



## REGULAR MEETING

For the **REGULAR MEETING** of Council to be held on April 25, 2022 at 7:00 pm in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

### 1. CALL TO ORDER

**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 April 25, 2022 be adopted as presented.

### 3. MINUTES

**a) Recommendation:**

THAT the Minutes of the Special Council Meeting of April 11, 2022 be adopted.  
(attached)

**b) Recommendation:**

THAT the Minutes of the Regular Council Meeting of April 11, 2022 be adopted.  
(attached)

**c) Recommendation:**

THAT the Minutes of the Committee of the Whole Meeting of April 11, 2022 be adopted.  
(attached)

### 4. REPORTS & RESOLUTIONS

**a) Report from Planning Re: Temporary Use Permit #22-02 for 511 Cotton Street**

(attached)

**Recommendation:**

THAT Council proceed with the statutory notification process for Temporary Use Permit (TUP) #22-02 and include as a permit condition that the City receives and retains a \$5,000 cash bond until the temporary use is discontinued.

**b) Report from Planning Re: Development Variance Permit No. 22-05 for 1107 – 11<sup>th</sup> Avenue East**

(attached)

**Recommendation:**

THAT Council proceed with considering approval for Development Variance Permit (DVP) no. 22-05.

**c) Report from Planning Re: Development Variance Permit No. 22-09 for 1130 – 11<sup>th</sup> Avenue East**

(attached)

**Recommendation:**

THAT Council proceed with considering approval for Development Variance Permit (DVP) no. 22-09.

**d) Report from the Director of Operations & Intergovernmental Relations Re: Waterfront Project Update**

(attached)

**Recommendation:**

THAT Council receives the Project Update and passes a resolution for the Project Award under the MSA.

**e) Resolutions from the Committee of the Whole Meeting**

**5. BYLAWS**

**a) Road Closure Bylaw No. 3488, 2022**

(attached)

**Recommendation:**

THAT Council give Third Reading of Road Closure Bylaw No. 3488, 2022 and proceeds to MOTI for approval.

**b) Business Regulations & Licensing Bylaw No. 3476, 2021**

(attached)

**Recommendation:**

THAT Council give Fourth and Final Reading of Bylaw No. 3475, 2021.

**c) Report from Planning Re: Zoning Amendment Bylaw No. 3493, 2022**

(attached)

**Recommendation:**

THAT Council:

- 1) GIVE First and Second Readings of Bylaw No. 3493, 2022 to permit multiple changes; and
- 2) PROCEED to Public Hearing.

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

**7. ADJOURNMENT**



## MINUTES

For the **SPECIAL MEETING** of Council held on April 11, 2022 at 5:00 p.m. in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

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

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

### 1. CALL TO ORDER

The Acting Mayor called the Special Meeting of Council to order at 5:02 p.m.

### 2. RESOLUTION TO EXCLUDE THE PUBLIC

MOVED by Councillor Mirau and seconded by Councillor Randhawa 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:

- (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; and,
- (g) litigation and potential litigation affecting the municipality.

CARRIED

Confirmed:

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MAYOR

Certified Correct:

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CORPORATE ADMINISTRATOR



## MINUTES

For the **REGULAR MEETING** of Council held on April 11, 2022 at 7:00 p.m. in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

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

**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 Chair called the Regular Meeting of Council to order at 7:00 p.m.

MOVED by Councillor Randhawa and seconded by Councillor Adey THAT the Regular meeting of April 11, 2022 be suspended and that the Special Committee of the Whole be convened.

### 2. ADOPTION OF AGENDA

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT the Agenda for the Regular Council Meeting of April 11, 2022 be adopted as presented.

CARRIED

### 3. MINUTES

a.) MOVED by Councillor Niesh and seconded by Councillor Mirau THAT the Minutes of the Special Council Meeting of March 28, 2022 be adopted.

CARRIED

b.) MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT the Minutes of the Regular Council Meeting of March 28, 2022 be adopted.

CARRIED

- c.) MOVED by Councillor Cunningham and seconded by Councillor Randhawa THAT the Minutes of the Public Hearing of March 28, 2022 be adopted.

CARRIED

- d.) MOVED by Councillor Randhawa and seconded by Councillor Adey THAT the Minutes of the Committee of the Whole Meeting of March 28, 2022 be adopted.

CARRIED

#### **4. REPORTS & RESOLUTIONS**

- a) **Report from the Corporate Administrator Re: Council Resolution Status Updates (March 2022)**

- b) **Report from the Director of Operations & Intergovernmental Relations Re: Major Projects – Monthly Update.**

- c) **Report from the Director of Operations & Intergovernmental Relations Re: CN Station & RCMP Detachment Project Transition Notification.**

MOVED by Councillor Niesh and seconded by Councillor Mirau THAT Council receives the notification and passes a Resolution for the Project Transition.

CARRIED

- d) **Report from Planning Re: Development Activity Report (March 2022)**

- e) **Report from Planning Re: DVP-22-05 for 1107 – 11<sup>th</sup> Avenue East**

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council proceed an amendment to the Development Variance Permit (DVP) 22-05.

CARRIED

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council proceed with statutory notification for Development Variance Permit (DVP) 22-05 as amended.

CARRIED

- f) **Report from Planning Re: DVP-22-09 for 1130 – 11<sup>th</sup> Avenue East**

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council proceed with statutory notification for Development Variance Permit (DVP) 22-09.

CARRIED

## 5. BYLAWS

### a) **ZBLA-21-03 for 1220 Portage Road.**

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council give Fourth and Final Reading to City of Prince Rupert Official Community Plan Bylaw No. 3489, 2022 to allow the change of property designation from Residential to Industrial.

CARRIED

MOVED by Councillor Randhawa and seconded by Councillor Cunningham THAT Council give Fourth & Final Reading to City of Prince Rupert Zoning Bylaw No. 3490, 2022 to rezone the property from P1: Public Facilities to M1: Light Industrial.

CARRIED

### b) **Cemetery Fees & Charges Amendment Bylaw No. 3491, 2022**

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council give Fourth & Final Reading to the Cemetery Fees & Charges Amendment Bylaw No. 3491, 2022.

CARRIED

### c) **Road Closure Bylaw No. 3488, 2022**

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council repeal Third Reading for the Road Closure Bylaw No. 3488, 2022.

CARRIED

### d) **Report from the City Manager/Planner Re: Business Regulation & Licensing Bylaw No. 3476, 2021.**

MOVED by Councillor Mirau and seconded by Councillor Niesh THAT Council repeal the Third Reading of March 28, 2022 and amend Bylaw 3476, 2021 at third reading as follows:

- a) adding "16 h) If a license has been suspended and the rental units occupants have been evicted due to the license suspension, any new license request for these units may be approved subject to the issues for the suspension being fully resolved to the satisfaction of the Inspector and all rental rates being the same as those legally in place prior to the eviction, and any tenant previously occupying said unit being given priority for reoccupying the units, and any moving costs being incurred by the occupants being paid for by the landlord.";
- b) Changing Section 10 to read: : "This section (section 10) does not apply to Single Family Dwelling Units, two family dwelling units or the secondary suites (if any) of those units";
- c) Adding "45 b) Rental owners may make an application to Council for an exemption to Section 44 subject to any Council exemption not relieving an applicant from any order or requirement imposed on the owner by provincial legislation or the Residential Tenancy Branch."; and,

- d) Changing the first sentence of Section 44 to read: "This section (section 44) does not apply to Single Family Dwelling Units, two family dwelling units or the secondary suites (if any) of those units".

CARRIED

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

**7. ADJOURNMENT**

MOVED by Councillor Randhawa and seconded by Councillor Mirau THAT the meeting be adjourned at 7:55 pm.

CARRIED

Confirmed:

\_\_\_\_\_  
MAYOR

Certified Correct:

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



## **SPECIAL MINUTES**

For the **SPECIAL COMMITTEE OF THE WHOLE MEETING** of Council held on April 11, 2022 in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, BC.

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

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

### **1. CALL TO ORDER**

The Chair called the Committee of the Whole Meeting to order at 7:01 pm.

### **2. ADOPTION OF AGENDA**

MOVED by Councillor Mirau and seconded by Councillor Randhawa that the Agenda for the Special Committee of the Whole Meeting of April 11, 2022 be adopted as provided.

CARRIED

### **3. PRESENTATION**

- a.) Corinne Bomben, Chief Financial Officer/Deputy City Manager Re: Proposed 2022 Budget.

### **4. QUESTION PERIOD FROM THE PUBLIC**

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

### **6. ADJOURNMENT TO RECONVENE REGULAR COUNCIL MEETING.**

MOVED by Councillor Mirau and seconded by Councillor Adey that the meeting be adjourned at \_\_\_\_\_ p.m.

CARRIED

Confirmed:



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MAYOR

Certified Correct:

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CORPORATE ADMINISTRATOR



## **REPORT TO COUNCIL**

### **Regular Meeting of Council**

**DATE:** April 25<sup>th</sup>, 2022

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: TEMPORARY USE PERMIT #22-02  
FOR 511 COTTON STREET**

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#### **RECOMMENDATION:**

**THAT Council proceed with the statutory notification process for Temporary Use Permit (TUP) #22-02 and include as a permit condition that the City receives and retains a \$5000 cash bond until the temporary use is discontinued.**

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

An application was received for a Temporary Use Permit for the property located at 511 Cotton Street.

The application involves:

1. A request to place a storage container with a length of 6.096 or 12.192 metres on the subject property for up to one year.

The Site Plan is included as Attachment 1.

#### **BACKGROUND AND ANALYSIS:**

The request to place a storage container on the subject property, located at 511 Cotton Street, for up to one year is made to accommodate most of the contents of the applicant's house, located at 925 Hays Cove Avenue, as they will be completing substantial renovations to the second floor and roof structure of their house over a period of six months.

The applicant notes that since their house is set forward on their property and in close proximity to both communications and power infrastructure, it would be nearly impossible to place a container at the front of their property without it being on the road. Furthermore, the applicant notes that since there is no developed laneway at the rear of their property, placing a container at the rear of their property is not an option. To remedy the situation, the applicant is requesting to place a storage container on the currently undeveloped and mostly level subject property, located at 511 Cotton Street, which has an existing access point from 5<sup>th</sup> Avenue East.

The applicant prefers to place a storage container with a length of 6.096 metres. However, they may place a storage container with a length of 12.192 metres if the container of their preference is not locally and readily available.

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

To ensure compliance, the Draft Temporary Use Permit includes a condition that the City receives and retains a \$5000 cash bond until the temporary use is discontinued.

The Draft Temporary Use Permit is included as Attachment 2.

**COST AND BUDGET IMPACT:**

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

**CONCLUSION:**

This Temporary Use Permit 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:**

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Daniel Rajasooriar,  
Planner

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Robert Buchan,  
City Manager

April 25<sup>th</sup>, 2022

*Page 3*

Attachment(s):

- Attachment 1: Site Plan



# TEMPORARY USE PERMIT APPLICATION

April 4 2022 8:19 AM



- Assessment Fabric
- Lot Information
- Civic Addresses
- Roads
- Prince Rupert Municipal Boundary
- Footprint of 20' Shipping Container
- Additional Footprint of 40' Shipping Container (Alternate)





**TEMPORARY USE PERMIT**  
FILE NO. TUP-22-02

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

**PERMIT ISSUED TO OWNER(S):** Jamie Malthus

**APPLICANT:** Travis Bernhardt

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1. This Temporary Use 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 in this permit.
2. This Temporary Use Permit applies to those lands within the City of Prince Rupert that are described below, and any and all buildings, structures, and other development thereon:

**LEGAL DESCRIPTION:**

Lot 2 Block 11 Section 6 District Lot 251 Range 5 Coast District Plan 923

**CIVIC ADDRESS:**

511 Cotton Street

3. Pursuant to Division 8 in Part 14 of the *Local Government Act*, this permit authorizes the owner(s) and applicant to place a storage container with a length of 6.096 or 12.192 metres on the subject property for up to one year.

**SUBJECT TO the following conditions to the satisfaction of the City:**

- a. The City receives and retains a \$5000 cash bond until the temporary use is discontinued.
4. The following plans and specifications are attached to and form part of this permit:
  - a. Schedule 1: Site Plan

**ISSUED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

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

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Rosamaria Miller  
Corporate Administrator



From Previous Meeting.  
For Information purposes only.

## **REPORT TO COUNCIL**

### **Regular Meeting of Council**

**DATE:** April 11<sup>th</sup>, 2022

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: DEVELOPMENT VARIANCE PERMIT #22-05  
FOR 1107 11<sup>TH</sup> AVENUE EAST**

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#### **RECOMMENDATION:**

**THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) #22-05.**

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

An application was received for a Development Variance Permit for the property located at 1107 11<sup>th</sup> Avenue East.

The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (b) to have a 1.2192-metre setback from the rear property line in relation to a proposed deck. The required setback from the rear property line in an R2 zone is 3.0 metres. The applicant is requesting a variance of 1.7808 metres in terms of the setback from the rear property line.

The Site and Building Plans are included as Attachment 1.

#### **BACKGROUND AND ANALYSIS:**

The proposed variance for the setback from the rear property line is requested by the applicant to accommodate a proposed deck. The applicant rationalized the



proposed variance for the setback from the rear property line by noting how the variance would allow them to maximize deck space.

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

Spanning lot lines, existing structures do not conform, and the proposed development would not conform, with the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) concerning the setback from a side property line. Therefore, the Draft Development Variance Permit includes a subject clause that the permittee(s) successfully has/have the lots consolidated or the interior lot lines cancelled prior to the issuance of a Building Permit.

The Draft Development Variance Permit is included as Attachment 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 Permit 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:**

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Daniel Rajasooriar,  
Planner

#### **Report Reviewed By:**

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Robert Buchan,  
City Manager

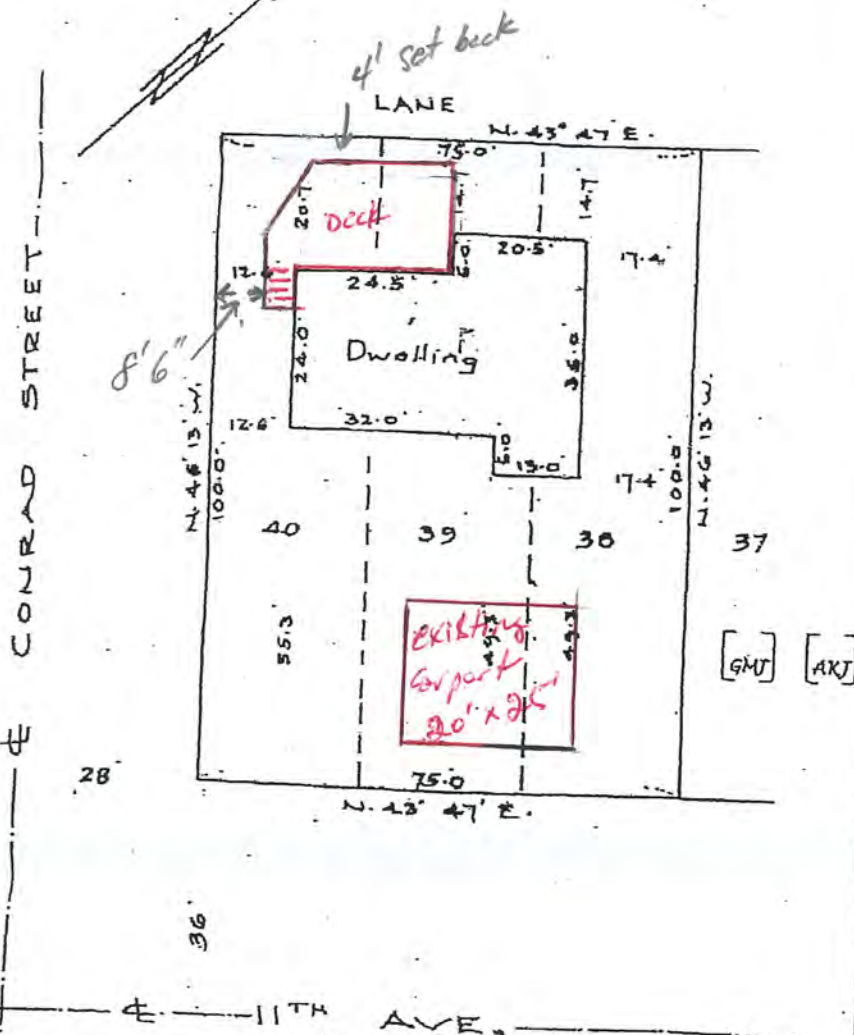
#### **Attachment(s):**

- Attachment 1: Site and Building Plans
- Attachment 2: Draft Development Variance Permit

Authenticity ID: 8709A654-5809-1798-A7D5-C641191FC0FE

Plan Showing Location Of Dwelling Constructed On  
 Lots 38, 39 AND 40, BLOCK 23,  
 PLAN 923, CITY OF PRINCE RUPERT,  
 BRITISH COLUMBIA

20



VOID

24<sup>th</sup> DAY OF JUNE

*Ion C. MacGonigly*

27<sup>th</sup> DAY OF JUNE

Ion C. MacGonigly

27<sup>th</sup> DAY OF JUNE

0.40411

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.

CONRAD ST.

property line 20' 7"

Lane

property line

4' setback

25'

42" railing to deck  
height greater than  
0.6 m.

16'

Footing

Footing

Footing

16'

Deck

4'

4'

4'

steps 12  
12" run

12' 6"

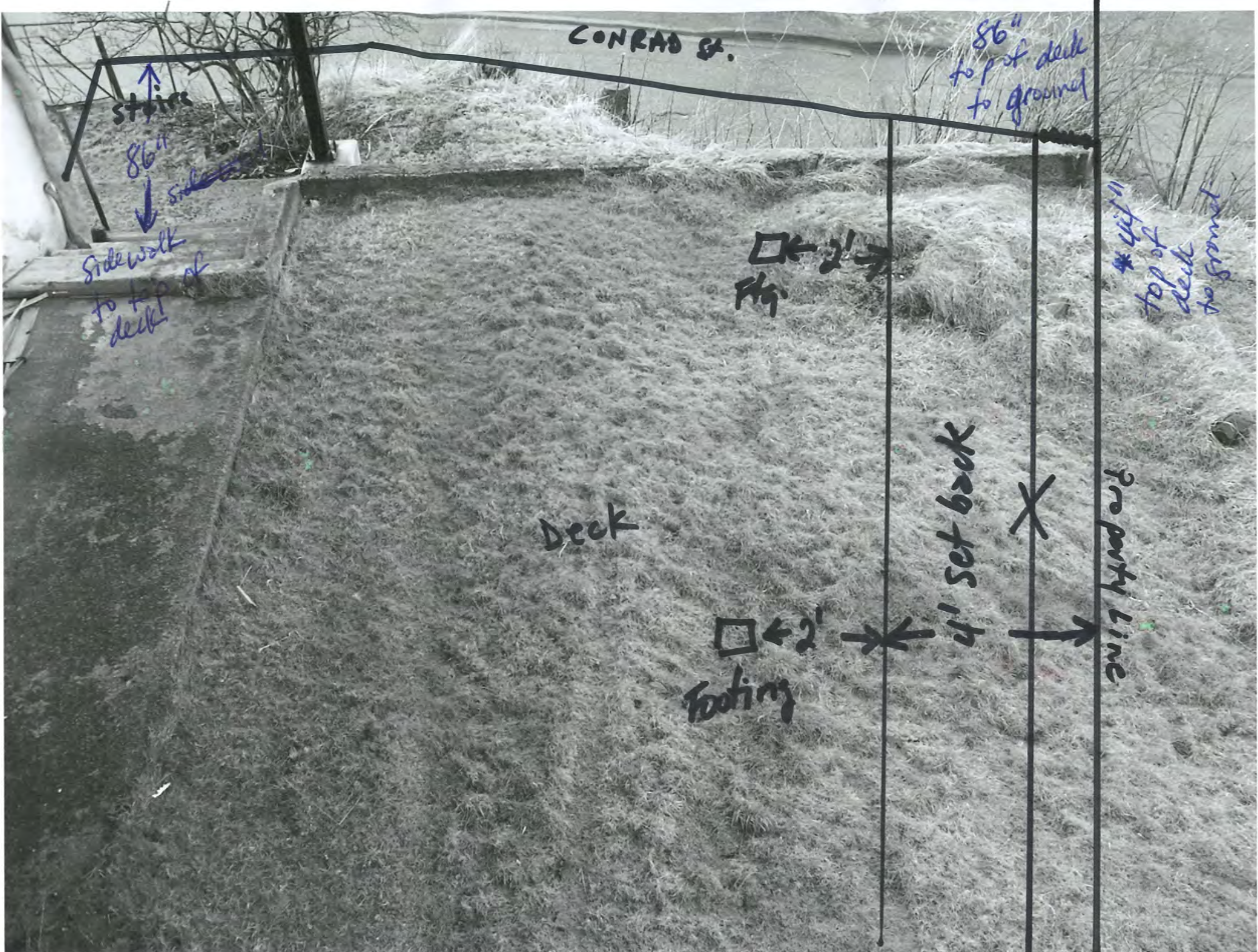
□ = SQ FT

Foundation

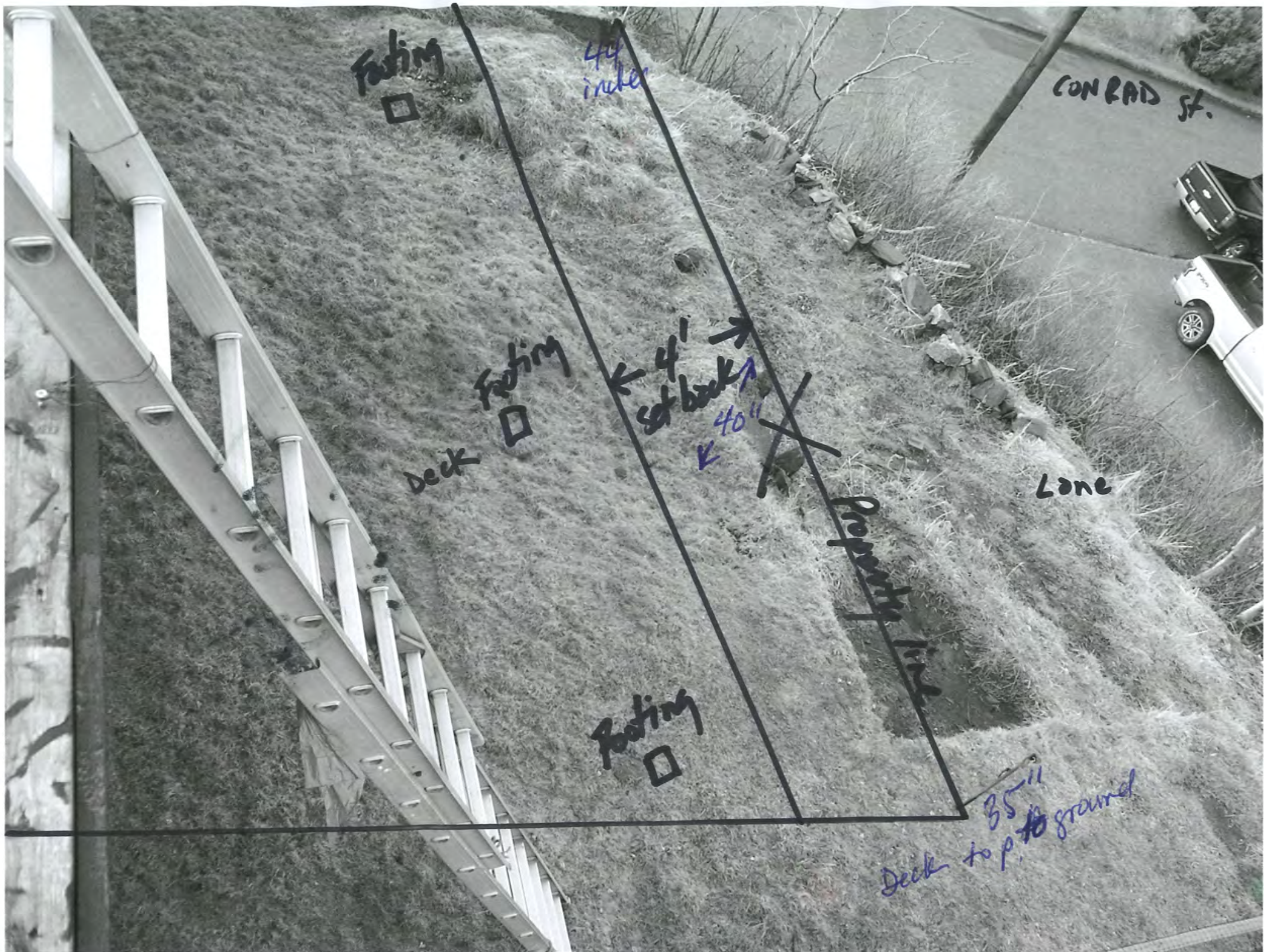












Footing  
□

44  
inches

CONRAD ST.

Deck Footing  
□

4' set back  
40"  
← →

Property line

Lone

Footing  
□

35"  
Deck to p. to ground





**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-22-05

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

**PERMIT ISSUED TO OWNER(S):** Gilberto Jardim and Anne Jardim

**APPLICANT:** Gilbert Jardim

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

**LEGAL DESCRIPTION:**

Lots 38-40 Block 23 Section 8 District Lot 251 Range 5 Coast District Plan 923

**CIVIC ADDRESS:**

1107 11<sup>th</sup> Avenue East

3. The City of Prince Rupert Zoning Bylaw (Bylaw #3462) is varied as follows:
  - a. Section 5.2.6 (b) is varied from a 3.0-metre setback from the rear property line to a 1.2192-metre setback from the rear property line in relation to the proposed deck, in accordance with the Site and Building Plans attached as Schedule 1 (A-E).

**SUBJECT TO the following conditions to the satisfaction of the City:**

- a. The permittee(s) develop(s) the proposed development in accordance with the Site and Building Plans attached as Schedule 1 (A-E).
  - b. The permittee(s) successfully has/have the lots consolidated or the interior lot lines cancelled prior to the issuance of a Building Permit.
4. The City requests the permittee(s) to have a site survey of the subject property conducted after the proposed development has been built and to provide the site survey to the City to ensure compliance.

5. If the permittee(s) does/do not substantially commence the development permitted by this permit within 24 months of the date of this permit, the permit shall lapse and be of no further force and effect.
6. This permit is **NOT** a building permit, sign permit, or subdivision approval.
7. This permit does not authorize works on adjacent properties. Encroachment on any adjacent property for the purposes of excavation, or the deposit or removal or fill requires the written consent of the owner of such adjacent property.
8. The terms and conditions contained in this permit shall inure to the benefit of, and be binding upon, the owner(s), their executors, heirs or administrators, successors and assignees as the case may be or their successors in title to the land.
9. The following plans and specifications are attached to and form part of this permit:
  - a. Schedule 1 (A-E): Site and Building Plans

**ISSUED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

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

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Rosamaria Miller  
Corporate Administrator





From Previous Meeting.  
For Information purposes only.

## **REPORT TO COUNCIL**

### **Regular Meeting of Council**

**DATE:** April 11<sup>th</sup>, 2022

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: DEVELOPMENT VARIANCE PERMIT #22-09  
FOR 1130 11<sup>TH</sup> AVENUE EAST**

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#### **RECOMMENDATION:**

**THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) #22-09.**

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

An application was received for a Development Variance Permit for the property located at 1130 11<sup>th</sup> Avenue East.

The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (b) to have a 1.2192-metre setback from the rear property line in relation to a proposed accessory building. The required setback from the rear property line in an R2 zone is 3.0 metres. The applicant is requesting a variance of 1.7808 metres in terms of the setback from the rear property line.

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

#### **BACKGROUND AND ANALYSIS:**

The proposed variance for the setback from the rear property line is requested by the applicant to accommodate a proposed accessory building. The two-storey accessory building, including a garage, will be connected to an existing two-storey

residence via an existing ground-level deck and proposed second-floor deck that may be built in the future.

The applicant rationalized the proposed variance for the setback from the rear property line in three ways. First, they believe the proposed variance would enable them to meet their need for increased parking and storage area. Second, they believe the proposed variance would enable them to provide, on the second floor of the proposed accessory building, space with privacy to others in the household during family gatherings. Third, they believe the proposed variance would enable them to have a covered backyard area that would facilitate outdoor living regardless of the weather.

There are no known negative impacts of the proposed variance 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 Attachment 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 Permit 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:**

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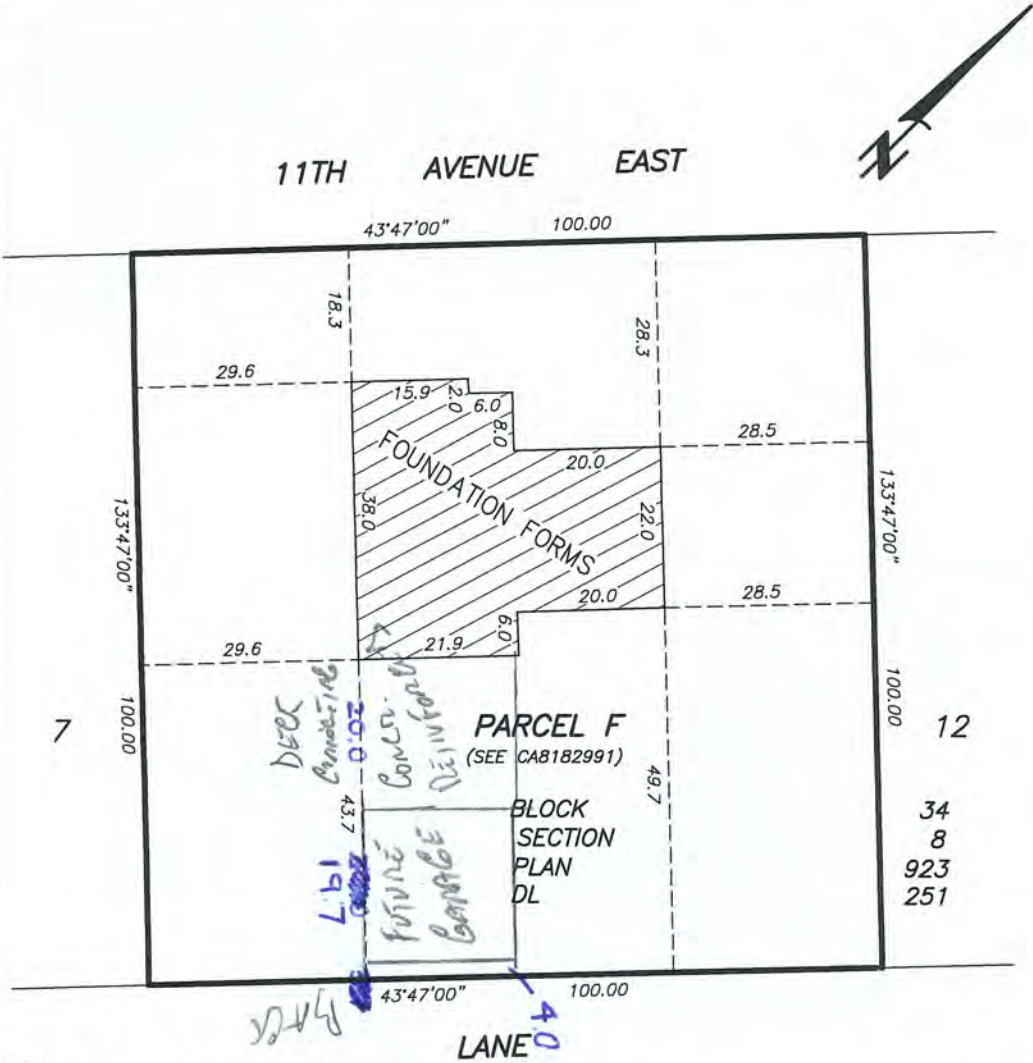
Daniel Rajasooriar,  
Planner

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Robert Buchan,  
City Manager

Attachment(s):

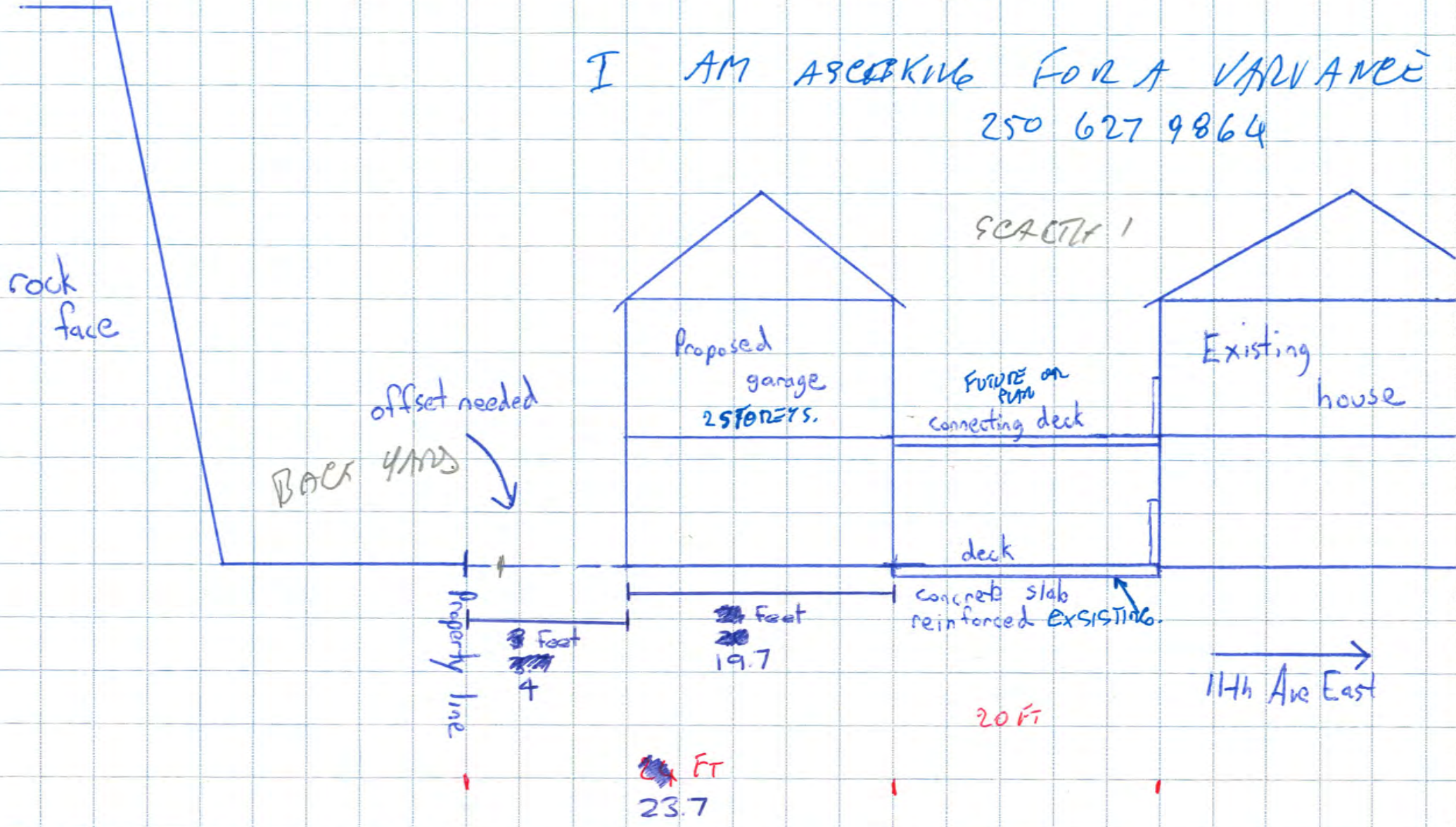
- Attachment 1: Site Plan
- Attachment 2: Building Plan
- Attachment 2: Draft Development Variance Permit

<div>PREPARED FOR: DANTE MASSARI 1600 - 11TH AVENUE EAST PRINCE RUPERT, BC V8J 2P1</div>	<div><div>McElhanney Associates Land Surveying Ltd. 1 - 5008 POHLE AVENUE, TERRACE, BC V8G 4S8 TEL: 250-635-7163</div></div> <div>OUR FILE: 2321-50100-16 FIELD SURVEY DATE: SEPTEMBER 14, 2020</div>	
<div>BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION SHOWING IMPROVEMENTS OVER PARCEL F (BEING A CONSOLIDATION OF LOTS 8, 9, 10 &amp; 11, SEE CA8182991), BLOCK 34, SECTION 8, DL 251, RANGE 5, COAST DISTRICT PLAN 923.</div>		
<div><div>11TH AVENUE EAST</div><div>NOTE: THIS PROPERTY MAY BE AFFECTED BY THE FOLLOWING CHARGES: SEE TITLE FOR CHARGES</div><div>ALL MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF. OFFSET DIMENSIONS ARE TO OUTSIDE OF FOAM BLOCK FORMS AND ARE PERPENDICULAR TO PROPERTY LINES, UNLESS OTHERWISE SHOWN.</div><div>0 10 20 30 40 50 THE INTENDED PLOT SIZE OF THIS PLAN IS 8.5x14 INCHES (LEGAL SIZE) WHEN PLOTTED AT A SCALE OF 1"=20'.</div></div>		
<div>DIMENSIONS DERIVED FROM PLAN 923</div>	<div>CIVIC ADDRESS: 1130 11th AVENUE EAST PRINCE RUPERT, BC</div>	<div>PID: 031-091-326</div>
<div>THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED FOR CITY ZONING PURPOSES AND IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL AND IS CERTIFIED CORRECT ACCORDING TO LAND TITLE AND SURVEY AUTHORITY RECORDS AND FIELD SURVEYS. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED. THIS CERTIFICATE IS NOT FOR MORTGAGE PURPOSES.</div> <div>Digitally signed by Todd Basky XUVPL6 Date: 2020.09.15 14:16:03 -07'00'</div> <div>TODD BASKY BCLS 899</div> <div>THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED</div>		<div>THIS BUILDING LOCATION CERTIFICATE WAS PREPARED FOR THE EXCLUSIVE USE OF OUR CLIENT. THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE SURVEYED STRUCTURES AND FEATURES WITH RESPECT TO THE BOUNDARIES OF THE PARCEL DESCRIBED ABOVE. THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS. THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.</div> <div>ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF THE SIGNATORY.</div>



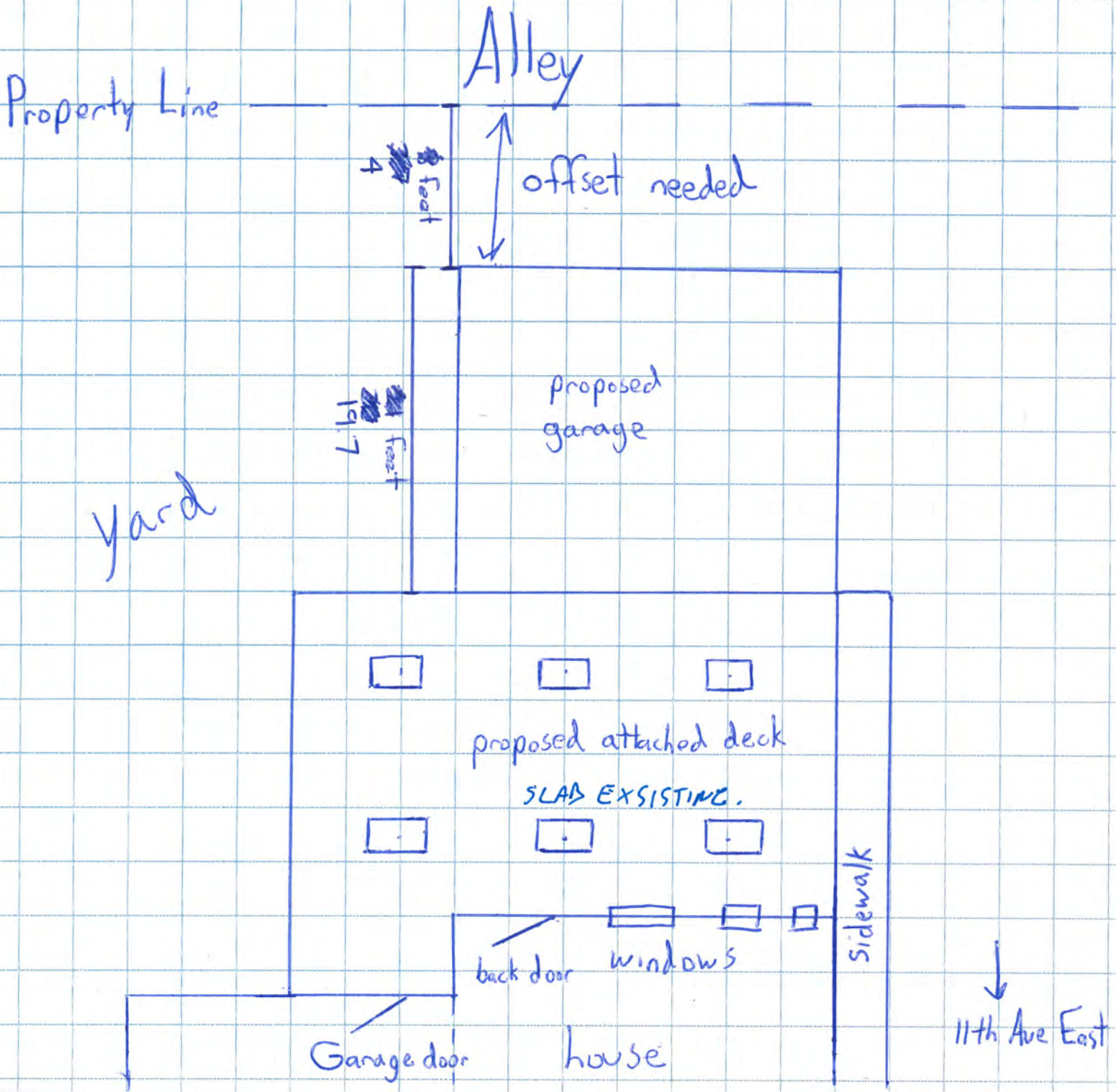
1130 11TH AVE EAST

I AM ASKING FOR A VARIANCE  
250 627 9864





Large Vertical Rock Face





**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-22-09

---

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

**PERMIT ISSUED TO OWNER(S):** Dante Massari

**APPLICANT:** Dante Massari

---

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

**LEGAL DESCRIPTION:**

Parcel F (Being A Consolidation Of Lots 8, 9, 10, And 11, See CA8182991)  
Block 34 Section 8 District Lot 251 Range 5 Coast District Plan 923

**CIVIC ADDRESS:**

1130 11<sup>th</sup> Avenue East

3. The City of Prince Rupert Zoning Bylaw (Bylaw #3462) is varied as follows:
  - a. Section 5.2.6 (b) is varied from a 3.0-metre setback from the rear property line to a 1.2192-metre setback from the rear property line in relation to the proposed accessory building, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-B), respectively.

**SUBJECT TO the following conditions to the satisfaction of the City:**

- a. The permittee develops the proposed development in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-B), respectively.
4. The City requests the permittee(s) to have a site survey of the subject property conducted after the proposed development has been built and to provide the site survey to the City to ensure compliance.

5. If the permittee(s) does/do not substantially commence the development permitted by this permit within 24 months of the date of this permit, the permit shall lapse and be of no further force and effect.
6. This permit is **NOT** a building permit, sign permit, or subdivision approval.
7. This permit does not authorize works on adjacent properties. Encroachment on any adjacent property for the purposes of excavation, or the deposit or removal or fill requires the written consent of the owner of such adjacent property.
8. The terms and conditions contained in this permit shall inure to the benefit of, and be binding upon, the owner(s), their executors, heirs or administrators, successors and assignees as the case may be or their successors in title to the land.
9. The following plans and specifications are attached to and form part of this permit:
  - a. Schedule 1: Site Plan
  - b. Schedule 2 (A-B): Building Plan

**ISSUED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

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

---

Rosamaria Miller  
Corporate Administrator





## **REPORT TO COUNCIL**

### **Meeting of Council**

**DATE:** April 25<sup>th</sup>, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations  
**SUBJECT:** **WATERFRONT PROJECT UPDATE**

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#### **RECOMMENDATION:**

**THAT Council receives the following Project Update and passes a Resolution for the Project Award under the MSA.**

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

Over the past several weeks' Staff have made significant progress on this Project with our Project Partners, the Gitxaala First Nation, the Province of British Columbia, and CN. This project was publicly announced during the 2030 Redesign Rupert Vision presentation and is a component of Council's strategic priorities for waterfront redevelopment. Staff is confident that we are now in the position to proceed with the construction of this long-awaited Project.

As the Council is aware, this Project will see the development of a new ferry berth for the City's Airport Ferry and breakwater asset for Gitxaala First Nation to accommodate their new ferry as well as eco-tourism and economic commercial opportunities. Relocation of the airport ferry will create a more direct link between the community and our airport, and also reduce the potential for future rail/traffic delays at the current airport ferry location. This Project will also incorporate the enhancement of the existing public Rotary Waterfront Park.

Additionally, Council has recently approved a new Master Service Agreement (MSA) with CT Northern Contractors Alliance Limited Partnership (CTNCA). During the BCBid Proposal call, Staff noted that this Project would be likely Awarded via the MSA, as is currently recommended.

#### **COST:**

This Report supports the Council's Strategic Plan for Project development and has no impact on the Annual Budget as this Project is fully supported by grant funds.

**CONCLUSION:**

**THAT Council receives the following Project Update and passes a Resolution for the Project Award under the MSA.**

**Report Prepared By:**

**Report Reviewed By:**

---

Richard Pucci,  
Director of Operations &  
Intergovernmental Relations

---

Robert Buchan,  
City Manager



## **MARKET PLACE ROAD CLOSURE BYLAW NO. 3488, 2022**

### **BEING A BYLAW TO CLOSE A PORTION OF MARKET PLACE ROAD ALLOWANCE**

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Pursuant to Section 40 of the *Community Charter*, Prince Rupert City Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council;

The Council of the City of Prince Rupert deems that it is in the public interest to close to traffic, remove the dedication of highway comprising of approximately .230 Hectares on Market Place dedicated on Plan 923, which is shown outlined in bold black on the reference plan prepared by McElhanney, on the 2 day of March, 2022, a reduced copy of which is attached hereto (*the "Road Closure Plan"*);

The City intends to close that portion of highway to consolidate and consolidate it to a neighbouring lot to facilitate the build of an RCMP detachment.

Notices of Council's intention to close that portion of highway to traffic, to remove its dedication as highway, and published in a newspaper and posted in the public notice posting place, and Council has provided an opportunity for persons who consider they are affected by the closure and disposition to make representations to Council; and

The Council of the City of Prince Rupert does not consider that the closure of the Closed Road will affect the transmission or distribution facilities or works of utility operators;

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

1. Attached to this Bylaw as Schedule "A" and forming part of this Bylaw is a reduced copy of the explanatory plan of highway closure (*the "Road Closure Plan"*).
2. The City hereby authorizes the closure to traffic and removal of highway dedication of the .230 Hectares portion of highway which was dedicated as

highway at the New Westminster Land Title Office by Plan 923, outlined in Bold on the Road Closure Plan (the "Closed Road").

3. On deposit of the Road Closure Plan and all other documentation for the closure of the road allowance in the New Westminster Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.
4. The Mayor and Corporate Administrator are authorized to execute all deeds of land, plans and other documentation necessary to effect this road closure and disposition.
5. This Bylaw may be cited as **"MARKET PLACE ROAD CLOSURE BYLAW NO. 3488, 2022"**

READ A FIRST TIME this \_\_\_\_ day of \_\_\_\_\_, 2022.

READ A SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2022.

PUBLIC NOTIFICATION this \_\_\_\_ day of \_\_\_\_\_, 2022.

MINISTRY OF TRANSPORTATION APPROVAL this \_\_\_\_ day of \_\_\_\_\_, 2022 (APPROVAL NO. \_\_\_\_\_).

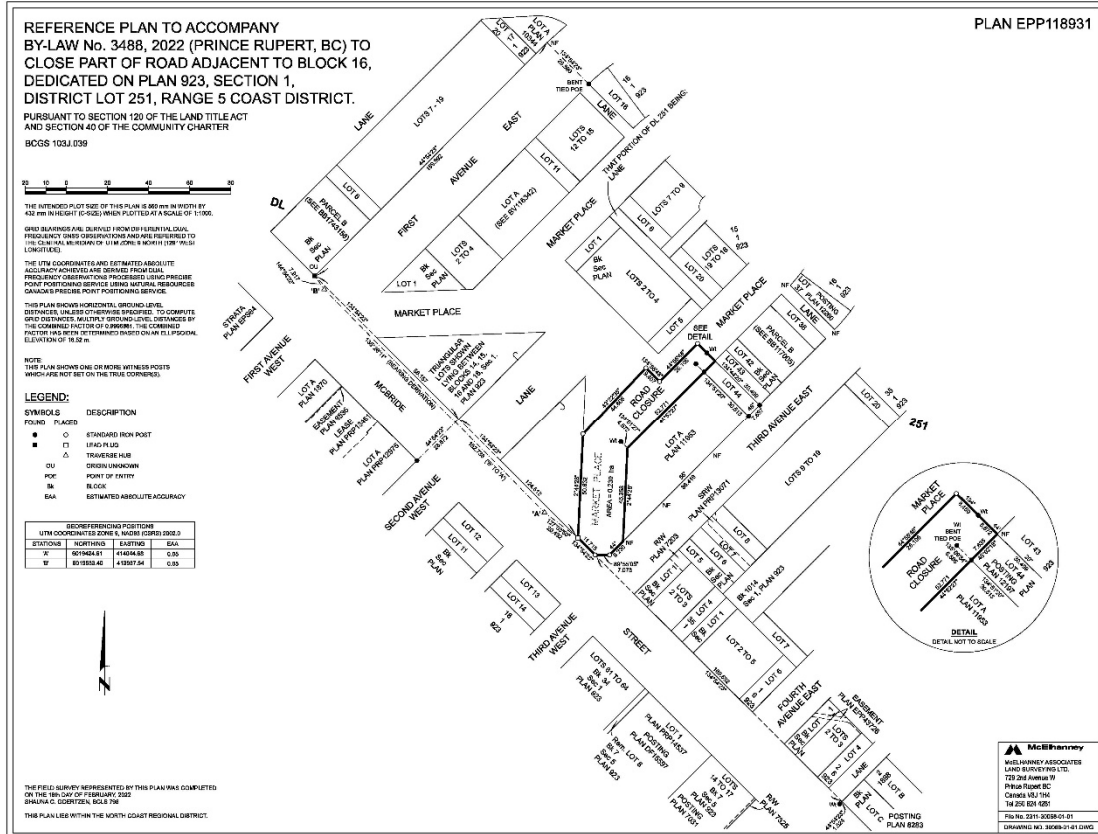
READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2022.

FINALLY CONSIDERED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

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

# **SCHEDULE "A" – ROAD CLOSURE PLAN (Explanatory)** **BYLAW NO. 3488, 2022**



## 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.

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## 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~~Section (section 10) does not apply to Single Family Dwelling Units, Two Family Dwelling Units or the secondary suites (if any) of those units.

### **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 31<sup>st</sup> 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 license 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.

- h) If a license has been suspended and the rental units occupants have been evicted due to the license suspension, any new license request for these units may be approved subject to the issues for the suspension being fully resolved to the satisfaction of the Inspector and all rental rates being the same as those legally in place prior to the eviction, and any tenant previously occupying said unit being given priority for reoccupying the units, and any moving costs being incurred by the occupants being paid for by the landlord.

## **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

This Section (section 44) does not apply to Single Family Dwelling Units, Two Family Dwelling Units or the Secondary Suites (if any) of those units.

- 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.
- c) Rental owners may make an application to Council for an exemption to Section 44 subject to any Council exemption not relieving an applicant from any order or requirement imposed on the owner by Provincial legislation or the Residential Tenancy Branch.

### PART 6 – EFFECTIVE DATE

#### 46. Effective Date

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

Read a First time this 20<sup>th</sup> day of September, 2021.

Read a Second time this 20<sup>th</sup> day of September, 2021.

Read a Third time this 11<sup>th</sup> day of April, 2022.

Final Consideration and Adopted this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

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

## **APPENDIX “A”**

### **LICENCE FEES**

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



## REPORT TO COUNCIL

Regular Meeting of Council

**DATE:** April 25, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Myfannwy Pope, Planner  
**SUBJECT:** ZONING AMENDMENT ZBLA-22-05

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### RECOMMENDATION:

**THAT** Council:

- 1) GIVE First and Second Readings to City of Prince Rupert Zoning Bylaw No. 3493, 2022 to permit multiple changes.
- 2) PROCEED to the Public Hearing.

### REASON FOR REPORT:

Bylaw No. 3493, 2022 is a general collection (omnibus) of amendments to Zoning Bylaw No. 3462, 2021. A number of the changes are of a housekeeping nature—correcting and clarifying language. Other proposed amendments address topical issues that have emerged since the last Zoning Bylaw update. Undertaking the amendments will streamline regulatory interpretations and approvals. These amendments ensure that Zoning Bylaw No. 3462, 2021 is a 'living document' that is a clear, cohesive, and effective land use tool.

Amendments are presented in two sections. Section 1 covers 12 items that include additions and alteration of definitions, permitted uses within existing zones, and signage regulations, as well as the removal of Marina District Zone from Industrial Zones and the consequent renumbering. Section 2 provides a report on accessory dwelling units that includes a proposed permitting of lock-off suites in multi-family building and expanding secondary suites to be

permitted in duplexes. The adoption or rejections of each item in Section 1 can be considered independently from each other. Similarly, amendments supporting duplexes in secondary suites and those permitting lock-off suites can be considered independently.

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**SECTION 1: ZONING BYLAW AMENDED ITEMS 1-12**

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**1. Animal Hospital or Clinic**

- a. Add Animal Hospital or Clinic as a definition under Section 1: Definitions, as follows:

ANIMAL HOSPITAL or CLINIC means the use of land, buildings or structures for the care, examination, diagnosis and treatment of sick, ailing, infirm, or injured pets, including medical intervention, surgery, and may include accessory short-term accommodation of pets, pet grooming, and the sale of medicine and pet supplies.

- b. Permit Animal Hospital or Clinic as a land use in all zones that currently permit retail. This includes all C-commercial zones, all MD – marina district zones, and M-1 and M-2 zones.

**BACKGROUND:**

There are currently very few businesses offering veterinary or animal hospital services in Prince Rupert despite high demand, with the closest alternatives in Terrace or Smithers. This bylaw change would help increase the accessibility of individuals with pets to obtain basic and emergency pet services, support the retention and attraction of residents in this field of work by increasing locations to open clinics, and potentially aid in the efforts to reduce street cat populations.

Animal Hospital or Clinic is not explicitly recognized within the Zoning Bylaw as a use, but is included within parking requirements. This use may be interpreted under Commercial Service and Retail uses; however, precedence set out in other community zoning bylaws, for example Terrace and Quesnel, shows that Veterinary or Animal Hospitals are differentiated as an explicit use. This differentiation adds clarity for the public about where and what is permitted as an Animal Hospital or Clinic.

**POLICY ANALYSIS**



Increased clarity can help to support adoption of this use by signaling openness to the use and facilitating development processes. Consequent increased access to pet services supports OCP principles of Complete Communities and Healthy Communities. These changes may provide opportunities for Animal Hospital or Clinics to be located closer to residential zones and the commercial core. Additional support in owning pets can encourage residents to get outside, form communities, and combat loneliness.

## 2. Gross Floor Area and Building Foot Print

a. Alter definition for Gross Floor Area as follows:

Existing Regulation	Proposed Amendment
<b>GROSS FLOOR AREA</b> means the total floor area as measured to the outer walls of the building, but excludes parking structures, swimming pools and deck, balcony and patio areas as long as such structures or areas do not exceed 0.6m above the average ground elevation	<b>GROSS FLOOR AREA</b> means the total floor area as measured to the extreme outer limits of the external walls of the building, with the exclusion of exterior wall thickness that is exclusively used for the provision of insulating materials and non-structural exterior cladding. Gross Floor Area does not include parking structures, swimming pools, or decks, balcony, and patios that are not fully enclosed.

b. Add Definition for Building Footprint as follows:

**BUILDING FOOTPRINT** means the horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage. It does not include areas of porch, deck, and balcony more than 0.6 metres above average ground elevation; cantilevered covers, porches or projections; or ramps and stairways required for access.

### BACKGROUND:

The addition of a definition for Building Footprint and the alteration of the definition for Gross Floor Area are intended to bring clarity to the interpretation of these regulations during development processes and support development.

Gross Floor Area is currently regulated within each zone, and has become particularly relevant within Section 5 of the Zoning Bylaw, which regulates residential zoning. Over the past few months, clarifications have been sought regarding how to interpret the existing Gross Floor Area definition in order to process development variance applications. Areas of ambiguity include what part of the structure cannot exceed 0.6 metres and the definition of outer walls. Furthermore, legal advice has provided an interpretation of the current wording to include any parking structures, swimming pools and deck, balcony, and patio areas that exceed 0.6m above average ground elevation within the calculation of Gross Floor Area. This significantly adds to GFA and may dissuade development as it triggers variance requirements which may slow down the process. Furthermore, ambiguity about outer walls may dissuade more efficient housing designs as it asks too much sacrifice for floor area. The proposed alternative definition is intended to provide more clarity to these ambiguities, as well as explicitly address potential disincentives to development by removing certain structures from GFA calculations completely and excepting wall thickness related to insulation or cladding. These changes are derived from a report performed by the City of Burnaby regarding Gross Floor Area, which is attached as schedule 2.

The definition of Building Footprint is proposed to add clarity for the calculation related to lot coverage, which references building footprint in its definition. This definition is based on precedence set by other legally used definitions and is intended to decrease need for and accelerate lot coverage variances to avoid disincentivizing development.

## **POLICY ANALYSIS**

These items are aligned with OCP goals regarding residential and downtown core development as they streamline development processes.

### **3. Creative Industry**

- a. Alter Definition for Creative Industry as follows:

<b>Existing Regulation</b>	<b>Proposed Amendment</b>
<b>CREATIVE INDUSTRY</b> refers to a range of economic activities which are concerned with the generation or exploitation of knowledge and information. This includes	<b>CREATIVE INDUSTRY</b> refers to a range of economic activities which are concerned with the generation or exploitation of knowledge and information. This includes technology

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technology development, operations and manufacture, Studios (creating and sales of product), galleries, marine manufacture spaces, live-work spaces, education uses and facilities	development, research centres, operations and manufacture, studios (creating and sales of product), galleries, museums, aquariums, marine manufacture spaces, live-work spaces, education uses and facilities
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- b. Add Creative Industry as permitted land use in C5: Marine Commercial Zones and M1: Light Industrial Zones.

## BACKGROUND

The proposed new Creative Industry definition is intended to create specificity in what is included under this use.

## POLICY ANALYSIS

These specific examples reflect goals and visioning from the Redesign Rupert Vision, the OCP, and inquiries that have since been received by Development Services at City Hall. The addition of Creative Industry as a permitted use within the C5 and M1 zones further reflects waterfront visioning from the 2030 Vision, as well as provides more opportunity for industrial diversification along our waterfront and within our industrial zones.

### 4. MD1: Marina District Zone

- a. Remove MD1: Marina District Zone from Industrial Zones to make its own Section, renumber subsequent sections accordingly.

## BACKGROUND

Marina District Zone is proposed to be its own section for zoning, and consequently removed from Industrial Zones. The nature of this Zone is distinct from Industrial uses, and the primary location of this location is within the waterfront area. This change would require renumbering accordingly.

### 5. Shipping Containers

- a. Add the following to section 3.1 Uses Permitted in Several Zones.

l) Shipping containers are permitted for up to 60 days for temporary storage in all zones on private property.

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- b. Update 3.19 Shipping Containers to align with proposed section 3.1 amendment.

## BACKGROUND

Storage Containers are currently subject to the Temporary Use Permit application process, which requires review before council and public notification. Consequently, it takes at least one month, if not several, for permits for temporary use of shipping containers to be issued. For emergency uses, such as flooding, and for temporary storage that would be completed within the timeframe it takes to get a permit, this permitting process adds unnecessary burden.

### 6. Signage

- a. Add Domestic Sign definition and permit Domestic Signs in all residential Zones.

DOMESTIC SIGN means a sign used for domestic purposes.

- b. Permit Projecting Signs in all Commercial and Marina District Zones.
- c. Alter definition of Canopy to align with OCP definition, as follows:

Existing Regulation	Proposed Amendment
CANOPY means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as the theatre marquee but does not include normal architectural features such as lintels, sills, and mouldings.	Canopy means a rigid structure extending out from the building face to provide shelter from sun and rain, and is entirely supported from the building. It does not include normal architectural features such as lintels, sills, and mouldings.

- d. Alter 10.12.0 Painted Wall Signs to 11.12 Wall Signs as follows:

Existing Regulation	Proposed Amendment
10.12.0 Painted Wall Sign Painted Wall Sign are permitted as follows: (a) Painted wall signs are permitted in the C- commercial	11.12 Wall Signs Wall Signs are permitted as follows: (a) Wall signs may be painted or attached through poster frames. (b) Wall signs are permitted in the C-commercial zones, M-industrial

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<p>zones, M-industrial zones and P zones.</p> <p>(b) One painted wall sign shall be permitted per business for every wall facing a highway or yard.</p> <p>(c) For each wall the maximum area permitted for painted signs shall not exceed 25 percent of the façade upon which the sign or signs have been painted.</p>	<p>zones, MD- marina district zones and P- public facilities zones.</p> <p>(c) One painted wall sign and one poster frame shall be permitted per business for every wall facing a highway or yard.</p> <p>(d) For each wall the maximum area permitted for painted signs shall not exceed 25 percent of the façade upon which the sign or signs have been painted or attached.</p>
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e. Renumber accordingly

## BACKGROUND

These alterations and additions result from various clarifications that have arisen from development processes and public inquiries. The intent is to provide clarification, reduce burdens, and permit signage that is encouraged in the OCP.

## POLICY ANALYSIS

These additions in signage regulation bring the Zoning Bylaw more into alignment with City Core Development permit guidelines.

### 7. Marina Parking

- a. Add Row to Parking Requirement Table designating parking requirements for Marine Use as follows:

Marina Use | 1 space per 2 mooring spaces and 1 space per 2 rental boats

## BACKGROUND

The proposed parking requirements for Marina Use are intended to address anticipated growth in marina and wharf use with planned developments to the waterfront. This ratio of parking is adapted from the City of North Vancouver's Zoning Bylaw, which includes marine residential and recreational waterfront use, both of which are envisioned for Prince Rupert.

## POLICY ANALYSIS

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This amendment supports the OCP goal of maintaining and expanding access to and use of the waterfront and will provide support for development of waterfront parks or marine residential development.

## 8. Home-office

- a. Alter definition for Home Office as follows:

Existing Regulation	Proposed Amendment
<b>HOME OFFICE</b> means a home occupation which operates without the on-site attendance from clients or customers.	<b>HOME OFFICE</b> means a home occupation which operates without the regular on-site attendance from clients or customers.

## BACKGROUND

The proposed change to Home Office definition would allow some on-site attendance from clients or customers but maintain the spirit of the bylaw to maintain that home offices are not meant to services customers, in contrast to home business uses.

## POLICY ANALYSIS

Continuing support of home office maintains the Complete Neighbourhood principle present in the OCP. Furthermore, it provides more flexibility to remote work opportunities within Prince Rupert that contribute to economic diversity and resilience.

## 9. Off-street parking:

- a. Alter definition for Off Street Parking as follows:

Existing Regulation	Proposed Amendment
<b>OFF STREET PARKING</b> means a use providing for temporary parking or storage of vehicles.	<b>OFF STREET PARKING</b> means a use providing for parking or storage of vehicles.

## BACKGROUND

The proposed change to Off Street Parking definition recognizes the practicality that off-street parking is not limited to providing temporary storage of vehicles, but may provide permanent parking spots as well.

## 10. Single family dwellings

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- a. Alter definition of Single Family Dwelling as follows:

Existing Regulation	Proposed Amendment
(b) <b>SINGLE FAMILY DWELLING</b> means a detached building that is used for a residential use. It must contain one dwelling unit, or one dwelling unit with a secondary suite if permitted. This does not apply to any mobile or modular units.	(b) <b>SINGLE FAMILY DWELLING</b> means a detached building that is used for a residential use. It must contain one dwelling unit, or one dwelling unit with a secondary suite if permitted. This does not apply to any mobile units.

## BACKGROUND

The proposed removal of “modular” from the definition of Single Family Dwellings is intended to allow single-family homes to be built using modular housing provided that they are not captured by the mobile home definition and are subject to Residential and OCP Bylaws. Legal advice received on the inclusion of modular homes within this definition suggested that the Zoning Bylaw may be over-stepping by regulating how homes are built.

## POLICY ANALYSIS

This change is aligned with OCP goals for housing as it may support housing development in the area by decreasing building costs in some circumstances.

### 11. C2: General Commercial Zone

- a. Alter permitted use list under Section 6.2: General Commercial Zones as follows:

Existing Regulation	Proposed Amendment
<b>6.2.0 C2: General Commercial Zone Permitted Uses:</b> Subject to general provisions, the following principal uses and no others are permitted: (a) Retail use. (b) Cannabis retail stores (subject to section 3.17.0). (c) Personal service establishment. (d) Office.	<b>Remove and Renumber:</b>  (e) Entertainment centre.  (m) Entertainment centre located beyond 200 metres of

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(e) Entertainment centre. (f) Traveler accommodation. (g) Child Care Facility. (h) Theater. (i) Multiple family dwelling Buildings. (j) Sales of alcoholic beverages on lots with a minimum area of 250m <sup>2</sup> . (k) Entertainment centre located beyond 200 metres of a school property line. (l) Student housing. (m) Entertainment centre located beyond 200 metres of a school property line.	a school property line.
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**BACKGROUND**

The proposed removal of 6.2.1 (e) Entertainment Centre recognizes that permitting this use is in conflict with the use of (k) Entertainment centre located beyond 200 metres of a school property line. Therefore, to reduce repetition and conflicting uses (e) and (m) would be removed and the regulation renumbered.

**12. C3: Service Commercial Zone**

- a. Alter Minimum Dimensions Required for Yards in C3: Service Commercial Zone as follows:

Existing Regulation	Proposed Amendment
<b>Minimum Dimensions Required for Yards</b> Front yard 3.6 metres.	<b>Minimum Dimensions Required for Yards</b> For service stations, traveler accommodation, and theatres the minimum front yard shall be 3.6 metres.

**BACKGROUND**

The proposed limiting of front yard setback requirements in the Service Commercial Zone brings zoning requirements into alignment with the OCP development guidelines for commercial areas in the City Core, where several C3 Zones are located.

**Items 1-12 Overall****COST/ BUDGET ANALYSIS**



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There are no foreseen budget implications for the proposed Zoning Bylaw amendments related to Items 1-12.

## **POLICY ANALYSIS**

Items 1-12 are consistent with the OCP objectives.

## **COUNCIL OPTIONS:**

Council may:

First, consider Items 1-12 independently and proceed by:

1. Accepting proposed amendments.
2. Requiring alterations to the proposed amendments.
3. Rejecting the proposed amendments.

Items include:

1. Animal Hospital or Clinic
2. Gross Floor Area and Building Foot Print
3. Creative Industry
4. MD1: Marine District Zone
5. Shipping Containers
6. Signage
7. Marina Parking
8. Home-office
9. Off-street parking
10. Single family dwellings
11. C2: General Commercial Zone
12. C3: Service Commercial Zone

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## ***SECTION 2: ACCESSORY DWELLING UNITS***

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The following elements present in Prince Rupert encourage the adoption of a Zoning Bylaw amendment that would permit accessory dwelling units (ADU) in duplexes and multi-family buildings.

- Higher assessed values for homes or rapidly rising values.
- Variety of housing types needed in the community.
- Adequate municipal servicing or septic carrying capacity to support additional units.
- Tight rental supply.

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- High cost of ground-oriented housing.
- Public acceptance to increase density.
- OCP policies favourable to infill housing via ADUs.

This proposed amendment to Zoning Bylaw No. 3462, 2021 includes the introduction of lock-off Suites in multi-family housing and the permitting of secondary suites in two-family dwellings or duplexes. The following proposed changes would allow the introduction of these uses:

1. Alter Definition for Two-Family Residential Dwelling as follows:

Existing Regulation	Proposed Amendment
TWO-FAMILY RESIDENTIAL DWELLING means a building or single lot that contains two principal dwelling units. These units may be either one above another and separated by a ceiling and floor that extends from an exterior wall to exterior wall, or they may be located side by side and separated by a common party wall that extends from ground to roof. This includes detached dwelling units that are connected by a carport or garage if they share a continuous permanent foundation and common roof area.	TWO-FAMILY RESIDENTIAL DWELLING means a building or single lot that contains two principal dwelling units, and may include up to one secondary suite per principle dwelling. These principle dwelling units may be either one above another and separated by a ceiling and floor that extends from an exterior wall to exterior wall, or they may be located side by side and separated by a common party wall that extends from ground to roof. This includes detached dwelling units that are connected by a carport or garage if they share a continuous permanent foundation and common roof area. This does not apply to any mobile units.

2. Add Definition for Lock-off Suite, as follows:

LOCK-OFF SUITE means an accessory dwelling unit located within a multi-family dwelling unit, with a separate lockable entrance access to a shared

common hallway and shared internal access, and which can be locked-off from the primary dwelling unit, but does not include a secondary suite.

3. Alter Section 3.4, describing general provisions for Secondary Suites, as follows:

### **3.4 Accessory Dwelling Units**

a) A Secondary Suite is permitted as an accessory use to a single or two-family dwelling as permitted in Section 5 of this Bylaw.

b) A Lock-off Suite is permitted as an accessory use to a dwelling unit within multifamily housing buildings, or other type of dwelling unit as permitted in Section 5-7 of this Bylaw.

#### **3.4.1 General Regulations for Accessory Dwelling Units**

- a) Secondary Suites must have a floor area of no more than 90m<sup>2</sup>, or 40% of the building's habitable area, whichever is less.
- b) Lock-offs Suite must have a floor area of no more than 45m<sup>2</sup> or 40% of the building's habitable area, whichever is less.
- c) A single additional off-street parking space per accessory dwelling unit must be provided for the exclusive use of the occupants.
- d) The suite and primary dwelling must be a single real estate entitlement, Strata titling is not permitted. To achieve this, the owner shall register a covenant that specifically prohibits stratification of the suite.
- e) Accessory dwelling units must not be short term rental (less than one month).
- f) There is only one accessory dwelling unit permitted for each principle dwelling.
- g) Accessory dwelling units must be completely contained within the primary dwelling building.

4. Replace Secondary Suites with Accessory Dwelling Units in auxiliary uses in Sections 5.1 and 5.2 of the Zoning Bylaw No. 3462, 2021.

5. Add Accessory Dwelling Units as auxiliary uses in Sections 5.3-5.9: Residential Zones, Section 6: Commercial Zones & Section 7: Marina District Zone of the Bylaw where single-family, two-family, or multi-family housing is permitted.

These proposed changes would allow Accessory Dwelling Units subject to Section 3.4 to be implemented in developments that include single, two-family and multi-family housing with the exception of supportive housing units.

## **BACKGROUND & CONTEXT ANALYSIS:**

Prince Rupert is facing a local housing supply shortage. This shortage is characterized by comparatively expensive building costs, a lack of strong local development industry, aging and inadequate homes, and increasing housing demand. This housing supply challenge has resulted in rapidly rising costs for homeownership, with assessed values rising by 31% on average from 2021 to 2022, and a downloaded cost burden onto renters. A shortage of rental units further exacerbates a rental crisis in Prince Rupert, where a shadow population and port expansion has resulted in extremely low vacancy rates and young and aging community members being priced out of the rental market.

Council has been actively working on the housing challenge. This has included the development and approval of an interim housing strategy, amending the zoning bylaw to allow secondary suites in single-family homes, and adopting a renovation bylaw. The introduction of lock-off and secondary suites in duplexes is particularly appropriate given this context in Prince Rupert and the goals set out within the Interim Housing Strategy and OCP.

Accessory dwelling units (ADU) can provide rental income to homeowners and offer an affordable way for renters to live in residential neighbourhoods. The option of rental income incentivizes new growth and home ownership as it can off-set high building costs characteristic of the North Coast and be a mortgage helper. Permitting one accessory dwelling unit per principle dwelling in both duplexes and multi-family homes significantly increases potential density. Furthermore, ADUs often have one and two bedrooms, adding housing for smaller households and single dwellers. This can help loosen the rental market to support a growing younger population, incoming workers for the port and other industries, and family members or caregivers to help residents “age in place”. These actions can help maintain families here and support anticipated growth without significant form and character change to existing residential neighbourhoods or introducing sprawl. Further ADU

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considerations are outlined in a 2021 report from BC Housing, attached as schedule 3.

The addition of ADUs in two-family homes in the form of secondary suites specifically would support conditions in Prince Rupert by increasing efficiencies of building and operating one dwelling for homeowners, allowing homeowners to convert flex space within a primary dwelling to provide additional housing units, and offset building and mortgage costs. Furthermore, secondary suites are suitable for smaller lots and may face easier community acceptance as it is contained within one building. Implementing one secondary suite per principle dwelling would significantly increase this invisible density. The council may consider implementing these ADUs as subject to development permit area guidelines for multifamily areas at first in order to control form and character in new builds and renovations.

Lock-Off Suites are a fit for Prince Rupert for similar reasons; however, they may face further barriers such as complicated building code requirements for smaller units and increased parking requirements. Lock-off suites, as a function of being enclosed within multifamily housing buildings, are subject to multi-family housing development permits when applicable.

## **POLICY ANALYSIS**

### **a. Interim Housing Strategy**

In 2021, council endorsed a series of housing actions resulting from the Council Housing Actions Workshop on June 15, 2021. One of these actions was to consider amending the zoning bylaw to allow secondary suites in duplexes and multifamily buildings (limited to bachelor or one-bedroom lock-off suites to a maximum size of 500SF). The proposed changes in this report are a result of this action.

### **b. The Official Community Plan**

The OCP identifies housing as a key issue and includes targets for additional units needed in the community. These targets include an additional 2000 market units of new mostly single-family residential development, with suites and some multifamily residential units in existing neighbourhoods, as well as 2300 market units of single-family homes (often with secondary suites). ADUs



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in multi-family housing and duplexes would be one step toward reaching these targets by reducing barriers to building or renovating existing units and providing additional, invisible density within single or two-family residential neighborhoods. Permitting lock-off suites may further incentivize the development of multi-family buildings, as they offer opportunity to condo and town-home owners to have a rental income. ADUs in residential neighbourhoods also align with smart growth principles within the OCP, as they would provide a range of housing opportunities in order to increase neighborhood density and housing diversity while maintaining the community character.

## IMPLEMENTATION CONSIDERATIONS

Generally, the recommended bylaw amendments address key considerations for the implementation of ADUs. These include:

1. Maintaining use as long-term rentals to prevent commercialization as tourism spots and maintain units on the rental market.
2. Restricting stratification of units.
3. Restricting size of units to maintain character and form of single or two-family home areas.

In the short term, Council may consider the following recommendations in implementing the proposed amendments.

1. **Include new builds and renovations with secondary suites in duplexes under Multifamily Development Permits Area in the short term.** This would help ensure that new and renovated two-family homes with proposed secondary suites adhere to character and form of neighbourhoods. This type of regulation in the short term may help increase community acceptance by easing in this and additional density-increasing bylaws. However, this process may discourage adoption of secondary suites in duplexes or result in increased illegal non-conforming secondary suites.
2. **Continue to waive development and building inspection and permit fees for secondary and lock-off suites.** This may incentivize adoption

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of secondary and lock-off suites in the short term by reducing costs to build. This may also increase conformity of new secondary suites.

In the long term, Council may consider the following recommendations in implementing the proposed amendments.

1. Reinstate permit fees for ADUs in the long term to support service operation costs.
2. Remove DPA guidelines for secondary suites in new and renovated duplexes once community acceptance of ADU density is more widespread. Once permit fees are reinstated, the removal of DPA requirements will help incentivize continued adoption of secondary suites in duplexes.

### **COSTS/BUDGET IMPACTS**

In the short term, increased administrative burden and cost to the City may result from adopting secondary suites in duplexes as subject to Multifamily Development Permit Areas.

In the long term, the proposed amendment may reduce costs to the City by reducing requests for rezoning and variance applications, which are often processed at a loss; increasing the tax base by incentivizing development and supporting population growth; and optimizing service provision and community infrastructure once utility fees for ADUs are reinstated.

### **COUNCIL OPTIONS**

Council may:

1. Consider the proposed amendments to Zoning Bylaw no. 3462, 2021 to permit accessory dwelling units in two-family or duplexes in the form of secondary suites by:
  1. Accepting proposed amendments subject to Multifamily Development Permit Areas.
  - a. Accepting proposed amendments not subject to Multifamily Development Permit Areas.
  - b. Requiring changes to proposed amendments.
  - c. Rejecting proposed amendments.

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2. Consider the proposed amendments to Zoning Bylaw no. 3462, 2021 to permit accessory dwelling units in Multi-family Buildings in the form of lock-off suites by:
  1. Accepting proposed amendments.
  2. Requiring changes to proposed amendments.
  3. Rejecting Proposed Amendments.

### **CONCLUSION:**

It is recommended that Council give first and second reading to the Amendment Bylaw's #3493, 2022 and proceed to public hearing subject to:

1. Council's Decisions on which of the 12 Items should proceed.
2. Council's Decisions on Accessory Dwelling Units

**Report Prepared By:**

**Report Reviewed By:**

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Myfannwy Pope  
Planner

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Robert Buchan,  
City Manager

Attachments:

- Bylaw 3493, 2022

## CITY OF PRINCE RUPERT

### ZONING BYLAW AMENDMENT BYLAW NO. 3493, 2022

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

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

That the City of Prince Rupert Zoning Bylaw No. 3462, 2021 be amended as follows:

1. That sections of the City of Prince Rupert Zoning Bylaw No. 3462, 2021 shall be amended according to Schedule A attached hereto and forming a part of this Zoning Bylaw Amendment Bylaw No. 3493, 2022.
2. This Bylaw may be cited as "Zoning Bylaw Amendment Bylaw No. 3493, 2022".
3. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

Read a First time this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Read a Second time this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Public Hearing this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Read a Third time this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Final Consideration and Adopted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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MAYOR

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CORPORATE ADMINISTRATOR

## Section 1 – Definitions

Section	Change From	Change To/Add
Creative Industry	<b>CREATIVE INDUSTRY</b> refers to a range of economic activities which are concerned with the generation or exploitation of knowledge and information. This includes technology development, operations and manufacture, Studios (creating and sales of product), galleries, marine manufacture spaces, live-work spaces, education uses and facilities	<b>CREATIVE INDUSTRY</b> refers to a range of economic activities which are concerned with the generation or exploitation of knowledge and information. This includes technology development, operations and manufacture, studios (creating and sales of product), galleries, museums, aquariums, marine manufacture spaces, live-work spaces, education uses and facilities
Gross Floor Area	<b>GROSS FLOOR AREA</b> means the total floor area as measured to the outer walls of the building, but excludes parking structures, swimming pools and deck, balcony and patio areas as long as such structures or areas do not exceed 0.6m above the average ground elevation	<b>GROSS FLOOR AREA</b> means the total floor area as measured to the extreme outer limits of the external walls of the building, with the exclusion of exterior wall thickness that is exclusively used for the provision of insulating materials and non-structural exterior cladding. Gross Floor Area does not include parking structures, swimming pools, or decks, balcony, and patios that are not fully enclosed.
Home Occupation	<b>HOME OFFICE</b> means a home occupation which operates without the on-site attendance from clients or customers.	<b>HOME OFFICE</b> means a home occupation which operates without the regular on-site attendance from clients or customers.
Off Street Parking	<b>OFF STREET PARKING</b> means a use providing for temporary parking or storage of vehicles.	<b>OFF STREET PARKING</b> means a use providing for parking or storage of vehicles.
1 Definitions		<p><b>Add</b></p> <p><b>LOCK-OFF SUITE</b> means an accessory dwelling unit located within a multi-family dwelling unit, with a separate lockable entrance access to a shared common hallway and shared internal access, and which can be locked-off from the</p>

		primary dwelling unit, but does not include a secondary suite.
1 Definitions		<p><b>Add</b></p> <p><b>BUILDING FOOTPRINT</b> means the horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage. It does not include areas of porch, deck, and balcony more than 0.6 metres above average ground elevation; cantilevered covers, porches or projections; or ramps and stairways required for access.</p>
1 Definitions		<p><b>Add</b></p> <p><b>ANIMAL HOSPITAL or CLINIC</b> means the use of land, buildings or structures for the care, examination, diagnosis and treatment of sick, ailing, infirm, or injured pets, including medical intervention, surgery, and may include accessory short-term accommodation of pets, pet grooming, and the sale of medicine and pet supplies.</p>
Single Family Dwelling	(b) <b>SINGLE FAMILY DWELLING</b> means a detached building that is used for a residential use. It must contain one dwelling unit, or one dwelling unit with a secondary suite if permitted. This does not apply to any mobile or modular units.	(b) <b>SINGLE FAMILY DWELLING</b> means a detached building that is used for a residential use. It must contain one dwelling unit, or one dwelling unit with a secondary suite if permitted. This does not apply to any mobile units.
Two-Family Residential Dwelling	(c) <b>TWO-FAMILY RESIDENTIAL DWELLING</b> means a building or single lot that contains two principal dwelling units. These units may be either one above another and separated by a ceiling and floor that extends from an exterior wall	(c) <b>TWO-FAMILY RESIDENTIAL DWELLING</b> means a building or single lot that contains two principal dwelling units, and may include up to one secondary suite per principle dwelling. These principle dwelling units may be either one above



	to exterior wall, or they may be located side by side and separated by a common party wall that extends from ground to roof. This includes detached dwelling units that are connected by a carport or garage if they share a continuous permanent foundation and common roof area.	another and separated by a ceiling and floor that extends from an exterior wall to exterior wall, or they may be located side by side and separated by a common party wall that extends from ground to roof. This includes detached dwelling units that are connected by a carport or garage if they share a continuous permanent foundation and common roof area. This does not apply to any mobile units.
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## Section 3 – General Provisions

Section	Change From	Change To/Add
3.4.0 Secondary Suites & 3.4.1 General Regulations for Secondary Suites	<p><b>3.4.0 Secondary Suites</b> A suite is permitted as an accessory use to a single family dwelling, or other type of dwelling unit as permitted in Section 5 of this Bylaw.</p> <p><b>3.4.1 General Regulations for Secondary Suites</b></p> <p>a) There is only one suite permitted for each applicable lot.</p> <p>b) The secondary suite must be completely contained within the single family dwelling.</p> <p>c) The secondary suite must have a floor area of no more than 90m<sup>2</sup>, or 40% of the buildings habitable area, whichever is less.</p> <p>d) A single additional off-street parking space must be provided for the exclusive use of the tenant.</p> <p>e) The suite and the single family dwelling must be a single real estate entitlement,</p>	<p><b>3.4 Accessory Dwelling Units</b></p> <p>a) A Secondary Suite is permitted as an accessory use to a single or two-family dwelling as permitted in Section 5 of this Bylaw.</p> <p>b) A Lock-off Suite is permitted as an accessory use to a dwelling unit within multifamily housing, or other type of dwelling unit as permitted in Section 5 and 6 of this Bylaw.</p> <p><b>3.4.1 General Regulations for Secondary and Lock-Off Suites</b></p> <p>a) Secondary suites must have a floor area of no more than 90m<sup>2</sup>, or 40% of the buildings habitable area, whichever is less.</p> <p>b) Lock-offs suite must have a floor area of no more than 45m<sup>2</sup> or 40% of the buildings habitable area, whichever is less.</p>

	<p>Strata titling is not permitted. To achieve this, the owner shall register a covenant that specifically prohibits stratification of the suite.</p> <p>f) A secondary suite must not be short term rental (less than one month).</p>	<p>c) The minimum size for an accessory dwelling unit is 22 m<sup>2</sup></p> <p>d) The suite and primary dwelling must be a single real estate entitlement, Strata titling is not permitted. To achieve this, the owner shall register a covenant that specifically prohibits stratification of the suite.</p> <p>e) A suite must not be short term rental (less than one month).</p> <p>f) There is only one suite permitted for each principle dwelling.</p> <p>g) The suite must be completely contained within the primary dwelling.</p> <p>h) A single additional off-street parking space per accessory dwelling must be provided for the exclusive use of the occupants.</p>
3.1.0 Uses Permitted in Several Zones		<p><b>Add</b></p> <p>l) Shipping containers are permitted for up to 60 days for temporary storage in all zones.</p>
3.19 Shipping Containers	<p><b>3.19.0 Shipping Containers</b></p> <p>(a) No shipping container may be located on any property and/or used as a temporary structure on any property unless it is designated in this Bylaw.</p> <p>(b) Shipping containers are permitted only in the M1, M2, M3 and M6 zones and are not to be stored in any other zone.</p>	<p><b>3.19 Shipping Containers</b></p> <p>(a) No shipping container may be located on any property and/or used as a temporary structure on any property except as designated in this Bylaw.</p> <p>(b) Shipping containers are permitted only in the M1, M2, M3 and M6 zones and are not to be stored in any other zone unless otherwise permitted in this Bylaw.</p>

## Section 5 – Zoning Regulations &amp; Requirements: Residential zones.

Section	Change From	Change To/Add
5.1.0 Permitted Uses: Subject to general provisions, the following accessory uses and no others are permitted	Subject to general provisions, the following accessory uses and no others are permitted: (a) One Secondary Suite.	Subject to general provisions, the following accessory uses and no others are permitted: (a) One Accessory Dwelling Unit.
5.2.0 Permitted Uses: Subject to general provisions, the following accessory uses and no others are permitted	Subject to general provisions, the following accessory uses and no others are permitted: (a) One Secondary Suite.	Subject to general provisions, the following accessory uses and no others are permitted: (a) Accessory Dwelling Units.
5.3.0 Permitted Uses: Subject to general provisions, the following accessory uses and no others are permitted		<b>Add</b> (c) Accessory Dwelling Units.
5.4.0 Permitted Uses: Subject to general provisions, the following accessory uses and no others are permitted		<b>Add</b> (c) Accessory Dwelling Units.
5.5.0 Permitted Uses: Subject to general provisions, the following accessory uses and no others are permitted		<b>Add</b> (c) Accessory Dwelling Units.
5.6.0 Permitted Uses: Subject to general provisions, the following accessory uses and no others are permitted		<b>Add</b> (f) Accessory Dwelling Units.

5.7.0 Permitted Uses: Subject to general provisions, the following accessory uses and no others are permitted		<b>Add</b> (c) Accessory Dwelling Units.
5.8.0 Permitted Uses: Subject to general provisions, the following accessory uses and no others are permitted		<b>Add</b> (c) Accessory Dwelling Units.
5.9.0 Permitted Uses: Subject to general provisions, the following accessory uses and no others are permitted		<b>Add</b> (c) Accessory Dwelling Units.

## Section 6 – Zoning Regulations & Requirements: Commercial zones

Section	Change From	Change To/Add
6.2.0 Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted:	<b>6.2.0 C2: General Commercial Zone</b> Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted: (a) Retail use. (b) Cannabis retail stores (subject to section 3.17.0). (c) Personal service establishment. (d) Office. (e) Entertainment centre. (f) Traveler accommodation. (g) Child Care Facility.	<b>6.2 C2: General Commercial Zone</b> Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted: (a) Retail use. (b) Cannabis retail stores (subject to section 3.17.0). (c) Personal service establishment. (d) Office. (e) Traveler accommodation. (f) Child Care Facility. (g) Theater. (h) Multiple family dwelling buildings. (i) Sales of alcoholic beverages on lots with a minimum area 250m <sup>2</sup> .

	<p>(h) Theater.</p> <p>(i) Multiple family dwelling Buildings.</p> <p>(j) Sales of alcoholic beverages on lots with a minimum area of 250m<sup>2</sup>.</p> <p>(k) Entertainment centre located beyond 200 metres of a school property line.</p> <p>(l) Student housing.</p> <p>(m) Entertainment centre located beyond 200 metres of a school property line.</p>	<p>(j) Student housing.</p> <p>(k) Entertainment centre located beyond 200 metres of a school property line.</p>
6.5.0 Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted:		<p><b>Add</b></p> <p>(k) Creative Industry.</p> <p>(l) Animal Hospital or Clinic.</p>
6.1.0 Permitted Uses: Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings		<p>Add</p> <p>(b) Accessory Dwelling Units.</p>
6.1.0 Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted:		<p><b>Add</b></p> <p>(j) Animal Hospital or Clinic.</p>
6.2.0 Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings		<p><b>Add</b></p> <p>(b) Accessory Dwelling Units.</p>

6.3.0 Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted:		<b>Add</b> <b>(j)</b> Animal Hospital or Clinic.
6.3.0 Permitted Uses: Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings	(a) Multiple family dwellings with separate exterior entrances.	(a) Multiple family dwellings with separate exterior entrances that may include accessory dwelling units.
6.4. 0 Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted:		<b>Add</b> <b>(f)</b> Animal Hospital or Clinic.
6.3.4 Permitted Uses: Minimum Dimensions Required for Yards	<b>Minimum Dimensions Required for Yards</b> Front yard 3.6 metres.	<b>Minimum Dimensions Required for Yards</b> For service stations, traveler accommodation, and theatres the minimum front yard shall be 3.6 metres.
6.4.0 Permitted Uses: Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings	(a) Multiple family dwellings with separate exterior entrances.	a) Multiple family dwellings with separate exterior entrances that may include accessory dwelling units.
6.5.0 Permitted Uses: Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings	(a) Multiple family dwellings with separate exterior entrances.	a) Multiple family dwellings with separate exterior entrances that may include accessory dwelling units.
6.6.0 Permitted Uses: Subject to general provisions, the following		<b>Add</b> <b>(k)</b> Animal Hospital or Clinic.



principal uses and no others are permitted		
6.6.0 Permitted Uses		<b>Add</b> Subject to general provisions, the following accessory uses or buildings and no others are permitted in multiple family dwelling buildings: (a) Accessory Dwelling Units

## Section 7 – Zoning Regulations &amp; Requirements: Industrial zones.

Section	Change From	Change To/Add
7	<b>Section 7 – Zoning Regulations &amp; Requirements: Industrial Zones</b>	<b>Section 7 – Zoning Regulations &amp; Requirements: Marina District</b>
7.1.0 Permitted Uses: Subject to general provisions, the following accessory uses or buildings and no others are permitted in retail and personal service use buildings		Add (b) Accessory Dwelling Units.
7.1.0 Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted		Add (k) Animal Hospital or Clinic.
7.2.0 Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted		<b>8.1.1</b> Add (m) Animal Hospital or Clinic. (n) Creative Industry.
7.3.0 Permitted Uses: Subject to general provisions, the following principal uses and no others are permitted		<b>8.2.1</b> Add (v) Animal Hospital or Clinic.

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

Section	Change From	Change To/Add
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9.1.2 Parking Requirements		Add Row to Parking Requirement Table Marina Use   1 space per 2 mooring spaces and 1 space per 2 rental boats
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## Section 10 - Signs

Section	Change From	Change To/Add
10.1.0 Definitions		<b>Add</b> DOMESTIC SIGN means a sign used for domestic purposes.
10 Signs		<b>Add</b> <b>11.18 Projecting Signs</b> Projecting Signs are permitted as follows: (a) Projecting Signs are permitted in all Commercial Zones and Marine District Zones
10 Signs		<b>Add and Renumber</b> <b>11.19 Domestic Signs</b> Domestic Signs are permitted as follows: (a) Domestic Signs are permitted in all Residential Zones
10.1.0 Definitions	CANOPY means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as the theatre marquee but does not include normal architectural features such as lintels, sills, and mouldings.	Canopy means a rigid structure extending out from the building face to provide shelter from sun and rain, and is entirely supported from the building. It does not include normal architectural features such as lintels, sills, and mouldings.
10.12.0 Painted Wall Sign	10.12.0 Painted Wall Sign Painted Wall Sign are permitted as follows: (a) Painted wall signs are permitted in the C- commercial zones, M-industrial zones and P zones. (b) One painted wall sign shall be permitted per business for every wall facing a highway or yard.	<b>11.12 Wall Signs</b> Wall Signs are permitted as follows: (a) Wall signs may be painted or attached through poster frames. (b) Wall signs are permitted in the C- commercial zones, M-industrial zones, MD- marina district zones and P- public facilities zones.

	<p>(c) For each wall the maximum area permitted for painted signs shall not exceed 25 percent of the façade upon which the sign or signs have been painted.</p>	<p>(c) One painted wall sign and one poster frame shall be permitted per business for every wall facing a highway or yard.</p> <p>(d) For each wall the maximum area permitted for painted signs shall not exceed 25 percent of the façade upon which the sign or signs have been painted or attached.</p>
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