> <li>(b) The advertisement shall be published in two consecutive issues of a local newspaper in accordance with Section 466 of the <i>Local Government Act</i>;</li> </ol>

	<p>(c) Notice of Public Hearing shall be posted on the City notice board; and</p> <p>(d) A copy of all pertinent correspondence received prior to the Public Hearing shall be available for public viewing.</p>
<b>3.6 Public Hearing</b>	<p>The order of business at the Public Hearing shall be generally as follows:</p> <p>(a) The Chair of the Public Hearing shall read a statement setting out its purpose and rules of conduct;</p> <p>(b) The Applicant shall be given the opportunity to be heard;</p> <p>(c) Any correspondence received during the Public Hearing must be included in the minutes;</p> <p>(d) Any persons wishing to speak to the Bylaw shall be heard;</p> <p>(e) Only members of Council may put questions to any person who has been heard;</p> <p>(f) No person, after being heard, may make a reply or rebuttal or further submission without permission of the Chair; and</p> <p>(g) The Chair will call three times for further submissions, and if no one comes forward, shall close the Public Hearing.</p>
<b>3.7 Council Decision</b>	<ol style="list-style-type: none"> <li>1) The application proceeds to Council for consideration of 3<sup>rd</sup> reading.</li> <li>2) If a rezoning application is for property located within 800 metres of an intersection of a controlled access highway, the Ministry of Transportation Infrastructure must approve the Bylaw prior to adoption.</li> <li>3) Prior to final reading, any approval conditions must be secured prior to consideration of final (4<sup>th</sup>) reading;</li> <li>4) The Council will make one of the following decisions: <ol style="list-style-type: none"> <li>(a) Give final reading;</li> <li>(b) Reject; or</li> <li>(c) Defer or otherwise deal with the application or amending Bylaw.</li> </ol> </li> <li>5) If the Bylaw does not require MOTI approval, and if all approval conditions have been secured, Council can consider 3<sup>rd</sup> and final reading at the same meeting.</li> </ol>

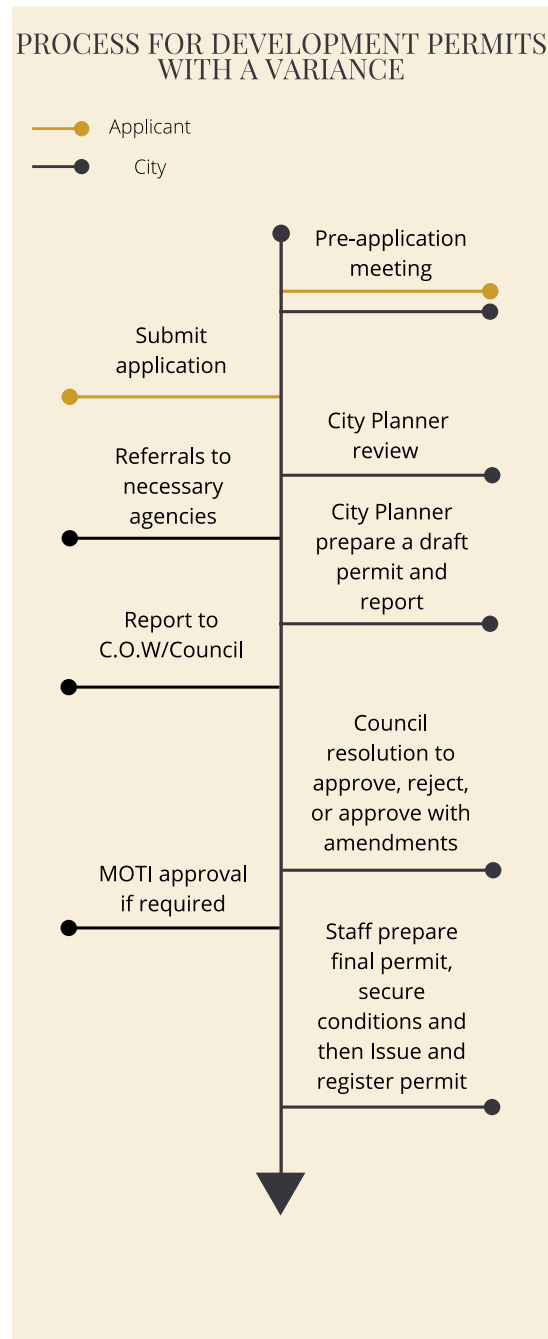
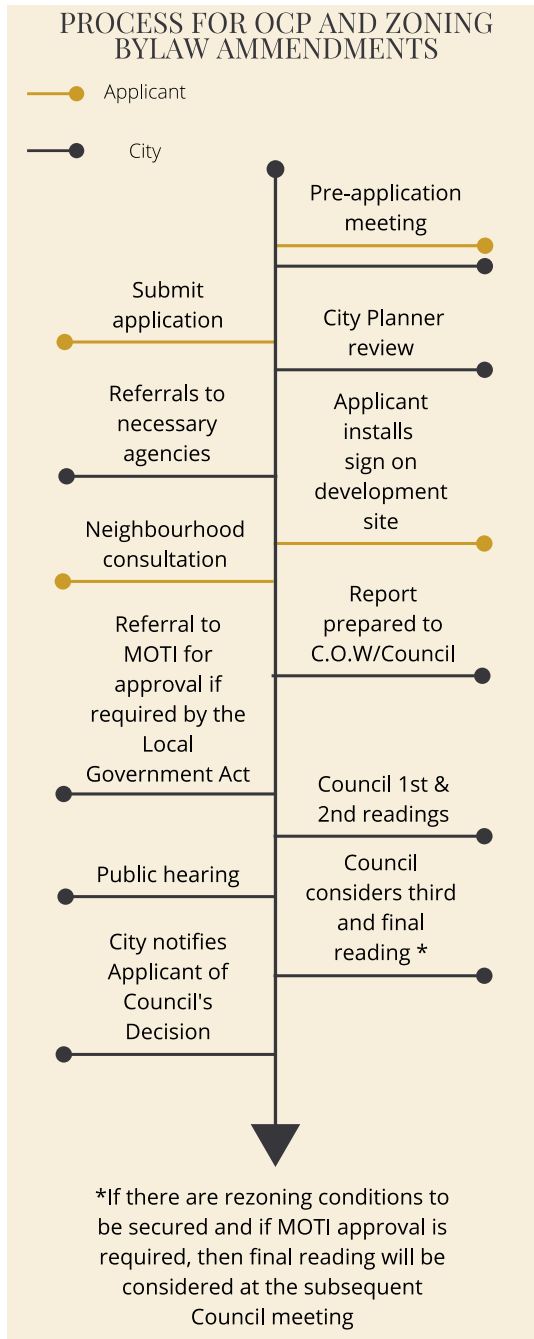
## 4.0 Permit Applications

<b>4.1 Application</b>	<p>Shall be submitted in accordance with:</p> <p>(a) Appendix "D" for Development Permit;</p> <p>(b) Appendix "E" for Development Permit with a Variance;</p> <p>(c) Appendix "F" for Minor Development Permit;</p> <p>(d) Appendix "G" for Development Variance Permit; and</p> <p>(e) Appendix "H" for Temporary Use Permit.</p>
<b>4.2 Application Review</b>	<p>Upon receipt of a complete application for any Permit in Section 4 the City will review the application and provide comments for the Applicant:</p>
<b>4.3 Referrals</b>	<p>Referrals shall be in accordance of Section 2.7</p>
<b>4.4 Notice</b>	<p>No notification is required for a Development Permit.</p> <p>Prior to final consideration of an application for a Development Variance Permit or</p>

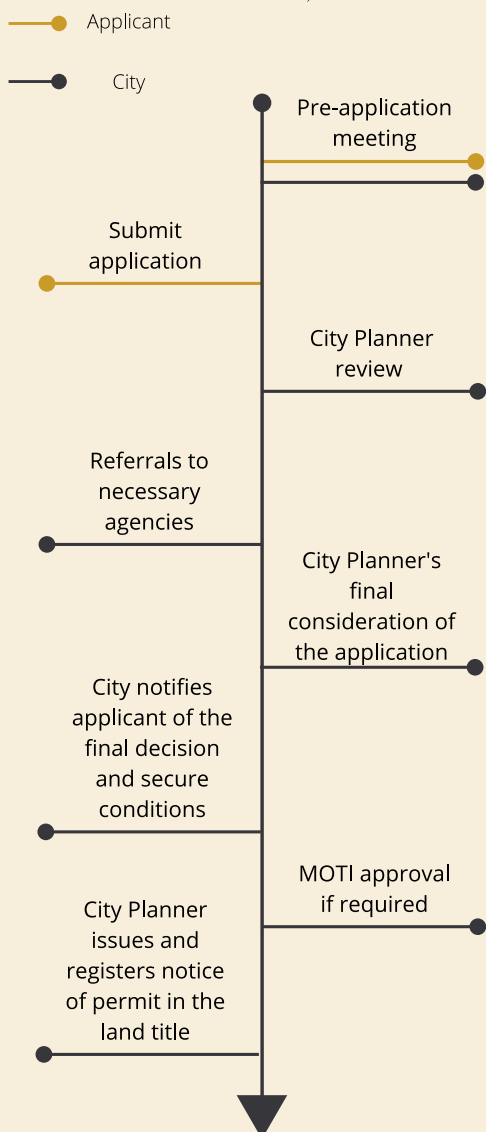
	<p>Temporary Use Permit, the City shall deliver notification as follows:</p> <ul style="list-style-type: none"> <li>(a) To all Owners and tenants of the land(s) subject to the proposed Permit; and</li> <li>(b) To all Owners and tenants of lands of which any portion is within 50 metres of the land that is subject to the proposed Permit.</li> <li>(c) In the case of a Temporary Use Permit, a notice must be published in a local newspaper.</li> </ul>
<b>4.5 Public Comments</b>	<p>Prior to final consideration of an application for a Development Variance Permit or Temporary Use Permit and only after notification has been carried out, all persons who believe their interests are affected by the proposed Permit may be afforded reasonable opportunity to be heard and to present oral and/or written submissions respecting matters relating to the Permit.</p>
<b>4.6 Permit</b>	<p>The City Council may approve the following permits:</p> <ul style="list-style-type: none"> <li>i. Development Permits with a Variance;</li> <li>ii. Development Variance Permits; and</li> <li>iii. Temporary Use Permits.</li> </ul> <p>As delegated by Council, the City Manager, City Planner, or the Director of Operations may approve the following permits:</p> <ul style="list-style-type: none"> <li>i. Development Permits; and</li> <li>ii. Minor Development Permits.</li> </ul>

## 5.0 Process

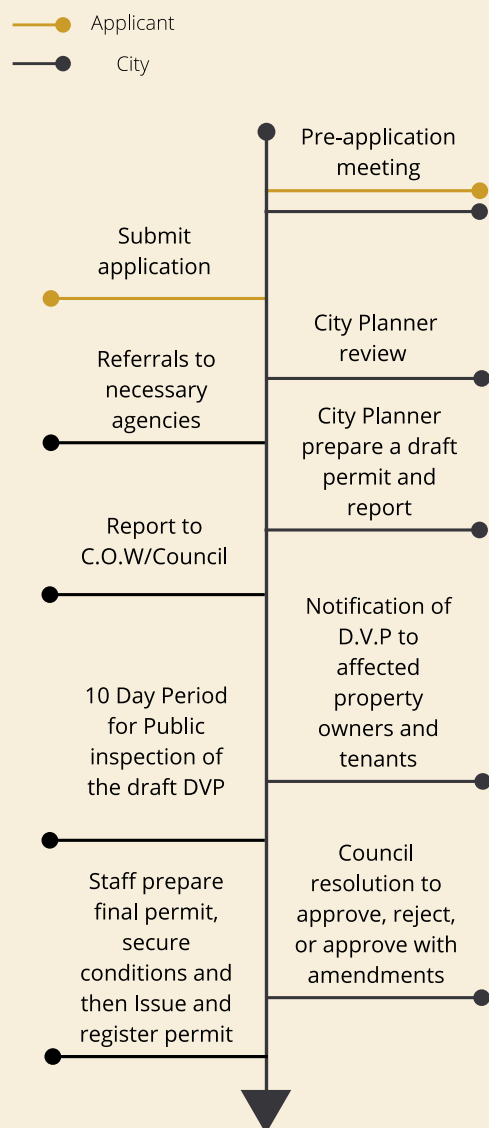
The following graphics have been created to illustrate the overall process of **Section 3.0 Official Community Plan and Zoning Bylaw Amendment** & **Section 4.0 Development Permit, Development Permit with a Variance, Development Variance Permit, Temporary Use Permit**. This is intended to be used only for the purposes of process clarity. Refer to Section 3.0 & Section 4.0 for details.



### PROCESS FOR DEVELOPMENT PERMIT APPLICATIONS (MAJOR + MINOR)



### PROCESS FOR DEVELOPMENT VARIANCE PERMITS





**CITY OF PRINCE RUPERT**  
**Development Services**  
 424 3<sup>rd</sup> Avenue West  
 Prince Rupert, BC, V8J1L7  
**Phone:** (250)-627-0996 **Fax:** (250)-627-0979  
**Email:** [planning@princerupert.ca](mailto:planning@princerupert.ca)

<b>Appendix A</b>
-------------------

### APPLICATION FOR AMENDMENT AND PERMITS

Amendment to Official Community Plan	\$1,100.00
Amendment to Zoning Bylaw	\$1,100.00
Amendment to Official Community Plan & Zoning Bylaw	\$1,400.00
Development Variance Permit	\$330.00
Development Permit Area (value of works over \$10,000)	\$225.00
Development Permit Area (value of works under \$10,000)	\$60.00
Reconsideration of a staff decision regarding a DP application or a DAI request	\$60.00
Temporary Use Permit	\$630.00
Copy of Title Certificate (within 30 days of date of Application)	\$15.00

**Note:** Each regulation for which there is an application for a variance shall be subject to a separate fee but processed in a single application.



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Appendix B

# **APPLICATION TO AMEND OFFICIAL COMMUNITY PLAN AND/OR ZONING BYLAW**

(PLEASE PRINT CLEARLY)

## **APPLICATION TYPE:**

- Official Community Plan Amendment
- Joint Official Community Plan and Zoning Bylaw Amendment
- Zoning Bylaw Amendment

*Office Use Only:*

Date Received: \_\_\_\_\_ Application/File No: \_\_\_\_\_

## **APPLICANT:**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

## **REGISTERED OWNER(S):**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

## **SUBJECT PROPERTY INFORMATION:**

Civic Address: \_\_\_\_\_  
 Legal Description: \_\_\_\_\_  
 Current OCP Designation/Zoning: \_\_\_\_\_  
 Current Use: \_\_\_\_\_

## **PROPOSAL DESCRIPTION:**

Proposed OCP Designation: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Describe Proposed Amendment(s):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## **ATTACH ADDITIONAL INFORMATION INCLUDING THE LETTER OF INTENT & DRAWINGS**

## **AUTHORIZATION:**

As the applicant or approved agent, I hereby make this application in accordance with the City of Prince Rupert's Bylaws and declare that statements in this application are true and correct. I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for the purpose of a public hearing.

Name/Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*This application is made with my full knowledge and consent.*

Registered Owner Name/Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**CITY OF PRINCE RUPERT**  
**Development Services**  
 424 3<sup>rd</sup> Avenue West  
 Prince Rupert, BC, V8J1L7  
**Phone:** (250)-627-0996 **Fax:** (250)-627-0979  
**Email:** [planning@princerupert.ca](mailto:planning@princerupert.ca)

## Appendix C

### OCP AND/OR ZONING AMENDMENT SIGN

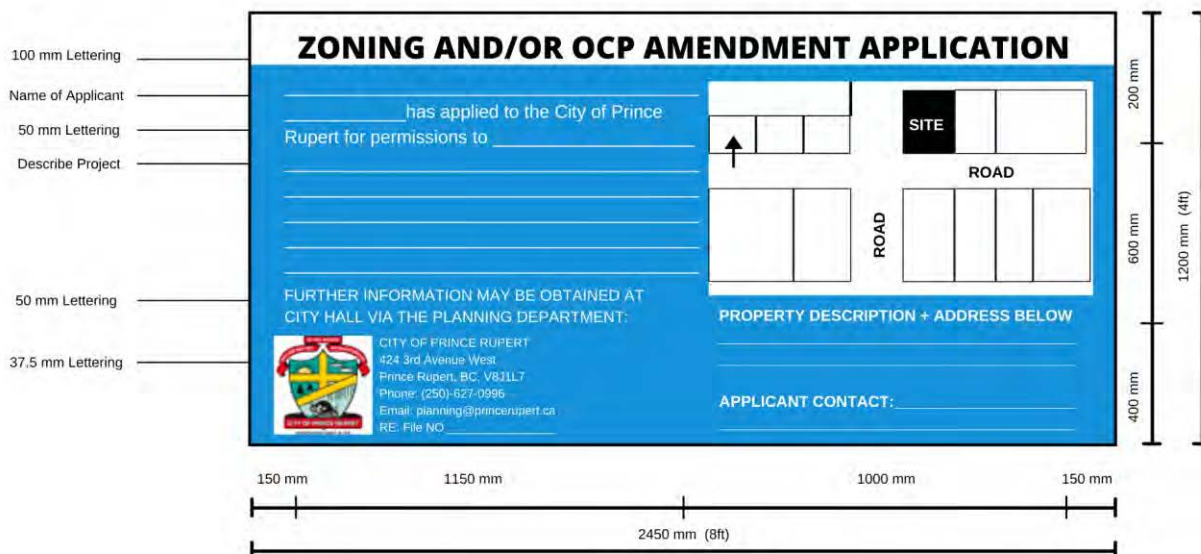
#### SPECIFICATIONS:

1. Blue background (PANTONE colour Process Blue C) with white Arial lettering.
2. Please identify in the title of the sign whether it is solely for a Zoning Application, or combined OCP Amendment and Zoning Application.
3. Sign to include site map with white background and black lines (see sample below).
4. The map will show the project location, adjoining roads (labelled) and properties, address of the affected properties, and a north directional arrow.
5. All measurements described below are in millimeters (mm). A variance of 5% is permitted in specified signage dimensions.
6. The sign is to be constructed with 5/8" thick plywood with supporting/anchor posts that raise the sign at least 36" from the ground.

#### PLACEMENT:

In every case, a sign shall be located to the front property line. Where the subject property also abuts a separate, but unconnected improved public road, a like sign shall also be located adjacent to the second public road.

**NOTE: DRAWING IS NOT TO SCALE**







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Appendix D

### APPLICATION FOR A DEVELOPMENT PERMIT

(PLEASE PRINT CLEARLY)

<b>DEVELOPMENT PERMIT AREA (DPA):</b>		
• City Core DPA	• Industrial Site DPA	• Environmentally Sensitive Areas DPA
• General Commercial DPA	• Hazardous Areas DPA	• General Multi-family DPA
<i>Office Use Only:</i>		
Date Received: _____ Application/File No: _____		

<b>APPLICANT:</b>
Name: _____
Address: _____
Phone #: _____ Email: _____
<b>REGISTERED OWNER(S):</b>
Name: _____
Address: _____
Phone #: _____ Email: _____
<b>SUBJECT PROPERTY INFORMATION:</b>
Civic Address: _____
Legal Description: _____
Current OCP Designation/Zoning: _____
Current Use: _____
<b>PROPOSAL DESCRIPTION:</b>
Proposed OCP Designation: _____ Proposed Zoning: _____
Estimated Project Costs: _____
Describe Proposed Development and attach site plans and building elevations:
_____
_____
_____
<b>ATTACH ADDITIONAL INFORMATION INCLUDING THE LETTER OF INTENT &amp; DRAWINGS</b>

<b>AUTHORIZATION:</b>
As the applicant or approved agent, I hereby make this application in accordance with the City of Prince Rupert's Bylaws and declare that statements in this application are true and correct. I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for the purpose of a public hearing.
Name/Signature: _____ Date: _____
<i>This application is made with my full knowledge and consent.</i>
Registered Owner Name/Signature: _____ Date: _____



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**Development Services**  
 424 3<sup>rd</sup> Avenue West  
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**Email:** [planning@princerupert.ca](mailto:planning@princerupert.ca)

Appendix E

### APPLICATION FOR A DEVELOPMENT PERMIT WITH A VARIANCE

(PLEASE PRINT CLEARLY)

<b>DEVELOPMENT PERMIT AREA (DPA):</b>		
• City Core DPA	• Industrial Site DPA	• Environmentally Sensitive Areas DPA
• General Commercial DPA	• Hazardous Areas DPA	• General Multi-family DPA
<i>Office Use Only:</i>		
Date Received: _____ Application/File No: _____		

<b>APPLICANT:</b>
Name: _____
Address: _____
Phone #: _____ Email: _____
<b>REGISTERED OWNER(S):</b>
Name: _____
Address: _____
Phone #: _____ Email: _____
<b>SUBJECT PROPERTY INFORMATION:</b>
Civic Address: _____
Legal Description: _____
Current OCP Designation/Zoning: _____
Current Use: _____
<b>PROPOSAL DESCRIPTION:</b>
OCP Designation: _____ Zoning: _____
Estimated Project Costs: _____
Describe Proposed Development and rationale for variance (attach site plans and building elevations):
_____
_____
_____
<b>ATTACH ADDITIONAL INFORMATION INCLUDING THE LETTER OF INTENT &amp; DRAWINGS</b>

<b>AUTHORIZATION:</b>
As the applicant or approved agent, I hereby make this application in accordance with the City of Prince Rupert's Bylaws and declare that statements in this application are true and correct. I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for the purpose of a public hearing.
Name/Signature: _____ Date: _____
<i>This application is made with my full knowledge and consent.</i>
Registered Owner Name/Signature: _____ Date: _____



**CITY OF PRINCE RUPERT**  
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Appendix F

### APPLICATION FOR A MINOR WORKS OR SIGN PERMIT

(PLEASE PRINT CLEARLY)

<b>APPLICATION TYPE:</b>	<b>DEVELOPMENT PERMIT AREA (DPA):</b>
<ul style="list-style-type: none"> <li>• Minor Works Permit (&lt;\$5,000 value)</li> <li>• Minor Sign Permit (&lt;\$5,000 value)</li> </ul>	<ul style="list-style-type: none"> <li>• General Commercial DPA • Hazardous Areas DPA</li> <li>• City Core DPA • Industrial Site DPA</li> <li>• Environmentally Sensitive Areas DPA</li> <li>• General Multi-family DPA</li> </ul>
<p><b>***For detailed specifications regarding construction requirements in Prince Rupert's different Development Permit Areas, see the Development Permit Area Guidelines, available in the Official Community Plan Bylaw #3460.</b></p>	

<b>APPLICANT:</b>	
Name: _____	
Address: _____	
Phone #: _____	Email: _____
<b>REGISTERED OWNER(S):</b>	
Name: _____	
Address: _____	
Phone #: _____	Email: _____
<b>SUBJECT PROPERTY INFORMATION:</b>	
Civic Address: _____	
Legal Description: _____	
Current OCP Designation/Zoning: _____	
Current Use: _____	
Describe Proposed Works:	<b>MUST ATTACH:</b>
_____	1) Drawings and Pictures of Proposed Works
_____	2) Additional Supporting Information
_____	
_____	
_____	
_____	
_____	
_____	
<b>Estimated Project Costs:</b> _____	

<b>AUTHORIZATION:</b>	
<p>As the applicant or approved agent, I hereby make this application in accordance with the City of Prince Rupert's Bylaws and declare that statements in this application are true and correct. I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for the purpose of a public hearing.</p>	
Name/Signature: _____	Date: _____
<i>This application is made with my full knowledge and consent.</i>	
Registered Owner Name/Signature: _____	Date: _____



**CITY OF PRINCE RUPERT**  
**Development Services**  
 424 3<sup>rd</sup> Avenue West  
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Appendix G

### APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT

(PLEASE PRINT CLEARLY)

*Office Use Only:*

Date Received: \_\_\_\_\_ Application/File No: \_\_\_\_\_

#### APPLICANT:

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

#### REGISTERED OWNER(S):

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

#### SUBJECT PROPERTY INFORMATION:

Civic Address: \_\_\_\_\_  
 Legal Description: \_\_\_\_\_  
 Current OCP Designation/Zoning: \_\_\_\_\_  
 Current Use: \_\_\_\_\_

#### PROPOSAL DESCRIPTION:

Proposed Variance: \_\_\_\_\_

Describe Proposed Variance:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ATTACH ADDITIONAL INFORMATION INCLUDING THE LETTER OF INTENT & DRAWINGS**

#### AUTHORIZATION:

As the applicant or approved agent, I hereby make this application in accordance with the City of Prince Rupert's Bylaws and declare that statements in this application are true and correct. I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for the purpose of a public hearing.

Name/Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*This application is made with my full knowledge and consent.*

Registered Owner Name/Signature: \_\_\_\_\_ Date: \_\_\_\_\_



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**Development Services**  
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Appendix H

### APPLICATION FOR A TEMPORARY USE PERMIT

(PLEASE PRINT CLEARLY)

*Office Use Only:*

Date Received: \_\_\_\_\_ Application/File No: \_\_\_\_\_

#### APPLICANT:

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

#### REGISTERED OWNER(S):

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

#### SUBJECT PROPERTY INFORMATION:

Civic Address: \_\_\_\_\_  
 Legal Description: \_\_\_\_\_  
 Current OCP Designation/Zoning: \_\_\_\_\_  
 Current Use: \_\_\_\_\_

#### PROPOSAL DESCRIPTION:

Proposed Use: \_\_\_\_\_

Describe Proposed Temporary Use:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ATTACH ADDITIONAL INFORMATION INCLUDING THE LETTER OF INTENT**

#### REQUIRED SUBMISSIONS:

- ☐ Application Fee      ☐ Owner's Authorization  
☐ Certificate of Title      ☐ Survey Certificate

#### AUTHORIZATION:

As the applicant or approved agent, I hereby make this application in accordance with the City of Prince Rupert's Bylaws and declare that statements in this application are true and correct. I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for the purpose of a public hearing.

Name/Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
*This application is made with my full knowledge and consent.*

Registered Owner Name/Signature: \_\_\_\_\_ Date: \_\_\_\_\_