



City of Prince Rupert

AGENDA

For the **REGULAR MEETING** of Council to be held on February 28, 2022 at 7:00 pm in the Council Chambers of City Hall, 424 – 3rd Avenue West, Prince Rupert, B.C.

1. CALL TO ORDER

Recommendation:

That the Regular Council Meeting be suspended and the Committee of the Whole Meeting be convened.

2. ADOPTION OF AGENDA

Recommendation:

THAT the Agenda for the Regular Council Meeting of February 28, 2022 be adopted as presented.

3. MINUTES

a) Recommendation:

THAT the Minutes of the Special Council Meeting of February 7, 2022 be adopted.

(attached)

b) Recommendation:

THAT the Minutes of the Regular Council Meeting of February 7, 2022 be adopted.

(attached)

4. REPORTS & RESOLUTIONS

a) Report from Planning Re: DVP-21-11 for 885 Borden Street

(attached)

Recommendation:

THAT Council proceeds with the consideration for Development Variance Permit Application (DVP) 21-11, approving or denying the application.

b) Report from Planning Re: DVP-22-02 for 945 Hays Cove Avenue

(attached)

Recommendation:

THAT Council proceeds with the consideration for Development Variance Permit Application (DVP) 22-02, approving or denying the application.

c) Report from Planning Re: DVP-22-04 (CBC Building)

(attached)

Recommendation:

THAT Council proceed with the statutory notification process for Development Permit Application (DVP) #22-04.

d) Report from Planning Re: DVP-21-14 for 1429 Overlook St.

(attached)

Recommendation:

THAT Council proceed with the statutory notification process for Development Permit Application (DVP) #21-14.

e) Report from Planning Re: DVP-21-15 for 1039 Hays Cove Avenue.

(attached)

Recommendation:

THAT Council proceed with the statutory notification process for Development Permit Application (DVP) #21-15.

f) Report from the Chief Financial Officer Re: Cost and Commissioning Consultants – Award – RCMP Detachment Project.

(attached)

Recommendation:

THAT Mayor and Council award the Cost Consulting for the RCMP Detachment project to BTY Group; and

THAT Mayor and Council award the Commissioning Consulting for the RCMP Detachment project to C.E.S. Engineering Ltd.

g) Report from the Manager of Communications Re: Consideration of a Final Brand Package for the City of Prince Rupert.

(attached)

Recommendation:

THAT Council approve by resolution the attached Logo Design and Brand Guidelines, developed by Will Creative in partnership with Russell Mather, Ts'msyen artist.

h) Report from the Director of Operations & Intergovernmental Relations Re: Master Service Agreements – Award Colliers Project Leaders

(attached)

Recommendation:

THAT Mayor and Council award the Owners Representative RFP to Colliers Project Leaders (CPL)

5. BYLAWS

a) Report from the Approval Officer Re: City of Prince Rupert Subdivision and Servicing Bylaw No. 3486, 2022.

(attached)

Recommendation:

THAT Council give Fourth and Final Reading to the City of Prince Rupert Subdivision and Servicing Bylaw No. 3486, 2022.

b) City of Prince Rupert Delegation Amendment Bylaw No. 3487, 2022.

(attached)

Recommendation:

THAT Council give Fourth and Final Reading to the City of Prince Rupert Delegation Amendment Bylaw no. 3487, 2022.

c) Business Regulations & Licensing Bylaw No. 3476, 2021

(attached)

Recommendation:

THAT Council give Third Reading to the City of Prince Rupert Business Regulations & Licensing Bylaw No. 3476, 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 February 7, 2022 at 5:00 p.m. by Zoom.

PRESENT: Mayor L. Brain
Councillor B. Cunningham
Councillor W. Niesh
Councillor N. Adey
Councillor G. Randhawa
Councillor B. Mirau
Councillor R. Skelton-Morven

STAFF: R. Buchan, City Manager
R. Miller, Corporate Administrator
C. Bomben, Chief Financial Officer
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 (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that 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 February 7, 2022 at 7:00 p.m. in the Council Chambers of City Hall, 424 – 3rd Avenue West, Prince Rupert, B.C.

PRESENT: Mayor L. Brain
Councillor W. Niesh
Councillor G. Randhawa
Councillor B. Cunningham
Councillor N. Adey
Councillor B. Mirau
Councillor R. Skelton-Morven

STAFF: R. Buchan, City Manager
R. Miller, Corporate Administrator
C. Bomben, Chief Financial Officer
R. Pucci, Director of Operations
M. Pope, Planner
D. Rajasooriar, Planner

1. CALL TO ORDER

The Mayor called the Regular Meeting of Council to order at 7:01p.m.

2. ADOPTION OF AGENDA

MOVED by Councillor Skelton-Morven and seconded by Councillor Randhawa THAT the Agenda for the Regular Council Meeting of February 7, 2022 be adopted as presented as presented and amended by adding “Tourism CIF grant application for letter of support for interpretive signage” to item 4.d).

CARRIED

3. MINUTES

a.) MOVED by Councillor Skelton-Morven and seconded by Councillor Adey THAT the Minutes of the Special Council Meeting of January 27, 2022 be adopted.

CARRIED

b.) MOVED by Councillor Cunningham and seconded by Councillor Randhawa THAT the Minutes of the Public Hearing Meeting of January 27, 2022 be adopted.

CARRIED

4. REPORTS & RESOLUTIONS

a) Report from the Corporate Administrator – Re: Council Resolutions Status Updates (January 2022)

b) Report from Planning Re: DVP-21-11 for 885 Borden Street

MOVED by Councillor Skelton-Morven and seconded by Councillor Niesh THAT Council proceeds with the statutory process for Development Variance Permit Application (DVP) 21-11.

CARRIED

c) Report from Planning Re: DVP-22-02 for 945 Hays Cove Avenue

MOVED by Councillor Skelton-Morven and seconded by Councillor Adey THAT Council proceeds with the statutory process for Development Variance Permit Application (DVP) 22-02.

CARRIED

d) Report from the Corporate Administrator Re: Letters of Support for Tourism Prince Rupert

MOVED by Councillor Randhawa and seconded by Councillor Mirau THAT Council Approve Letters of Support to Tourism Prince Rupert in support of their grant application to the Northern Development Initiative Trust's Marketing Initiatives Program to support development of a new, more robust visitor website at www.visitprincerupert.com and their application the Port's Community Investment Fund for interpretive signage.

CARRIED

e) Report from the Corporate Administrator Re: Letter of Support for the Odd Eidsvik Community Park

MOVED by Councillor Adey and seconded by Councillor Cunningham THAT Council approve application for a Letter of Support in support of grant applications for the Odd Eidsvik Community Park on Atlin Avenue.

CARRIED

f) Report from the Director of Operations & Intergovernmental Relations

MOVED by Councillor Skelton-Morven and seconded by Councillor Adey THAT Mayor and Council pass a resolution to support the staff applying for the ICIP Grant Application – Omenica Avenue Wastewater Treatment Facility.

CARRIED

g) Report from the Corporate Administrator Re: Street Names Resident Request

MOVED by Councillor Randhawa and seconded by Councillor Skelton-Morven THAT Staff review the submitted package for feasibility within the already approved 202 work plan and capital budget.

CARRIED

h) Report from The Corporate Administrator Re: Letter of Support for the Oldfield Creek Hatchery

MOVED by Councillor Cunningham and seconded by Councillor Adey THAT Council approve an application for a Letter of Support in support of grant applications for the Oldfield Creek Hatchery.

CARRIED

i) Report from the Corporate Administrator Re: Friendship House Association of Prince Rupert.

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council approve and application for a Letter of Support for the Friendship House Association of Prince Rupert's PRPA CIF grant application.

CARRIED

j) Report from the Corporate Administrator Re: Letter of Support for the Prince Rupert Golf Club

MOVED by Councillor Cunningham and seconded by Councillor Randhawa THAT Council approve an application for Letters of Support for the Prince Rupert Golf Club in support of their applications to the Northern Development Initiative Trust's Recreation Infrastructure Grant and the Prince Rupert Port Authority's Community Investment Fund.

CARRIED

k) Report from the Corporate Administrator Re: Letter of Support for Snow Valley Nordic Ski Club

MOVED by Councillor Skelton-Morven and seconded by Councillor Cunningham THAT Council approve an application for a Letter of Support in support of the Snow Valley Nordic Ski Club's application to the Prince Rupert Port Authority's Community Investment Fund.

CARRIED

5. BYLAWS

a) Report from the Corporate Administrator Re: Commercial Vehicle Program

MOVED by Councillor Mirau and seconded by Councillor Skelton-Morven THAT Council Repeal the City of Prince Rupert Commercial Vehicle Licensing Bylaw No. 3329, 2007 and any and all amendments relating to same.

CARRIED

b) Report from the Approving Officer Re: City of Prince Rupert Subdivision and Servicing Bylaw No. 3486, 2022.

MOVED by Councillor Cunningham and seconded by Councillor Skelton-Morven THAT Council give First, Second and Third Readings to the City of Prince Rupert Subdivision and Servicing Bylaw No. 3486, 2022.

CARRIED

Councillor Niesh left the meeting at 7:40p.m. citing a conflict of interest with item 5.c).

c) City of Prince Rupert Zoning Amendment Bylaw No. 3485, 2022

MOVED by Councillor Cunningham and seconded by Councillor Skelton-Morven THAT Council give Third and Final Reading to the City of Prince Rupert Zoning Amendment Bylaw No. 3485, 2022.

CARRIED

Councillor Niesh returned to the meeting at 7:42 p.m.

d) City of Prince Rupert Delegation Amendment Bylaw no. 3487, 2022.

MOVED by Councillor Skelton-Morven and seconded by Councillor Niesh THAT Council give First, Second and Third Readings to the City of Prince Rupert Delegation Amendment Bylaw No. 3487, 2022.

CARRIED

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

a.) Notice of Motion from Councillor Cunningham

MOVED by Councillor Randhawa and seconded by Councillor Skelton-Morven THAT Council send a letter to Northern Health to have the existing orthopedic surgeon position remain in the Prince Rupert Regional Hospital.

CARRIED

7. ADJOURNMENT

MOVED by Councillor Cunningham and seconded by Councillor Adey THAT
the meeting be adjourned at 7:56pm.

CARRIED

Confirmed:

MAYOR

Certified Correct:

CORPORATE ADMINISTRATOR



CITY OF PRINCE RUPERT
Development Services - Planning dept.
424 3rd Avenue West
Prince Rupert, BC, V8J 1L7
Phone: (250) 627 0996 Fax: (250) 627 0979
Email: planning@princerupert.ca

Return to top

APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT

(PLEASE PRINT CLEARLY)

DEVELOPMENT PERMIT AREA (DPA):	
<input type="checkbox"/> Cow Bay DPA	<input type="checkbox"/> Industrial Site DPA <input checked="" type="checkbox"/> Downtown DPA <input type="checkbox"/> Multi-family Housing DPA
**Alternative forms available for Development Permit, OCP or Zoning Amendment, or Minor Signs/Works Permit	
OFFICE USE ONLY	
Date Received: <u>AUGUST 16/21</u>	Application/File No.: <u>DVP-21-11</u>

APPLICANT:	
Name: <u>Warren Delorkin</u>	
Address: <u>885 Borden Street</u>	
Phone #: <u>587-343-5605</u>	Email: <u>Warren.56.wd@gmail.com</u>

REGISTERED PROPERTY OWNER(S):	
Name: <u>Warren Delorkin</u>	
Address: <u>885 Borden Street</u>	
Phone #: <u>587-343-5605</u>	Email: <u>Warren.56.wd@gmail.com</u>

SUBJECT PROPERTY INFORMATION:	
Civic Address (if available): <u>885 Borden Street</u>	
Legal Description: <u>Single Family</u>	
Parcel Identifier (PID): <u>014-6710-681</u>	
Current OCP Designation/ Zoning: <u>R2</u>	Current Use (if available): <u>RESIDENTIAL</u>

PROPOSAL DESCRIPTION:	
Proposed OCP Designation: _____	Proposal Zoning: _____
Describe proposed variance: <u>SIDEYARD SETBACKS VARIANCE - WESTSIDE - 1.2' / EASTSIDE - 1.0'</u>	
<p>* 21ft I would like to build a back deck off my house that is the same width as my house, 10 Feet ^{LONG} wide. My back yard is a steady incline and this deck would provide a useable space for my family.</p>	
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: <u>[Signature]</u>	Date: <u>08/11/21</u>
This application is made with my full knowledge and consent.	
Registered Owner Signature: <u>[Signature]</u>	Date: <u>08/11/21</u>

REQUIRED SUBMISSIONS: Enter all application fees into Miscellaneous (MS) /Planning

- ☒ Owner's Authorization
- ☒ Development Variance Permit Application Fee \$ 330
- ☒ Certificate of Title (if provided by applicant, must be dated within 30 days of application submission)
 - LTSA Title search 1 x \$15 per PID = \$ 15
- ☒ Site Profile – in accordance with Environmental Management Act and Contaminated Sites Regulation

Receipt No.: 351953

Signature of Official: _____ Date: _____

CORRECT SURVEY FOR 885 BORDEN MLS # 4156

SUPPLY CERTIFICATE COVERING

LOT 17, BLK. 14, SEC. 5,
D.L. 251, R.S. C.D. PLAN 923
CITY OF PRINCE RUPERT

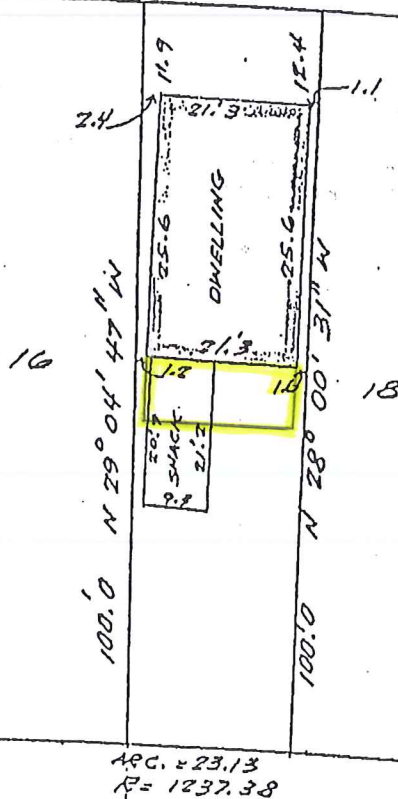
THE DIMENSIONS SHOWN ON THIS
CERTIFICATE ARE NOT TO BE USED
TO DEFINE BOUNDARIES

Scale 1 inch = 20 feet

BORDEN STREET

R = 1373.38

ARC = 25.0



VOID

The City of Prince Rupert does NOT warrant the accuracy or completeness of this information and no representations are being made by providing this copy. Any reliance on this information will be solely at YOUR OWN RISK and not that of the City.

This information has been provided subject to the Federal Copyright Act and in accordance with the Freedom of Information and Protection of Privacy Act.

ARC = 23.13
R = 1237.38

SUMMIT AVENUE

CERTIFIED CORRECT

A.S. Rozzi

Dated this 17 day of JAN. 1992

B.C.L.S.

McELHANNAY ASSOCIATES

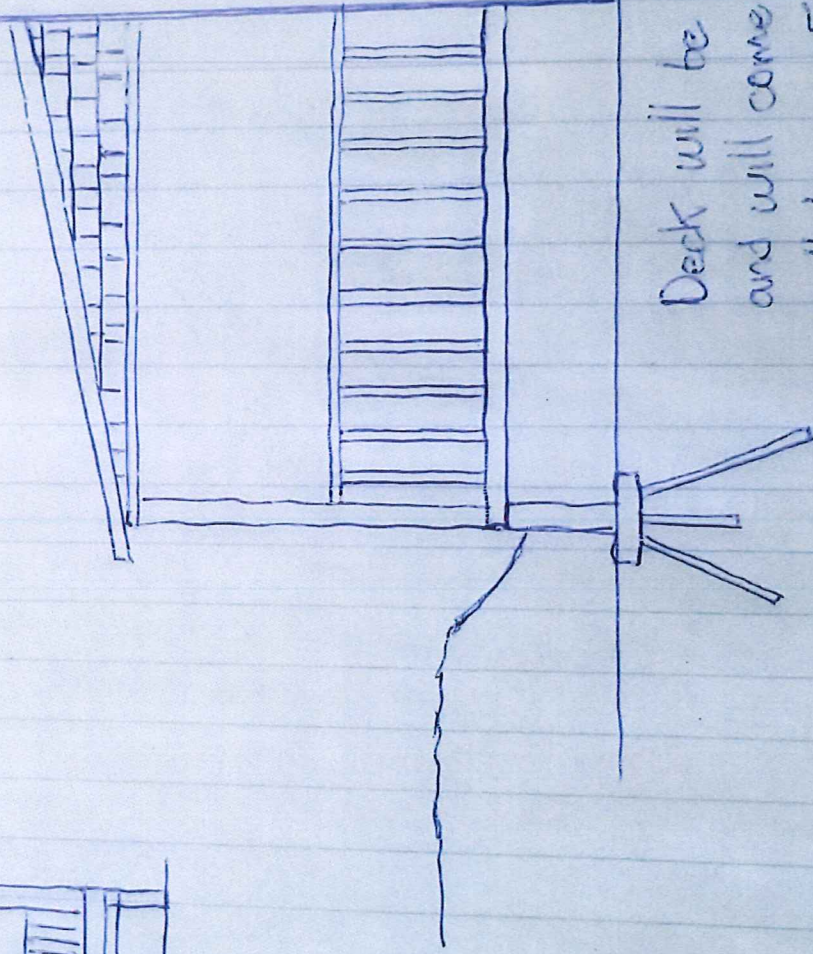
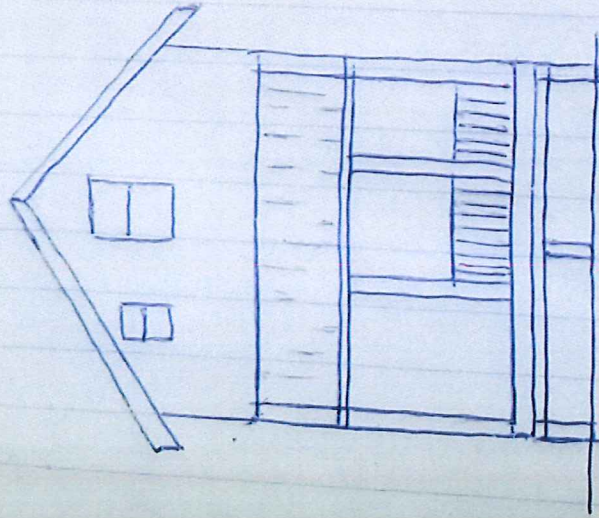
PROFESSIONAL LAND SURVEYORS

205 - 4630 Latimer Avenue

Terrace, B.C.

FILE: 041828-18

885 Borden Street
Warren DelVorkin
Deck size 21x10



Deck will be full width of house 21'
and will come out from house 10'
will have rafter style roof structure
with clear plastic roofing material



CITY OF PRINCE RUPERT
Development Services - Planning Dept.
424 3rd Avenue West
Prince Rupert, BC, V8J 1L7
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Return to top

APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT

(PLEASE PRINT CLEARLY)

OFFICE USE ONLY

Date Received: Jan 14 / 22

Application/File No.: DVP-22-02

APPLICANT:

Name: Travis Bernhardt

Address: 945 Hays Cove Avenue

Postal Code: V8J2G8

Phone #: (250) 600-4449

Email: tbernhardt@rupertport.com

REGISTERED PROPERTY OWNER(S):

Name: Crystal MacLeod

Address: 945 Hays Cove Avenue

Postal Code: V8J2G8

Phone #: (250) 622-2132

Email: crystalmacleod@hotmail.com

SUBJECT PROPERTY INFORMATION:

Civic Address: 945 Hays Cove Avenue

Legal Description: Lot 21, Block 15, Section 7, District Lot 251, Range 5, CD, Plan 923

Current OCP Designation/Zoning: R2

Current Use (If available): _____

PROPOSAL DESCRIPTION:

Proposed Variance: Building encroachment into required setback

Describe Proposed Development and rationale for variance (attach site plans and building elevations):

Our plan is to renovate our home, but have discovered both an existing encroachment, as well as two new areas of proposed encroachment. Further detail is provided in the attached explanation, site plan, and drawing package.

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.

Applicant Name: Travis Bernhardt Applicant Signature: _____

Date: JAN 14 / 22

This application is made with my full knowledge and consent.

Registered Owner Name: Crystal MacLeod Registered Owner Signature: _____

Date: JAN. 14 / 22

REQUIRED SUBMISSIONS: *Enter all application fees into Miscellaneous (MS) /Planning*

OFFICE USE ONLY

- ☐ Owner's Authorization
- ☐ Development Variance Permit Application Fee \$ 330
- ☐ Certificate of Title (if provided by applicant, must be dated within 30 days of application submission)
•LTSA Title search 1 x \$15 per PID = \$ 15.00
- ☐ Site Profile – in accordance with Environmental Management Act and Contaminated Sites Regulation

Receipt No.: 354567Received by: NatashaDate: Jun 14 / 22

PID: <u>014-500-345</u>	PID:	PID:	PID:
PID:	PID:	PID:	PID:
PID:	PID:	PID:	PID:
PID:	PID:	PID:	PID:

Encroachment Details

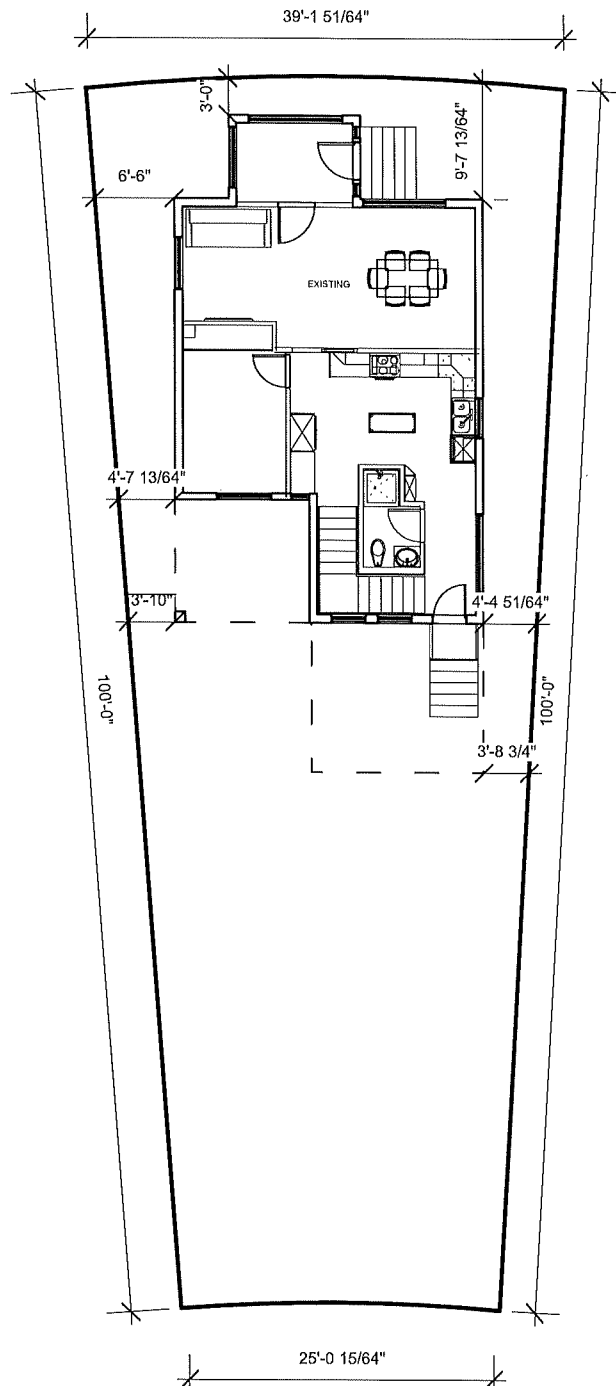
We have developed plans to renovate our home, which include replacing the second floor and roof, as well as the addition of deck, these plans are attached for reference. Through the process, we have uncovered three areas where the building encroaches on the required setbacks, as described in the City of Prince Rupert Zoning Bylaw 3462.

To begin, the plan includes a small addition to the rear of the of the second floor, supported on a timber column at the outer corner. When projected down to ground, this would encroach 2" into the required setback along the east side of the property (***Encroachment A***).

Second, the proposed plan also includes a second-floor deck, off the rear of the house that would also provide covering for the existing rear entry stairs. The deck would also be supported on timber columns. When projected down to the ground, the rear corner of the deck would encroach 3¼" into the required setback along the west side of the property (***Encroachment B***).

Finally, while preparing the plans for this renovation, we have noted that the existing front of the house encroaches into the required setback along the front of the property (***Encroachment C***) and varies as you move across the property. The existing front porch is completely within the setback, and except for new roofing will be unaltered by the renovations. The second floor will continue to be inline with main front of the house; however, the existing main front of the house encroaches by roughly 2' 2½".

We are seeking a variance from the required setback to allow for construction to proceed as contemplated and hope to begin work in late spring, or early summer. We have discussed our plans with our immediate neighbours, neither of which expressed any concerns to us. Furthermore, we are happy to provide any further details, on information that may be required to advance this request.



A1 **SITE**
Scale: 1/16" = 1'-0"

BONI•MADDISON Architects	TITLE: SITE PLAN		JOB N°:	DATE: JUNE 2020
3732 West Broadway, Vancouver, B.C., V6R 2C1 T: 604 688 5894 F: 604 688 5899	PROJECT: BERNHARDT ADDITION	ISSUES:	SCALE: 1/16" = 1'-0" DRAWN:	DRAWING N°: A1

CITY OF PRINCE RUPERT

REPORT TO COUNCIL

DATE: February 18, 2022
TO: Robert Buchan, City Manager
FROM: Myfannwy Pope, Planner
SUBJECT: Development Variance Permit #22-04 for CBC Window Sign

RECOMMENDATION:

THAT Council proceeds with the statutory notification process for Development Variance Permit Application (DVP) #22-04.

REASON FOR REPORT:

An application was received for a Development Variance Permit for 4 window signs located at the property at 222-216 3rd Avenue West, for office windows rented by the Canadian Broadcasting Company.

The application is a request for a variance of the City of Prince Rupert Zoning Bylaw, Section 10.17.0 (a) regarding the permitting of window signs. This bylaw states that Signs within a retail display window or attached thereto shall occupy a maximum of thirty percent (30%) of each retail display window. The Canadian Broadcasting Company is a tenant in the building owned by the NorthWest First Nation Services Society. The CBC tenants are hoping to install vinyl window dressings across the 4 windows. Each window is 4.32 metres squared. One vinyl poster of CBC Daybreak North with host Carolina DeRyk is proposed to cover 100% of one window. For the other 3 windows, a frosted grey CBC logo would cover the bottom 47% of each window and have dimensions of 1.956 metres by 1.041 metres. The applicant is therefore requesting variances in sign coverage of 70% on the most far left window which will cover 100% of the window, and 17% on the other three windows which will cover 47% of each window.

The rendering of the signs on site are included as a Schedule #1.

BACKGROUND and ANALYSIS:

The Applicant, BGIS Global Integrated Solutions Canada LP, are agents for the tenant CBC and are requesting to install CBC branded signs on the exterior side of the 4 window panes at the CBC Prince Rupert office. On the first window pane that is to the right of the door, they propose to install a full window size colour poster of CBC Daybreak North with host Carolina DeRyk which will cover 100% of the window. For the other 3 windows, they propose to install, on the bottom portion of the windows, signs with the CBC logo frosted design which will cover 47% of each window.

The applicant's rationale for the proposal is to establish a strong CBC presence in the community, to connect and continue to build relationships with residents and visitors to the city, and ensure high visibility and ease of locating the office for all foot and road traffic. The impact of this setback variance on the surrounding neighbourhood has no known negative impacts; however, the public will have the opportunity to provide input during the public consultation period.

The Draft Development Variance Permit is included as Schedule #2.

COST and BUDGET IMPACT:

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

CONCLUSION:

This Development Variance Application is recommended to proceed to public notification. Affected property owners will have the opportunity to express their views on the application when Council considers the permit.

Report Prepared By:

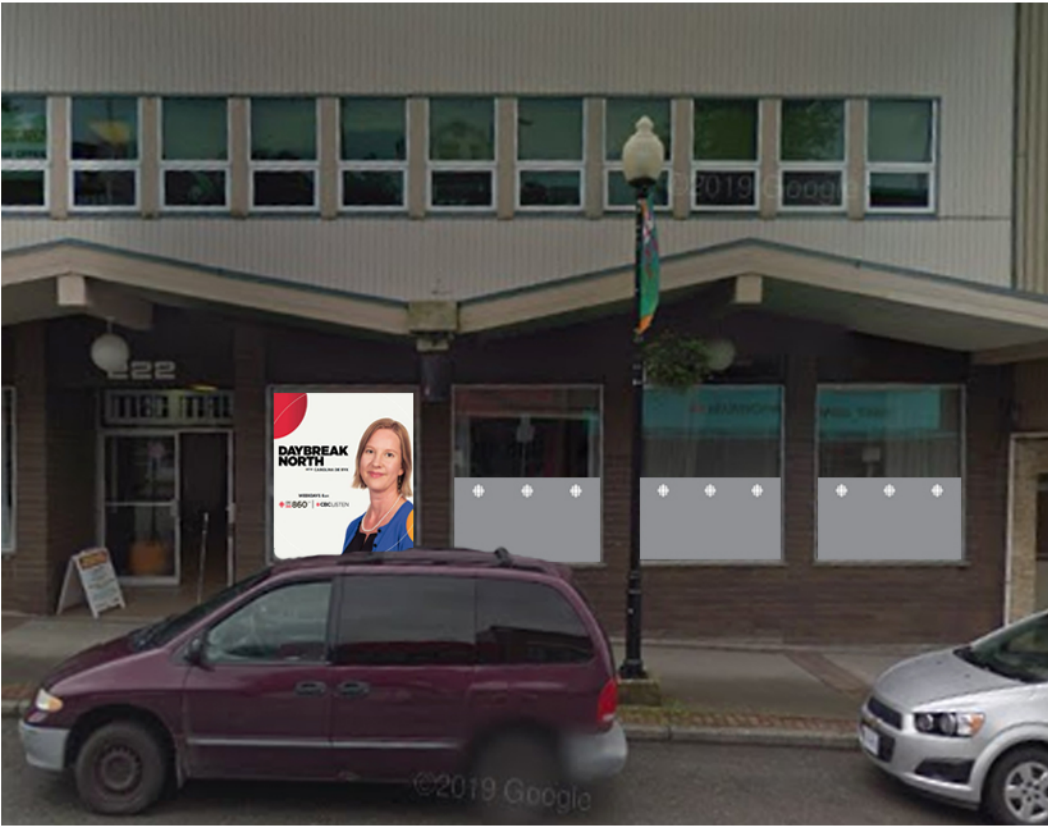
Report Reviewed By:

Myfannwy Pope,
Planner

Robert Buchan,
City Manager

Schedule(s):

1. CBC Vinyl Sign Rendering
2. Draft Development Variance Permit





DRAFT DEVELOPMENT VARIANCE PERMIT

424 3rd Avenue West | Prince Rupert, BC | V8J 1L7 | (250)-627-0996 | www.princerupert.ca

Development Variance Permit #22-04

PERMITTEE: Northwest First Nations Services Society

CIVIC ADDRESS: #222-216 3rd Ave. West

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the City of Prince Rupert described below, and any and all buildings, structures, and other development thereon:

LEGAL DESCRIPTION:

LOTS 17-19 BLOCK 19 SECTION 1 DISTRICT LOT 251 RANGE 5 COAST DISTRICT PLAN 923

CIVIC ADDRESS:

222 & 216 3rd Ave. West

3. The City of Prince Rupert Zoning Bylaw (Bylaw #3462) is varied as follows:
 - a. Section 10.17.0 (a) is varied from 30% coverage of a window by a sign to allowing 100% coverage on one window and 47% coverage on 3 windows in accordance with the sign rendering attached as Schedule 1.

SUBJECT TO the following conditions to the satisfaction of the City of Prince Rupert:

The permittee develops the proposed signs in accordance with the attached Schedule 1, which shows a sign rendering on site with specified dimensions.

4. If the Permittee does not substantially commence the variance permitted by this Permit within 24 months of the date of this Permit, the Permit shall lapse and be of no further force and effect.
5. This Permit is **NOT** a building permit, Sign Permit, or subdivision approval.

PLANS AND SPECIFICATIONS

6. The following plans and specification are attached to and form part of this permit:

Schedule:

1. CBC VINYL SIGN RENDERING

ISSUED ON THIS DAY OF _____

Rosa Miller
Corporate Administrator

CITY OF PRINCE RUPERT

REPORT TO COUNCIL

DATE: February 18th, 2022
TO: Robert Buchan, City Manager
FROM: Daniel Rajasooriar, Planner
SUBJECT: **Development Variance Permit #21-14 for 1429 Overlook Street**

RECOMMENDATION:

THAT Council proceeds with the statutory notification process for Development Variance Permit Application (DVP) #21-14.

REASON FOR REPORT:

An application was received for a Development Variance Permit for the property located at 1429 Overlook Street.

The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.3 (c) to build a dwelling unit with a floor area of 316.33 square metres. The maximum floor area for a dwelling unit in an R2 zone is 700 square metres or an area equal to but not exceeding the lot area, whichever is less. As the lot area is 300.45 square metres, the applicant is requesting a variance of 15.88 square metres above the maximum floor area.
2. A request for a variance of City of Prince Rupert Zoning Bylaw, Section 5.2.4 to have a lot coverage of 63% of the site. The maximum lot coverage in an R2 zone is 50% of the site. The applicant is requesting a variance of 13% above the maximum lot coverage.
3. A request for a variance of City of Prince Rupert Zoning Bylaw, Section 5.2.6 (b) to have a 0-metre setback from the rear property line. The required setback from the rear property line in an R2 zone is 3.0 metres. The applicant is requesting a variance of 3 metres in terms of the setback from the rear property line.

The Site and Building Plans are included as Schedule 1.

BACKGROUND AND ANALYSIS:

The proposed variances for floor area, lot coverage, and the setback from the rear property line are requested by the applicant so that a proposed residence including two decks may be built. The applicant rationalized the proposed variance for the setback from the rear property line by noting that there are no houses behind the property and that the decks will not encroach on anyone else's property.

There are no known negative impacts of the proposed variances on the surrounding neighbourhood; however, the public will have the opportunity to provide input during the public consultation period.

The Draft Development Variance Permit is included as Schedule 2.

COST AND BUDGET IMPACT:

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

CONCLUSION:

This Development Variance Application is recommended to proceed to public notification. Affected property owners will have the opportunity to express their views on the application when Council considers the permit.

Report Prepared By:

Report Reviewed By:

Daniel Rajasooriar,
Planner

Robert Buchan,
City Manager

Schedule(s):

1. Site and Building Plans
2. Draft Development Variance Permit



Jamie Youngman

THE YOUNGMAN HOUSE

1429 Overlook Street, Prince Rupert, BC V8J 2C7

DRAWING LIST	
Sheet Number	Sheet Name
ARCHITECTURAL	
000	COVER PAGE
A001	CONSTRUCTION ASSEMBLIES & CONSTRUCTION NOTES
A100	SITE PLAN
A101	LANDSCAPE PLAN
A201	FLOOR PLAN - L01
A202	FLOOR PLAN - L02
A203	FLOOR PLAN - L03
A204	ROOF PLAN
A300	PART PLANS
A400	EXTERIOR ELEVATIONS
A401	EXTERIOR ELEVATIONS
A500	BUILDING SECTIONS



ISSUED FOR: CONSTRUCTION R2

February 12th, 2022

PROJECT NO.: 0001

[illegible]

GRID LINES

GRID LINE
GRID BUBBLE
GRID

ENLARGED PLANS / DETAILS

DETAIL NUMBER
SIM
1
A208
SHEET ON WHICH DETAIL IS SHOWN

EXTERIOR / INTERIOR ELEVATIONS

ELEVATION NUMBER
2
A101
3
SHEET ON WHICH ELEVATION IS SHOWN

BUILDING SECTIONS

SECTION NUMBER
SIM
1
A101
SHEET ON WHICH SECTION IS SHOWN

SECTIONS / DETAILS

SECTION NUMBER
SIM
1
A101
SHEET ON WHICH SECTION IS SHOWN

FLOOR PLAN

VIEW NUMBER
VIEW NAME
SCALE AS SHOWN ON SHEET
SHEET ON WHICH VIEW IS SHOWN
1:50
A101

SPOT ELEVATION

LEVEL VERTICAL ELEVATION
100.000

NOT IN CONTRACT

NORTH ARROW

CONSTRUCTION NORTH
TRUE NORTH
LEVEL NAME
FLOOR 100.000
ELEVATION MARKER
LEVEL VERTICAL ELEVATION

ROOM TAG

Room name
101

CEILING TAG

CEILING TYPE
C1
2000
CEILING HEIGHT A.F.F.

MILLWORK TAG

L01

NEW DOOR AND DOOR TAG

102a

EXISTING DOOR AND DOOR TAG

102a

EXISTING WALL

NEW WALL

NEW SHEAR WALL

1HR FIRE WALL

2HR FIRE WALL

CORNER GUARD, AS SPEC'D

CG

DEMOLITION KEYNOTES

1

RENOVATION KEYNOTES

1

DRAWING REVISION TAG

1

EXTERIOR WALL / PARTITION TAG

A1

FLOOR TAG

F1

ROOF TAG

R1

WINDOW TAG

11

ROLLER BLINDS

- 1 FLAT BITUMEN ROOF:
REFLECTIVE ROOF COATING (CAP SHEET)
TOP LAYER OF BITUMEN ROOF COMPOUND
SECOND LAYER BITUMEN COMPOUND
REINFORCING MATERIAL
FIRST LAYER OF BITUMEN COMPOUND
FLASHING
ASPHALT/ PLY FELT
TRIANGULAR FILLET
COVER BOARD
ASPHALT REINFORCING
RIGID ROOF INSULATION
DECK SURFACE (ROOF SHEATHING)
- 3 FASCIA/ SOFFIT:
ALUMINUM GUTTERS
2x6 FASCIA BOARD
VENTED ALUMINUM OR VINYL SOFFIT
NOTE: PROVIDE INSULATION BAFFLES BETWEEN EACH TRUSS W/ MIN 2" CLEAR AIRSPACE)
- 5 INTERIOR PARTITION:
5/8" TYPE 'X' GYPSUM WALLBOARD
2x4 STUDS @ 16" O.C., U.N.O.
5/8" TYPE 'X' GYPSUM WALLBOARD

NOTE: USE ROXUL SAFE'n'SOUND FIRE AND SOUNDPROOFING INSULATION AT FIRE SEPERATION.
- 7 UPPER FLOOR:
FINISH FLOORING
5/8" T&G PLYWOOD SUBFLOOR
2x12 FLOOR JOISTS @ 24" O.C., U.N.O.
ACOUSTICAL BATT INSULATION
2x2 CROSS BRIDGING @ 6'10" O.C. MAX.
5/8" TYPE 'X' GYPSUM WALLBOARD
- 9 EXTERIOR FOUNDATION WALL - ENGINEERED:
2 COATS ASPHALY EMULSION - APPLY TO EXTERIOR SIDE UP TO GRADE
8" CONCRETE FOUNDATION WALL, U.N.O
2" RIGID FOAM INSULATION
R-14 BATT INSULATION, TO TOP OF FOOTING. 24"x8" CONCRETE FOOTING

NOTE: FOUNDATION WALLS TO HAVE FULL HEIGHT INSULATION.
- 11 PLATE TO FOUNDATION CONNECTION:
2x6 (OR 2x4 AS REQUIRED) SILL PLATE
6 MIL POLY. VAPOUR BARRIER OR 45# FELT DAMP-PROOFING
1/2" DIA. ANCHOR BOLTS @ 4' O.C. MAX.
- 13 STAIRS:
TREAD DEPTH 10"
NOSING 1"
RISE 6 2/3"
HANDRAIL HEIGHT 2'10" MIN.
HEADROOM HEIGHT 6'8" MIN.
- 2 CEILING:
R-40 BATT OR LOOSE-FILL INSULATION
6 MIL POLY. VAPOUR BARRIER
5/8" TYPE 'X' GYPSUM WALLBOARD
- 4 EXTERIOR WALL:
FINISH SIDING - SEE ELEVATION
BUILDING PAPER
3/8" PLYWOOD SHEATHING
2x6 WOOD STUDS @ 16" O.C.
R-20 BATT INSULATION
6 MIL POLY. VAPOUR BARRIER
5/8" TYPE 'X' GYPSUM WALLBOARD
- 6 MAIN FLOOR:
FINISH FLOORING
5/8" T&G PLYWOOD SUBFLOOR
2x12 FLOOR JOISTS @ 24" O.C., U.N.O.
ACOUSTICAL BATT INSULATION
2x2 CROSS BRIDGING @ 6'10" O.C. MAX.
5/8" TYPE 'X' GYPSUM WALLBOARD

NOTE: USE ROXUL SAFE'n'SOUND FIRE AND SOUNDPROOFING INSULATION AT FIRE SEPERATION.
- 8 BASEMENT FLOOR:
3 1/2" CONCRETE SLAB FLOOR
6 MIL POLY. VAPOUR BARRIER
6" MIN. COMPACT SAND OR GRAVEL FILL
- 10 INTERIOR FOUNDATION WALL:
2x6 WOOD STUDS @ 16" O.C.
6" CONCRETE CURB
18"x6" CONCRETE FOOTING
- 12 DRAINAGE:
4" DRAIN TILE
12" MIN. DRAIN ROCK
- 14 GARAGE FLOOR:
4" CONCRETE SLAB FLOOR
6x6 6/6 WWM REINFORCING STEEL
CLEAN, COURSE AND GRANULAR FILL COMPACTED EVERY 1" FROM SOLID BEARING TO UNDERSIDE OF GARAGE SLAB

NEW CONSTRUCTION SHALL CONFORM TO THE MOST CURRENT BRITISH COLUMBIA BUILDING CODE. EXISTING CONSTRUCTION CHANGES WILL BE BROUGHT UP TO CURRENT CODE REQUIREMENTS. AREAS NOT AFFECTED IN THE BUILDING UNLESS NOTED ON THE DRAWINGS WILL REMAIN AS EXISTING NON-CONFORMING.

BUILDING AS PER:	NECB
PROJECT ADDRESS:	1429 OVERLOOK STREET, PRINCE RUPERT, BC V8J 2C7
LEGAL DESCRIPTION:	LOT 23, BLOCK G, SECTION 7, DISTRICT LOT 25 R5, CO, PLAN 1920
APPLICABLE CODE:	BC BUILDING CODE 2018
BUILDING/ LOT AREA:	3,234 SF (300.45 SM)
NUMBER OF STREETS OR ACCESS ROADS:	1
HEIGHT IN STOREYS:	3
MAJOR OCCUPANCY CLASSIFICATION:	GROUP C
SPRINKLERED OR UNSPRINKLERED:	UNSPRINKLERED
SEPERATION OF MAJOR OCCUPANCIES:	n/a
CONSTRUCTION CLASSIFICATIONS:	COMBUSTIBLE
ACCESSIBILITY:	NON-ACCESSIBLE

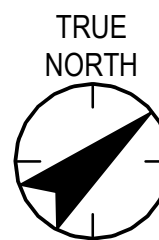


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Notes



KEYPLAN

[illegible]

1	ISSUED FOR CONSTRUCTION R2	KK		2022.02.1
Issued/Revision		By	Appd	YYYY.MM.D

File Name: N/A	Author	Designer	Checker	02/12/22
	Dwn.	Dsgn.	Chkd.	YYYY.MM.D

Permit/Seal

Client/Project Logo

Client/Project
Jamie Youngman

THE YOUNGMAN HOUSE

1429 Overlook Street, Prince Rupert, BC V8J 2C7

Title
CONSTRUCTION ASSEMBLIES &
CONSTRUCTION NOTES

Project No. 0001		Scale As indicated
Revision 1	Sheet of 10	Drawing No. A001

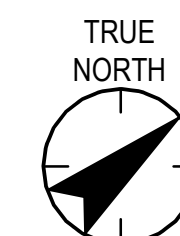
A001



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Notes



KEYPLAN

6	ISSUED FOR CONSTRUCTION R2	KK	2022.02.12
5	ISSUED FOR CONSTRUCTION R1	KK	2022.02.09
4	ISSUED FOR CONSTRUCTION	KK	2021.10.04
3	ISSUED FOR 95% REVIEW R2	KK	2021.09.04
2	ISSUED FOR 95% REVIEW R1	KK	2021.07.24
1	ISSUED FOR 95% REVIEW	KK	2021.07.18

Issued/Revision	By	Appd	YYYY.MM.D
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File Name: N/A	Author	Designer	Checker	07/15/21
	Dwn.	Dsgn.	Chkd.	YYYY.MM.D

Permit/Seal

Client/Project Logo

Client/Project
Jamie Youngman

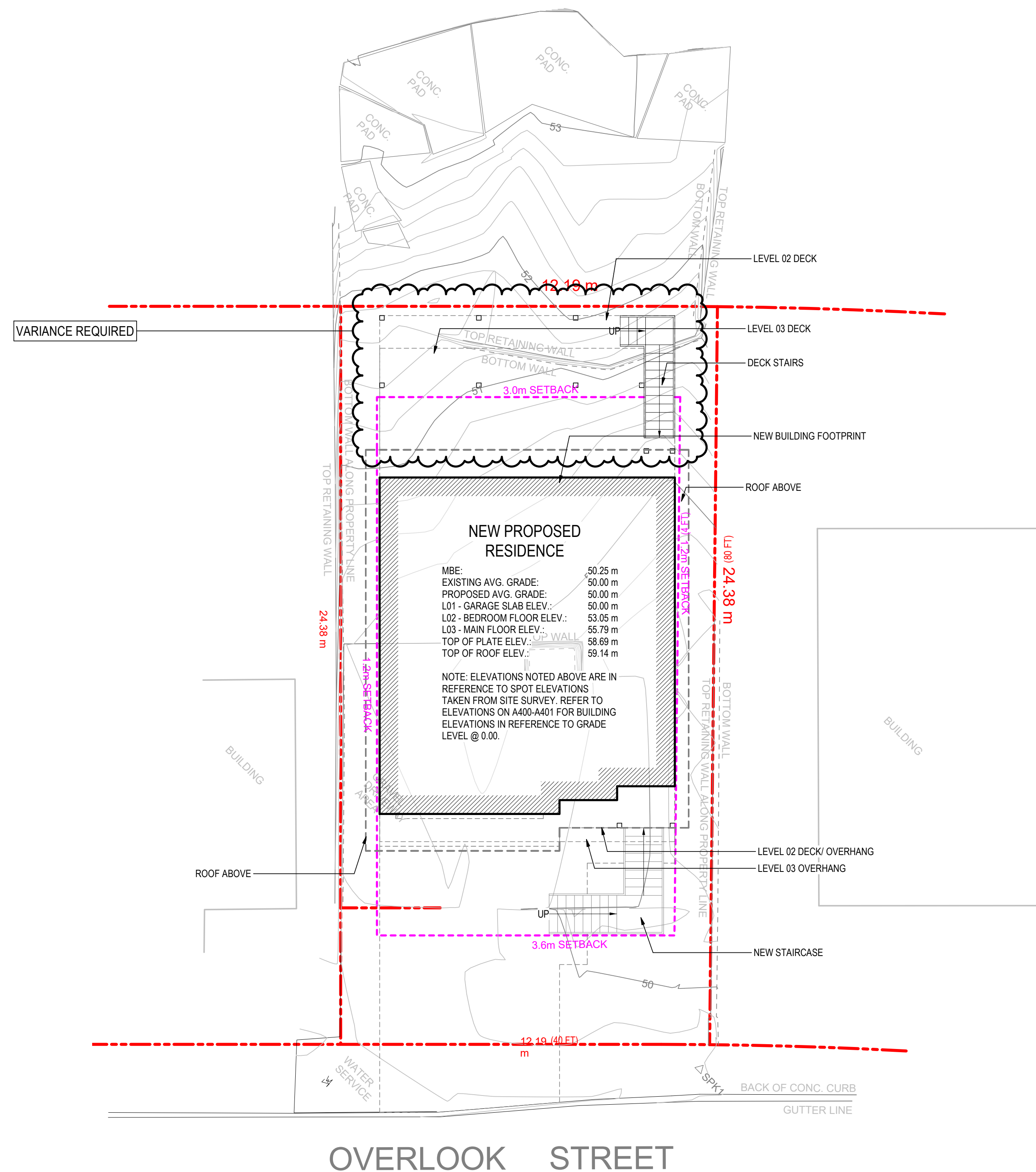
THE YOUNGMAN HOUSE

1429 Overlook Street, Prince Rupert, BC V8J 2C7

Title
SITE PLAN

Project No.	Scale
0001	As indicated

Revision	Sheet	Drawing No.
6	1 of 10	A100



1 SITE PLAN
A100 1:100

LOT CALCULATIONS		
ZONING:	R2	
ADDRESS:	1429 OVERLOOK ST., PRINCE RUPERT, BC V8J 2	
LEGAL DESCRIPTION:	LOT 23, BLOCK G, SECTION 7, DISTRICT LOT 25	
APPLICABLE CODE:	R5, CO. PLAN 1920 2018 BC BUILDING CODE	
LOT AREA:	3,234 SF	(300.45 SM)
FLOOR AREA RATIO: ALLOWABLE @ 100%	3,234 SF	(300.45 SM)
PROPOSED:		
L01 FLOOR AREA		
GARAGE (LIVABLE)	195 SF	(18.12 SM)
GARAGE	944 SF	(87.70 SM)
SUBTOTAL	195 SF	(18.12 SM)
L02 FLOOR AREA		
BUILDING	1,139 SF	(105.82 SM)
FRONT BALCONY	68 SF	(6.32 SM)
REAR DECK	562 SF	(52.21 SM)
SUBTOTAL	1,769 SF	(164.35 SM)
L03 FLOOR AREA		
BUILDING	1,029 SF	(95.60 SM)
REAR DECK	442 SF	(38.28 SM)
SUBTOTAL	1,411 SF	(133.87 SM)
TOTAL FLOOR AREA	3,405 SF (100%)	(316.33 SM)
SITE COVERAGE		
MAX. ALLOWABLE @ 50%	1,617 SF	(150.22 SM)
PROPOSED:	2,037 SF (63%)	(189.24 SM)
NOTE: PROPOSED SITE COVERAGE INCLUDES AREA CALCULATED FROM PERIMETER OF ROOF, REAR DECK AND FRONT STAIRS.		

NOTE: PROPOSED SITE COVERAGE INCLUDES AREA CALCULATED FROM PERIMETER OF ROOF, REAR DECK AND FRONT STAIRS.

GENERAL NOTES:

- ALL WORK TO CONFORM TO THE BRITISH COLUMBIA BUILDING CODE 2018.
- ARCHITECTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS, AS APPLICABLE.
- ALL WORK TO BE PERFORMED IN ACCORDANCE WITH GOOD BUILDING PRACTICES. CONTRACTOR TO CAREFULLY INSPECT THE SITE OF WORK AND BE FULLY INFORMED OF CONDITIONS AND LIMITATIONS.
- CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE CONSULTANT PRIOR TO PROCEEDING.
- CONTRACTOR ASSUMES COMPLETE RESPONSIBILITY TO ENSURE ALL FIXTURES & EQUIP. SUPPLIED UNDER THIS CONTRACT ARE C.S.A. APPROVED.
- CONTRACTOR IS RESPONSIBLE TO CONFIRM AND PROVIDE STORM, SANITARY, WATER, ELECTRICITY, AND GAS REQUIREMENTS AND INSTALLATION TO THE APPROVAL OF ALL APPLICABLE CODES AND LOCAL INSPECTORS.
- CONTRACTOR TO SUBMIT SAMPLES AND / OR ILLUSTRATIONS OF FITTINGS, FIXTURES AND FINISHES TO THE OWNER'S FOR APPROVAL PRIOR TO ORDER AND INSTALLATION.
- DOOR AND WINDOW SIZES ARE NOMINAL. CONTRACTOR TO CONSULT SUPPLIER FOR EXACT SIZES AND ROUGH OPENINGS.
- PROVIDE ALL FRAMING / BLOCKING AS REQUIRED TO ENSURE PROPER SECUREMENT OF ALL MATERIALS, EQUIPMENT, ACCESSORIES, ETC.
- ALL MATERIALS ARE TO BE PRIMED AND PAINTED U.N.O. PROVIDE COLOR COORDINATED SEALANT BETWEEN DISSIMILAR MATERIALS.
- INSTALL ALL DOORS AND FRAMES WITH A CLEAR DIMENSION OF 100mm BETWEEN THE FRAME AND THE NEAREST ADJACENT WALL U.N.O.
- FURR IN ALL EXPOSED MECH. AND ELECT. DUCTS AND PIPING.
- MAINTAIN SAFE ACCESS TO ALL REQUIRED EXITS AT ALL TIMES.
- ALL ELEVATIONS TO BE VERIFIED. CONTRACTOR TO COORDINATE LOCATIONS OF ALL MECH. & ELEC. EQUIPMENT PRIOR TO ROUGH-IN AND INSTALLATION.
- ALL DIMENSIONS, DETAILS & CONDITIONS INDICATED AND SHALL BE CONFIRMED ON THE JOB SITE. MODIFICATIONS AND/OR ADJUSTMENTS SHALL BE MADE ACCORDINGLY AS REQUIRED UPON INSTRUCTIONS FROM THE CONSULTANT.
- USE TYPE "X" GWB ON ALL GWB PARTITIONS. REFER TO FLOOR PLAN DRAWINGS.
- WHEN INSTALLING PLUMBING, INSTALL GASKETS AT ALL SUPPORT CONNECTIONS. PIPES MUST NOT COME INTO DIRECT CONTACT WITH WOOD STUDS, METAL SUSPENSION SYSTEMS, OR CONCRETE FLOORS.

MILLWORK NOTES

- ALL MILLWORK SHALL MEET THE CUSTOM GRADE STANDARD. FOLLOW "QUALITY STANDARDS FOR ARCHITECTURAL MILLWORK" PUBLISHED BY AWMAC.
- CONTRACTOR SHALL CONFIRM ALL DIMENSIONS ON SITE PRIOR TO SUBMITTING SHOP DRAWINGS PRIOR TO FABRICATION OF MILLWORK.
- SUBMIT SHOP DRAWINGS FOR ALL MILLWORK ITEMS TO THE OWNER FOR APPROVAL PRIOR TO FABRICATION.
- COORDINATE LOCATION OF PLUMBING AND ELECTRICAL COMPONENTS. REFER TO MECHANICAL AND ELECTRICAL DRAWINGS AND SPECIFICATIONS, AS APPLICABLE.
- MILLWORK SUB CONTRACTOR SHALL CONFIRM WITH GENERAL CONTRACTOR THAT THERE IS ADEQUATE BLOCKING IN WALLS WHERE SHELVING AND MILLWORK ARE REQUIRED. GENERAL CONTRACTOR SHALL SUPPLY BLOCKING AS REQUIRED BY MILLWORK SPECIFIED.
- PROVIDE 13mm (1/2") REVEAL WHERE MILLWORK MEETS CEILING, BULKHEADS AND WALLS.
- PROVIDE ADEQUATE SPACE WHERE CABINET DOORS MEET AT 90 DEGREE CORNERS TO ENSURE DOORS DON'T BIND AND OPERATE AS INTENDED.
- SCRIBE ALL COUNTERTOPS AND BACKPLASHES TIGHT TO WALLS.
- PROVIDE CLEAR SILICONE BEAD AT HORIZONTAL AND VERTICAL INTERSECTIONS OF MILLWORK TO ADJACENT MILLWORK AND/OR PARTITIONS.
- CONFIRM ALL APPLIANCE AND EQUIPMENT SIZES PRIOR TO MILLWORK FABRICATION. CONFIRM SIZE OF OPENINGS FOR ALL EQUIPMENT WITH CONSULTANT.
- PROVIDE FULL BACKING TO ALL CABINETS.
- ALL SURFACES OF INTERIOR CABINETS INCLUDING: CABLES, ADJUSTABLE AND NON ADJUSTABLE SHELVES, AND DRAWER INTERIORS SHALL MELAMINE FINISH U.N.O. CONFIRM COLORS WITH OWNER.
- DRAWER SIDES AND ENDS SHALL BE FULLY GLUED AND PNEUMATICALLY NAILED AT ALL JOINTS. SCREW ATTACH TO DRAWER FACE. IN OPEN ASSEMBLY OF CABINETS ALL SURFACES IN OPEN CABINET AREA SHALL FINISHED AS SPECIFIED. REFER TO ELEVATIONS AND DETAILS.
- PROVIDE SHELF SUPPORTS, BRACKETS AND RECESSED SHELF STANDARDS AS SPECIFIED OR REQUIRED BY "GOOD PRACTICE" STANDARDS.
- ALL MILLWORK FASTENERS SHALL BE CONCEALED.
- ALL CABINETS SHALL HAVE ADJUSTABLE SHELVES C/W RECESSED STANDARDS, U.N.O.
- PROVIDE 75mm (3") BORDER OF CARPENTER'S WHITE GLUE AT ALL EDGES AND SEAMS IN LAMINATE TO ENSURE A PROPER BOND AND TO PREVENT DISRUPTION OF SEAMS DUE TO MOISTURE VARIANCES. REMOVE EXCESS GLUE UPON COMPLETION OF THE WORK.
- CONFIRM SIZES OF EQUIPMENT BEFORE CONSTRUCTION OF MILLWORK.

PARTITION NOTES

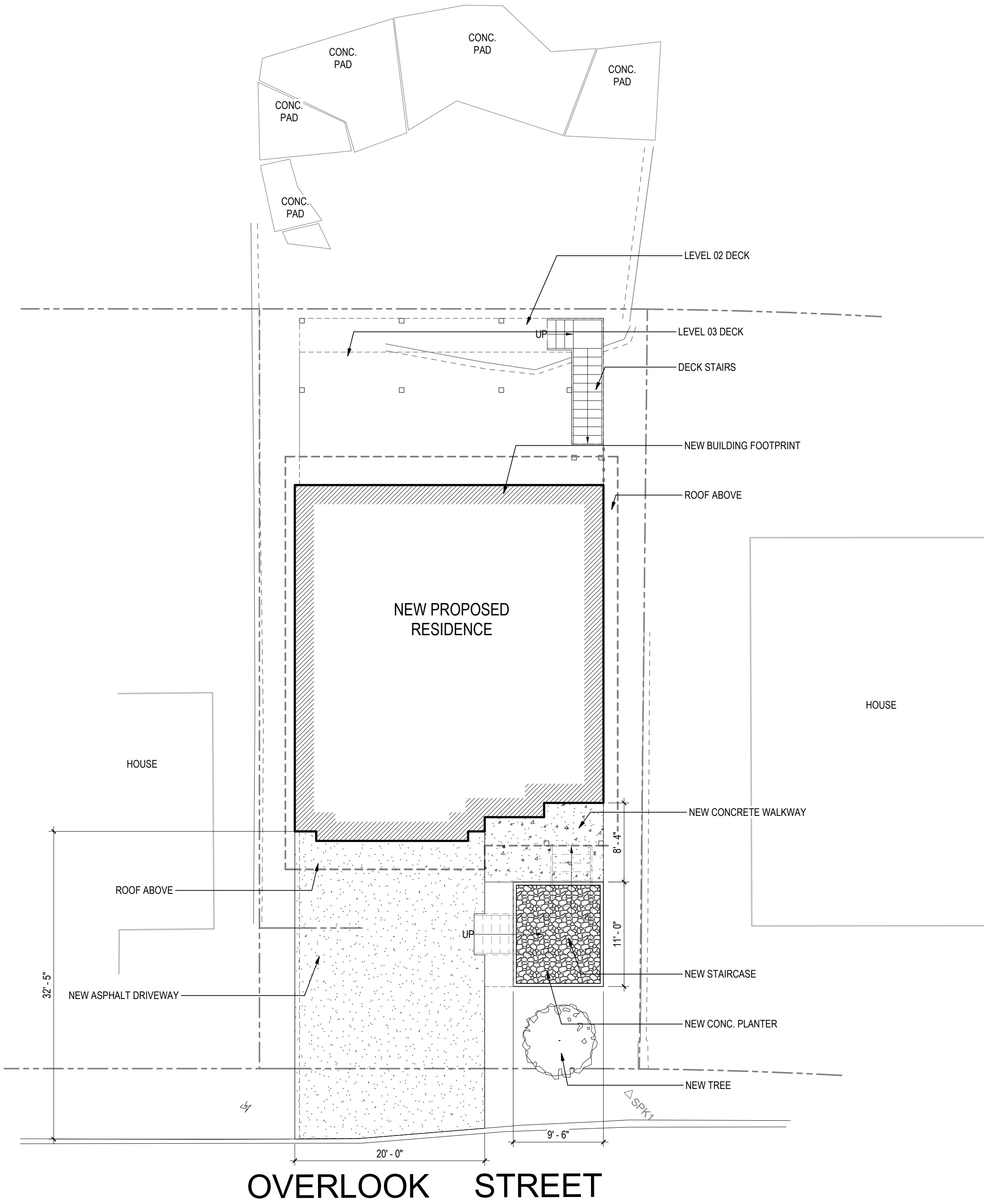
- ANY CONTRADICTIONARY INFORMATION AND SITUATIONS SHOULD BE BROUGHT TO THE ATTENTION OF THE CONSULTANT PRIOR TO PROCEEDING WITH A TASK.
- CONSTRUCT NEW PARTITIONS DIRECTLY FROM STRUCTURAL FLOOR. ALL PARTITIONS ARE TO BE TAPED, FILLED, & SANDED SMOOTH TO RECEIVE NEW FINISHES.
- CONSTRUCTION FOR ALL PARTITION TYPES MUST MAINTAIN ACOUSTICAL INTEGRITY OF THE PARTITION.
- PROVIDE ADEQUATE BRACING AND/OR BLOCKING IN PARTITIONS AS INDICATED ON PLANS, TO SUPPORT WALL HUNG MILLWORK, SHELVING, COAT HOOKS, AND ACCESSORIES SHALL BE CENTERED ON LENGTH OF PARTITIONS, FULL WIDTH.
- PROVIDE DEFLECTION TRACKS AT TOP OF ALL FULL HEIGHT AND/OR FIRE RATED INTERIOR PARTITIONS TO ALLOW FOR 29MM DEFLECTION.

FINISH NOTES

- THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE FINISH SPECIFICATION, SCHEDULES AND ALL PLANS, ELEVATIONS AND SECTIONS.
- ANY CONTRADICTIONARY INFORMATION AND SITUATIONS SHOULD BE BROUGHT TO THE ATTENTION OF THE CONSULTANT PRIOR TO PROCEEDING WITH A TASK.
- WHERE COLOR OR EXTENT OF FINISH IS IN QUESTION, CONTACT CONSULTANT FOR CLARIFICATION PRIOR TO PROCEEDING.
- NO SUBSTITUTIONS FOR THE SPECIFIED MANUFACTURER SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE CONSULTANT.
- USE THE LARGEST CONTINUOUS PIECE OF MATERIAL, AS PROVIDED BY MANUFACTURED, TO COMPLETE INSTALLATION OF EACH FINISH. ALL FINISHES AND MATERIALS ARE TO BE INSTALLED BY QUALIFIED AND EXPERIENCED TRADE WORKERS AS PER MANUFACTURERS' RECOMMENDATIONS.
- ALL NOTES REFER TO FINISHING OF AREAS IN CONTRACT AND IN ALL AREAS WHERE CONSTRUCTION AND DEMOLITION ACTIVITIES HAVE AFFECTED THE EXISTING FINISHES. REFINISHING IS NOT REQUIRED TO AREAS NOT IN CONTRACT UNLESS NOTED OTHERWISE.
- ALL EXISTING WALLS ARE TO BE PATCHED AND REPAIRED PRIOR TO NEW FINISH.
- PAINT INDICATIONS FOR PERIMETER WALLS INCLUDE BULKHEAD, DRYWALL COLUMNS, AND DRYWALL SILLS, UNLESS NOTED OTHERWISE.
- ALL PAINTED PARTITIONS TO HAVE COMPLETE COVERAGE AND RECEIVE A MINIMUM OF ONE PRIMER COAT AND TWO TOP COATS-PREMIUM LATEX OF THE PRODUCT SPECIFIED. DARKER COLORS TO RECEIVE ADDITIONAL COATS AS REQUIRED TO ACHIEVE UNIFORM COLOR APPEARANCE.
- PAINTED GYPSUM BOARD CEILINGS TO RECEIVE ONE COAT PRIMER, TWO FINISH COATS, FLAT, UNLESS NOTED OTHERWISE.
- PAINTED DOORS AND FRAMES TO RECEIVE ONE COAT PRIMER/SEALER, TWO COATS ALKYD PAINT, SEMI-GLOSS.
- ALL MECHANICAL GRILLES, ETC. TO BE PAINTED TO MATCH CEILING UNLESS NOTED OTHERWISE.
- REFER TO SPECIFICATIONS FOR ADDITIONAL INFORMATION AND/OR INSTRUCTION ON PREPARATION, ADHESIVES, AND SEALERS, ETC. FOR MATERIALS INDICATED ON THE FINISHES DRAWING.
- CONTRACTOR TO ENSURE FLOOR IS SMOOTH AND LEVEL FOR NEW FINISHES PRIOR TO INSTALLATION. PREPARE EXISTING FLOOR TO RECEIVE NEW FINISH.
- WHERE SHEET GOODS ARE BEING INSTALLED, SUBFLOOR TO BE WELL PREPARED SO SUBFLOOR WILL NOT TELEGRAPH THROUGH.
- ALL FLOOR FINISHES TO BE FLUSH WITH COLUMNS, BUILDING PERIMETER, AND INTERIOR WALLS.
- FLOORING CONTRACTOR TO COORDINATE INSTALLATION WITH MILLWORK INSTALLER.
- FEATHER FLOOR TO ENSURE SMOOTH TRANSITION BETWEEN DISSIMILAR FLOOR FINISHES. INSTALL TRANSITION STRIPS AS NOTED.
- ALL CHANGES IN FLOOR FINISHES SHALL BE CENTERED IN DOORWAYS, UNLESS NOTED OTHERWISE.
- ALL FLOOR FINISHES SHALL EXTEND UNDER MILLWORK/CABINETS TO FACE OF TOE KICK. WHERE EQUIPMENT ON FLOOR CAN BE REMOVED, FLOOR FINISH TO EXTEND INTO RECESS OR CAVITY TO FACE OF WALL.
- ALL MISCELLANEOUS METALS, TRIMS, ETC. ON WALLS TO BE PAINTED TO MATCH ADJACENT WALL SURFACE.

FIRESTOPPING:

- PROVIDE ALL REQUIRED FIRESTOPPING AS PER PART 3 OF THE CURRENT EDITION OF THE BRITISH COLUMBIA BUILDING CODE. (EXISTING AND NEW).
- ALL JOINTS AND PENETRATIONS THROUGH A MEMBRANE FORMING PART OF AN ASSEMBLY REQUIRED TO HAVE A FIRE-RESISTANCE RATING OR A FIRE SEPARATION SHALL BE TIGHTLY FITTED OR SEALED BY A FIRESTOP SYSTEM THAT HAS AN "F" RATING NOT LESS THAN THE FIRE-PROTECTION RATING FOR CLOSURES WITHIN THE FIRE SEPARATION WHEN SUBJECTED TO THE TEST METHODS DESCRIBED IN THE CAN4-S115-M STANDARD.
- NOTE THAT DRYWALL TAPE AND/OR MUD IS NOT APPROVED FIRESTOPPING ACCORDING TO THE STANDARD. FOR ANY BUILDING BUILT UNDER PART 3 OF THE BUILDING CODE.
- THE CONTRACTOR SHALL PROVIDE THE ARCHITECT WITH COPIES OF ALL SPECIFICATIONS C/W ULC TESTED ASSEMBLIES FOR ALL APPROVED FIRESTOPPING PRODUCTS INSTALLED AS REQUIRED PRIOR TO THE COMMENCEMENT OF WORK.
- THE CONTRACTOR SHALL CONFIRM / ENSURE THAT ALL FIRESTOPPING APPLICATION WORK MUST BE PERFORMED BY PERSONNEL TRAINED AND CERTIFIED BY AN APPROVED / CERTIFIED TECHNICAL INSTRUCTOR PRIOR TO COMMENCEMENT OF WORK.



1 LANDSCAPE PLAN
A101 1 : 100



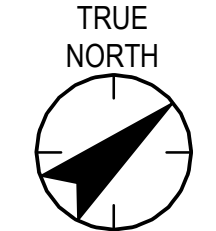
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Notes



KEYPLAN

3	ISSUED FOR CONSTRUCTION R1	KK		2022.02.09
4	ISSUED FOR CONSTRUCTION	KK		2021.10.04
3	ISSUED FOR 95% REVIEW R2	KK		2021.09.04
2	ISSUED FOR 95% REVIEW R1	KK		2021.07.24
1	ISSUED FOR 95% REVIEW	KK		2021.07.18

Issued/Revision

File Name:	Author:	Designer:	Checker:	
N/A	Dwn.	Dgn.	Chkd.	07/15/21
				YYYY.MM.DD

Permit/Seal

Client/Project Logo

Client/Project
Jamie Youngman

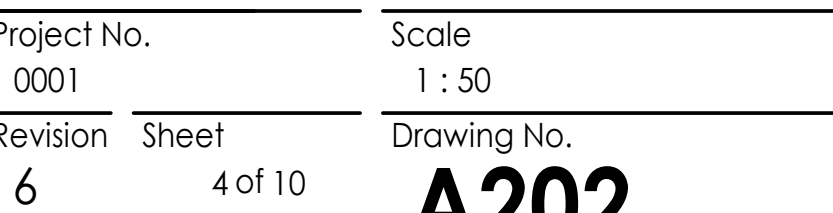
THE YOUNGMAN HOUSE

1429 Overlook Street, Prince Rupert, BC V8J 2C7

Title
LANDSCAPE PLAN

Project No.	0001	Scale	As indicated
Revision	5	Sheet	2 of 10
		Drawing No.	A101

Level 3 - Main	300	COMP./GAME RM.	133.71 SF
Level 3 - Main	301	PANTRY	69.06 SF
Level 3 - Main	302	KITCHEN	214.86 SF
Level 3 - Main	303	DINING	184.64 SF
Level 3 - Main	304	LIVING RM.	125.01 SF
Level 3 - Main	305	WET BAR	35.62 SF
Level 3 - Main	306	WR	52.91 SF
Level 3 - Main	307	CORR.	94.43 SF
Net Area:			2892.28 SF



A202

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Notes



KEYPLAN

[illegible]

Issued/Revision	By	Appd	YYYY.MM.D
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File Name: N/A	Author	Designer	Checker	07/15/21
	Dwn.	Dsgn.	Chkd.	YYYY.MM.D

Permit/Seal

Client/Project Logo

Client/Project
Jamie Youngman

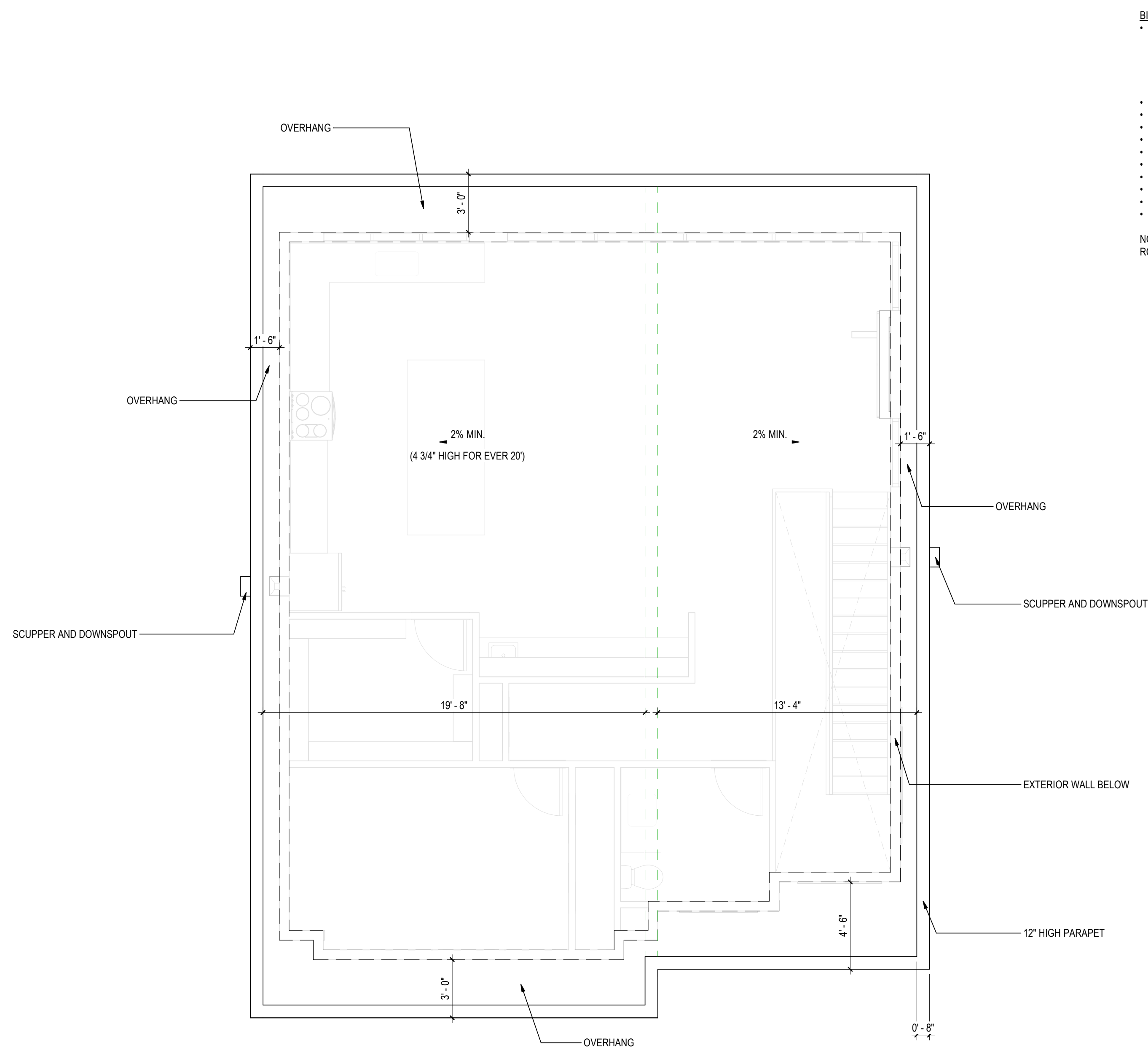
THE YOUNGMAN HOUSE

1429 Overlook Street, Prince Rupert, BC V8J 2C7

Title
ROOF PLAN

Project No.	Scale
0001	1 : 50

Revision	Sheet	Drawing No.
6	6 of 10	A204

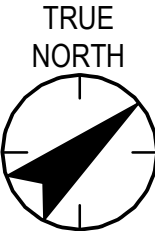


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Consultant

Notes



KEYPLAN

6	ISSUED FOR CONSTRUCTION R2	KK	2022.02.12
5	ISSUED FOR CONSTRUCTION R1	KK	2022.02.09
4	ISSUED FOR CONSTRUCTION	KK	2021.10.04
3	ISSUED FOR 95% REVIEW R2	KK	2021.09.04
2	ISSUED FOR 95% REVIEW R1	KK	2021.07.24
1	ISSUED FOR 95% REVIEW	KK	2021.07.18

Issued/Revision By Appd YYYY.MM.DD

File Name: N/A	Author:	Designer	Checker	09/05/21
	Dwn.	Dgn.	Chkd.	YYYY.MM.DD

Permit/Seal

Client/Project Logo

Client/Project
Jamie Youngman

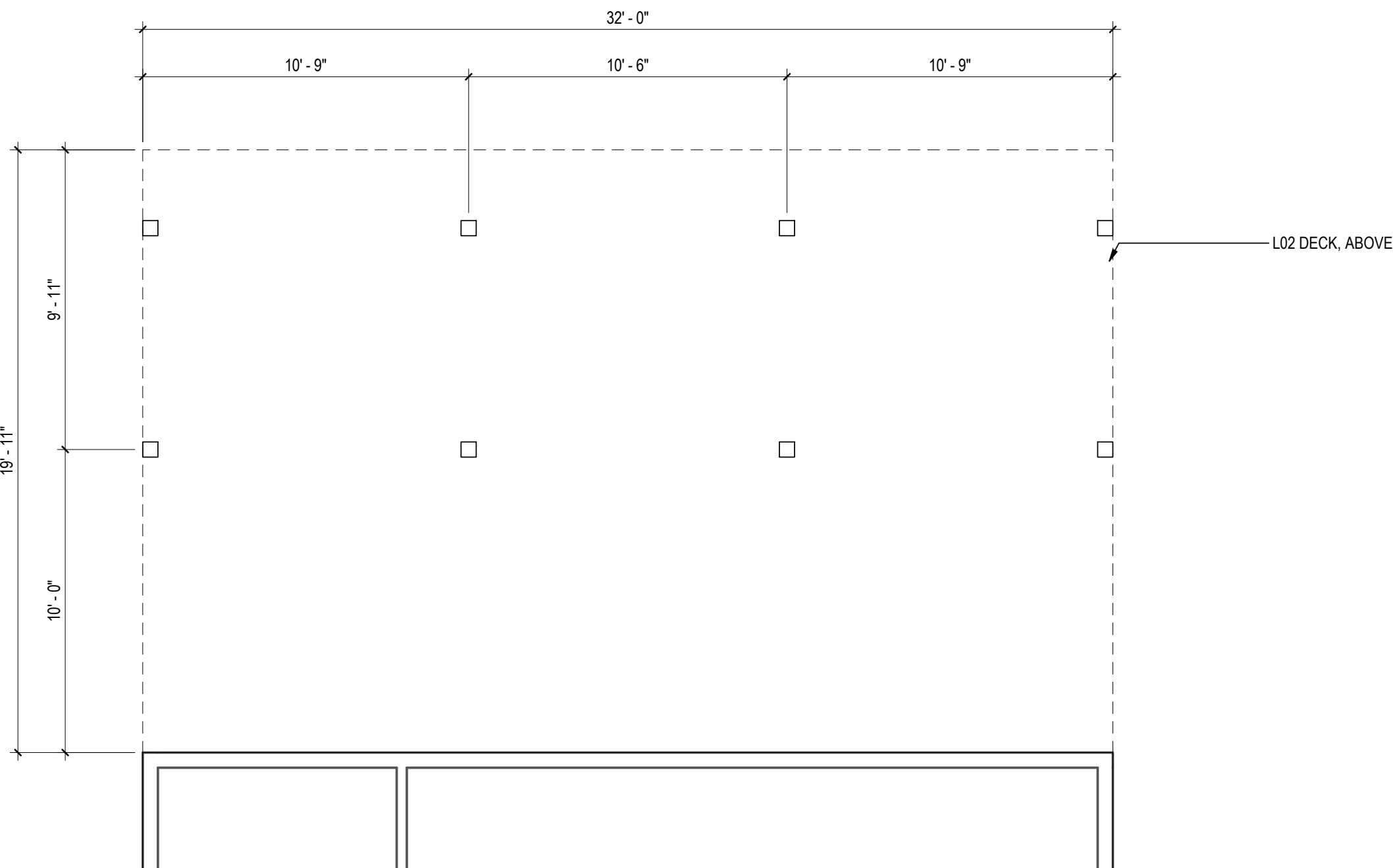
THE YOUNGMAN HOUSE

1429 Overlook Street, Prince Rupert, BC V8J 2C7

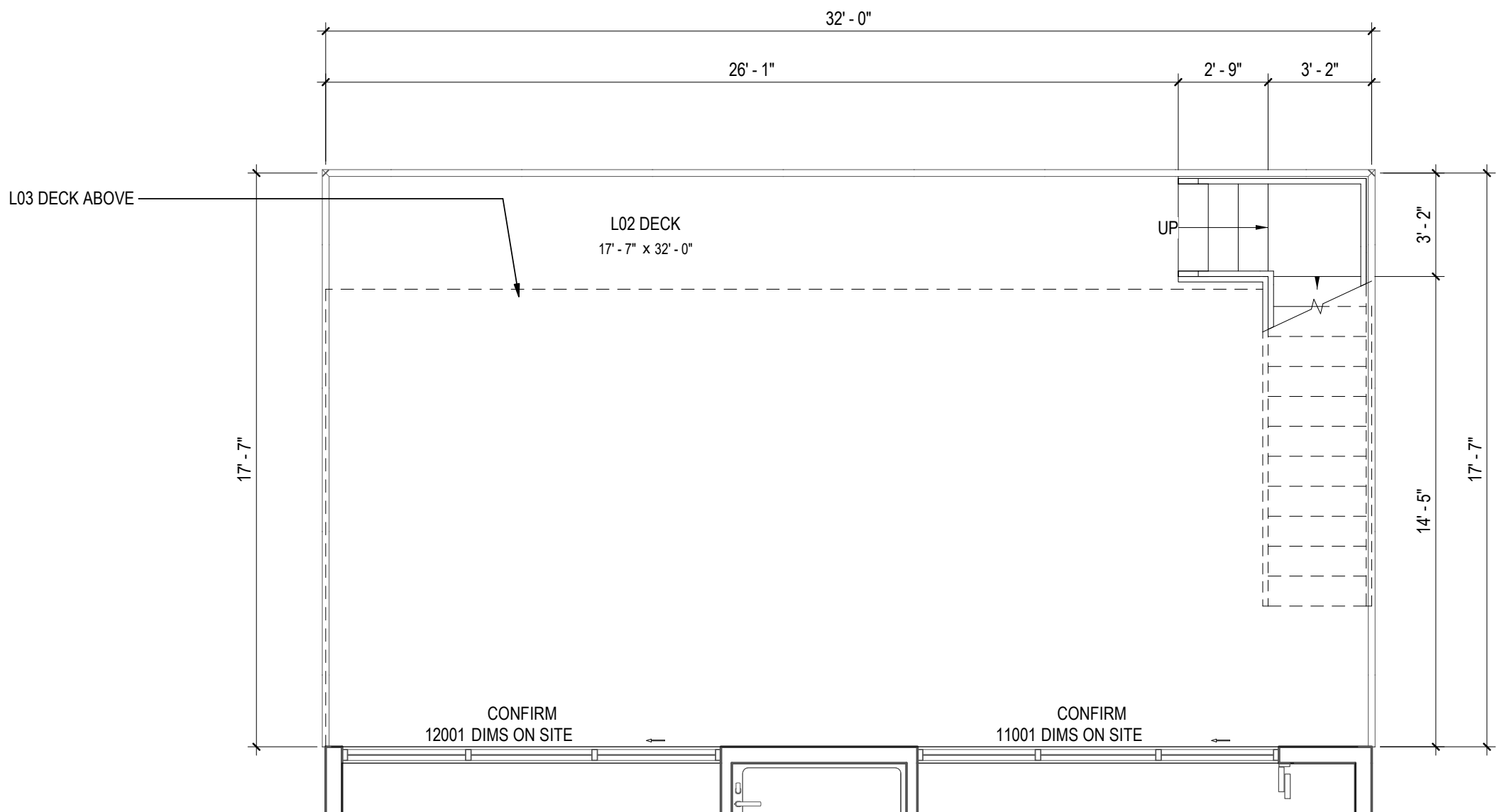
Title

PART PLANS

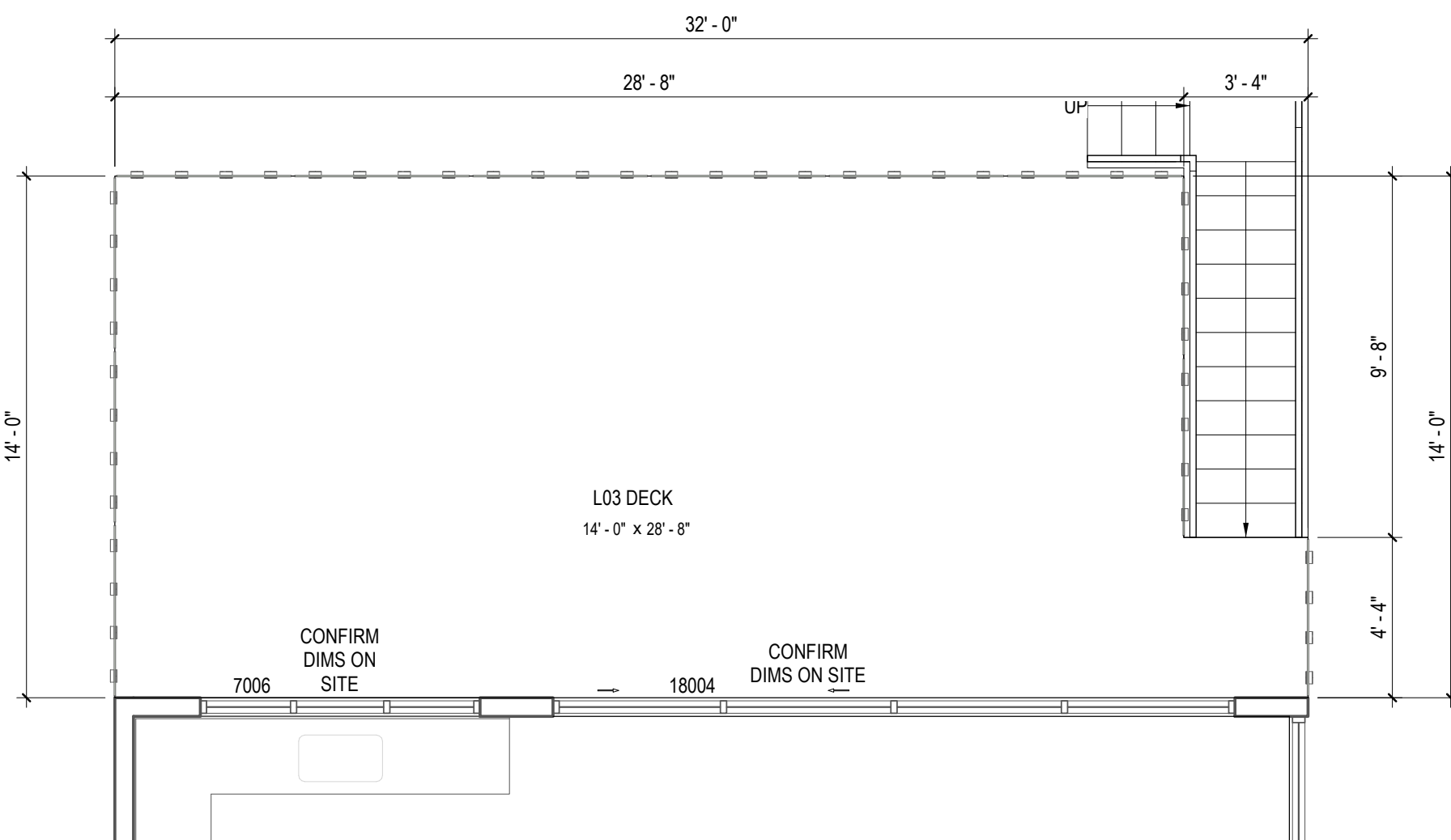
Project No. 0001	Scale 1 : 50
Revision 6	Sheet 7 of 10
Drawing No. A300	



3 FLOOR PLAN - L01 DECK POSTS
A300 1 : 50



1 FLOOR PLAN - L02 DECK
A300 1 : 50



2 FLOOR PLAN - L03 DECK
A300 1 : 50

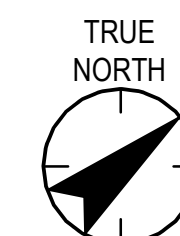


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Consultant

Notes



KEYPLAN



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5	ISSUED FOR CONSTRUCTION R1	KK	2022.02.09
4	ISSUED FOR CONSTRUCTION	KK	2021.10.04
3	ISSUED FOR 95% REVIEW R2	KK	2021.09.04
2	ISSUED FOR 95% REVIEW R1	KK	2021.07.24
1	ISSUED FOR 95% REVIEW	KK	2021.07.18

Issued/Revision	By	Appd	YYYY.MM.D
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File Name: N/A	Author	Designer	Checker	07/15/21
	Dwn.	Dsgn.	Chkd.	YYYY.MM.D

Permit/Seal

Client/Project Logo

Client/Project
Jamie Youngman

THE YOUNGMAN HOUSE

1429 Overlook Street, Prince Rupert, BC V8J 2C7

Title
EXTERIOR ELEVATIONS

Project No. 0001		Scale 1 : 50
Revision 6	Sheet 8 of 10	Drawing No. A400

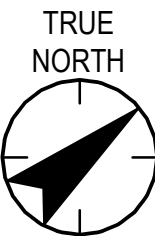
A400

Copyright Reserved

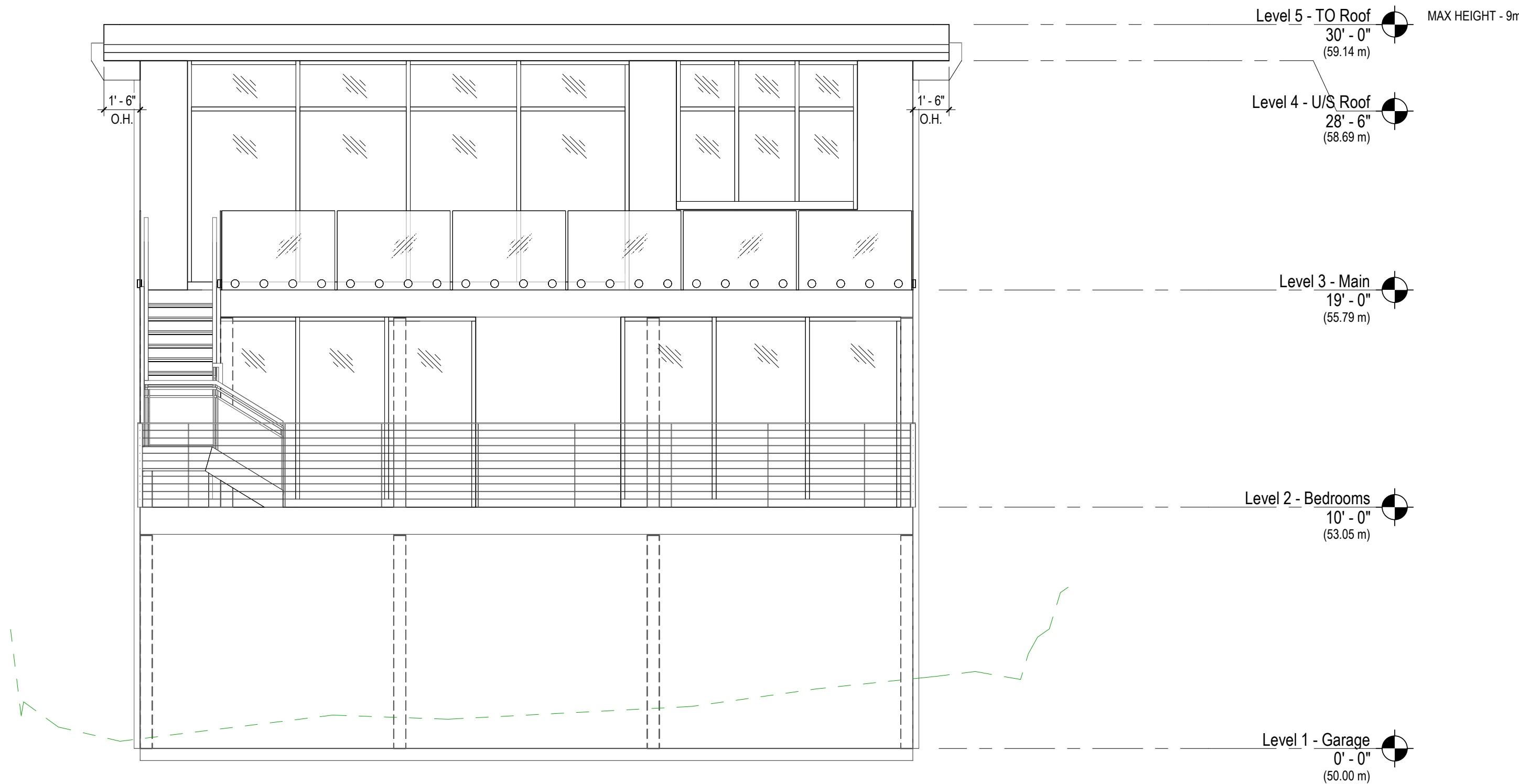
The Owner and Builder shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Karmakush Designs without delay. The Copyrights to all designs and drawings are the property of Karmakush Designs. Reproduction or use for any purpose other than that authorized by Karmakush Designs is forbidden.

Consultant

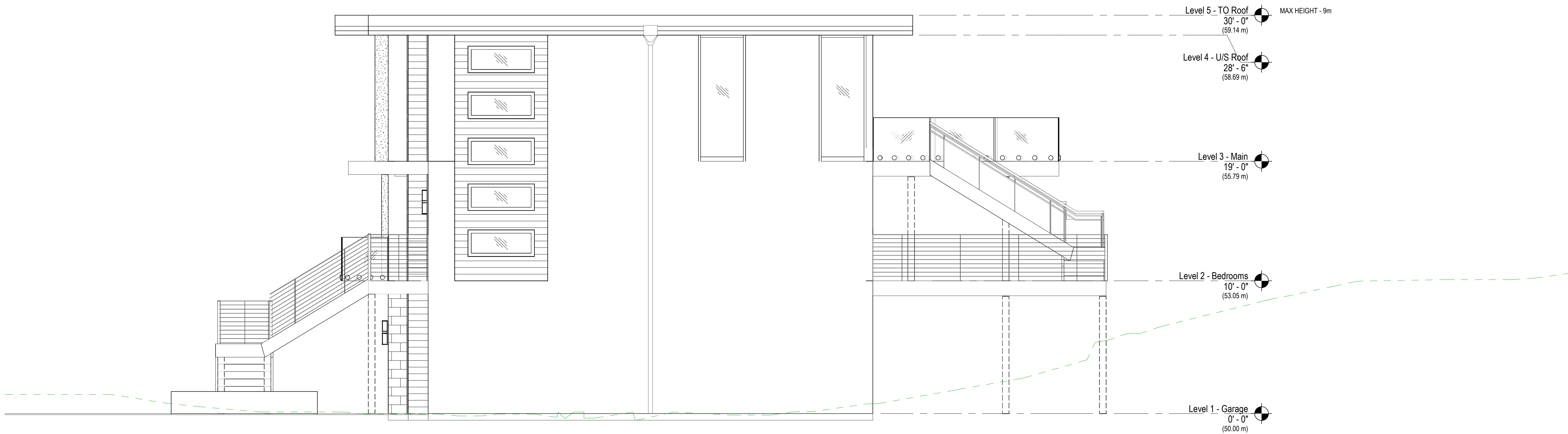
Notes



KEYPLAN



1 ELEVATION - NORTH
A401 1 : 50



2 ELEVATION - EAST
A401 1 : 50

6	ISSUED FOR CONSTRUCTION R2	KK	2022.02.12
5	ISSUED FOR CONSTRUCTION R1	KK	2022.02.09
4	ISSUED FOR CONSTRUCTION	KK	2021.10.04
3	ISSUED FOR 95% REVIEW R2	KK	2021.09.04
2	ISSUED FOR 95% REVIEW R1	KK	2021.07.24
1	ISSUED FOR 95% REVIEW	KK	2021.07.18

Issued/Revision	By	Appd	YYYY.MM.DD
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File Name: N/A	Author:	Designer:	Checker:	07/15/21
	Dwn.	Dsgn.	Chkd.	YYYY.MM.DD

Permit/Seal

Client/Project Logo

Client/Project
Jamie Youngman

THE YOUNGMAN HOUSE

1429 Overlook Street, Prince Rupert, BC V8J 2C7

Title
EXTERIOR ELEVATIONS

Project No. 0001	Scale 1 : 50
Revision 6	Sheet 9 of 10
Drawing No. A401	

Copyright Reserved

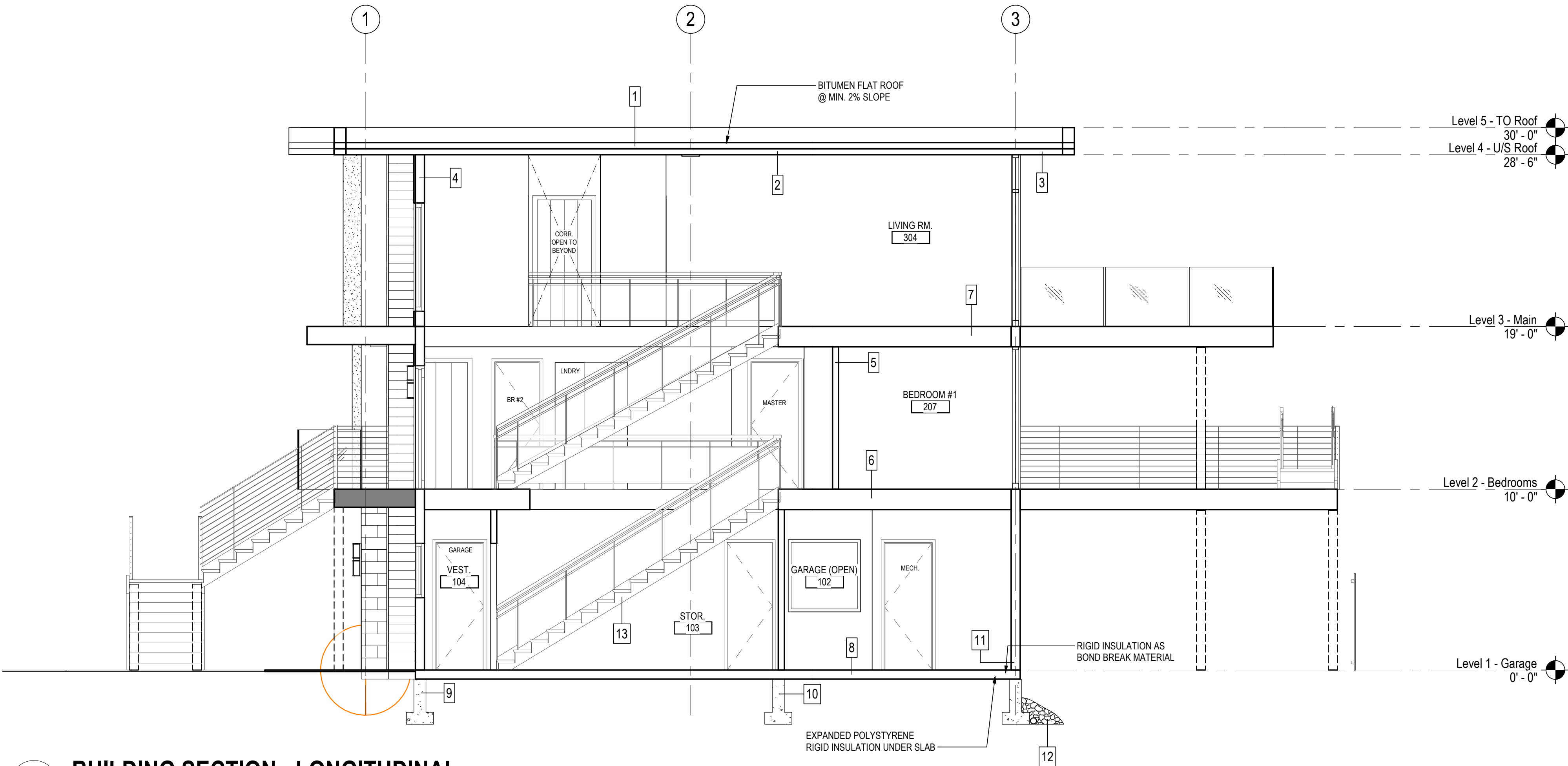
The Owner and Builder shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Karmakush Designs without delay. The Copyrights to all designs and drawings are the property of Karmakush Designs. Reproduction or use for any purpose other than that authorized by Karmakush Designs is forbidden.

Consultant

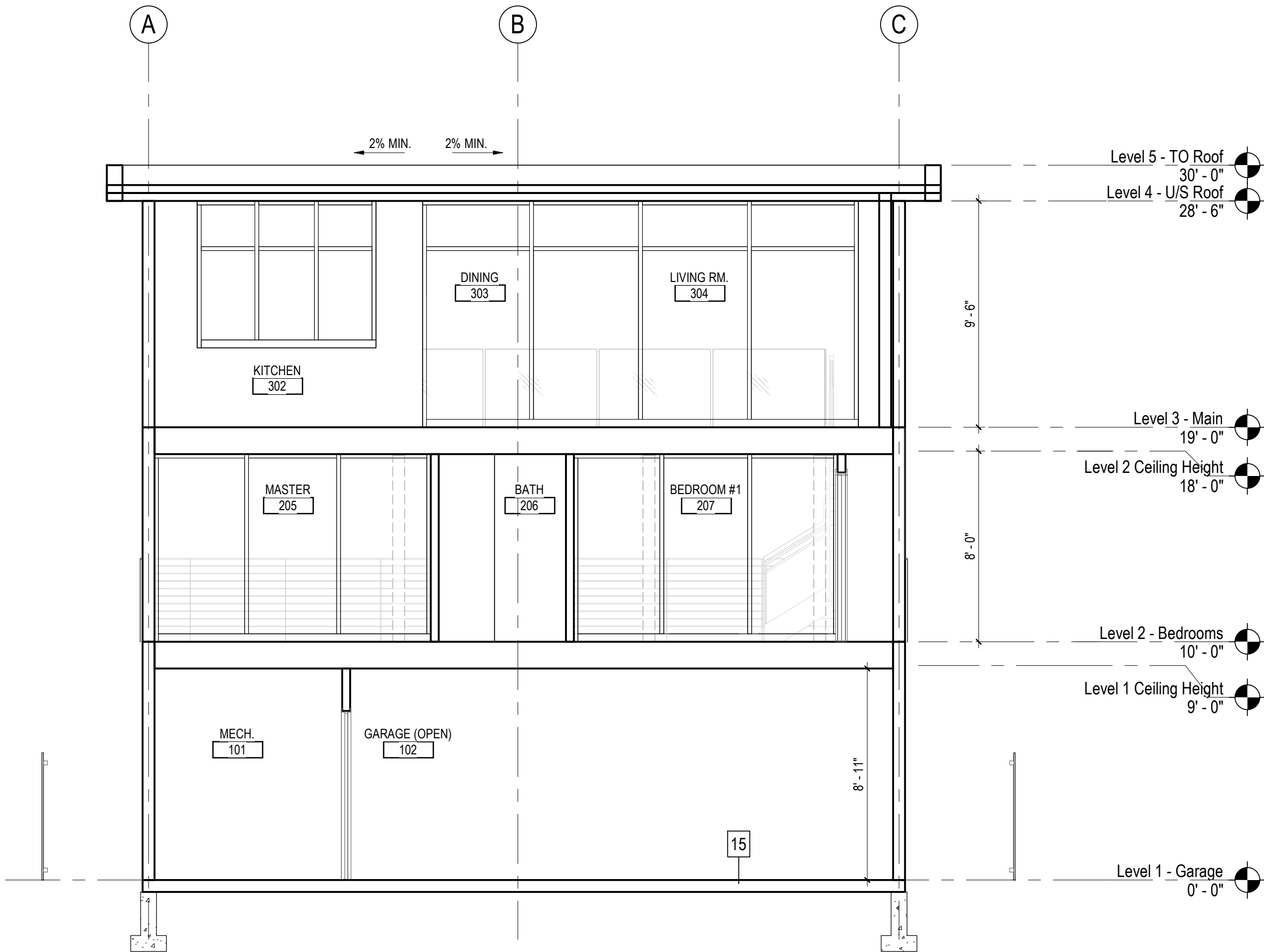
Notes



KEYPLAN



1 BUILDING SECTION - LONGITUDINAL
A500 1:50



2 BUILDING SECTION - CROSS SECTION
A500 1:50

6	ISSUED FOR CONSTRUCTION R2	KK	2022.02.12
5	ISSUED FOR CONSTRUCTION R1	KK	2022.02.09
4	ISSUED FOR CONSTRUCTION	KK	2021.10.04
3	ISSUED FOR 95% REVIEW R2	KK	2021.09.04
2	ISSUED FOR 95% REVIEW R1	KK	2021.07.24
1	ISSUED FOR 95% REVIEW	KK	2021.07.18

Issued/Revision By Appd YYYY.MM.DD

File Name: N/A	Author:	Designer:	Checker:	07/15/21
	Dwn:	Dgn:	Chkd:	YYYY.MM.DD

Permit/Seal

Client/Project Logo

Client/Project
Jamie Youngman

THE YOUNGMAN HOUSE

1429 Overlook Street, Prince Rupert, BC V8J 2C7

Title
BUILDING SECTIONS

Project No. 0001	Scale 1:50
Revision 6	Sheet 10 of 10
Drawing No. A500	



DEVELOPMENT VARIANCE PERMIT

Development Variance Permit #21-14

PERMITTEES: Jamie Youngman, Robyn Youngman, and David Youngman
CIVIC ADDRESS: 1429 Overlook Street

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the City of Prince Rupert described below, and any and all buildings, structures, and other development thereon:

LEGAL DESCRIPTION:

Lot 23 Block G District Lot 251 Range 5 Coast District Plan 1920

CIVIC ADDRESS:

1429 Overlook Street

3. The City of Prince Rupert Zoning Bylaw (Bylaw #3462) is varied as follows:
 - a. Section 5.2.3 (c) is varied from a maximum floor area equal to the lot area (300.45 square metres) to a maximum floor area of 316.33 square metres, in accordance with the Site and Building Plans attached as Schedule 1.
 - b. Section 5.2.4 is varied from a maximum lot coverage of 50% to a maximum lot coverage of 63%, in accordance with the Site and Building Plans attached as Schedule 1.
 - c. Section 5.2.6 (b) is varied from a 3.0-metre setback from the rear property line to a 0-metre setback from the rear property line, in accordance with the Site and Building Plans attached as Schedule 1.

SUBJECT TO the following conditions to the satisfaction of the City of Prince Rupert:

The permittees develop the proposed development in accordance with the Site and Building Plans attached as Schedule 1.

4. If the Permittee does not substantially commence the variance permitted by this Permit within 24 months of the date of this Permit, the Permit shall lapse and be of no further force and effect.

5. This Permit is **NOT** a building permit, sign permit, or subdivision approval.

PLANS AND SPECIFICATIONS

6. The following plans and specification are attached to and form part of this permit:
1. Site and Building Plans

Schedule:

1. SITE AND BUILDING PLANS

Issued on this _____ day of _____, 2022.

Rosamaria Miller
Corporate Administrator

CITY OF PRINCE RUPERT

REPORT TO COUNCIL

DATE: February 18th, 2022
TO: Robert Buchan, City Manager
FROM: Daniel Rajasooriar, Planner
SUBJECT: **Development Variance Permit #21-15 for 1039 Hays Cove Avenue**

RECOMMENDATION:

THAT Council proceeds with the statutory notification process for Development Variance Permit Application (DVP) #21-15.

REASON FOR REPORT:

An application was received for a Development Variance Permit for the property located at 1039 Hays Cove Avenue.

The application involves:

1. A request for a variance of City of Prince Rupert Zoning Bylaw, Section 5.2.6 (a) to have a 0.508-metre setback from the front property line in order to accommodate a proposed covered deck and stairway. The required setback from the front property line in an R2 zone is 3.6 metres. The applicant is requesting a variance of 3.092 metres in terms of the setback from the front property line.
2. A request for a variance of City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 0.508-metre setback from a side property line in order to accommodate an existing sunroom. The required setback from a side property line in an R2 zone is 1.2 metres. The applicant is requesting a variance of 0.692 metres in terms of the setback from a side property line.
3. A further request for a variance of City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 0.3048-metre setback from a side property line in order to accommodate an existing shed. The required setback from a side property line in an R2 zone is 1.2 metres. The applicant is requesting a variance of 0.8952 metres in terms of the setback from a side property line.

The Site Plan and Building Plan are included as Schedules 1 and 2, respectively.

BACKGROUND AND ANALYSIS:

The proposed variance for the setback from the front property line is requested by the applicant so that a proposed covered deck and stairway may be built. The applicant rationalized the proposed variance for the setback from the front property line in four ways. First, they believe that the proposed covered deck and stairway would act as a sound buffer from traffic noise and increase privacy from passersby. Second, they believe that the proposed covered deck and stairway would shelter the openings of the front-facing windows and doorway from future water penetration as well as preserve the longevity of the cedar siding. Third, they believe that the proposed covered deck and stairway would contribute aesthetic value to the surrounding neighbourhood. Fourth, they believe that increasing the walkable space directly preceding the front entrance of the residence would be beneficial in the event of an emergency and when a large item (e.g., a stretcher) may be needed to be transported with ease in and out of the residence.

The proposed variances for the setback from a side property line are requested by the applicant for existing structures, namely, a sunroom and a shed. The applicant has mentioned that these structures were present when they purchased the property.

There are no known negative impacts of the proposed variances on the surrounding neighbourhood; however, the public will have the opportunity to provide input during the public consultation period.

The Draft Development Variance Permit is included as Schedule 3.

COST AND BUDGET IMPACT:

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

CONCLUSION:

This Development Variance Application is recommended to proceed to public notification. Affected property owners will have the opportunity to express their views on the application when Council considers the permit.

Report Prepared By:

Daniel Rajasooriar,
Planner

Report Reviewed By:

Robert Buchan,
City Manager

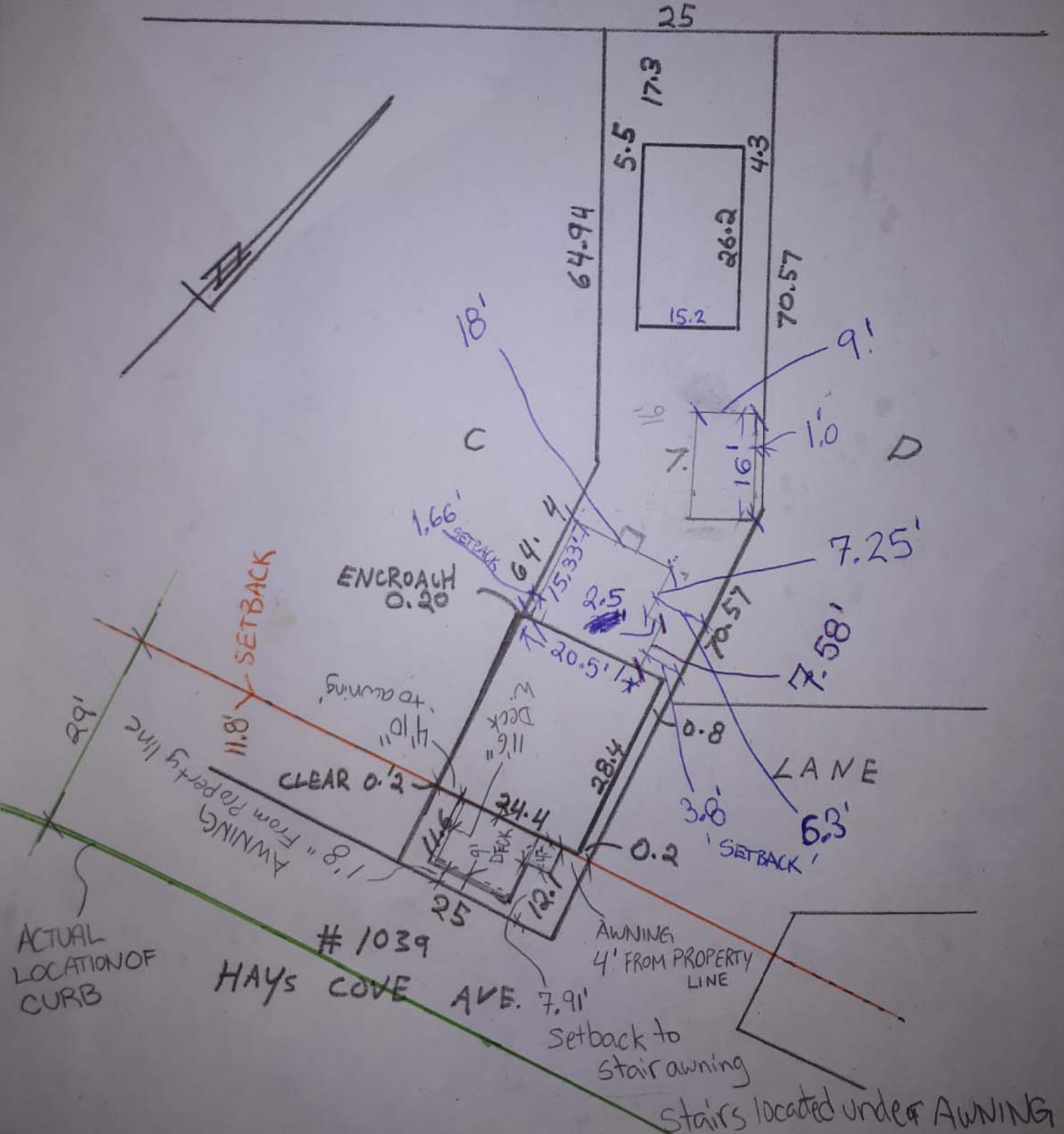
Schedule(s):

1. Site Plan
2. Building Plan
3. Draft Development Variance Permit

DVP-21-15

7th. AVE. E.

25



FRONT FACING

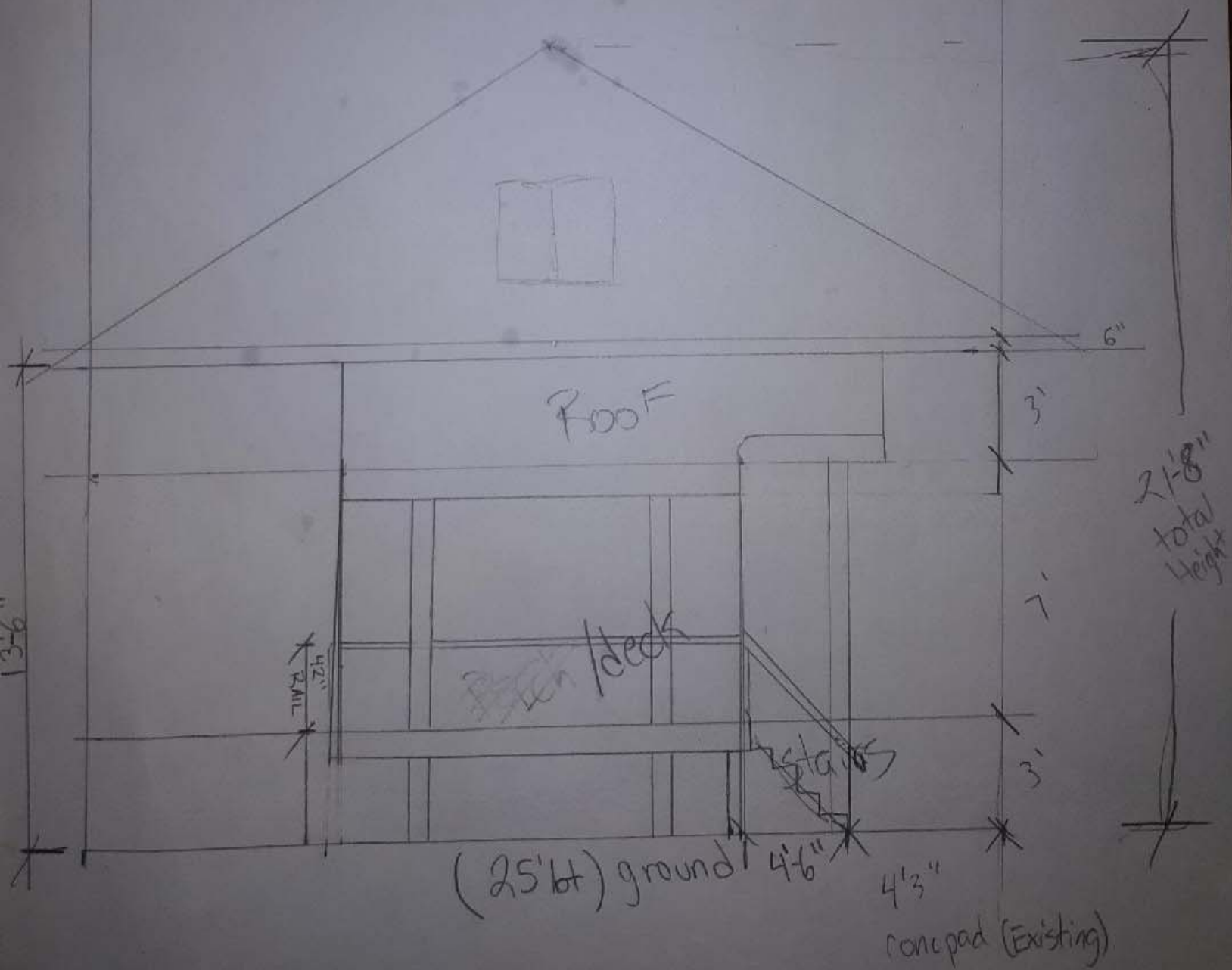
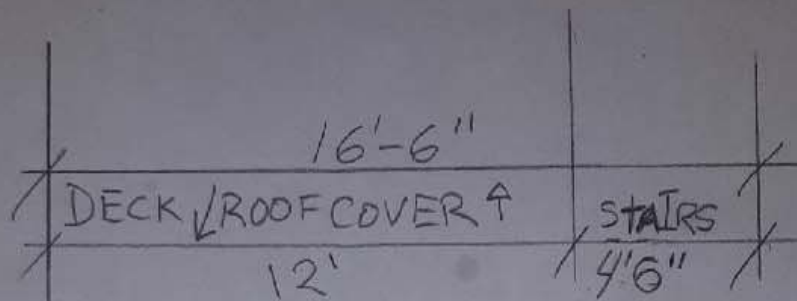
1039 HAYS COVE AVE

ELEVATION

10'13/4"

10'-2"

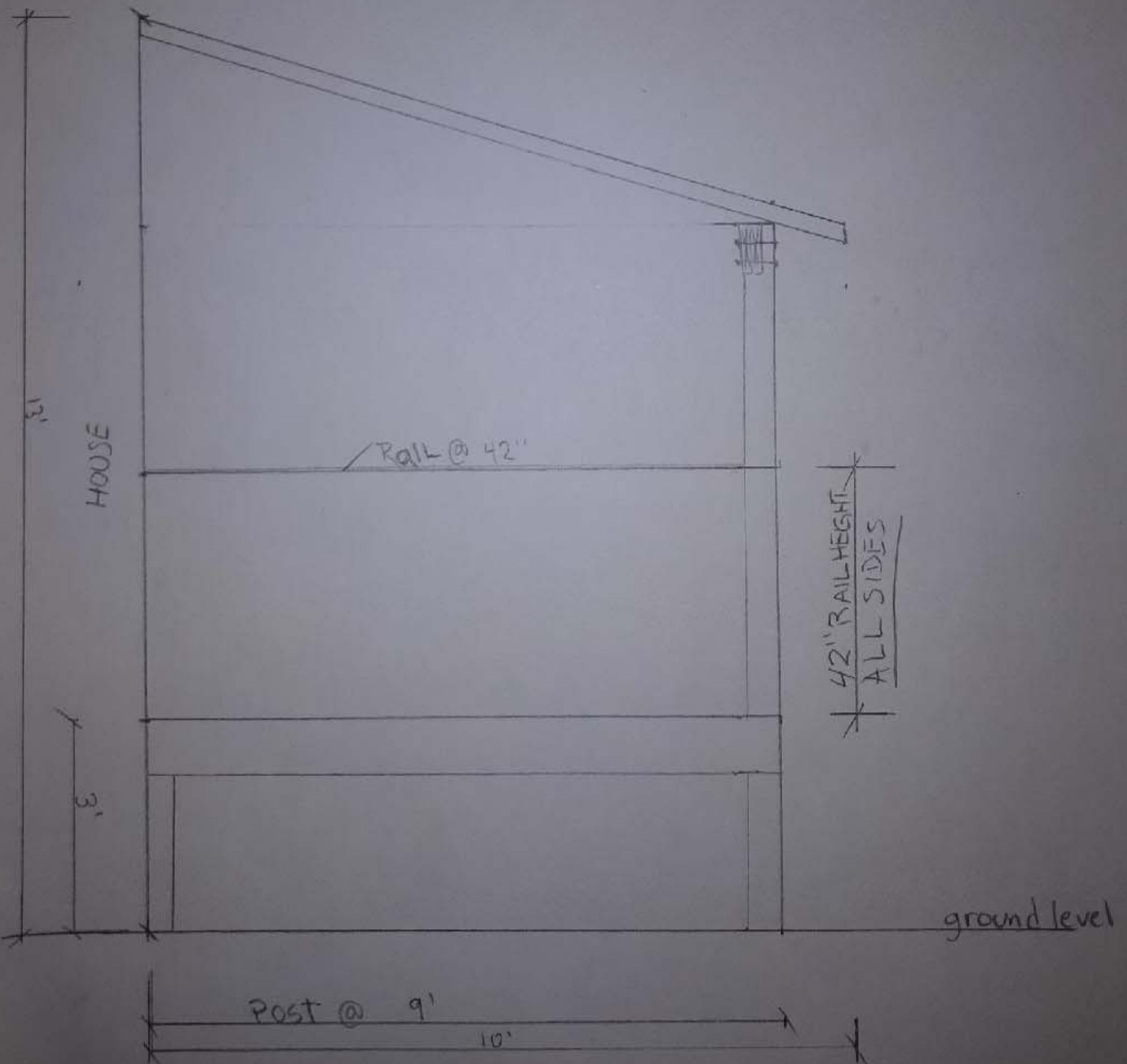
4'-04"



1039 HAYSCOVE AVE

EAST VIEW

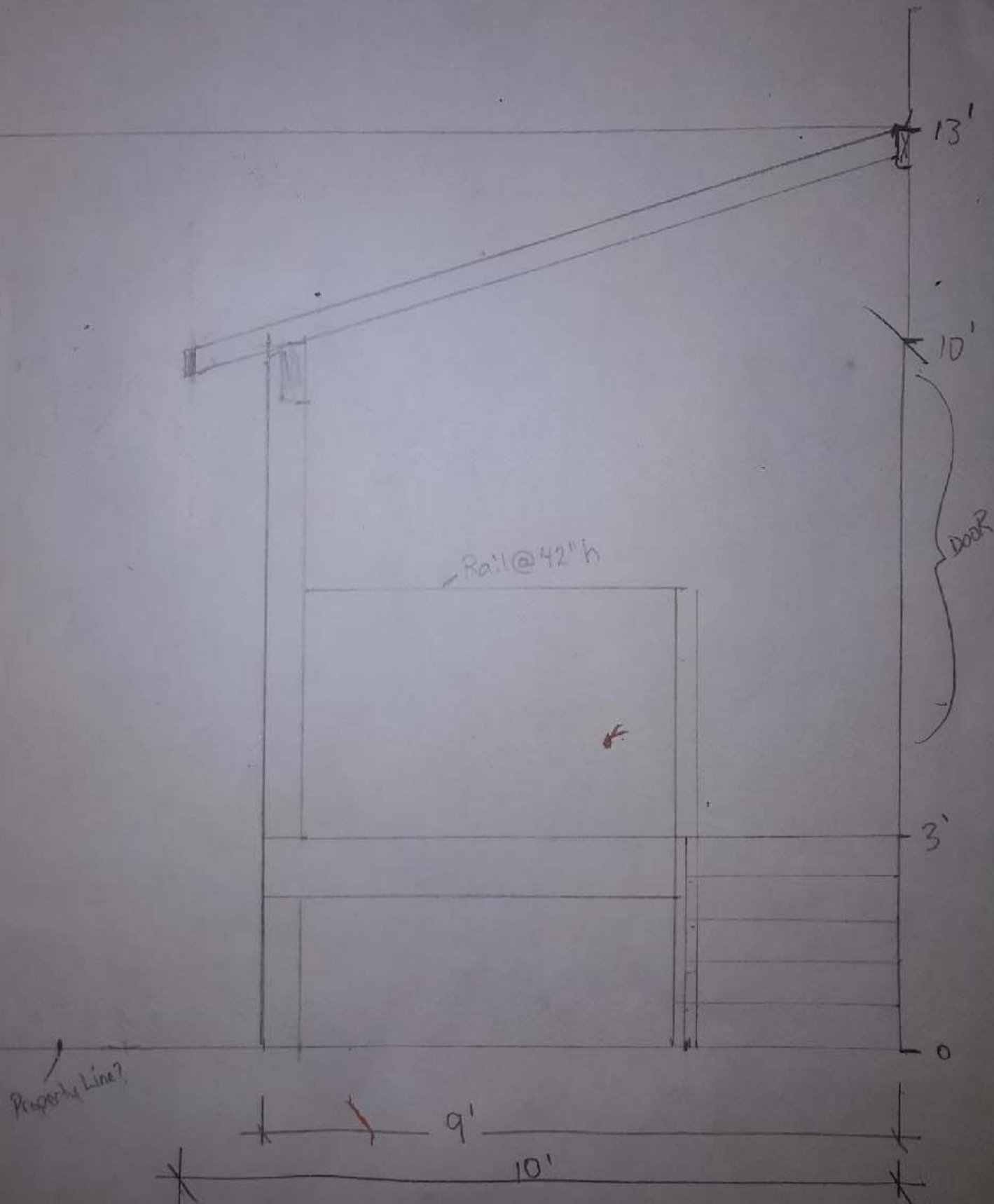
$\frac{1}{2}" = 1'$
SCALE



1039 HAYS COVE AVE.

$\frac{1}{2}" = 1'$

West Side View





DEVELOPMENT VARIANCE PERMIT

Development Variance Permit #21-15

PERMITTEES: **Jeremy Sheeshka**
CIVIC ADDRESS: 1039 Hays Cove Avenue

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the City of Prince Rupert described below, and any and all buildings, structures, and other development thereon:

LEGAL DESCRIPTION:

Lot 7 Block 35 Section 7 District Lot 251 Range 5 Coast District Plan 923

CIVIC ADDRESS:

1039 Hays Cove Avenue

3. The City of Prince Rupert Zoning Bylaw (Bylaw #3462) is varied as follows:
 - a. Section 5.2.6 (a) is varied from a 3.6-metre setback from the front property line to a 0.508-metre setback from the front property line in relation to the proposed covered deck and stairway, in accordance with the Site and Building Plans attached as Schedules 1 and 2, respectively.
 - b. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 0.508-metre setback from a side property line in relation to the existing sunroom, in accordance with the Site and Building Plans attached as Schedules 1 and 2, respectively.
 - c. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 0.3048-metre setback from a side property line in relation to the existing shed, in accordance with the Site and Building Plans attached as Schedules 1 and 2, respectively.

SUBJECT TO the following conditions to the satisfaction of the City of Prince Rupert:

The permittees develop the proposed development in accordance with the Site and Building Plans attached as Schedules 1 and 2, respectively.

4. If the Permittee does not substantially commence the variance permitted by this Permit within 24 months of the date of this Permit, the Permit shall lapse and be of no further force and effect.
5. This Permit is **NOT** a building permit, sign permit, or subdivision approval.

PLANS AND SPECIFICATIONS

6. The following plans and specification are attached to and form part of this permit:
 1. Site Plan
 2. Building Plan

Schedule:

1. SITE PLAN
2. BUILDING PLAN

Issued on this _____ day of _____, 2022.

Rosamaria Miller
Corporate Administrator

CITY OF PRINCE RUPERT
REPORT TO COUNCIL

DATE: February 28, 2022

TO: Robert Buchan, City Manager

FROM: Corinne Bomben, Chief Financial Officer

**SUBJECT: COST AND COMMISSIONING CONSULTANTS - AWARD -
RCMP DETACHMENT PROJECT**

RECOMMENDATION:

That Mayor and Council award the Cost Consulting for the RCMP Detachment project to BTY Group.

That Mayor and Council award the Commissioning Consulting for the RCMP Detachment project to C.E.S Engineering Ltd.

REASON FOR REPORT:

The City is undertaking the construction of a new RCMP detachment. Inclusive in this project is the need to engage with a Cost Consultant and a Commissioning Consultant who will participate as specialized members of the project team. This report has been prepared to facilitate the award of these two components of the RCMP Detachment project.

ANALYSIS:

A cost consultant is utilized to provide a more refined estimate of what a project should cost. This estimate is then used as a reference point for project construction bids and validation at construction milestones. A commissioning consultant will lead the commissioning process for all construction divisions, as well as assist with testing, and oversee implementation of the right equipment and systems used in the building.

A Request For Proposals (RFP) was advertised and an analysis performed of those received by the evaluation team comprising of the City's Project Managers and certain City staff. Six proposals were received for the Cost Consultant competition and three were received for the Commissioning Consultant competition. There were no local submissions.

Amongst the evaluation criteria were project understanding, firm experience, project methodology and fee. Of the proposals, the evaluation team has recommended the following:

Cost Consultant:	BTY Group	\$ 48,030 + GST
Commissioning Consultant:	C.E.S. Engineering Ltd.	\$128,097.50 + GST

COSTS AND BUDGET IMPACT:

The fee proposed by BTY is \$12,000 below the estimated budget for these services. The fee proposed by C,E,S. is \$28,000 over the estimated budget for these services. The high ratings of C.E.S. amongst all evaluators prompted the recommendation from the evaluation team given the quality of the expected service. Overall, combining the two, the overage is \$16,000 for these two service components of the project. Efforts will be made to absorb this overage through other project line items and contingency.

CONCLUSION:

That Mayor and Council award the Cost Consulting to BTY Group and the Commissioning Consulting to C.E.S Engineering Ltd. for the purposes of the RCMP Detachment project.

Prepared by:

Reviewed by:

Corinne Bomben,
Chief Financial Officer

Robert Buchan
City Manager

CITY OF PRINCE RUPERT

REPORT TO COUNCIL

Regular Meeting of Council

DATE: February 28th, 2022

TO: Robert Buchan, City Manager

FROM: Veronika Stewart, Communications Manager

SUBJECT: CONSIDERATION OF A FINAL BRAND PACKAGE FOR THE CITY OF PRINCE RUPERT

RECOMMENDATION:

THAT Council approve by resolution the attached Logo Design and Brand Guidelines, developed by Will Creative in partnership with Russell Mather, Ts'msyen artist.

REASON FOR REPORT:

Council approved the development of a new City logo and brand as part of the 2020 Capital Budgeting process. The brand package presented is the result of significant research, stakeholder input, design, as well as internal and external review processes. If approved by Council, this new logo and brand package will inform a refresh of the design and character of the City's wide scope of branded assets, including, but not limited to:

- Municipality's online presence (social media, website)
- Corporate documents (business cards, letterhead, reports, forms)
- Decaling (City vehicles)
- Signage (wayfinding in concert with Tourism Prince Rupert, future park signage, etc.)
- Future marketing opportunities and campaigns

The intent with this project is to replace the City's existing use of the corporate coat of arms with a modern, updated logo and accompanying graphic components.

BACKGROUND:

Following a very competitive RFQ process that received over 30 bids, Will Creative was selected as the successful proponent for the project based on their brand experience, portfolio, and proposed approach. After the selection of the consultant, the City began

consultation with a group of sixteen key stakeholders on the brand project in early 2020. After the initial information collection period, the project experienced some delays related to the COVID-19 pandemic. The project restarted in 2021, and following the direction initially provided by the stakeholder group, contracted with Ts'msyen artist Russell Mather to assist with developing the new brand to ensure that Prince Rupert's indigenous identity would be appropriately represented. The intent of the new logo and accompanying guideline, colour palette and graphic components is to reflect both our indigenous and non-indigenous communities, bringing in the rainbow symbolism that Prince Rupert is so well known for.

ANALYSIS:

The previous logo in regular use by the City was its coat of arms, which does not reflect the modern community of Prince Rupert. With the existing use of the corporate crest, there was an absence of any aesthetic standards to guide our organization. In addition, the crest was dated, had many competing elements, and due to its complexity did not translate well to the multitude of different sizes/uses that the City requires. The new brand guidelines provide a clear, cohesive and modern aesthetic guide that better represents our current community, and will serve as our community for decades to come.

COST:

Alongside staff time to oversee the RFP and project process, the cost of the project has been approximately \$105,000 total paid for by a dividend from Prince Rupert Legacy Inc. Costs included stakeholder consultation, consultant travel (early in the project), brand identity and moodboard development, brand strategy, graphic and artist design, cultural consultation, and multiple revisions to the guidelines. The final cost of the project was higher than the initial \$75,000 in funding approved in 2020 due to scope changes to the project to bring in an indigenous artist, and also project stop/starts due to the pandemic.

CONCLUSION:

THAT Council approve by resolution the City's adoption of the new Logo and Brand Package as presented.

Report Prepared By:

Report Reviewed By:

Veronika Stewart
Communication Manger

Robert Buchan
City Manager

CITY OF PRINCE RUPERT

REPORT TO COUNCIL

DATE: February 28, 2022

TO: Dr. Robert Buchan, City Manager

FROM: Richard Pucci, Director of Operations & Intergovernmental Relations

SUBJECT: Master Service Agreements – Award Colliers Project Leaders

RECOMMENDATION:

That Mayor and Council Award the Owners Representative RFP to Colliers Project Leaders (CPL)

REASON FOR REPORT:

In 2020, the Operations Department, with Council's understanding, released an RFP for a Master Service Agreement (MSA). This RFP was to seek a viable proponent to act on retainer as the City's on-call project manager, as the City sees fit. The MSA is a zero-cost contract and is exercised at the City's discretion for a term of 5 years. It was discussed that with the pending hyper-economic development in our region, the City required "front of the line" access to project management at set competitive rates. As Council is aware, the City has an aggressive build schedule, and the Department requires surety on rates and contractor availability.

ANALYSIS:

This RFP ran in 2020 publically on BC Bid, with several proposals submitted with CPL being the front runner on local government experience and rates.

This Department requires the flexibility to have an MSA so that our community Projects can get completed using consultants with set competitive rates. Unlike other communities, the City requires this advantage as our Projects will compete for contractor availability with billion-dollar Projects.

COSTS AND BUDGET IMPACT:

This Resolution supports the Council's Strategic Plan for Project development and has no Annual Budget impact.

CONCLUSION:

**That Mayor and Council Award the Owners Representative RFP to Colliers
Project Leaders (CPL)**

Reviewed by the City Manager

Richard Pucci,
Director of Operations &
Intergovernmental Relations

Dr. Robert Buchan
City Manager

CITY OF PRINCE RUPERT

SUBDIVISION AND DEVELOPMENT SERVICING STANDARD BYLAW NO. 3486, 2022

A BYLAW REGULATING THE SERVICING OF SUBDIVISION AND DEVELOPMENTS

WHEREAS the Local Government Act authorizes the City to establish standards for and to regulate and require the provision of works and services in respect of subdivision and development;

AND WHEREAS the City desires to guide development within its boundaries for the benefit of the community by ensuring that land is subdivided in a manner that is orderly, safe and efficient, and to offset City costs in providing utilities, works, and services related to subdivision and development,

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

1. Title

- a) This Bylaw may be cited as the City of Prince Rupert Subdivision and Development Servicing Standards Bylaw No. 3486, 2022

2. Interpretation

- a) In this bylaw:

“Administrator” means the person appointed by Council to administer this Bylaw or a person designated or retained by the City to act in his or her absence.

“Applicant” means the registered owner of land who applies to subdivide the land or for a building permit in relation to a proposed development, or a person duly authorized to represent the owner.

“Approving Officer” means the person appointed by Council under the Land Title Act as the approving officer for the City.

“Building Inspector” means a person designated by Council as the building inspector for the City.

“Certificate of Completion” means notice in writing issued by the City and signed by the Administrator or designate stating that all or a specified portion of the works have been completed.

“Certificate of Substantial Completion” means a certificate issued by the Consulting Engineer certifying that:

- i. works required under this Bylaw are completed to the extent that they are ready for use for their intended purpose; or
- ii. the total of any incomplete, defective or deficient work can be completed at an estimated cost of no more than 3 percent of the total value of the work.

“Certificate of Final Acceptance” means a certificate issued by the Administrator or designate confirming that no defects or deficiencies remain to be complete or corrected and the works are fully operative and have been constructed and function in accordance with this Bylaw and any Development Agreement between the owner and the City.

“City” means the City of Prince Rupert.

“City Engineer” means a person designated by Council as the Director of Operations or City Engineer for the City.

“Community Sanitary Sewer System” means a system owned, operated and maintained by the City for the collection, treatment and disposal of sanitary sewage.

“Community Water System” means a system of waterworks which is owned, operated and maintained by the City.

“Consulting Engineer” means a professional engineer, certified for practice in British Columbia, experienced in municipal engineering and land development, and who is retained by the Applicant to undertake the design, inspection, testing and record keeping for works.

“Developer” means the owner or agent of the owner of land in respect of which a subdivision or development application has been submitted to the City.

“Development” means the construction, alteration, repair or extension of a building or structure for which a building permit from the City is required.

“Development Agreement” means an agreement between the City and a developer, setting out servicing requirements, construction completion dates, fees and security to be provided by the Developer.

“Final Approval” means the approval of a subdivision by the Approving Officer when all relevant requirements of this Bylaw, the Land Title Act, the Local Government Act, Community Charter and any other relevant enactments have been fulfilled and when all conditions of preliminary approval have been fulfilled.

“Legal Survey” means a document prepared by a qualified B.C. Land Surveyor (ABCLS) showing where the building(s), structure(s), tree(s) and infrastructure are located on a property, showing the property’s boundary lines, together with the building footprint within those lines.

“MMCD” means the latest edition of the Master Municipal Construction Document (MMCD) Design Guideline Manual and the MMCD Construction Specifications

“Owner” has the same meaning as defined in the Land Title Act.

“Parking Plan” means a drawing illustrating the proposed off-street parking spaces including dimensions of the parking space and drive aisles. If parking spaces for persons with disabilities or small car spaces are proposed, they need to be clearly marked in the plan. A synopsis of the number of parking spaces must be included, and any variances from the zoning bylaw identified.

“Parking Study” means a report from a registered professional engineer that recommends a reduced number of parking spaces for a proposed development or a shared on-site parking for two or more uses within a proposed development. The report will analyze the proposed amount of parking in relation to the parking demand generated by proposed development and provide detail on any recommended transportation demand management measures.

“Preliminary Layout Review” means the written, conditional approval of a subdivision plan by the Approving Officer.

“Professional Engineer” means a person who is registered or duly licensed to practice in British Columbia under the Engineers and Geoscientists Act.

“Public Utility” means any community water system, sewer system, stormwater system, or other public infrastructure administered, operated, and/or maintained by the City of Prince Rupert.

“Professional Geologist” or **“Qualified Professional”** means a person who is registered or duly licensed.

“Qualified Contractor” means a professional with appropriate education, training and experience, fully insured and in good standing with the relevant association and includes, but not limited to, licenced builder, landscape architect, and an architect.

“Right of Way” means a document/agreement registered on title with the B.C. Land Title and Survey Authority in which a property owner permits the City or a public utility company such as BC Hydro or PNG, the right to use a portion of the owner’s property to install pipes, cables, etc. for the delivery of a particular service.

“Security” means a certified cheque or a clean, unconditional, irrevocable and automatically renewing letter of credit drawn on a chartered bank or credit union having a branch in the Province of British Columbia at which demand may be made on the letter of credit.

“Statutory Right of Way” means a right of way registered under section 218 of the Land Title Act.

“Subdivision” means a division of land into 2 or more parcels, whether by plan, apt descriptive words or otherwise.

“Traffic Study” means a report that outlines the impacts on existing and future traffic conditions resulting from the proposed developments, as well as on-site parking, loading, turning movements, and related matters, in accordance with the specifications provided by the City’s Engineering and Operations Department.

“Works” means any work, service or utility required to be designed, constructed and installed as a condition of subdivision or other development approval, and without limitation, includes highways, highway lighting, underground wiring and civil ductworks, curbs, gutters, sidewalks, boulevards, boulevard crossings, transit bays, landscaping, water supply and distribution, fire hydrants, collection and disposal of sewage and stormwater, and systems for controlling drainage, erosion and sediment related to construction of any of these.

“Works Inspector” means the Municipal employee authorized by the Director of Operations who shall, from time to time, make such inspections and tests of any work being carried out as he considers necessary and shall coordinate works being carried out within the municipality.

- b) This Bylaw is to be interpreted consistently with the Local Government Act, Land Title Act, Community Charter and other applicable enactments as the context and circumstances may require, and words and phrases in this Bylaw have the same meanings as in those Acts except as otherwise defined or described herein. A reference to a statute refers to a statute of the Province of British Columbia unless otherwise indicated, and a reference to any statute, regulation, code or bylaw refers to that enactment as amended or replace from time to time. Headings that appear in this Bylaw are for convenience only. Words in the singular include the plural and words in the plural include the singular. Reference to a person includes a corporation, partnership, or party and their personal or other legal representatives. If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion is severed without effecting the remaining portions.
- c) The Master Municipal Construction Documents MMCD are endorsed as the City’s General Conditions, Standard Specifications, Design Guidelines, and Standard Detail Drawings and form part of this Bylaw.

3. Compliance

- a) A person must not subdivide or develop land within the City except in conformity with this Bylaw.
- b) Every Applicant must:
 - i. comply with all applicable provisions of this Bylaw and all other bylaws of the City as well as provincial and federal enactments; and

- ii. obtain any and all required consents and approvals of any government ministry, agency or regulatory authority having jurisdiction in respect to the proposed Development.
- c) No person shall construct a building or structure in the City for which a building permit is required unless any and all of the works required by this Bylaw have been provided by the Developer, or the Developer has entered into a Development Agreement with the City to construct and install the required works by a date specified in the agreement, and provided to the City security in the amount determined by the Director of Operations in consultation with the Administrator, having regard to the cost of installing and paying for the required works.

4. Requirements for Subdivisions and Developments

- a) The works required for a subdivision or development within the City include those works identified by the Approving Officer.
- b) Where works are required under this Bylaw, the applicant must engage a Professional Engineer to carry out all necessary field reviews and inspections during the construction of works required. The Professional Engineer must submit a 'letter of commitment by engineer' certifying that the works will be carried out in compliance with this Bylaw and the approved plans, drawings and supporting documents submitted in support of the development application.
- c) Every owner of land to be subdivided or developed must, at the owner's expense, provide and grant to the City, and register in the Land Title Office, such statutory rights of way over the land as are required by the Administrator or Approving Officer for the proper operation and maintenance of the works to be provided under this Bylaw.

5. Application for Subdivision

- a) Every application for a subdivision must be in writing and submitted to the Approving Officer in a form approved by the Approving Officer for such purpose, and must include, as applicable, the following information and documentation:
 - i. full legal description of the parcel proposed to be subdivided and all adjacent properties;
 - ii. sketch or survey plan of the parcel to be subdivided, showing the scale of the plan, the direction of North, and showing clearly the proposed method of subdivision;
 - iii. a statement as to the existing and intended uses of the subdivided lands;
 - iv. topographic survey including location of any watercourses, ravines, steep slopes, spot elevations; break point elevations;
 - v. location and dimensions of any existing structures on the property and adjoining properties and their setbacks from existing and proposed property lines;
 - vi. utility and other rights of way located and identified

- vii. the boundaries of each phase of development if the proposed subdivision is to be completed in phases
 - viii. the name and usual address of the Applicant and of the Owner if different from the Applicant;
 - ix. proof of ownership of the land proposed to be subdivided and if the Applicant is different from the owner, proof of authority to represent the owner;
 - x. a current copy of the Certificate of Title of the property proposed for subdivision;
 - xi. copies of all charges registered against the title of the property proposed for subdivision, including without limitation any and all covenants, rights of way, and easements;
 - xii. certificate that all taxes assessed on the subdivided land have been paid, and if local service taxes are payable by instalments, that all instalments owing at the date of the certificate have been paid;
- b) At the discretion of the Approving Officer an application for a subdivision may include, as applicable, the following information and documentation:
- i. a Legal Survey Plan showing that the parcels into which the land is subdivided can conveniently be further subdivided into smaller parcels;
 - ii. A geodetic survey identifying a contour interval of 2.0m, existing hydrological features, steep slopes (over 30%), and the geodetic elevations of the road(s) adjacent the property. For clarity, all geodetic elevations shall conform to the NAD82 Coordinates.
 - iii. profiles of every new highway shown on the plan and such topographical details as many indicate engineering problems to be dealt with in opening up the highways, including environmental impact or planning studies;
 - iv. copies of the approved development permit applicable to the development;
 - v. such other information, appearing in the City's Subdivision and Development Servicing Standards, as the Approving Officer may require in the circumstances;
 - vi. a report by a professional engineer, professional geologist, or geotechnical engineer with experience or training in geotechnical study and geohazard assessments:
 - 1. the effect on soil stability of disturbing natural grades or natural growth, or of changing the moisture content of the soil by developing, using or occupying land
 - 2. groundwater levels and conditions; and
 - 3. the risk and effects of flooding, mud flows, debris flows, debris torrents, erosion, land slip, rockfalls, or avalanche, or any combination of these
 - vii. A tree survey plan including a windthrow assessment, hazard assessment, and species at risk assessment.
- c) In considering a subdivision the Approving Officer may request that additional information be provided by a registered professional in regards to natural and or geotechnical hazards, both on-site and off-site, which may impact the subdivision (as noted in s.86 of the Land

Title Act). These may include but are not limited to: avalanche, debris torrent, earthquake, erosion, flooding, fire, rock fall, land slippage and unstable soils and tsunamis.

- d) The registered professional preparing the reports noted in Section 5. shall provide a statement in that report that the report in question may be relied upon by the City for the purpose of confirming the feasibility of the subdivision.
- e) An Applicant must pay all fees that apply to the application for subdivision. The Application Fee is \$500.00 for subdivision of the first Lot created and \$100.00 for every additional Lot created.
- f) The acceptance of a proposed subdivision for review by the Approving Officer must not be construed as either preliminary approval or final approval for the purposes of the Land Title Act.

6. Preliminary Layout Review, Final Approval and Acceptance

- a) Preliminary layout review of a proposed subdivision is effective for a period of one year, following which time the subdivision application must be re-submitted along with all applicable fees
- b) The Approving Officer may accept or reject a preliminary review or proposal and shall advise the applicant in writing of the decision and include the reasons for rejection.
- c) Upon request by an Applicant, the Approving Officer may grant an extension of time for preliminary review where, in the Officer's opinion, there has been an unavoidable delay or other special circumstances exist that would justify the extension of time.
 - i. The Approving Officer may only grant one extension for a period of up to one year.
 - ii. Where an extension has been previously issued and expired a new application must be re-submitted along with all applicable fees
- d) Preliminary review of a proposed subdivision must not be construed as final approval of such subdivision for the purposes of the Land Title Act. The Approving Officer may revoke the preliminary review at any time.
- e) Final approval of a subdivision shall only be effective upon the signing of the subdivision plan by the Approving Officer.
- f) In applying for a Certificate of Final Acceptance of the works, the Applicant must include, as applicable or as required by the Approving Officer or Administrator:
 - i. Certificate of Completion;
 - ii. Record drawings;
 - iii. Service cards, in PDF, hard copy, AutoCAD drawing file and compatible DXF file;
 - iv. Copies of all permits and approvals from Provincial or other regulatory bodies;

- v. Copies of materials and quality control test reports;
 - vi. Copies of infrastructure test reports confirming compliance with standards established in this Bylaw;
 - vii. Copies of inspection reports including digital video of sanitary and storm sewers;
 - viii. Copies of approved shop drawings; and
 - ix. Operation and maintenance manuals.
- g) The record drawings package must be submitted within six (6) weeks of the completion of works and include the following:
- i. 2 sets of sealed paper prints;
 - ii. 1 set of AutoCAD files; and
 - iii. 1 set of digital Adobe (.pdf) files.

7. Subdivision or Development Abutting an Existing Road

- a) In accordance with Section 506 (8) of the Local Government Act, as a condition of approval of a subdivision or a condition of a building permit for a development abutting an existing road, the developer must provide works in accordance with this Bylaw up to the centreline of the Highway.
- b) At the discretion of the Approving Officer, the developer may be required to pay the City the estimated cost of the required works as described herein to be held by the City in a reserve account for construction at a future date.

8. 10% Frontage Requirement

- a) Council delegates to the Approving Officer, determination of highway (road) frontage requirements and exemption of conformance to the minimum 10% frontage to perimeter requirement prescribed under s. 512 of the Local Government Act.

9. Service Updates

- a) If works are already in existence on or in a highway, lane or right-of-way adjacent to a parcel being subdivided or on which a building is proposed to be constructed, and the works do not comply with the standards specified in the MMCD, the Developer must take all steps necessary to bring the works into compliance with the MMCD standards, and all other provisions of this Bylaw. All requirements for servicing agreements and security as set out in this Bylaw shall apply for service upgrades.

10. Works and Services

- a) Every Applicant for approval of a subdivision or building permit must provide works for such development on the land being developed and where required, on the highway adjacent to that land, in accordance with this Bylaw and without limitation, using MMCD Standards.

- b) Within the bounds of a proposed subdivision or other development, all works must be provided, designed, constructed and installed by the owner at the owner's cost, to the satisfaction of the Approving Officer, Works Inspector, Director of Operations or Building Inspector, as applicable.
- c) Every Applicant must submit a detailed landscape design with a cost estimate for the supply and installation of frontage (off-site) landscape works prepared by a landscape architect or other qualified person. Cost estimates shall include supply and installation.
 - i. If in the assessment of the Approving Officer, the landscape design cannot be accomplished without compromising sound arboricultural practices, due to the size or other characteristics of the frontage, the developer shall pay cash-in-lieu to the City in the amount of 75% of total cost estimate.
 - ii. Root barriers shall be installed for all trees that are planted adjacent to an existing or proposed sidewalk, road, lane, storm sewer, or driveway access point
- d) Every Owner of lands to be subdivided or developed must, at the Owner's sole cost:
 - i. provide works for that subdivision or development in accordance with applicable provisions of this Bylaw; and
 - ii. design, construct and install such works to the applicable MMCD standards and specifications prescribed in this Bylaw.

11. Standards and Specifications

- a) Works required by this bylaw must:
 - i. be designed in accordance with MMCD and with sound engineering principles;
 - ii. where installed by a Developer, be designed by a professional engineer licensed to practice in the Province of British Columbia;
 - iii. extend through or along the full frontage of a parcel being subdivided or built upon under a building permit, in order to facilitate service to parcels or buildings beyond; and
 - iv. meet the requirements set out in the MMCD.
 - v. If the standards and specifications of other agencies having jurisdiction conflict with this bylaw, the more stringent standards and specifications shall apply.
 - vi. In the absence of a related guideline in this Bylaw, other manuals as specified by the Approving Officer, such as the latest edition of the Traffic Control Devices Manual, Transportation Association of Canada (TAC), shall apply.

12. Excess or Extended Services

- a) The City may:
 - i. require a Developer to construct excess or extended services as defined in section 507 of the Local Government Act;
 - ii. determine whether the cost to the City to provide the excess or extended services would be excessive and, in that event, require the cost to be paid by the Developer;

- iii. determine the benefit of the excess or extended service that may be attributed to each of the parcels of land that will be served by the services; and
- iv. impose latecomer charges under section 508 of the Local Government Act, including interest on the costs of providing the excess or extended services, calculated annually at 4 percent from the date when the services were completed to the date that the parcel connection is made.

13. Engineer and Contractors

- a) An Applicant must:
 - i. employ and retain a Consulting Engineer to undertake the design, inspection, testing, certification and record keeping for works related to a subdivision or development;
 - ii. engage qualified contractors to undertake construction and installation of works; and
 - iii. ensure that all contractors, sub-contractors and individuals responsible for aspects or components of works are insured appropriately and perform their work in accordance with this Bylaw and drawings approved by the Director of Operations, Administrator or designate.

14. Inspection Fee

- a) An inspection fee for a subdivision is payable on issuance by the City for design approval or for a development, and on issuance of a building permit, and/or engineering permit. The Developer must pay the applicable inspection fees established by the Operations Department.

15. Park Land

- a) The Approving Officer will determine whether, pursuant to section 510 of the Local Government Act, park land or a payment in lieu of land is to be provided by an Applicant as a condition of subdivision approval.

16. No Work Prior to Design Approval of Building Permit Issuance

- a) No person shall commence construction of any works required or regulated by this Bylaw, whether on private property or on public road, unless:
 - i. for a subdivision, the person has first received approval by the Approving Officer of design drawings and written authorization to proceed; and
 - ii. for a development, the person has first been issued a building permit by the Building Inspector and the design record drawings have been approved by the Director of Operations, Administrator or designate.

17. Maintenance Security and Obligations

- a) On construction completion and prior to subdivision or development final approval:

- i. Maintenance security shall be provided to the City in the amount of 5% of the constructed costs of works to be owned and operated by the City including but not specifically limited to roads, water, sanitary sewer, stormwater management and street lighting.
 - ii. Maintenance security will be retained by the City for a period of 1 year from the date of final completion as certified by the developer's engineer.
- b) The Owner, at the Owner's expense, must ensure that works provided under this Bylaw are properly maintained for a period of 1 year from the date that a Certificate of Completion is issued in respect of those works, or until a Certificate of Final Acceptance has been issued by the Works Inspector, Director of Operations, or Administrator, whichever period is longer.
- c) The Owner, at the Owner's expense, must repair, modify, replace or reconstruct the works if, in the opinion of the Works Inspector, Director of Operations, or Administrator, the works are in any way defective or non-compliant with this Bylaw.
- d) Any failure to maintain, repair, modify, replace or reconstruct may be remedied by an undertaking of the City at the direction of the Works Inspector, Director of Operations, or Administrator, who may draw upon the security provided in relation to remedying the defective or non-compliant condition.

18. Development Agreement

- a) All works required under this Bylaw shall be constructed and installed by the Developer before the Approving Officer approves the subdivision or the Building Inspector issues final inspection certification. Alternatively, a developer may enter into a Development Agreement with the City. The Development Agreement must include:
 - i. provision of Security in the amount of 125% of the estimated costs of the required works as determined by the Consulting Engineer and as approved by the City;
 - ii. a specified completion date, after which the City may utilize the security to complete any uncompleted works; and
 - iii. maintenance security in accordance with item 17.
- b) Partial refunds of the security will be made based on the proportion of the works completed, inspected, and if required, tested all in accordance with certified, detailed progress reports submitted by the Consulting Engineer and approved by the Approving Officer. Partial refunds will not be made more frequently than once per month and will only be permitted to a maximum of 90 percent of the value of the works completed. Any costs incurred by the City that are recoverable from the Owner will be deducted from any partial refund regardless of whether the recoverable amount relates to the same works as the partial refund.

- c) Despite any other provision of this Bylaw, the Owner shall be responsible for the actual cost of the works, regardless of the adequacy of any security deposited with the City.

19. Damage to City Property

- a) If, in the course of construction or installation of the works required under this Bylaw, or otherwise in relation to a subdivision or development, property owned or held by the City is damaged or destroyed as a result of such construction, installation or works or services, the owner must, at the Owner's sole expense, restore that property to the satisfaction of the Director of Operations.

20. Violation

- a) Every person who:
 - i. violates any of the provisions of the Bylaw;
 - ii. causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw
 - iii. neglects or omits to do anything required under this Bylaw
 - iv. carries out, causes or permits to be carried out any subdivision or development in a manner prohibited by or contrary to any of the provisions of this Bylaw
 - v. fails to comply with an order, direction or notice given under this Bylaw; or
 - vi. prevents or obstructs or attempts to prevent or obstruct the authorized entry of City staff onto property,

shall be deemed to be guilty upon summary conviction of an offence under this Bylaw.

21. Offence and Penalty

- a) Every person who:
 - i. contravenes or violates any provision of this Bylaw
 - ii. causes, suffers or permits any act or thing to be done in contravention or violation of this Bylaw; or
 - iii. who neglects to do, or refrains from doing anything required to be done by any provision of this Bylaw,

commits an offence and, upon conviction, shall be liable to pay a fine of up to \$2,000 together with the cost of prosecution; and where the offence is a continuing one, each day the offence continues shall amount to a separate offence.

22. Supplementals

- a) The latest edition of the Master Municipal Construction Document (MMCD) Design Guideline Manual and the MMCD Construction Specifications is a supplemental and form part of this bylaw.

23. Severability

- a) If any section, subsection, clause, sub clause, or phase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, it shall be severable from the remaining parts of this bylaw

24. Repeal

- a) The “City of Prince Rupert Subdivision Regulation Bylaw No. 2045, 1975” is hereby repealed.

READ a first time this __nd, day of ____, 2022.

READ a second time this __th, day of ____, 2022.

READ a third time this __th, day of ____, 2022.

ADOPTED this __rd day of ____, 2022.

CITY OF PRINCE RUPERT

DELEGATION AMENDMENT BYLAW NO. 3487, 2022

A BYLAW TO AMEND THE CITY OF PRINCE RUPERT DELEGATION BYLAW NO. 3162, 2003

WHEREAS the Council of the City of Prince Rupert has enacted Delegation Bylaw No. 3162, 2003 for the City of Prince Rupert;

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

1. That the City of Prince Rupert Delegation Bylaw No. 3162, 2022 be amended as follows:

a. Amend and replaced section 3. as follows:

“Council hereby delegates to the City Manager all of the powers, duties and functions of Council under s. 176 (1) (a) and (d) of the Act to make agreements respecting the City’s activities, works or services, and transact land, subject to the limitations on that delegated authority as set out in the City’s purchasing policy.”

2. This Bylaw may be cited for all purposes as “City of Prince Rupert Delegation Amendment Bylaw No. 3487, 2022”

Read a First time this ____ day of _____, 2022.

Read a Second time this ____ day of _____, 2022.

Read a Third time this ____ day of _____, 2022

Final Consideration and Adopted this ____ day of _____, 2022.

MAYOR

CORPORATE ADMINISTRATOR

CITY OF PRINCE RUPERT

BUSINESS REGULATIONS & LICENSING BYLAW NO. 3476, 2021

A BYLAW TO REGULATE AND LICENCE THE LETTING OF ROOMS FOR LIVING PURPOSES AND TO PRESCRIBE STANDARDS FOR THE MAINTENANCE OF RESIDENTIAL PROPERTY AND RENTAL UNITS.

INDEX

PART 1 – TITLE AND INTERPRETATION	3
1. Title	3
2. Definitions	3
3. Application of The Bylaw	5
PART 2 – ADMINISTRATION AND ENFORCEMENT	5
4. Administration	5
5. Right of Entry	6
6. Compliance Orders	6
7. Severability	6
8. Compliance with Other Statutes and Bylaws	6
9. Offence and Penalty	7
PART 3 – REGULATION AND LICENSING OF RENTAL UNITS	7
10. Exemption	7
11. Licence Required	7
12. Application Process	7
13. Posting of Licence	8
14. Term of Licence	8
15. Transfer of Licence	8
16. Licensing Authority: Granting, Refusal and Suspension of Licences	8
PART 4 – MINIMUM MAINTENANCE STANDARDS	9
17. Application	9
18. Owner's Duties and Obligations	9
19. Pest Control	9
20. Garbage, Debris Storage and Disposal	10
21. Structural Integrity	10

22. Foundations	10
23. Exterior Walls.....	10
24. Doors, Windows and Ventilation	11
25. Roofing.....	11
26. Stairs, Balconies and Porches	11
27. Basements	11
28. Floors	12
29. Walls and Ceilings.....	12
30. Plumbing and Plumbing Fixtures	12
31. Gas Appliances and Systems.....	12
32. Heating Systems.....	12
33. Electrical System and Lighting.....	13
34. Interior Fire and Health Safety Hazards	13
35. Laundry Facilities	13
36. Elevators	13
37. Parking or Storage Garages	13
38. Maintenance of Services and Utilities	13
39. Room Sizes and Ceiling Heights	14
40. Food Storage and Cooking Facilities	14
41. Sanitary Facilities	14
PART 5 – BUILDING RENOVATIONS	15
42. Interpretation	15
43. Application.....	15
44. Restriction on Evictions.....	15
45. Application for Exemption	17
PART 6 – EFFECTIVE DATE	17
46. Effective Date.....	17
APPENDIX “A”	18

PART 1 – TITLE AND INTERPRETATION

WHEREAS the Local Government Act authorizes a local government to regulate and prohibit in relation to business; and

WHEREAS the City is experiencing a serious shortage of affordable market rental residential accommodation; and

WHEREAS the shortage of rental residential accommodation in the City is being exacerbated by the eviction of residential tenants from their homes to enable building owners to renovate their buildings and increase rents; and

WHEREAS the renovation of residential buildings can usually be approached by performing renovations on a suite by suite or floor by floor basis as suites or floors become vacant in the normal course of business;

WHEREAS the Council has given notice of this bylaw to persons who consider themselves affected by the bylaw, by publishing a newspaper notice, posting a notice at the public notice posting place and providing a notice on the City's website, and has provided an opportunity to make written representations to the Council;

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of Prince Rupert in open meeting assembled ENACTS AS FOLLOWS:

1. Title

- a) This Bylaw may be cited for all purposes as "Business Regulations and Licensing (Rental Units) Bylaw No. 3476, 2021."

2. Definitions

- a) In this bylaw:

"Bathroom" means a room consisting of not less than one toilet, one wash basin and one bathtub or shower;

"Bedding" means sheets, blankets, pillows and pillow cases;

"Building" means any structure designed or intended for the support, enclosure, shelter or protection of persons or property;

"Building Inspector" means a person designated to hold that position for the City or a person appointed to act in the place of the Building Inspector;

"City" means the Corporation of the City of Prince Rupert;

"Community kitchen" means a room not part of a dwelling unit or housekeeping unit and designed or intended for the use of the preparation of food;

"Council" means the City Council of the Corporation of the City of Prince Rupert.

"Dwelling unit" means one or more habitable rooms designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate

residence in which a facility for cooking, sleeping facilities and a bathroom are provided for the exclusive use of such person or persons;

“Excessive nuisance abatement fees” include the following costs and expenses incurred while responding to a nuisance service call or abating nuisance conduct, activity or condition:

- I. Pro-rata cost of police and City staff salaries, including all fringe benefits;
- II. Pro-rata cost of using police, fire and City equipment and vehicles;
- III. Pro-rata administration costs incurred by the City in responding to a nuisance service call or abating a nuisance;
- IV. The pro-rata cost of police dogs assisting police officers;
- V. The cost of repairs to damaged City equipment, vehicles or property; and,
- VI. The cost of providing medical treatment for injured police officers and City officials.

“Facility for cooking” means any equipment, device or appliance used to heat or cook food, or any combination thereof, and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such facility.

“Housekeeping unit” means one or more habitable rooms containing therein facilities for cooking and a sink but no other sanitary facilities;

“Inspector” means the Chief License Inspector of the City appointed from time to time by Council or their designate, the senior building inspector, a bylaw officer and any public health inspector authorized by the Health Authority to assist in the administration and enforcement of this bylaw;

“Licence” means a licence issued under this bylaw unless otherwise described.

“Owner”

“Person” includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law;

“Rental unit” means living accommodation rented or intended to be rented to a tenant;

“Repair” includes replacing, making additions or alterations or taking action required for the residential property to conform to the standards prescribed by this bylaw;

“Residential property” means:

- I. A building, or related group of buildings, in which one or more rental units or common areas are located;
- II. The parcel or parcels on which the building, related group of buildings or common areas are located;

III. The rental unit and common areas; or,

IV. Any other structure located on the parcel or parcels.

“Sanitary facilities” means any toilet and toilet tank, urinal, bathtub, shower or hand basin;

“Single detached dwelling unit” means a Single-Family Dwelling or Two-Family Dwelling as defined in the City of Prince Rupert Zoning Bylaw No. 3462, as amended from time to time.

“Sleeping unit” means one or more habitable rooms equipped to be used for sleeping and sitting purposes only;

“Tenancy agreement” means an agreement, whether written or oral, express or implied, between a landlord and tenant respecting possession of a rental unit, for use of common areas and services and facilities, and includes a licence to occupy a rental unit;

“tenant” means a person or persons who have the right of exclusive possession of a rental unit and includes:

I. The estate of a deceased tenant; and,

II. When the context requires, a former or prospective tenant.

b) Unless otherwise defined or the context otherwise requires, all words and phrases in this bylaw shall be construed in accordance with the meaning assigned to them by the Community Charter, the Local Government Act and the Interpretation Act, as the context and circumstances may require.

c) A reference to a statute or regulation in this bylaw refers to an enactment of British Columbia unless otherwise indicated, and any reference to a statute, regulation, code or bylaw refers to that enactment as amended or replaced from time to time.

3. Application of The Bylaw

a) This bylaw applies to all owners of residential rental property in the City except as otherwise stated.

PART 2 – ADMINISTRATION AND ENFORCEMENT

4. Administration

a) The Inspector is authorized to administer and enforce this bylaw.

5. Right of Entry

- a) For the purposes of ensuring compliance with this bylaw or any order made under this bylaw, the Inspector and Building Inspector are authorized to enter, at all reasonable times, on residential property that is subject to this bylaw to ascertain whether the requirements of this bylaw are met. Where entering residential property, the Building Inspector or Inspector will show proper identification and will notify the owner or occupant of the purpose of the entry.

6. Compliance Orders

- a) If the Inspector is of the opinion that there is a contravention of this bylaw or an order made under this bylaw or that a rental unit or residential property does not conform to the minimum maintenance standards prescribed by this bylaw, the Inspector may issue an order requiring that the owner bring the residential property or rental unit into compliance with the provisions of this bylaw within the time specified in the notice.
- b) Service of the order referred to in paragraph 6(1) is deemed sufficient if the notice:
 - i. In the case of service on an individual, is served personally or mailed by prepaid registered mail to the address of the owner shown on the then current year's real property assessment roll for the residential property for which the order is issued; and,
 - ii. In the case of service on a corporation, is served personally on a director, officer or manager of the corporation or by leaving it at or mailing it by registered mail to the registered office of the corporation.
- c) A person must not:
 - i. fail to comply with a compliance order issued by the Inspector under this bylaw; or
 - ii. obstruct or hinder the Inspector or Building Inspector acting under authority of this bylaw.

7. Severability

- a) In the event that any portion of this bylaw is declared to be ultra vires by a Court of competent jurisdiction, then such portion shall be deemed to be severed from the bylaw to that extent and the remainder of the bylaw shall continue in force and effect.

8. Compliance with Other Statutes and Bylaws

- a) This bylaw is not intended to relieve any person from complying with any other statute, regulation or bylaw relating to building construction and repair, fire safety or public health.

9. Offence and Penalty

- a) Every person who contravenes or violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and, where the offence is a continuing one, each day the offence continues shall be a separate offence.
- b) A person found guilty of committing an offence under this bylaw is liable:
 - i. if a ticket is issued under the *City of Prince Rupert Ticket Information Bylaw No. 2783, 1992*, to pay a maximum fine established under that Bylaw;
 - ii. if proceedings are brought under the *Offence Act*, to pay a minimum fine of \$2,000 and a maximum fine of \$50,000

PART 3 – REGULATION AND LICENSING OF RENTAL UNITS

10. Exemption

This Part does not apply to a single detached dwelling unit.

11. Licence Required

Unless exempted under paragraph 10, no person shall rent or have available for rental any rental unit unless:

- a) An application for a licence has been made to the Inspector on a form approved by the Inspector;
- b) The licence fee prescribed in Appendix B, has been paid; and,
- c) A license under this bylaw has been issued by the Inspector.

12. Application Process

Every application for a licence shall be signed by the applicant and shall contain the following information relating to each rental unit for which application is made:

- a) The street address;
- b) The number of rooms;
- c) A full description of the rental unit; and,
- d) Other information as may be required by the inspector.

13. Posting of Licence

- a) Every person issued a licence under this bylaw shall post a copy of the license in a conspicuous place on every residential property in respect of which it is issued.

14. Term of Licence

- a) Every licence under this bylaw shall be issued annually so as to take effect on the first day of January and to terminate on the 31st day of December in each year.

15. Transfer of Licence

- a) Any person wishing to transfer a license, or part interest in a license, shall make an application in every respect the same as that required to obtain an initial license, and the powers, conditions, requirements, fees and procedures relating to the granting and refusal of a licence and appeals therefrom, shall apply to such transfer application.

16. Licensing Authority: Granting, Refusal and Suspension of Licences

- a) Words defining the responsibilities and authority of the Inspector shall be construed to be an internal administrative direction and not as creating a duty.
- b) The Chief Licence Inspector of the City or a person appointed as their deputy may grant, refuse, renew or suspend a licence, and impose terms and conditions upon the granting of a licence or reinstatement of a suspended licence in accordance with this Part.
- c) The Inspector may grant a Business Licence if the Inspector is satisfied that the applicant has fulfilled the requirements of this bylaw and that all Licence fees, and any outstanding fees or fines owed to the City in relation to the Business, or any other Business operated by the same applicant, have been paid.
- d) The Chief License Inspector may, by written notice, refuse to issue a Licence, or may suspend a licence that has been issued, if the Inspector considers the applicant or licence holder, as applicable, has not complied with this or another applicable bylaw of the City or enactment of the Province or Canada, or for another reasonable cause stated in the notice.
 - i. In the event of a refusal, the applicant may, within 10 business days of the Inspector's decision, contact the Corporate Officer of the City to arrange for reconsideration by Council and provide reasons in writing as to why the applicant believes the refusal is unreasonable.
 - ii. In refusing an application for a licence, the Inspector will advise applicants of their right to reconsideration by Council within the time period set out in subparagraph i. .
- e) On issuing a notice of suspension under paragraph (d), the inspector will allow at least 2 business days for the licence holder to contact the City's Licensing (Building) Department to propose potential solutions before the intent to issue a suspension is acted upon.

- f) A notice of suspension of a licence is deemed to be delivered if sent by the Chief License (Building) Inspector:
 - i. by delivery through Canada Post, on the 4th business day after it is mailed;
 - ii. by email to the email address provided on the licence application, on the first business day after it is sent;
 - iii. by personal delivery or by courier by 3 p.m. to the registered or records office of the applicant, or to the office address provided on the licence application, on that day; or
 - i. if the Inspector or Building Inspector has posted the notice by 12 noon at the premises for which the licence was issued, on that day. A person must not remove, cover or alter any such posted notice until the licence is reinstated or the business ceases to occupy the premises.
- g) On receiving a request for reconsideration of a decision of the Chief License Inspector to refuse or suspend a licence, the Corporate Officer for the City will arrange for the applicant or licence holder, as applicable, to have an opportunity to be heard by Council at the next available meeting of Council. Submissions heard by Council may be in writing or in person, as arranged in advance with the Corporate Officer. In addition to notice and reasons of the Chief License Official in relation to the decision to refuse or suspend, and submissions from the applicant or licence holder, Council may consider any other source of information it considers relevant to the matter; and following reconsideration, may confirm, modify or cancel the decision of the Chief License Inspector, and without limitation may impose terms and conditions on issuance or reinstatement of a licence to ensure compliance with this bylaw and other applicable enactments.

PART 4 – MINIMUM MAINTENANCE STANDARDS

17. Application

- a) This Part applies to all residential properties and rental units in the City.

18. Owner's Duties and Obligations

- a) Every owner of a rental unit or residential premises must comply with this bylaw and must not use, permit the use of, rent or offer to rent any rental unit that does not conform to the minimum maintenance standards prescribed in this bylaw.

19. Pest Control

- a) All rental units and residential properties shall be kept free of mice, rats, bed bugs, cockroaches and other vermin and from conditions which may encourage infestations of pests.

20. Garbage, Debris Storage and Disposal

- a) Garbage bags containing garbage shall be stored only within an enclosed garage or in a covered garbage receptacle.
- b) Every residential property shall be provided with a garbage storage facility or a sufficient number of suitable receptacles that are readily accessible to all occupants so as to contain all garbage, debris and waste.
- c) Every receptacle for garbage shall be water tight, provided with a tightfitting cover, rodent and pest proof and maintained in a clean and tidy state.
- d) Every garbage chute, garbage disposal room, garbage storage area, garbage container or receptacle shall be washed and cleaned as often as is necessary to maintain a clean and odour free condition.
- e) The site set aside for the temporary storage and disposal of garbage and refuse shall be kept in a litter-free and odour-free condition, maintained in a manner that will not attract pests, create a health or other hazard, or obstruct an emergency route.

21. Structural Integrity

- a) Buildings and their structural components, including, but not limited to, roofs, stairs, railings, porches, deck joists, rafters, beams, columns, foundations, floors, walls and ceilings shall be maintained in good repair and in a manner that provides sufficient structural integrity so as to safely sustain its own weight and any additional loads and influences to which it may be subjected through normal use.

22. Foundations

- a) Foundation walls and other supporting members shall be maintained in good repair so as to control and protect against the entrance of moisture.

23. Exterior Walls

- a) Exterior walls and their components shall provide adequate protection from the weather and shall be maintained;
 - i. In good repair;
 - ii. Weather tight;
 - iii. Free from loose or unsecured objects and materials; and,
 - iv. In a manner so as to prevent or retard deterioration due to weather or infestations.
- b) Canopies, marquees, awnings, screens, fire escapes, pipes, ducts, air conditioners and all other similar equipment, attachments, extensions and their supporting members shall

be maintained in good repair, properly and safely anchored and protected against deterioration and decay.

- c) Exterior wall facings, projections, cornices and decorative features shall be maintained in good repair, safely and properly anchored.
- d) Mechanical ventilating systems and their supporting members shall be maintained in good repair and in a safe mechanical condition.

24. Doors, Windows and Ventilation

- a) Exterior doors, and windows, skylights, and hatchways shall be maintained in good repair and weather tight.
- b) Openings in exterior walls, other than doors and windows, shall be effectively protected to prevent the entry of rodents, insects or vermin.
- c) Latching and locking devices shall be provided on separate entrances to every rental unit and shall be maintained in good working order. Latching and locking devices shall be provided on windows in every Rental Unit and shall be maintained in good working order.
- d) Every sleeping unit, housekeeping unit and dwelling unit shall be provided with a means of ventilation and natural light from windows and maintained in good operating condition.
- e) All systems of ventilation, mechanical or natural, shall be maintained in good working order.
- f) All rooms with sanitary facilities shall be provided with a window or ventilation system which shall be maintained in good operating condition.

25. Roofing

- a) The roof, including the flashing, fascia, soffit, and cornice shall be maintained in a weather-tight condition so as to prevent leakage of water into the rental units and common areas of a residential property.

26. Stairs, Balconies and Porches

Stairways, balconies or porches and landings shall be maintained;

- a) In a safe and clean condition;
- b) In good repair, and,
- c) Free from holes, cracks, excessive wear and warping, and hazardous obstructions.

27. Basements

- a) Basement floor drains shall be maintained in good condition.

- b) Floors in a basement shall be kept dry and free from major cracks, breaks or similar conditions which would create an accident hazard or allow the entrance of water into the basement.

28. Floors

- a) Floors shall be maintained in a clean condition, reasonably smooth and level and free of loose, warped or decayed boards, depressions, protrusions, deterioration or other defects which may create health, fire or accident hazards.
- b) Where floors are covered, the covering shall be maintained in a safe condition.
- c) Shower room floors, toilet room and bathroom floors shall be covered with smooth moisture resistant floor finishes, and in such condition as to permit easy cleaning.

29. Walls and Ceilings

- a) Interior walls and ceilings shall be maintained in a clean condition, in good repair and free from holes, or loose or broken plaster that may create health, fire or accident hazards.

30. Plumbing and Plumbing Fixtures

- a) All plumbing, including plumbing fixtures, drains, vents, water pipes, toilets and toilet tanks and connecting lines to the water and sewer system, shall be maintained in good working order and repair, free from leaks or other defects and protected from freezing.
- b) Every hand basin and bathtub, shower and sink shall have an adequate supply of hot and cold running water and every toilet and toilet tank shall have an adequate supply of running water. Hot water shall be supplied at minimum temperature of 45 C (113 F).

31. Gas Appliances and Systems

- a) All gas systems and appliances shall be maintained in safe working order and repair.
- b) All systems of appliance venting shall be maintained in safe working order so as to prevent the creation of a health, fire or accident hazard.

32. Heating Systems

- a) Heating equipment shall be maintained in a safe and good working condition so as to be capable of safely attaining and maintaining an adequate temperature standard free from fire and accident hazards, and, in all rental units, capable of maintaining every room at a temperature of 22 C (72 F) measured at a point 1.5 meters (5 feet) from the floor and in the centre of the room. The heating equipment shall be turned on in order to maintain the required temperature upon the request of any occupant of a rental unit.
- b) Auxiliary heaters or cooking facilities shall not be used as a permanent source of heat.

33. Electrical System and Lighting

- a) Electrical wiring and lighting equipment, including circuits, fuses, circuit breakers, electrical equipment and electrical heating systems shall be maintained in good working order.
- b) Adequate levels of artificial lighting shall be maintained in good working order in all rental units and in common areas in residential properties.

34. Interior Fire and Health Safety Hazards

- a) Walls, floors and roof constructions, including fire protective closures, sprinkler systems, including fire alarm, and detection systems and other means of fire protection, shall be maintained so that they continue to provide the fire resistive properties and protection for which they were designed.

35. Laundry Facilities

- a) Laundry rooms shall be maintained in a clean and sanitary condition and all sinks provided in a laundry room shall be connected to hot and cold running water and properly connected to the drainage system.

36. Elevators

- a) Every elevator in a residential property shall be maintained in a safe, clean condition and certified to be in good working order and in compliance with the *Elevating Devices Safety Act* and regulations thereto.
- b) All elevator parts and appendages, including lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans, shall be kept in good repair and operational.

37. Parking or Storage Garages

- a) No machinery, boats, vehicles, trailers or parts of them that are in a wrecked, discarded, dismantled, inoperative or abandoned condition, or junk or rubbish or discarded furniture shall be kept or allowed to remain in a parking garage or parking area.

38. Maintenance of Services and Utilities

- a) No owner or anyone acting on the owner's behalf shall disconnect or cause to be disconnected any service or utility providing light, heat, air conditioning, refrigeration, water or cooking facilities for any rental unit occupied by a tenant, except for such reasonable period of time as may be required for the purpose of repairing, replacing, or altering the service or utility, and then only during the reasonable minimum time that the action is necessary.
- b) Any person liable for any service or utility rates shall be deemed to have caused the disconnection, shutting off, removal or discontinuance of the service or utility if the person fails to pay the rates and, as a result of the non-payment, the service or utility is no longer provided.

39. Room Sizes and Ceiling Heights

- a) The minimum floor area of a sleeping unit shall be 10 square meters with the room having a minimum dimension of 2 meters on one side.
- b) The minimum floor area for housekeeping unit shall be 14 square meters.
- c) The minimum floor area for each occupant of a sleeping unit or housekeeping unit shall be 5 square meters.
- d) The minimum floor area of a room in a dwelling unit used by one person for sleeping purposes shall be 6 square meters.
- e) The minimum floor area of a room in a dwelling unit used by more than one person shall be 4 square meters for each person using the room.
- f) Any floor area under a ceiling that is less than 1.4 meters in height shall not be counted in calculating the required minimum floor area of a room used for sleeping pursuant to this bylaw.

40. Food Storage and Cooking Facilities

- a) No person shall store or permit the storage of perishable foods or provide or permit a facility for cooking in a sleeping unit.
- b) No one shall prepare food or permit the preparation of food in a sleeping unit.
- c) A community kitchen equipped with a sink that is installed in a counter having a backsplash and drain board made of materials impervious to water, mechanical refrigeration in the proportion of .0566 cubic meters (2 cubic feet) for each occupant, and a facility for cooking shall be provided within any rental unit with sleeping units. The community kitchen must be accessible from a common entrance and be maintained in good repair and in a clean condition.
- d) All housekeeping units and dwelling units shall include a kitchen area equipped with a sink that is installed in a counter having a backsplash and drain board made of materials impervious to water, a refrigerator and a facility for cooking. The kitchen area must be maintained in good repair and in a clean condition.

41. Sanitary Facilities

- a) At least one hand basin and one toilet shall be provided and maintained in proper operating condition for every 5 sleeping units or housekeeping units in a residential property. These facilities shall be provided in a room or rooms that are accessible from a common area within the building.
- b) At least one bathtub or shower shall be provided and maintained in proper operating condition for every 10 sleeping units or housekeeping units in a residential property. These

facilities shall be provided in a room or rooms that are accessible from a common area within the building.

- c) At least one bathtub or shower, toilet, and hand basin shall be provided and maintained in proper operating condition in each dwelling unit.
- d) The floors and enclosures around showers shall be finished with a smooth finish that is impervious to moisture. All walls and ceilings in rooms containing sanitary facilities shall be finished with a smooth light-coloured washable surface. All rooms containing sanitary facilities shall be maintained in good repair, free of mold and in a clean condition.

PART 5 – BUILDING RENOVATIONS

42. Interpretation

In this Part:

“**Landlord**” has the same meanings as defined in the *Residential Tenancy Act*.

43. Application

- a) This part does not apply to any rental unit in a building that has been determined by an architect or professional engineer or any governmental authority having jurisdiction, including the local assistant to the fire commissioner, to have been damaged by natural disaster, fire, water, smoke, insect infestation or structural failure to the point that it is unsafe for any person to occupy the building, if the determination of the architect, engineer or governmental authority is made in writing and a copy has been delivered to the Inspector; or,
- b) Any rental unit in a building in respect of which the Council has authorized an exemption under section 45.

44. Restriction on Evictions

- a) No owner shall deliver to any tenant a notice of termination of their tenancy of a rental unit in order to renovate or repair the rental unit, or having delivered such a notice prior to the enactment of this section 44(a), require the tenant to vacate their rental unit pursuant to the notice, unless the owner has obtained every building permit, plumbing permit, development permit, special development permit or heritage alteration permit required by any City bylaw, and any other permit or approval required to authorize the renovation or repair, and has either:
 - i. entered into a new tenancy agreement with the tenant on the same terms as the tenancy agreement pertaining to the rental unit being renovated or repaired, or terms that are more favourable to the tenant, in respect of a comparable rental unit in the same building, and provided a copy of the agreement to the Inspector; or

- ii. made other arrangements in writing for the tenant's temporary accommodation during the renovation or repair, and for their return to their original rental unit under the terms of the existing tenancy agreement following completion of the renovation or repair, and provided to the Inspector satisfactory documentation of the arrangements including evidence of the tenant's consent to the arrangements.
- b) An owner who has failed to comply with paragraph (a) must not continue to fail to enter into a new tenancy agreement as described in subparagraph (a)(i) or fail to make other arrangements for the tenant's temporary accommodation and return to their original rental unit as described in subparagraph (a)(ii).
- c) For the purposes of subparagraph (a)(i),
 - i. a rental unit in another building that is located on the same parcel as the building that is being renovated or repaired and owned by the same owner is deemed to be a rental unit in the same building;
 - ii. a rental unit is comparable to a rental unit that is being renovated or repaired if it has the same or a greater number of bedrooms and complies with the maintenance standards in Section 32 of the Residential Tenancy Act and Part 4 of this bylaw, and the rent for the unit is equal to or less than the rent for the rental unit that is being renovated or repaired; and,
 - iii. the new tenancy agreement may either transfer the tenant's tenancy permanently to the other rental unit, or entitle the tenant to occupy the other rental unit temporarily during the course of the renovation or repair and return to their original rental unit following completion of the renovation or repair.
- d) No owner shall, having renovated or repaired a rental unit as permitted by subsection (a)(ii), increase the rent payable by the tenant upon their return to their rental unit, except as an "additional rent increase" approved under Part 3 of the *Residential Tenancy Act*.
- e) The Inspector may require any owner to provide, prior to obtaining a business licence or business licence renewal under this bylaw, a statutory declaration that states the rent payable in respect of any rental unit prior to and following renovation or repair work that required the tenant of the rental unit to vacate the unit. If the rent was increased, the declaration must include a copy of the director's approval of the rent increase under Part 3 of the *Residential Tenancy Act*.
- f) The Inspector may issue or renew a business licence under this bylaw to an owner who has applied for an additional rent increase related to renovation or repair under Part 3 of the *Residential Tenancy Act* if the director has not yet decided the rent increase application. In doing so, the Inspector may indicate on the licence that a surcharge may become payable under subsection (g) if the additional rent increase is not allowed but the rent for the rental unit in question exceeds the rent that is allowed without the additional rent increase.

- g) The Inspector may levy a monthly business licence surcharge on any owner who contravenes subsection (d), in the amount that is the difference between the rent permitted by that subsection and the rent that the owner's tenant is paying in respect of the rental unit that has been renovated or repaired, and may refuse to renew the business licence of any owner who, being subject to such a surcharge, has not paid the surcharge by the date on which the licence renewal is required.

45. Application for Exemption

- a) An owner is exempt from section 44 if, in respect of a rental unit or residential property, an order has under section 49.2 (3) of the *Residential Tenancy Act* has been granted in respect of the rental unit or residential property.

PART 6 – EFFECTIVE DATE

46. Effective Date

- a) This bylaw shall come into effect upon its adoption.

Read a First time this 20th day of September, 2021.

Read a Second time this 20th day of September, 2021.

Read a Third time this ____ day of _____, 20____.

Final Consideration and Adopted this ____ day of _____, 2021.

MAYOR

CORPORATE ADMINISTRATOR

APPENDIX “A”

LICENCE FEES

1. Rental Accommodation Fee \$16.73 (per room)