



## REGULAR MEETING

For the **REGULAR MEETING** of Council to be held on July 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

### 2. ADOPTION OF AGENDA

**Recommendation:**

THAT the Agenda for the Regular Council Meeting of July 25, 2022 be adopted as presented.

### 3. MINUTES

**a) Recommendation:**

THAT the Minutes of the Special Council Meeting of June 27, 2022 be adopted.  
(attached)

**b) Recommendation:**

THAT the Minutes of the Regular Meeting of June 27, 2022 be adopted.  
(attached)

### 4. REPORTS & RESOLUTIONS

**a) Report from the Communications Manager – Re: Approval of Contract to Receive Active Transportation Funding**

(attached)

**Recommendation:**

THAT Council support, by resolution, the City's contract with the Federal Ministry of Intergovernmental Affairs, Infrastructure and Communities to receive \$9,000 in funds towards the Active Transportation component of our Master Transportation Plan.

**b) Report from Fire Chief – Re: Fire Engine Build**

(attached)

**Recommendation:**

THAT Council award the supply of the replacement Fire Engine to Commercial Emergency Equipment Co.; AND

THAT Council direct staff to include the additional acquisition cost in the 2023 Five Year Financial Plan.

**c) Report from Planning – Re: June 2022 Development Activity Report**  
(attached)

**d) Report from Planning – Re: DVP-21-10 for 1551 Kay Smith Boulevard**  
(attached)

**Recommendation:**

THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #21-10.

**e) Report from Planning - Re: DVP-22-18 for 1444 2<sup>nd</sup> Avenue West**  
(attached)

**Recommendation:**

THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #22-18.

**f) Report from Planning - Re: DVP-22-10 for 108 Prince Rupert Boulevard**  
(attached)

**Recommendation:**

THAT Council proceed with approval for Development Variance Permit (DVP) application #22-10.

**g) Report from Planning - Re: DVP-22-13 for 1425 2<sup>nd</sup> Avenue West**  
(attached)

**Recommendation:**

THAT Council proceed with approval for Development Variance Permit (DVP) application #22-13.

**h) Report from Planning - Re: DVP-22-14 for 535 Tatlow Street**  
(attached)

**Recommendation:**

THAT Council proceed with approval for Development Variance Permit (DVP) application #22-14.

**i) Report from Planning - Re: DVP-22-15 for 224 9<sup>th</sup> Avenue East**  
(attached)

**Recommendation:**

THAT Council proceed with approval for Development Variance Permit (DVP) application #22-15.

**j) Report from Planning - Re: DVP-22-16 for 116 Hays Cove Circle**  
(attached)

**Recommendation:**

THAT Council proceed with approval for Development Variance Permit (DVP) application #22-16.

**k) Report from Planning - Re: DVP-22-17 for 336 6<sup>th</sup> Ave East**

(attached)

**Recommendation:**

THAT Council proceed with approval for Development Variance Permit (DVP) application #22-17.

**l) Report from Planning – Re: Proposed Interim Parking Management Strategy**

(attached)

**Recommendation:**

THAT Council approve the proposed Prince Rupert Interim Parking Management Strategy; and

Request staff to proceed with implementing the strategy as opportunity and budget permit.

**m) Report from the Chief Financial Officer – Re: May 2022 Financial Variance Report**

(attached)

**n) Report from the Corporate Administrator - Re: Bylaw Notification System**

(attached)

**Recommendation:**

THAT Council approve staff to enter into a Bylaw Notice System for minor bylaw infractions.

**5. BYLAWS**

**a) Report from the Chief Financial Officer – Re: 2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022**

(attached)

**Recommendation:**

THAT Council consider the public consultation process to date, comprising of the posting of notice on the City's website and on the notice board at City Hall since June 22, 2022 and inviting feedback on the amendment bylaw, sufficient for the purpose of consultation under section 166 of the Community Charter; AND

THAT Council give Fourth and Final Reading to the 2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022.

**b) Report from the Communications Manager – Re: Public Notice Bylaw No. 3500, 2022 and Development Procedures Amendment Bylaw No. 3501, 2022**

(attached)

**Recommendation:**

THAT Council consider First, Second and Third Readings to Public Notice Bylaw No. 3500, 2022; AND

THAT Council direct the Bylaw to Public Notification for community feedback;  
AND

THAT Council give First and Second Readings to the proposed Development  
Procedures Amendment Bylaw No 3501, 2022.

**c) Report from the Director of Operations & Intergovernmental Relations –  
Re: Prince Rupert Boulevard Road Dedication Bylaw No. 3499, 2022**

(attached)

**Recommendation:**

THAT Council give First and Second Readings to the Prince Rupert Boulevard  
Road Dedication Bylaw No. 3499, 2022.

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

**7. ADJOURNMENT**



## MINUTES

For the **SPECIAL MEETING** of Council held on June 27, 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  
Councillor B. Cunningham  
Councillor W. Niesh  
Councillor N. Adey  
Councillor B. Mirau  
Councillor B. Mirau
- ABSENT:** Councillor R. Skelton-Morven  
Councillor G. Randhawa
- STAFF:** C. Bomben, Chief Financial Officer / Deputy City Manager  
R. Miller, Corporate Administrator  
R. Pucci, Director of Operations & Intergovernmental Relations

### 1. CALL TO ORDER

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

### 2. RESOLUTION TO EXCLUDE THE PUBLIC

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

- 90.1 (g) litigation or potential litigation affecting the municipality; and,  
(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

Confirmed:

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MAYOR

Certified Correct:

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CORPORATE ADMINISTRATOR



## MINUTES

For the **REGULAR MEETING** of Council held on June 27, 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  
Councillor W. Niesh  
Councillor G. Randhawa  
Councillor B. Cunningham  
Councillor N. Adey  
Councillor B. Mirau

**ABSENT:** Councillor R. Skelton-Morven

**STAFF:** C. Bomben, Chief Financial Officer / Deputy City Manager  
R. Miller, Corporate Administrator  
R. Pucci, Director of Operations and Intergovernmental Relations  
M. Pope, Planner  
D. Rajasooriar, Planner

### 1. CALL TO ORDER

The Chair called the Regular Meeting of Council to order at 7:04 p.m.

### 2. ADOPTION OF AGENDA

MOVED by Councillor Adey and seconded by Councillor Randhawa THAT the Agenda for the Regular Council Meeting of June 27, 2022 be adopted with the addition of item 4 (j) Port Edward Harbour Authority – Letter of Support Request.

CARRIED

### 3. MINUTES

a) MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT the Minutes of the Special Council Meeting of June 13, 2022 be adopted.

CARRIED

b) MOVED by Councillor Randhawa and seconded by Adey THAT the Minutes of the Regular Meeting of June 13, 2022 be adopted.

CARRIED

### 4. REPORTS & RESOLUTIONS

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

**b) Report from the Director or Operations & Intergovernmental Relations Re: Wastewater Treatment Grant Application – Strategic Priorities Fund (SPF)**

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council pass a resolution to support staff applying for the following grant:

- SPF Grant Application – Omineca Avenue Wastewater Treatment Facility.

CARRIED

**c) Report the Planning Re: DVP-22-17 for 336 – 6<sup>th</sup> Avenue East.**

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) #22-17.

CARRIED

**d) Report from Planning Re: DVP-22-12 for 255 – 257 – 3<sup>rd</sup> Avenue West.**

MOVED by Councillor Cunningham and seconded by Councillor Randhawa THAT Council proceed with approval for Development Variance Permit (DVP) application #22-12.

CARRIED

**e) Report from Planning Re: DVP-22-14 for 535 Tatlow Street.**

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #22-14.

CARRIED

**f) Report from Planning Re: DVP-22-15 for 224 – 9<sup>th</sup> Avenue East.**

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council proceed with the statutory notification proceed for Development Variance Permit (DVP) application #22-15.

CARRIED

**g) Report from Planning Re: DVP-22-16 for 116 Hays Cove Circle.**

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #22-16.

CARRIED

**h) Resolution Ratification from the Committee of the Whole**

MOVED by Councillor Adey and seconded by Councillor Randhawa THAT Council, having heard comments from the public, recommend to the Regular Meeting of Council of June 27, 2022, approval of the 2021 Annual Report.

CARRIED

**i) Resolution from Closed Meeting**

On Monday, June 13, 2022, Prince Rupert City Council, at their Closed Meeting, made the following resolution:

*MOVED by Mayor Brain and seconded by Councillor Cunningham THAT Council review the nominations for the 2022 Civic Recognition Awards as presented and indicate the awards to be bestowed upon nominees as follows:*

*Teresa Mackereth – Civic Merit Award  
Ella Ferland – Civic Merit Award  
Rob Gruber – Civic Merit Award*

*AND THAT this resolution be released at a future Regular Meeting of Council.*

CARRIED

**j) Port Edward Harbour Authority Re: Letter of Support Request**

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council, direct staff to send a letter of support as requested.

CARRIED

**5. BYLAWS**

**a) City of Prince Rupert Elections Voting Procedure Bylaw and Automated Vote Counting System Authorization Bylaw No. 3496, 2022.**

MOVED by Councillor Niesh and seconded by Councillor Mirau THAT Council give Fourth and Final Reading to the City of Prince Rupert Elections Voting Procedure Bylaw and Automated Vote Counting System Authorization Bylaw No. 3496, 2022.

CARRIED

**b) City of Prince Rupert 2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022.**

MOVED by Councillor Adey and seconded by Councillor Randhawa THAT Council give First, Second and Third Readings to the 2022 Five Year Financial Plan Amendment Bylaw no. 3498, 2022.

CARRIED

**c) City of Prince Rupert Police Detachment Loan Authorization Bylaw No. 3484, 2022.**

MOVED by Councillor Randhawa and seconded by Councillor Adey THAT Council give Fourth & Final Reading to the Police Detachment Loan Authorization Bylaw No. 3484, 2022.

CARRIED

**d) City of Prince Rupert Zoning Amendment Bylaw No. 3493, 2022.**

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council give Third Reading to Zoning Amendment Bylaw No. 3493, 2022 with and after the removal of Section 3.19.

CARRIED

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

**7. ADJOURNMENT**

MOVED by Councillor Adey and seconded by Councillor Randhawa THAT the meeting be adjourned at 8:17 pm.

CARRIED

Confirmed:

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MAYOR

Certified Correct:

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CORPORATE ADMINISTRATOR



## REPORT TO COUNCIL

Regular Meeting of Council

**DATE:** July 25<sup>th</sup>, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Veronika Stewart, Communications Manager

**SUBJECT: APPROVAL OF CONTRACT TO RECEIVE ACTIVE TRANSPORTATION FUNDING**

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### RECOMMENDATION:

**THAT Council support, by resolution the City's contract with the Federal Ministry of Intergovernmental Affairs, Infrastructure and Communities to receive \$9,000 in funds towards the Active Transportation component of our Master Transportation Plan.**

### REASON FOR REPORT:

The City applied for a grant in March of 2021 to fund a portion of costs of Active Transportation expenses of our Master Transportation Plan, Connect Rupert, which is currently ongoing. This resolution will enable staff to sign the funding Agreement to receive the \$9,000 grant funds which have now been successfully awarded. Although a resolution was not a requirement of the application itself, reference to a resolution is a required component of the funding agreement.

### BACKGROUND:

City Council approved the undertaking of an approximately \$100,000 Transportation Plan as part of the 2022 Budget. To reduce the costs born by ratepayers in Prince Rupert, staff have applied for grants specifically available for active transportation planning, to subsidize the cost of this project. The City has also received \$20,000 in UBCM funding towards the additional Active Transportation costs of the project –

with that portion of the project now fully funded by grants. No other component of the Transportation Plan is eligible for grant funding.

**ANALYSIS:**

The contract for funding is a standard part of the City’s regular processes for applying for and intaking grants, and the Agreement will provide an overall benefit to the community of \$9,000 towards Active Transportation planning.

**COST:**

The only cost to support this resolution is staff time to complete and submit the application, now complete, and to execute the contract. Overall, this resolution represents a \$9,000 cost savings to the City.

**CONCLUSION:**

Staff is requesting that Council support by resolution the City’s contract with the Federal Ministry of Intergovernmental Affairs, Infrastructure and Communities to receive \$9,000 in funds towards the Active Transportation component of our Master Transportation Plan.

**Report Prepared By:**

**Report Reviewed By:**

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Veronika Stewart,  
Communications Manager

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Robert Buchan,  
City Manager



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** July 25<sup>th</sup>, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Jeff Beckwith, Fire Chief

**SUBJECT: FIRE ENGINE BUILD**

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#### **RECOMMENDATION:**

**THAT Council award the supply of the replacement Fire Engine to Commercial Emergency Equipment Co.;**

**AND**

**THAT Council directs staff to include the additional acquisition cost in the 2023 Five Year Financial Plan.**

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

In the 2022 Five Year Financial Plan, Council approved the acquisition of a new fire engine to replace the Department's reserve pumper (1998 American Lafrance). Council approved \$1.0 million to be dedicated for this purchase, but the actual build price has come in higher at \$1.23 million.

#### **ANALYSIS:**

Fire apparatus manufacturers are all located in the United States. Canadian fire departments will work with Canadian manufacturer representatives when developing specifications and build design, and either have an entire apparatus built at the factory, or buy a chassis from the manufacturer and complete the apparatus build through a third party company. Well known manufacturers of fire apparatus include: Pierce, E-One, Smeal, Spartan, and Rosenbauer, while companies like Hub and Safetek will manufacture an apparatus from a purchased chassis.

The Department has worked with Commercial Emergency Equipment (Vancouver) to develop a new apparatus build specification that will meet the needs of the City and the Fire Department. This vehicle is the Pierce Enforcer frontline engine which will be manufactured at the Pierce facility. The Department had reached out to other manufacturers (Safetek/ Spartan) which offered a similar apparatus build, but the Pierce apparatus was able to fit the compressed space in the station while still providing the

needed seating arrangements, engine power, pump capabilities, water/foam tanks and effective compartment storage.

The delivery of the truck will be approximately 25 months from the time the order is placed. This is due to the impacts of the global pandemic on manufacturing and supply chain issues.

**COST:**

The cost of the apparatus initially was estimated to be \$1.0 million in the 2022 Five Year Financial Plan. Without actually developing a design build, this amount was based on build prices that the fire service experienced across the province for new apparatus in recent years. The first design was quoted at \$1.19 million (CAN), and now sits at \$1.23 million (CAN) due to the exchange rate difference observed over the past four months.

The terms of the purchase include a 10% deposit at time of booking, with the balance owed on delivery.

Purchase of this apparatus is quoted using the City’s membership to the Sourcewell cooperative purchasing program which conducts the requests for proposals from the industry. Quoting through Sourcewell has provided a 5.5% discount on the apparatus build, which has resulted in nearly \$68,000 in savings and is included in the final quoted price.

**CONCLUSION:**

The estimated build price for a new fire apparatus in the 2022 Fire Year Financial Plan was \$1.0 million. The actual build price for a new fire engine with the current exchange rate is \$1,232,900. Council is asked to award the supply of the Fire Engine to Commercial Emergency Equipment Co. and include the additional acquisition cost in the next Five Year Financial Plan.

**Report Prepared By:**

**Report Reviewed By:**

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Jeff Beckwith,  
Fire Chief

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Robert Buchan,  
City Manager



## REPORT TO COUNCIL

### Regular Meeting of Council

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

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: DEVELOPMENT ACTIVITY REPORT FOR JUNE 2022**

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

This report summarizes development application activity in the City of Prince Rupert from June 2022. This report is intended to inform Council on applications that have been received and their status as of the end of June 2022.

#### **SUMMARY:**

The table below provides a summary of the applications that were approved, rejected, in progress, on hold, or lapsed as of the end of June 2022.

In terms of development permits (including minor works or sign permits), two were approved, three were in progress, and one lapsed. In terms of development variance permits, one was approved, nine were in progress, and one was on hold. In terms of temporary use permits, one was approved and one was on hold. In terms of Official Community Plan and/or Zoning Bylaw amendments, two were in progress and four were on hold.

<b>File No.</b>	<b>Location</b>	<b>Proposal Description</b>	<b>Date Received</b>	<b>Status</b>	<b>Date of Decision</b>
<b>DP-22-10</b>	413 3 <sup>rd</sup> Avenue West	Application to have a sign.	April 1 <sup>st</sup> 2022	In Progress*  *Awaiting additional documentation from the applicant.	N/A
<b>DP-22-14</b>	255-257 3 <sup>rd</sup> Avenue West	Application to have signs. Related: DVP-22-12.	May 19 <sup>th</sup> 2022	In Progress	N/A*  *The application has since been approved on July 18 <sup>th</sup> 2022.
<b>DP-22-15</b>	1134 Park Avenue	Application to have a fence and re clad building.	June 2 <sup>nd</sup> 2022	Approved	June 3 <sup>rd</sup> 2022
<b>DP-22-16</b>	342-348 3 <sup>rd</sup> Avenue West	Application to have a sign.	June 16 <sup>th</sup> 2022	In Progress	N/A*  *The application has since been approved on July 14 <sup>th</sup> 2022.
<b>DP-22-17</b>	248 3 <sup>rd</sup> Avenue West	Application to renovate façades.	June 15 <sup>th</sup> 2022	Approved	June 29 <sup>th</sup> 2022

<b>DVP-21-10</b>	1551 Kay Smith Boulevard	Application to have a principal building height variance to accommodate an existing house as well as a side property line setback variance to accommodate an existing stairway/deck.	July 12 <sup>th</sup> 2021	On Hold*  *The application was on hold awaiting the applicant's decision to remove encroachments onto a neighbouring property or to establish an easement. The application has since been in progress.	N/A
<b>DVP-22-08</b>	1515 Kay Smith Boulevard	Application to have (a) variance(s) to accommodate a proposed balcony extension.	March 11 <sup>th</sup> 2022	In Progress*  *Awaiting additional documentation from the applicant.	N/A
<b>DVP-22-10</b>	108 Prince Rupert Boulevard	Application to have a front yard setback variance to accommodate a deck extension.	May 13 <sup>th</sup> 2022	In Progress*  *Before Council on July 25 <sup>th</sup> 2022 for final consideration.	N/A

<b>DVP-22-11</b>	938 Alfred Street	Application to have a front yard area maximum fence height variance to accommodate a proposed fence.	May 16 <sup>th</sup> 2022	In Progress*  *Awaiting additional documentation from the applicant.	N/A
<b>DVP-22-12</b>	255-257 3 <sup>rd</sup> Avenue West	Application to have window sign maximum window coverage variance to accommodate three proposed frosted vinyl window signs. Related: DP-22-14.	May 19 <sup>th</sup> 2022	Approved	June 27 <sup>th</sup> 2022
<b>DVP-22-13</b>	1425 2 <sup>nd</sup> Avenue West	Application to have a rear property line setback variance to accommodate a proposed deck.	May 3 <sup>rd</sup> 2019	In Progress*  *Before Council on July 25 <sup>th</sup> 2022 for final consideration.	N/A
<b>DVP-22-14</b>	535 Tatlow Street	Application to have a side property line setback variance to accommodate a proposed overhang over a deck.	June 9 <sup>th</sup> 2022	In Progress*  *Before Council on July 25 <sup>th</sup> 2022 for final consideration.	N/A

<b>DVP-22-15</b>	224 9 <sup>th</sup> Avenue East	Application to have side property line setback variances to accommodate a proposed enclosed walkway, stairway, and landing.	June 1 <sup>st</sup> 2022	In Progress*  *Before Council on July 25 <sup>th</sup> 2022 for final consideration.	N/A
<b>DVP-22-16</b>	116 Hays Cove Circle	Application to have a side property line setback variance to accommodate a proposed second-storey addition.	June 13 <sup>th</sup> 2022	In Progress*  *Before Council on July 25 <sup>th</sup> 2022 for final consideration.	N/A
<b>DVP-22-17</b>	336 6 <sup>th</sup> Avenue East	Application to have side property line setback variances to accommodate a proposed front deck extension.	June 14 <sup>th</sup> 2022	In Progress*  *Before Council on July 25 <sup>th</sup> 2022 for final consideration.	N/A

<b>DVP-22-18</b>	1444 2 <sup>nd</sup> Avenue West	Application to have a maximum lot coverage variance, front property line setback variances, and side property line setback variances to accommodate a proposed front deck and stairs with an overhang over the front deck, a proposed overhang over the rear deck with side walls, and a proposed enclosure of the space beneath the rear deck.	June 23 <sup>rd</sup> 2022	In Progress*  *Before Council on July 25 <sup>th</sup> 2022 for final consideration.	N/A
<b>MSP-21-14</b>	336 2 <sup>nd</sup> Avenue West	Application to have a sign.	September 28 <sup>th</sup> 2021	Lapsed	N/A
<b>TUP-21-03</b>	1502 2 <sup>nd</sup> Avenue West	Application to temporarily have a container located in a backyard.	September 27 <sup>th</sup> 2021	On Hold*  *The application is on hold until the applicant provides additional documentation.	N/A

<b>TUP-22-02</b>	511 Cotton Street	Application to temporarily have a container located on a vacant property.	April 4 <sup>th</sup> 2022	Approved	June 3 <sup>rd</sup> 2022.
<b>ZBLA-21-01</b>	712-714 McKay Street	Application to rezone from R2 to RM2.	April 7 <sup>th</sup> 2021	On Hold*  *The application is on hold until the applicant provides additional documentation.	N/A
<b>ZBLA-22-01</b>	1307-1309 Sloan Avenue	Application to rezone from R2 to RM1.	January 20 <sup>th</sup> 2022	On Hold*  *The application is on hold in consideration of a Zoning Bylaw amendment proposal.	N/A
<b>ZBLA-22-02</b>	542 8 <sup>th</sup> Avenue East	Application to rezone from R2 to RM2.	January 31 <sup>st</sup> 2022	On Hold*  *The application is on hold in consideration of a Zoning Bylaw amendment proposal.	N/A

<b>ZBLA-22-03</b>	125 3 <sup>rd</sup> Avenue East	Application to rezone from C5 to P1.	March 23 <sup>rd</sup> 2022	On Hold*  *The application is on hold until the applicant provides additional documentation.	N/A
<b>ZBLA-22-04</b>	801 Fraser Street	Application for a zoning amendment to have a distillery as a permitted use at the subject property.	March 23 <sup>rd</sup> 2022	In Progress*  *With Council.	N/A

<p><b>ZBLA-22-05</b></p>	<p>N/A</p>	<p>Omnibus Zoning Bylaw Amendment. Section 1 covers twelve items including the addition and alteration of definitions, permitted uses within existing zones, and signage regulations, as well as the removal of the Marina District Zone from the section for Industrial Zones and the consequent renumbering. Section 2 covers accessory dwelling units including the proposed permitting of lock-off suites in multi-family buildings and secondary suites in duplexes.</p>	<p>April 25<sup>th</sup> 2022</p>	<p>In Progress* *With Council.</p>	<p>N/A</p>
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**Report Prepared By:**

**Report Reviewed By:**

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Daniel Rajasooriar,  
Planner

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Robert Buchan,  
City Manager



## REPORT TO COUNCIL

### Regular Meeting of Council

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

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: DEVELOPMENT VARIANCE PERMIT #21-10  
FOR 1551 KAY SMITH BOULEVARD**

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#### **RECOMMENDATION:**

**THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #21-10.**

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

An application was received for a Development Variance Permit for the property located at 1551 Kay Smith Boulevard.

The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 0.15-metre setback from a side property line in relation to the western side property line in order to accommodate a deck and stairs. The required setback from a side property line in an R2 zone is 1.2 metres.
2. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 1.16-metre setback from a side property line in relation to the western side property line in order to accommodate the house. The required setback from a side property line in an R2 zone is 1.2 metres.
3. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.7 (a) to have a 10.2108-metre maximum building height. The maximum building height in an R2 zone is 9 metres.

The Site Plan and Building Plan are included as Attachments 1 and 2 (A-D), respectively.

**BACKGROUND AND ANALYSIS:**

The deck, stairs, and house, to which the proposed variances variously pertain, have been built or are near completion in terms of being built. This Development Variance Permit application has been delayed due to encroachments on a neighbouring property in relation to the deck's footing pads. As a condition for final consideration of the Development Variance Permit application by Council, either the encroachments will need to be removed or an easement will need to be established. Fulfillment of either of these options will need to be verified by the City.

The proposed variance for the setback from a side property line in relation to the western side property line is requested by the applicant to accommodate a deck and stairs. The applicant rationalized this variance by noting a desire to have access to a door on the second floor.

The proposed variance for the setback from a side property line in relation to the eastern side property line is requested by the applicant to accommodate the house. The applicant rationalized this variance by noting a desire to have a spacious home.

The proposed variance for maximum building height is requested by the applicant to accommodate the house. The applicant rationalized this variance by noting a desire to have a spacious home.

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

The Draft Development Variance Permit is included as Attachment 3 (A-B).

**COST AND BUDGET IMPACT:**

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

**CONCLUSION:**

It is recommended that Council proceed with the statutory notification process for this Development Variance Permit application, giving affected property owners and tenants the opportunity to express their views prior to Council's final consideration of the permit application.

**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 (A-D): Building Plan
- Attachment 3 (A-B): Draft Development Variance Permit

PREPARED FOR:  
 DARREN LAGIMODIERE  
 1551 KAY SMITH BLVD  
 PRINCE RUPERT, BC  
 V8J 2E7



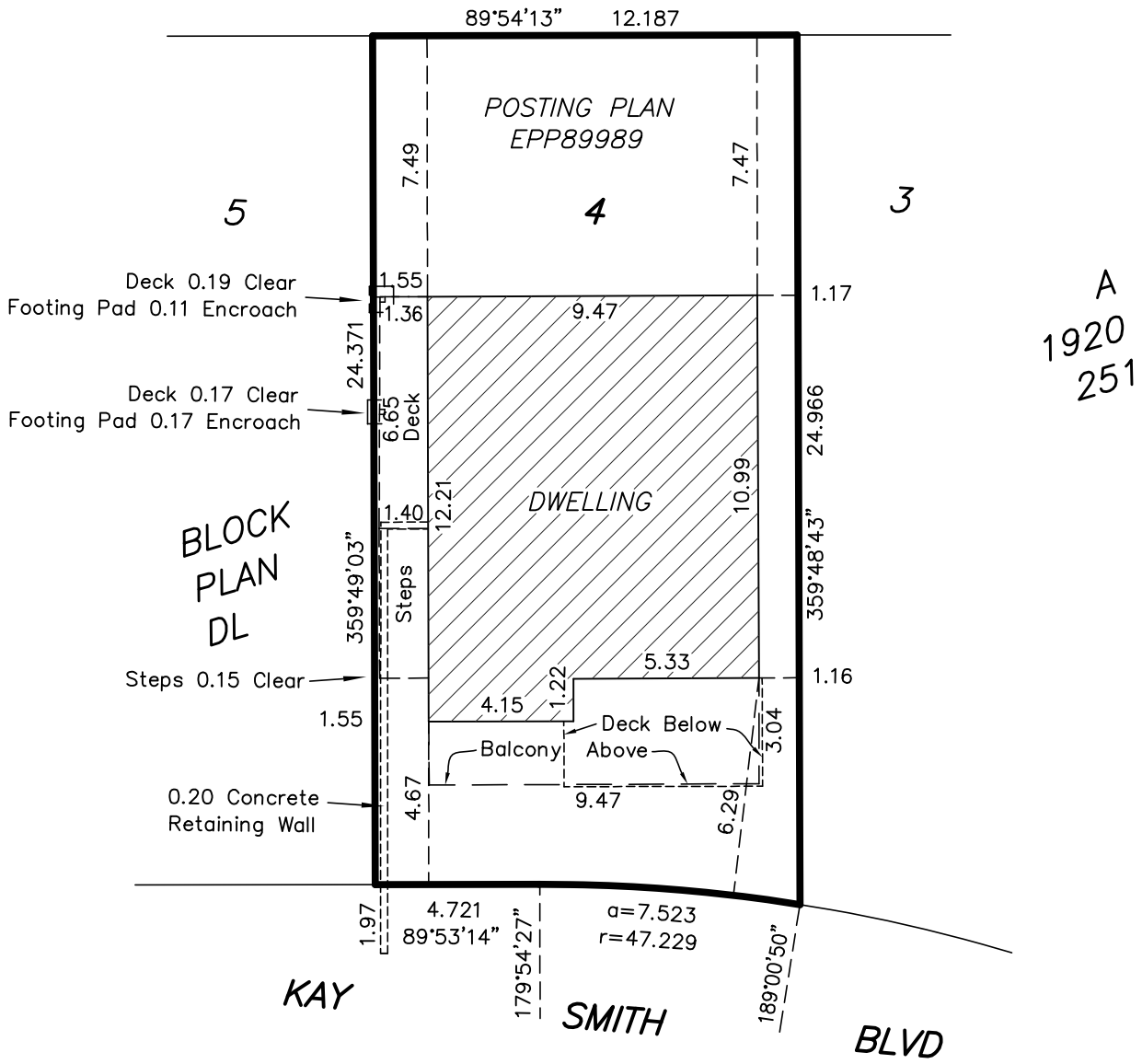
**McElhanney Associates Land Surveying Ltd.**

1 - 5008 POHLE AVENUE, TERRACE, BC V8G 4S8 TEL: 250-635-7163

OUR FILE: 2321-50102-00  
 FIELD SURVEY DATE: FEBRUARY 16, 2022

**BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION  
 SHOWING IMPROVEMENTS OVER LOT 4, BLOCK A, DISTRICT LOT 251,  
 RANGE 5, COAST DISTRICT, PLAN 1920.**

As a condition for final consideration of the DVP by Council,  
 either of the following has to occur and be verified by the City:  
 (a) removal of the encroachments on the neighbouring property  
 (b) establishment of an easement for the encroachments on the neighbouring property



NOTE:  
 THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING CHARGES:  
 - SEE TITLE FOR CHARGES

ALL MEASUREMENTS SHOWN ARE IN METRES AND DECIMALS THEREOF. OFFSET DIMENSIONS ARE TO PLYWOOD SHEATHING AT TIME OF HOUSE CONSTRUCTION AND ARE PERPENDICULAR TO PROPERTY LINES, UNLESS OTHERWISE SHOWN.



THE INTENDED PLOT SIZE OF THIS PLAN IS 216mm IN WIDTH AND 356mm IN LENGTH (LEGAL SIZE) WHEN PLOTTED AT A SCALE OF 1:200.

DIMENSIONS DERIVED FROM PLAN EPP89989

CIVIC ADDRESS: 1551 KAY SMITH BLVD  
 PRINCE RUPERT, BC

PID: 012-564-818

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.

**Todd Basky**  
**WINQ46**

Digitally signed by Todd Basky WINQ46  
 Date: 2022.02.24 14:35:46 -08'00'

TODD BASKY BCLS 899

THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED

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.

ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF THE SIGNATORY.





30'

33.5'

30'

National  
Home Warranty







**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-21-10

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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):** Darren Louis Lagimodiere

**APPLICANT:** Darren Louis Lagimodiere

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

**LEGAL DESCRIPTION:**

Lot 4 Block A District Lot 251 Range 5 Coast District Plan 1920

**CIVIC ADDRESS(ES):**

1551 Kay Smith Boulevard

2. This permit varies the City's Zoning Bylaw (Bylaw #3462) as follows:
  - a. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 0.15-metre setback from a side property line in relation to the western side property line and the deck and stairs, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-D), respectively.
  - b. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 1.16-metre setback from a side property line in relation to the eastern side property line and the house, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-D), respectively.
  - c. Section 5.2.7 (a) is varied from a 9-metre maximum building height to a 10.2108-metre maximum building height, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-D), respectively.
3. This permit is issued subject to the following conditions to the City's satisfaction:
  - a. The permittee(s) develop(s) the proposed development in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-D), respectively.
  - b. Compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented.

DVP-21-10 Page 2 of 2

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

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

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

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Rosamaria Miller  
Corporate Administrator



## REPORT TO COUNCIL

### Regular Meeting of Council

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

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: DEVELOPMENT VARIANCE PERMIT #22-18  
FOR 1444 2<sup>ND</sup> AVENUE WEST**

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#### **RECOMMENDATION:**

**THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #22-18.**

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

An application was received for a Development Variance Permit for the property located at 1444 2<sup>nd</sup> Avenue West.

The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.4 to have a lot coverage of 71% in order to accommodate a proposed front deck and stairs. The maximum lot coverage in an R2 zone is 50%. Please note that a Development Variance Permit was issued which varied the maximum lot coverage to 63%.
2. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (a) to have a 1.76784-metre setback from the front property line in order to accommodate a proposed front deck and overhang over the front deck. The required setback from the front property line in an R2 zone is 3.6 metres.

3. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (a) to have a 0.370841016-metre setback from the front property line in order to accommodate proposed stairs to the proposed front deck. The required setback from the front property line in an R2 zone is 3.6 metres.
4. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 0.4562-metre setback from the side property line in relation to the southwestern side property line in order to accommodate a proposed front deck and stairs with an overhang over the front deck, a proposed overhang over the rear deck with side walls, and a proposed enclosure of the space beneath the rear deck. The required setback from a side property line in an R2 zone is 1.2 metres.
5. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 0.36576-metre setback from the side property line in relation to the northeastern side property line in order to accommodate a proposed front deck and overhang over the front deck. The required setback from a side property line in an R2 zone is 1.2 metres.
6. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 0.67056-metre setback from the side property line in relation to the northeastern side property line in order to accommodate a proposed overhang over the rear deck with side walls and the proposed enclosure of the space beneath the rear deck. The required setback from a side property line in an R2 zone is 1.2 metres.

The Site Plan and Building Plan are included as Attachments 1 and 2 (A-C), respectively.

### **BACKGROUND AND ANALYSIS:**

Some of the proposed variances are requested by the applicant to accommodate a proposed front deck and stairs with an overhang over the front deck. The applicant rationalized these variances in four ways. First, they note that the proposed front deck and stairs will providing access to the house as a replacement for a previous deck and stairs. Second, they note that the proposed front deck and overhang over the front deck will provide desired weather-protected outdoor living space. Third, they note that the proposed overhang over the front deck will protect the house from water damage. Fourth, they note that the proposed front deck and stairs with an overhang over the front deck will be built out to the same extent as the existing house in relation to the side property lines.

Some of the proposed variances are requested by the applicant to accommodate a proposed overhang over the rear deck with side walls. The applicant rationalized these variances in four ways. First, they note that the proposed overhang over the rear deck will provide desired weather-protected outdoor living space. Second, they note that the proposed overhang over the rear deck will protect the house and rear deck from water damage. Third, they note that the proposed side walls will support the proposed overhang over the rear deck and provide some privacy. Fourth, they note that the proposed overhang over the rear deck with side walls is associated with a deck for which a Development Variance Permit was issued.

Some of the proposed variances are requested by the applicant to accommodate a proposed enclosure of the space beneath the rear deck. The applicant rationalized these variances in two ways. First, they note that the proposed enclosure of the space beneath the rear deck will provide desired living space. Second, they note that the proposed enclosure of the space beneath the rear deck is associated with a deck for which a Development Variance Permit was issued.

Certain property owners from the surrounding neighbourhood have reached out to the City after hearing about the proposed variances from the applicant and have voiced their concerns. These property owners and the public will have the opportunity to provide input during the public consultation period.

The Draft Development Variance Permit is included as Attachment 3 (A-C).

#### **COST AND BUDGET IMPACT:**

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

#### **CONCLUSION:**

It is recommended that Council proceed with the statutory notification process for this Development Variance Permit application, giving affected property owners and tenants the opportunity to express their views prior to Council's final consideration of the permit application.

**Report Prepared By:**

**Report Reviewed By:**

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Daniel Rajasooriar,  
Planner

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Robert Buchan,  
City Manager

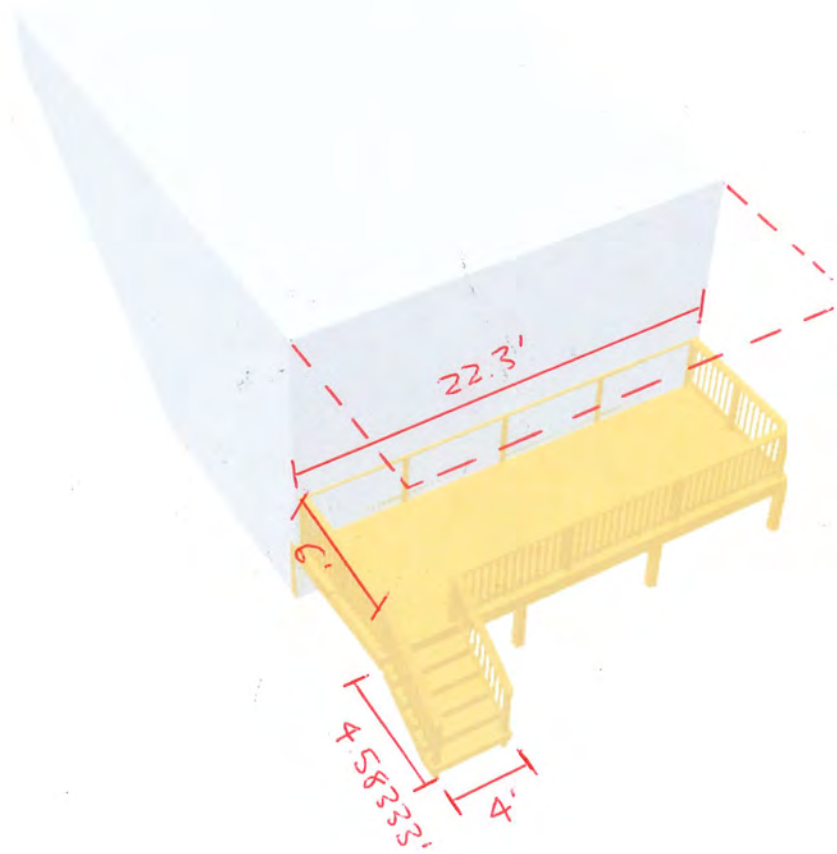
Attachment(s):

- Attachment 1: Site Plan
- Attachment 2 (A-C): Building Plan
- Attachment 3 (A-C): Draft Development Variance Permit



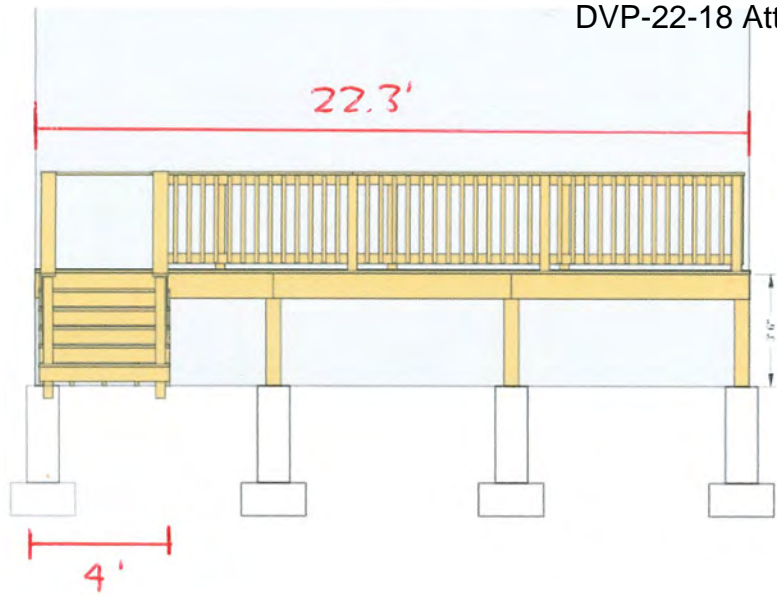
1444 - 2ND AVE  
PRINCE RUPERT

Proposed  
FRONT  
DECK  
And Stairs



1444 - 2ND AVE  
PRICE REPORT

Proposed  
Front  
Deck  
And Stairs



Side view of back of deck

7' overhang  
(proposed)

TOTAL HEIGHT  
23' 8"

EXISTING  
7' wall  
(proposed)

42" Rafters

Framed in walls under deck  
(proposed)

2' Foundation



**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-22-18

**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):** Chad Paul Sokolowski

**APPLICANT:** Roman Sokolowski

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

**LEGAL DESCRIPTION:**

Lot 11 Block 6 Section 2 District Lot 1992 Range 5 Coast District Plan 923

**CIVIC ADDRESS(ES):**

1444 2<sup>nd</sup> Avenue West

2. This permit varies the City's Zoning Bylaw (Bylaw #3462) as follows:
  - a. Section 5.2.4 is varied from a maximum lot coverage of 50% (a Development Permit was issued which varied the maximum lot coverage to 63%) to a maximum lot coverage of 71%, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-C), respectively.
  - b. Section 5.2.6 (a) is varied from a 3.6-metre setback from a side property line to a 1.76784-metre setback from the front property line in relation to the proposed front deck and overhang over the front deck, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-C), respectively.
  - c. Section 5.2.6 (a) is varied from a 3.6-metre setback from a side property line to a 0.370841016-metre setback from the front property line in relation to the proposed stairs to the proposed front deck, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-C), respectively.
  - d. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 0.4562-metre setback from a side property line in relation to the southwestern side property line, the proposed front deck and stairs with an overhang over the front deck, the proposed overhang over the rear deck with side walls, and the proposed enclosure of the space beneath the rear

- deck, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-C), respectively.
- e. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 0.36576-metre setback from a side property line in relation to the northeastern side property line and the proposed front deck and overhang over the front deck, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-C), respectively.
  - f. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 0.67056-metre setback from a side property line in relation to the northeastern side property line, the proposed overhang over the rear deck with side walls, and the proposed enclosure of the space beneath the rear deck, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-C), respectively.
3. This permit is issued subject to the following conditions to the City's satisfaction:
    - a. The permittee(s) develop(s) the proposed development in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-C), respectively.
    - b. Compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented.
  4. If the permittee(s) does/do not substantially commence the development permitted by this permit within 24 months of the date of this permit, the permit shall lapse and be of no further force and effect.
  5. This permit is **NOT** a Building Permit or Subdivision Approval.
  6. This permit does not authorize works on adjacent properties. Encroachment on any adjacent property for the purposes of excavation, or the deposit or removal or fill requires the written consent of the owner of such adjacent property.
  7. The terms and conditions contained in this permit shall inure to the benefit of, and be binding upon, the owner(s), their executors, heirs or administrators, successors and assignees as the case may be or their successors in title to the land.
  8. The following plans and specifications are attached to and form part of this permit:
    - a. Schedule 1: Site Plan
    - b. Schedule 2 (A-C): Building Plan

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

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

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Rosamaria Miller  
Corporate Administrator

DRAFT



## REPORT TO COUNCIL

### Regular Meeting of Council

DATE: June 13, 2022

TO: Robert Buchan, City Manager

FROM: Myfannwy Pope, Planner

SUBJECT: DEVELOPMENT VARIANCE PERMIT #22-10  
FOR 108 PRINCE RUPERT BOULEVARD

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#### RECOMMENDATION:

THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) #22-10.

#### REASON FOR REPORT:

An application was received for a Development Variance Permit for the property located at 108 Prince Rupert Boulevard.

#### The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 3.048-metre setback from the front property line in relation to extension of an existing deck. The required setback from the front property line in an R2 zone is 3.6 metres. The applicant is requesting a variance of 0.55-metres to the setback for the front 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 front property line is requested by the applicant to accommodate a proposed extension on the front deck by 0.610 metres. The applicant rationalized the proposed variance to the front property line setback to enable them to make better use of their front deck, for example having enough space to place a table and chairs.

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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Myfannwy Pope,  
Planner

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Robert Buchan,  
City Manager

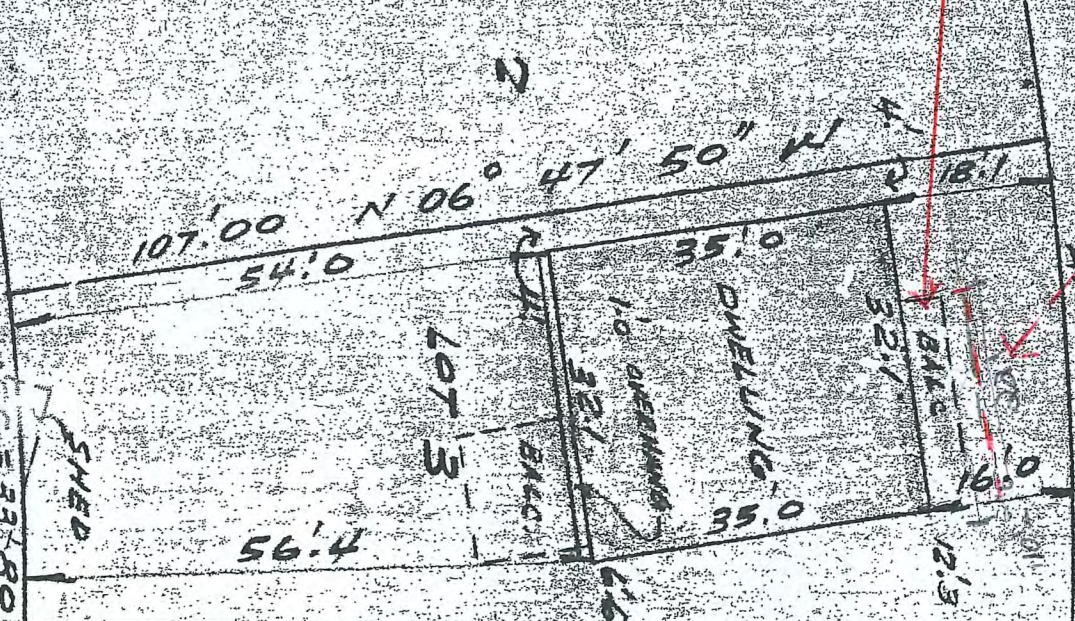
Attachment(s):

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

Schedule 1

STANDARD CERTIFICATE COVERING  
LOT 3, DL 251  
455' OLD BLVD B530  
OFF OF PRINCE RUPERT

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



PRINCE RUPERT BLVD.

**VOID**

Schedule 1

CERTIFIED CORRECT  
B.C.L.S.  
1995  
COPY

MCELHANNEX ASSOCIATES  
PROFESSIONAL LAND SURVEYORS  
205 - 4630 Leslie Avenue  
Terrace, B.C.  
FILE: A3700-20  
070695

This information has been prepared in respect to the  
Operation Act and all other laws under the Freedom of  
Information and Protection of Privacy Act.

The City of Prince Rupert does NOT warrant the  
or correctness of this information and is not responsible  
are being made by relying on this City / Applicant  
this information and is not responsible for any  
whatsoever.

Attachment 2

5/10/2022

108 Prince Rupert Blvd - Google Maps

108 Prince Rupert Blvd



Image capture: Jun 2012 © 2022 Google



108 Prince Rupert Blvd

All

Street View & 360°



**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-22-10

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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):** LAM THANH TRAN

**APPLICANT:** Lam Thanh Tran

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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:**

LOT 3 DISTRICT LOT 251 RANGE 5 COAST DISTRICT PLAN 8330

**CIVIC ADDRESS:**

108 Prince Rupert Boulevard

3. The City of Prince Rupert Zoning Bylaw (Bylaw #3462) is varied as follows:
  - a. Section 5.2.6 (a) is varied from a 3.6-metre setback from the front property line to a 3.048-metre setback from the front property line in relation to the proposed extension of the front deck, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2, 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 : Elevations

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

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

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Rosamaria Miller  
Corporate Administrator



## REPORT TO COUNCIL

### Regular Meeting of Council

DATE: June 13, 2022

TO: Robert Buchan, City Manager

FROM: Myfannwy Pope, Planner

SUBJECT: DEVELOPMENT VARIANCE PERMIT #22-13  
FOR 1425 2<sup>ND</sup> AVENUE WEST

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#### RECOMMENDATION:

THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) #22-13.

#### REASON FOR REPORT:

An application was received for a Development Variance Permit for the property located at 1425 2<sup>nd</sup> Avenue West.

#### The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 1.22 metres set-back from the rear property line to account for a back deck encroachment. The required setback from the rear property line in an R2 zone is 3.0 metres. The applicant is requesting a variance of 1.78-metres to the setback for the rear property line.

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

#### BACKGROUND AND ANALYSIS:

The proposed variance to the rear property setback is requested by the applicant to accommodate a proposed back deck that will be 3.05 metres by 5.79 metres. The applicant rationalized the proposed variance to the rear property line as necessary due to the existing non-conformance of the house and non-uniform shape of the property that curves around at the back.

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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Myfannwy Pope,  
Planner

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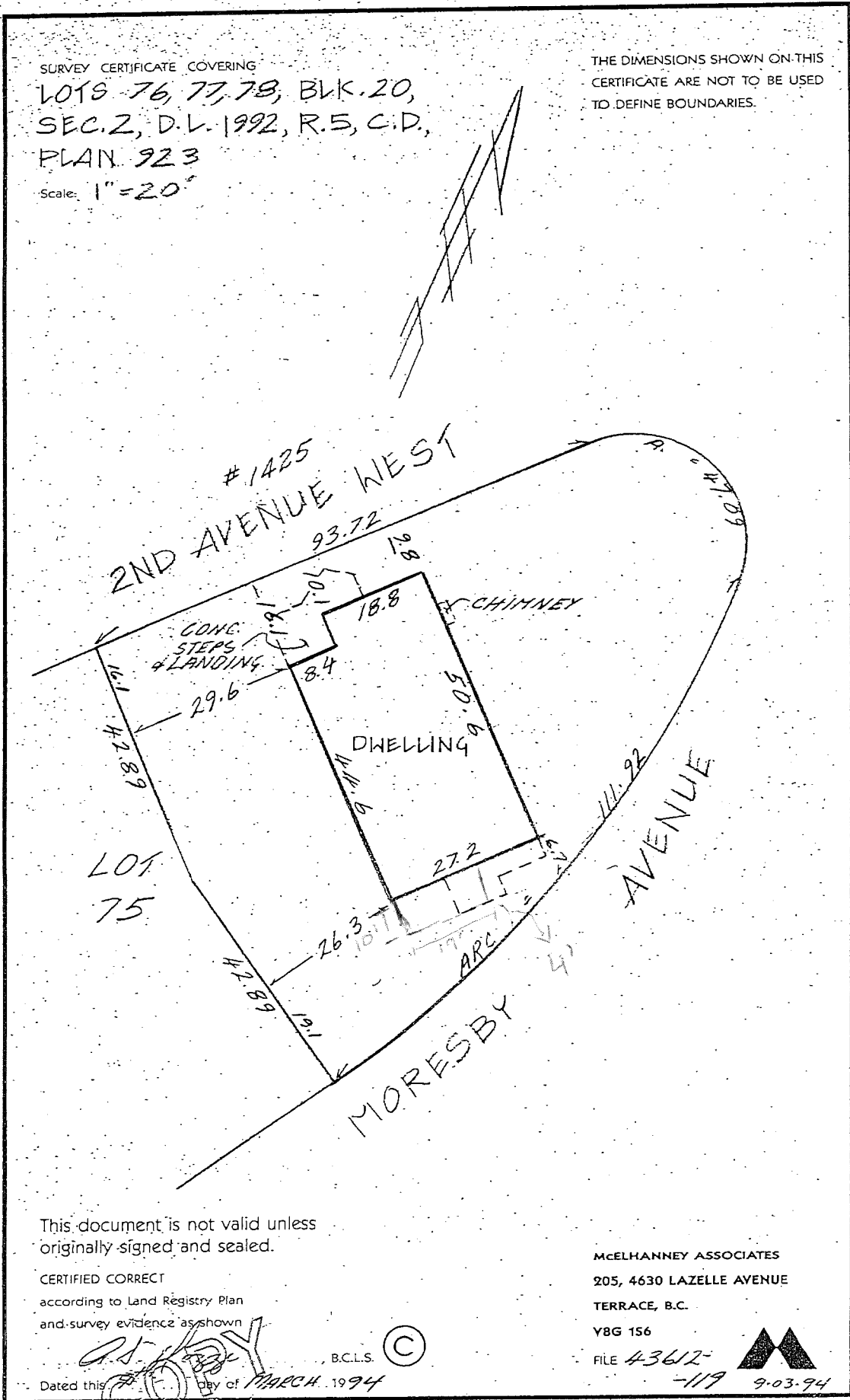
Robert Buchan,  
City Manager

Attachment(s):

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

SURVEY CERTIFICATE COVERING  
 LOTS 76, 77, 78, BLK. 20,  
 SEC. 2, D.L. 1992, R.5, C.D.,  
 PLAN 923  
 Scale: 1" = 20'

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



This document is not valid unless  
 originally signed and sealed.

CERTIFIED CORRECT  
 according to Land Registry Plan  
 and survey evidence as shown

McELHANNEY ASSOCIATES  
 205, 4630 LAZELLE AVENUE  
 TERRACE, B.C.

Y8G 156

FILE 43612



-119 9-03-94

Dated this 7th day of MARCH, 1994  
 [Signature] B.C.L.S. ©

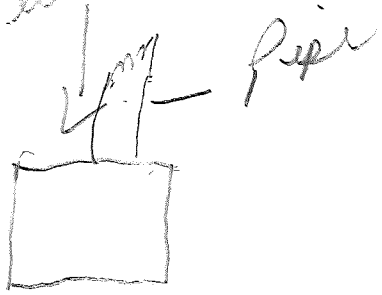
REC-10913

1739.000

SESTAK  
 RM 8773/700-65

1425 2<sup>nd</sup> West

4- footings  
with 3/4" pipe



1/2" rebar





**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-22-13

---

**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):** Chris Procter & Sherri Procter

**APPLICANT:** Chris Procter

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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 76-78 BLOCK 20 SECTION 2 DISTRICT LOT 1992 RANGE 5 COAST DISTRICT PLAN  
923

**CIVIC ADDRESS:**

1425 2<sup>nd</sup> Avenue West

3. The City of Prince Rupert Zoning Bylaw (Bylaw #3462) is varied as follows:
  - a. Section 5.2.6 (a) is varied from a 3.0-metre setback from the rear property line to a 1.78-metre setback from the rear property line in relation to the proposed back deck, in accordance with the Site Plan and Elevations Plan attached as Schedules 1 and 2, 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 Elevations Plan attached as Schedules 1 and 2, 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 : Elevations

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

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

---

Rosamaria Miller  
Corporate Administrator



## REPORT TO COUNCIL

Regular Meeting of Council

**DATE:** June 27<sup>th</sup>, 2022

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: DEVELOPMENT VARIANCE PERMIT #22-14  
FOR 535 TATLOW STREET**

---

### RECOMMENDATION:

**THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #22-14.**

### REASON FOR REPORT:

An application was received for a Development Variance Permit for the property located at 535 Tatlow Street.

The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 0.21844-metre setback from a side property line in relation to the southwestern side property line in order to accommodate a proposed deck overhang. The required setback from a side property line in an R2 zone is 1.2 metres. The applicant is requesting a variance of 0.98156 metres in terms of the setback from a side 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 a side property line is requested by the applicant to accommodate a proposed deck overhang. The applicant rationalized

the proposed variance for the setback from a side property line in three ways. First, they note that the proposed deck overhang would protect the existing non-conforming deck and the front door from water damage. Second, they note that the proposed deck overhang would provide weather protection for residents and guests. Third, they believe the proposed deck overhang would not impact others as the relevant side property line abuts a street.

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 (A-B).

**COST AND BUDGET IMPACT:**

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

**CONCLUSION:**

It is recommended that Council proceed with the statutory notification process for this Development Variance Permit application, giving affected property owners and tenants the opportunity to express their views prior to Council's final consideration of the permit application.

**Report Prepared By:**

**Report Reviewed By:**

---

Daniel Rajasooriar,  
Planner

---

Robert Buchan,  
City Manager

Attachment(s):

- Attachment 1: Site Plan
- Attachment 2: Building Plan
- Attachment 3 (A-B): Draft Development Variance Permit

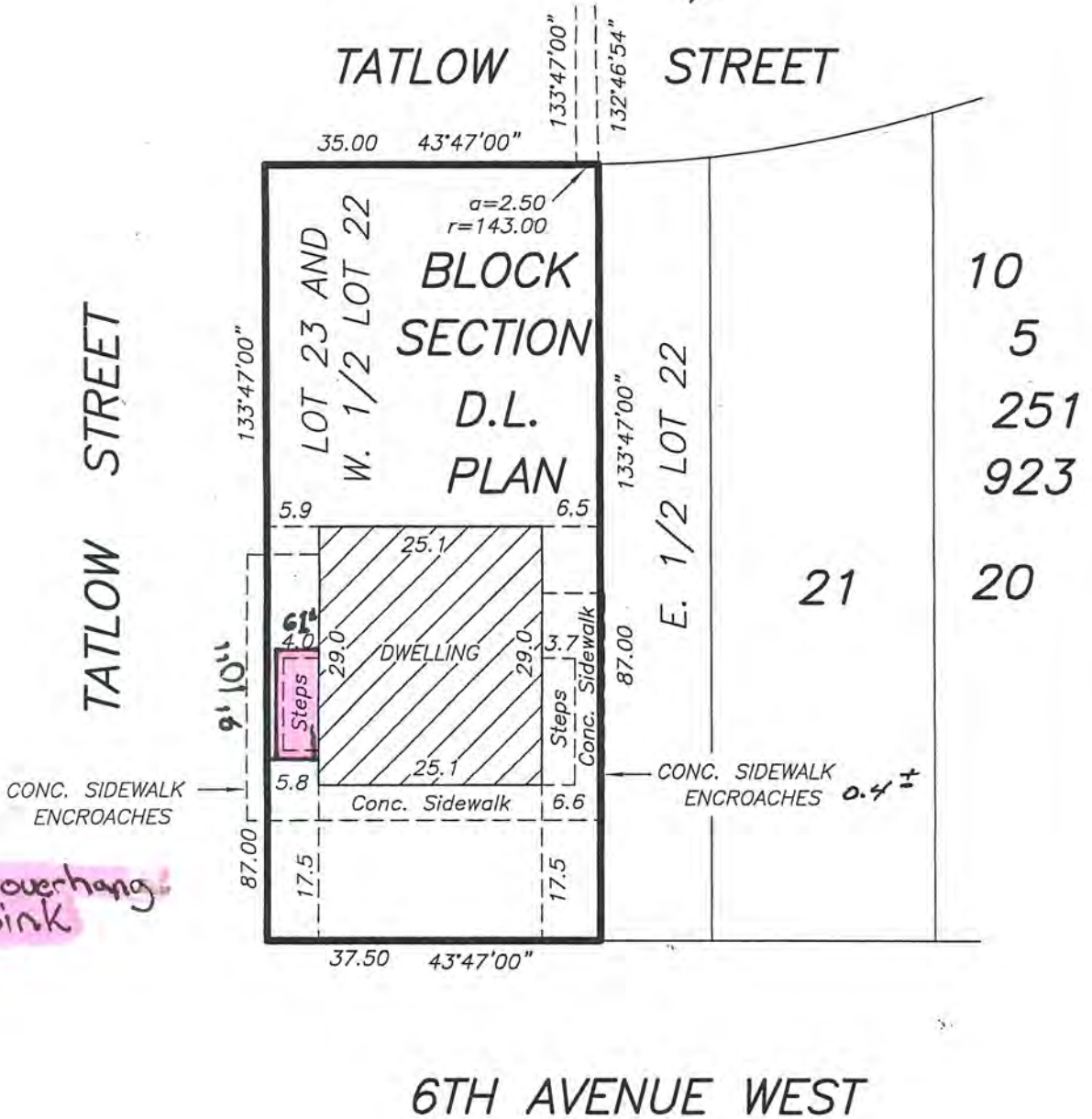
SURVEY CERTIFICATE OF LOCATION OF BUILDING SITUATED ON

W. 1/2 OF LOT 22 AND LOT 23,  
BLOCK 10, SECTION 5, D.L. 251,  
RANGE 5, COAST DISTRICT, PLAN 923.

CIVIC ADDRESS  
535 TATLOW STREET  
PRINCE RUPERT, B.C.

SCALE 1" = 20'  
(ALL DISTANCES ARE IN FEET)

PID: W 1/2 LOT 22 014-681-323  
LOT 23 014-681-331



New overhang in pink

THIS DOCUMENT IS NOT VALID UNLESS  
ORIGINALLY SIGNED IN RED AND SEALED.

THE DIMENSIONS SHOWN ON THIS CERTIFICATE ARE NOT  
TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY  
BOUNDARIES.

CERTIFIED CORRECT

ACCORDING TO LAND TITLE PLAN AND SURVEY  
EVIDENCE AS SHOWN.

*A.S. Yozzi* *B.C.L.S.*



McELHANNEY ASSOCIATES  
1-5008 POHLE AVENUE  
TERRACE, B.C., V8G 4S8  
PHONE:(250) 635-7163, FAX:(250) 635-9586

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LAND SURVEYING LTD.

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WRITTEN APPROVAL OF McELHANNEY ASSOCIATES

FILE: 43861-34 43861-34.dwg

THIS 6<sup>th</sup> DAY OF MARCH, 2006.





**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-22-14

**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):** John McCartney Farrell

**APPLICANT:** Dakota Piche

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

**LEGAL DESCRIPTION:**

Lot 23 Block 10 Section 5 District Lot 251 Range 5 Coast District Plan 923

**CIVIC ADDRESS(ES):**

535 Tatlow Street

2. This permit varies the City's Zoning Bylaw (Bylaw #3462) as follows:
  - a. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 0.21844-metre setback from a side property line in relation to the southwestern side property line and the proposed deck overhang, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2, respectively.
3. This permit is issued subject to the following conditions to the City's satisfaction:
  - a. The permittee(s) develop(s) the proposed development in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2, respectively.
  - b. Compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented.
4. If the permittee(s) does/do not substantially commence the development permitted by this permit within 24 months of the date of this permit, the permit shall lapse and be of no further force and effect.
5. This permit is **NOT** a Building Permit or Subdivision Approval.

6. This permit does not authorize works on adjacent properties. Encroachment on any adjacent property for the purposes of excavation, or the deposit or removal or fill requires the written consent of the owner of such adjacent property.
7. The terms and conditions contained in this permit shall inure to the benefit of, and be binding upon, the owner(s), their executors, heirs or administrators, successors and assignees as the case may be or their successors in title to the land.
8. The following plans and specifications are attached to and form part of this permit:
  - a. Schedule 1: Site Plan
  - b. Schedule 2: Building Plan

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

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

---

Rosamaria Miller  
Corporate Administrator



## REPORT TO COUNCIL

Regular Meeting of Council

**DATE:** June 27<sup>th</sup>, 2022

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: DEVELOPMENT VARIANCE PERMIT #22-15  
FOR 224 9<sup>TH</sup> AVENUE EAST**

---

### RECOMMENDATION:

**THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #22-15.**

### REASON FOR REPORT:

An application was received for a Development Variance Permit for the property located at 224 9<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 (c) to have a 0-metre setback from a side property line in relation to the northeastern side property line in order to accommodate a proposed enclosed walkway. The required setback from a side property line in an R2 zone is 1.2 metres. The applicant is requesting a variance of 1.2 metres in terms of the setback from a side property line.
2. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 1.0668-metre setback from a side property line in relation to the northeastern side property line in order to accommodate a proposed stairway and landing. The required setback from a side property line in an R2 zone is 1.2 metres. The applicant is requesting a variance of 0.1332 metres in terms of the setback from a side property line.

The Site Plan and Building Plan are included as Attachments 1 and 2 (A-B), respectively.

### **BACKGROUND AND ANALYSIS:**

The proposed variances for the setback from a side property line are requested by the applicant to accommodate a proposed enclosed walkway and a proposed stairway and landing.

The applicant rationalized the proposed variance for the setback from a side property line in relation to the proposed enclosed walkway in two ways. First, they note that the proposed enclosed walkway would be an extension of an existing non-conforming enclosed walkway that is already 0 metres from the relevant side property line. Second, they note that the proposed enclosed walkway would protect the house from water damage. Third, they note that the proposed enclosed walkway would provide weather protection for residents and guests.

The applicant rationalized the proposed variance for the setback from a side property line in relation to the proposed stairway and landing in two ways. First, they note that the proposed stairway and landing would provide access to the backyard as well as a future balcony. Second, they note that the proposed stairway and landing would provide additional escape routes in the event of an emergency.

The proposed variance for the setback from a side property line in relation to the proposed enclosed walkway will negatively impact the relevant adjacent property, especially considering how the house on the relevant adjacent property has a door and a window facing the proposed enclosed walkway. With the proposed enclosed walkway, the door would have less use cases due to limited space outside of the door and the window would receive less sunlight and have less of a view. Apart from the aforementioned, there are no known negative impacts of the proposed variances on the surrounding neighbourhood; however, the public will have the opportunity to provide input during the public consultation period.

The Draft Development Variance Permit is included as Attachment 3 (A-B).

### **COST AND BUDGET IMPACT:**

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

**CONCLUSION:**

It is recommended that Council proceed with the statutory notification process for this Development Variance Permit application, giving affected property owners and tenants the opportunity to express their views prior to Council's final consideration of the permit application.

**Report Prepared By:**

**Report Reviewed By:**

---

Daniel Rajasooriar,  
Planner

---

Robert Buchan,  
City Manager

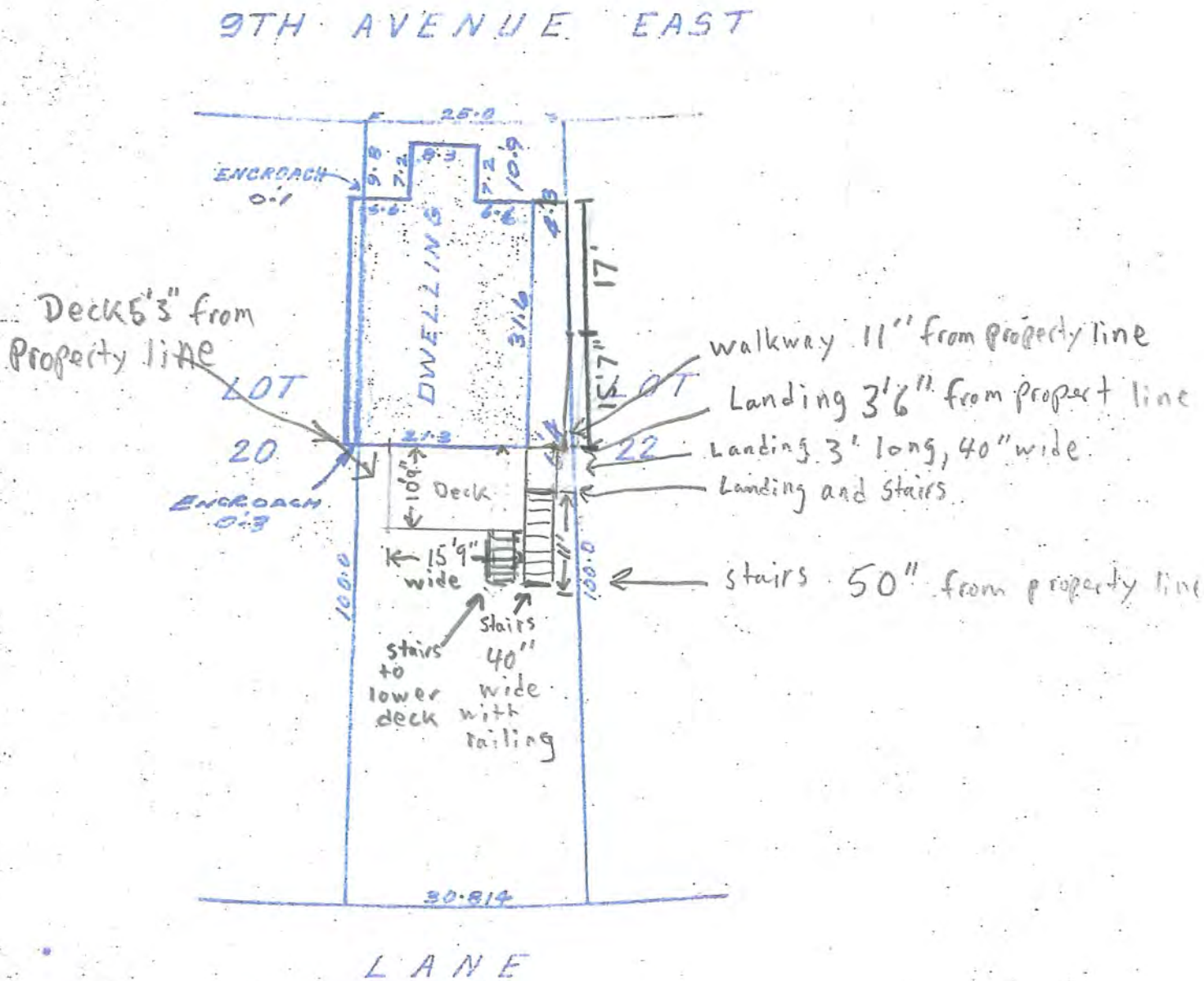
Attachment(s):

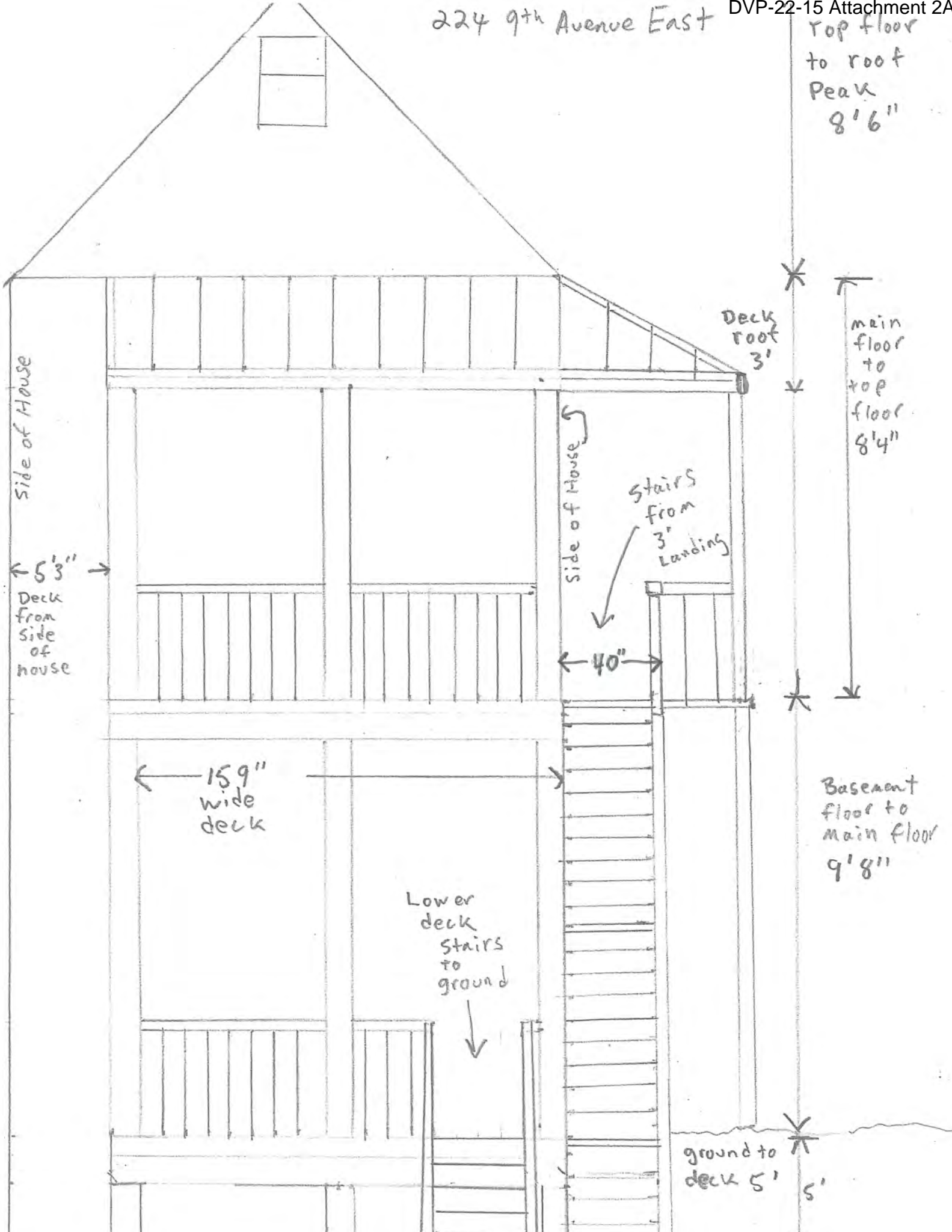
- Attachment 1: Site Plan
- Attachment 2 (A-B): Building Plan
- Attachment 3 (A-B): Draft Development Variance Permit

PREVIOUS REPORT  
FOR REFERENCE ONLY

Proposed 3' landing added to  
Top of Stairs, widen stairs by 7"

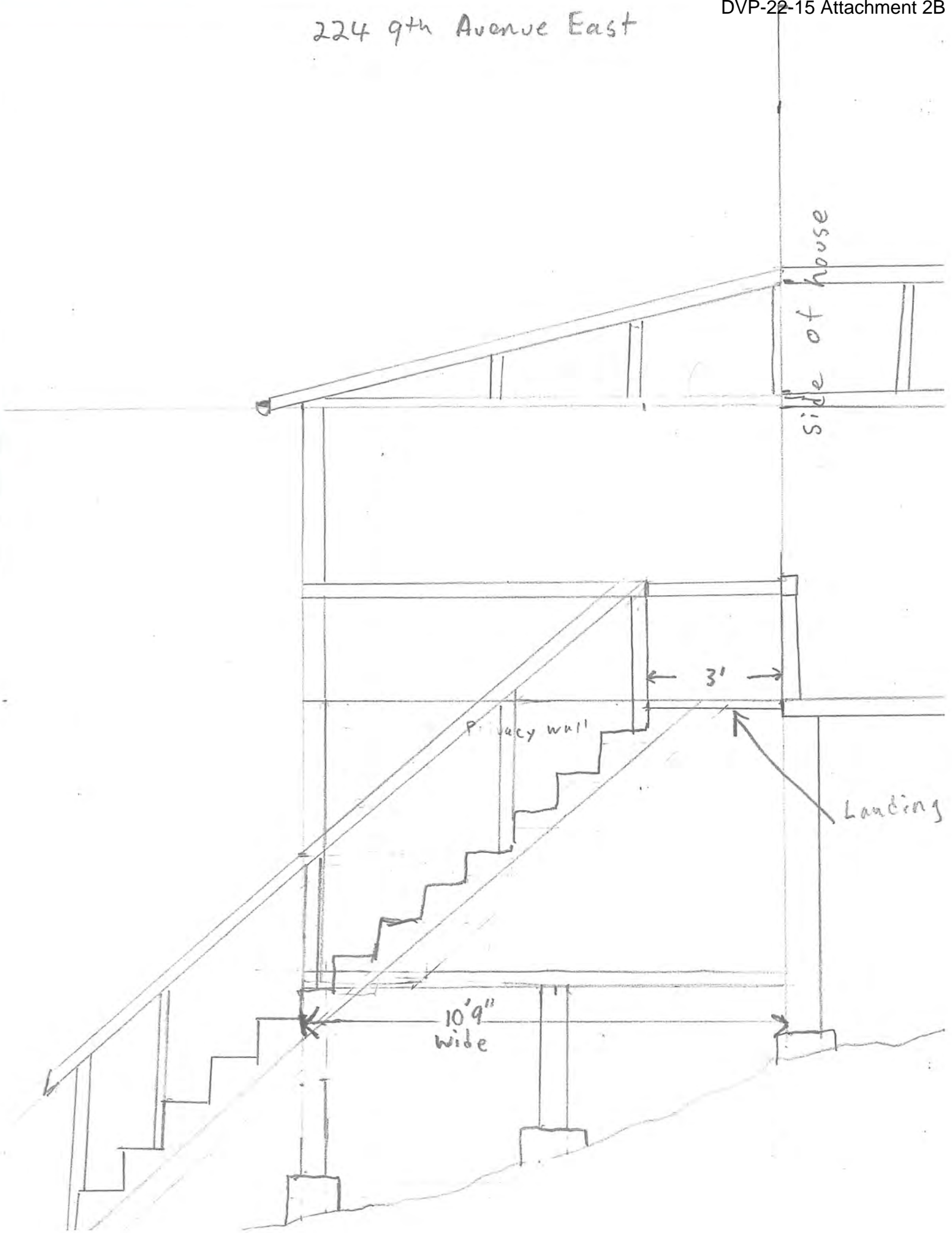
224 9th Avenue East





224 9th Avenue East

DVP-22-15 Attachment 2B





**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-22-15

**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):** David Anthony Robinson & Kristi Fall Ludwikowski

**APPLICANT:** David Anthony Robinson

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

**LEGAL DESCRIPTION:**

Lot 21 Block 29 Section 6 District Lot 251 Range 5 Coast District Plan 923

**CIVIC ADDRESS(ES):**

224 9<sup>th</sup> Avenue East

2. This permit varies the City's Zoning Bylaw (Bylaw #3462) as follows:
  - a. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 0-metre setback from a side property line in relation to the northeastern side property line and the proposed enclosed walkway, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-B), respectively.
  - b. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 1.0668-metre setback from a side property line in relation to the northeastern side property line and the proposed stairway and landing, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-B), respectively.
3. This permit is issued subject to the following conditions to the City's satisfaction:
  - a. The permittee(s) develop(s) the proposed development in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2 (A-B), respectively.
  - b. Compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented.

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

Regular Meeting of Council

**DATE:** June 27<sup>th</sup>, 2022

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: DEVELOPMENT VARIANCE PERMIT #22-16  
FOR 116 HAYS COVE CIRCLE**

---

### RECOMMENDATION:

**THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #22-16.**

### REASON FOR REPORT:

An application was received for a Development Variance Permit for the property located at 116 Hays Cove Circle.

The application involves:

1. A request for a variance of the City of Prince Rupert Zoning Bylaw, Section 5.2.6 (c) to have a 0.85344-metre setback from a side property line in relation to the southern side property line in order to accommodate a proposed second-storey addition. The required setback from a side property line in an R2 zone is 1.2 metres. The applicant is requesting a variance of 0.34656 metres in terms of the setback from a side 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 a side property line is requested by the applicant to accommodate a proposed second-storey addition. The applicant

rationalized the proposed variance for the setback from a side property line in two ways. First, they note that the proposed second-storey addition would provide much-needed additional living space. Second, they believe the proposed second-storey addition would not impact others as it would be built out to the same footprint as the existing non-conforming house in relation to the relevant side property line.

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 (A-B).

**COST AND BUDGET IMPACT:**

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

**CONCLUSION:**

It is recommended that Council proceed with the statutory notification process for this Development Variance Permit application, giving affected property owners and tenants the opportunity to express their views prior to Council's final consideration of the permit application.

**Report Prepared By:**

**Report Reviewed By:**

---

Daniel Rajasooriar,  
Planner

---

Robert Buchan,  
City Manager

Attachment(s):

- Attachment 1: Site Plan
- Attachment 2: Building Plan
- Attachment 3 (A-B): Draft Development Variance Permit

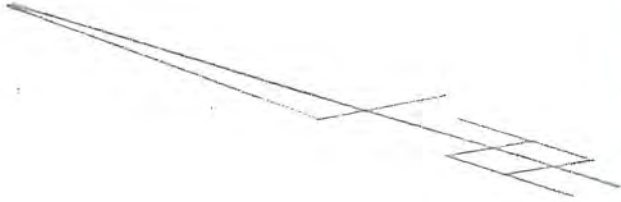
3355.00

SURVEY CERTIFICATE COVERING

LOTS 22 & 23, BLK. 21, SEC 6,  
D.L. 251, RGE 5, T. 22.  
PLAN 923

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

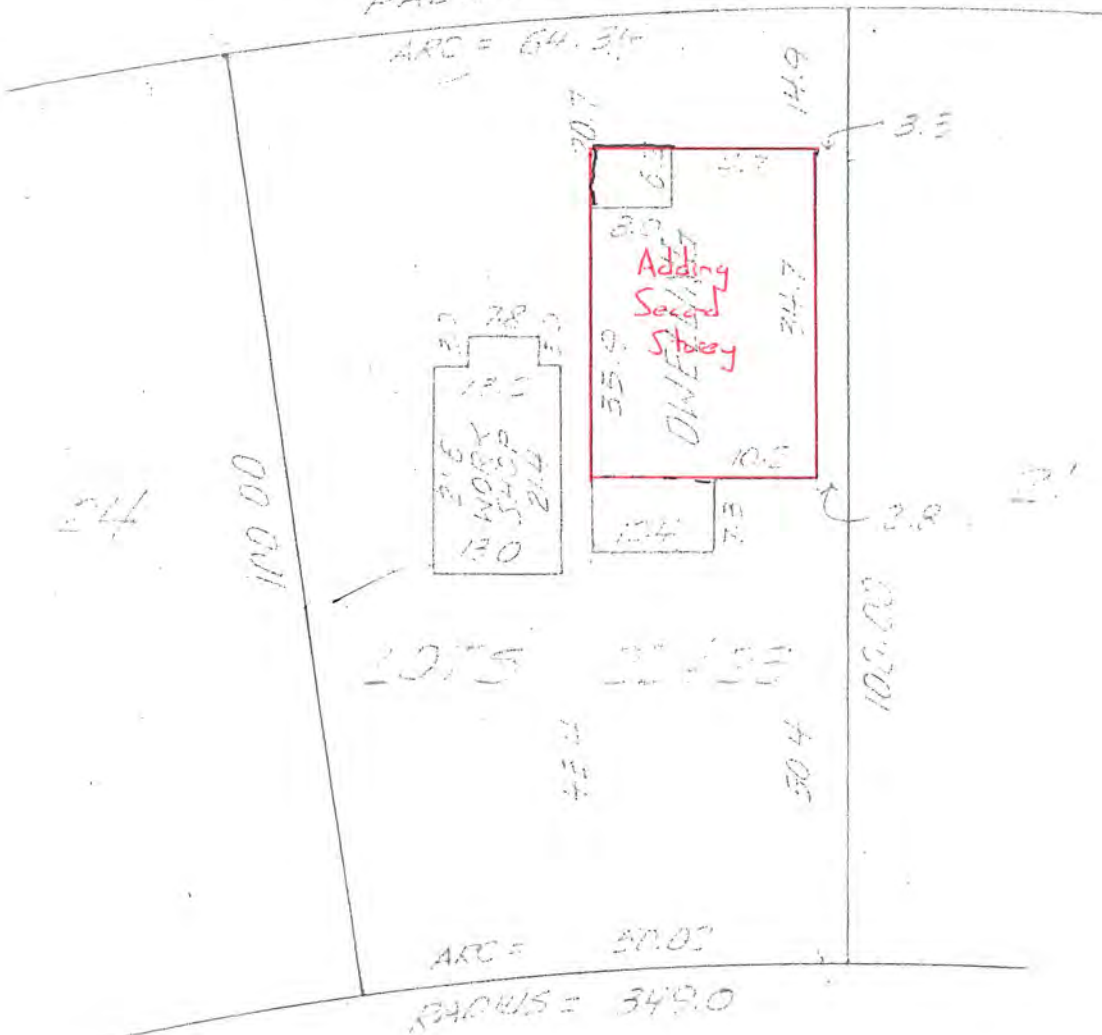
Scale: 1" = 20'



LANE

RADIUS = 449.0

ARC = 64.31°



#115 HAYS COVE CIRCLE

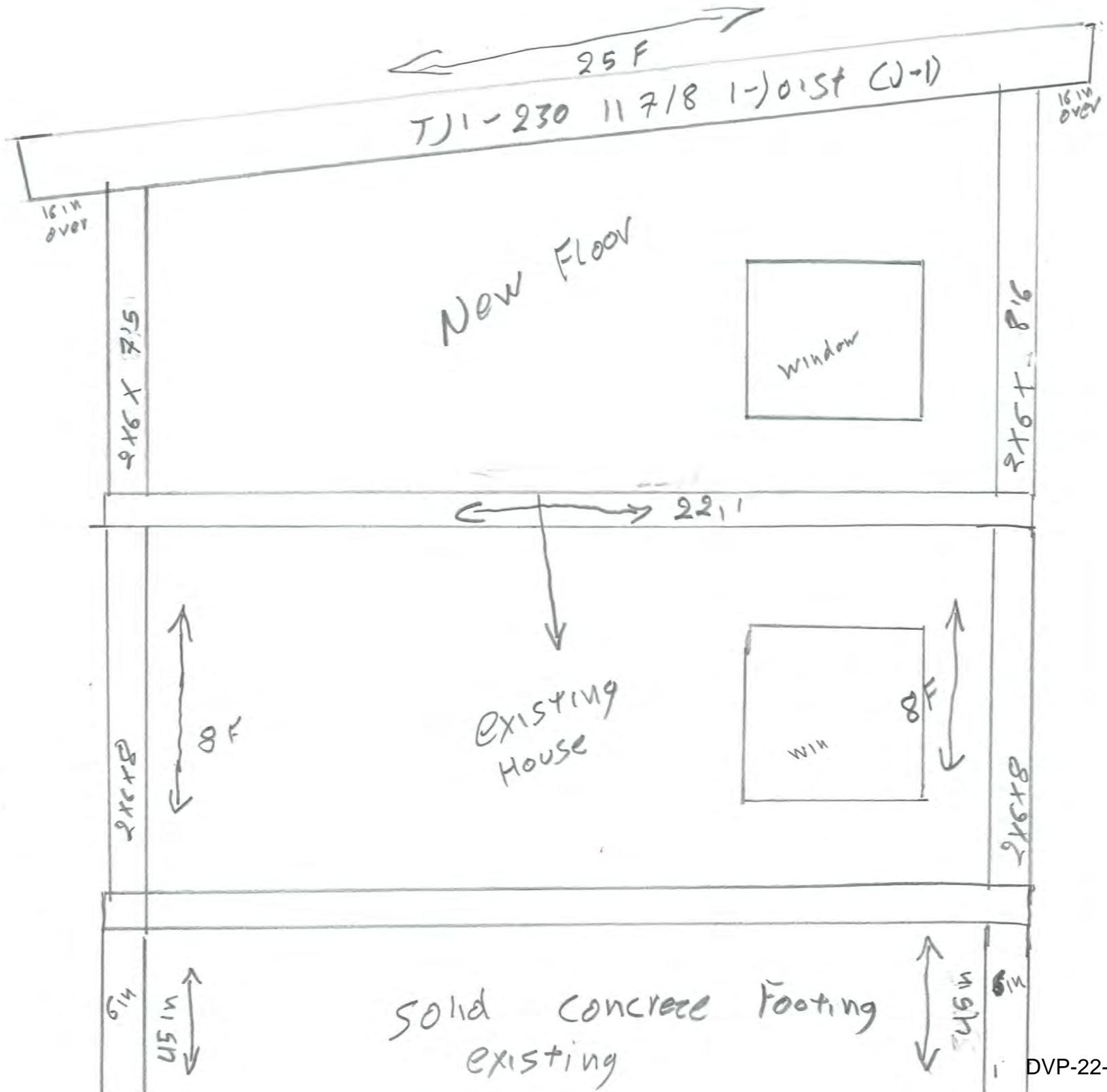
CERTIFIED CORRECT  
according to Land Registry Plan  
and survey evidence as shown

*A. S. Horne*, B.C.L.S.

Dated this 11<sup>th</sup> day of SEPT. 1988

McELHANNEY ASSOCIATES  
205, 4630 LAZELLE AVENUE  
TERRACE, B.C.  
V8G 1S6

FILE 43525-11





**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-22-16

**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):** Chralamos Daniil & Jurudie Testa Daniil

**APPLICANT:** Chralamos Daniil

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

**LEGAL DESCRIPTION:**

Parcel A (Being a Consolidation of Lots 22 and 23 See CA8380356)  
Block 21 Section 6 District Lot 251 Range 5 Coast District Plan 923

**CIVIC ADDRESS(ES):**

116 Hays Cove Circle

2. This permit varies the City's Zoning Bylaw (Bylaw #3462) as follows:
  - a. Section 5.2.6 (c) is varied from a 1.2-metre setback from a side property line to a 0.85344-metre setback from a side property line in relation to the southern side property line and the proposed second-storey addition, in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2, respectively.
3. This permit is issued subject to the following conditions to the City's satisfaction:
  - a. The permittee(s) develop(s) the proposed development in accordance with the Site Plan and Building Plan attached as Schedules 1 and 2, respectively.
  - b. Compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented.
4. If the permittee(s) does/do not substantially commence the development permitted by this permit within 24 months of the date of this permit, the permit shall lapse and be of no further force and effect.
5. This permit is **NOT** a Building Permit or Subdivision Approval.

6. This permit does not authorize works on adjacent properties. Encroachment on any adjacent property for the purposes of excavation, or the deposit or removal or fill requires the written consent of the owner of such adjacent property.
7. The terms and conditions contained in this permit shall inure to the benefit of, and be binding upon, the owner(s), their executors, heirs or administrators, successors and assignees as the case may be or their successors in title to the land.
8. The following plans and specifications are attached to and form part of this permit:
  - a. Schedule 1: Site Plan
  - b. Schedule 2: Building Plan

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

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

---

Rosamaria Miller  
Corporate Administrator



## REPORT TO COUNCIL

### Regular Meeting of Council

DATE: June 27, 2022

TO: Robert Buchan, City Manager

FROM: Myfannwy Pope, Planner

SUBJECT: DEVELOPMENT VARIANCE PERMIT #22-17  
FOR 336 6<sup>TH</sup> AVE E

---

#### RECOMMENDATION:

THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) #22-17.

#### REASON FOR REPORT:

An application was received for a Development Variance Permit for the property located at 336 6<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 (c) to have a 0.122 metres set-back from the west side property line and 0.732 metres setback from the east property line to account for a front deck extension. The required setback from the side property lines in an R2 zone is 1.2 metres. The applicant is requesting a variance of 1.078-metres to the setback on the west property line and 0.468 metres variance for the east property line.

The Site Plan and elevations are included as Attachments 1.

#### BACKGROUND AND ANALYSIS:

The proposed variance to the side-yard setbacks is requested by the applicant to accommodate a proposed front deck expansion that will be 3.35 metres by 6.25 metres. The existing deck currently already encroaches on the east side property line, which will not be changed. The applicant rationalized the proposed variance to the additional west side encroachment to accommodate the needs of the new owner's large family and to

align with the existing non-conformance of the house, which encroaches on side setbacks.

There are no known negative impacts of the proposed expansion of the existing deck footprint 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:

---

Myfannwy Pope,  
Planner

---

Robert Buchan,  
City Manager

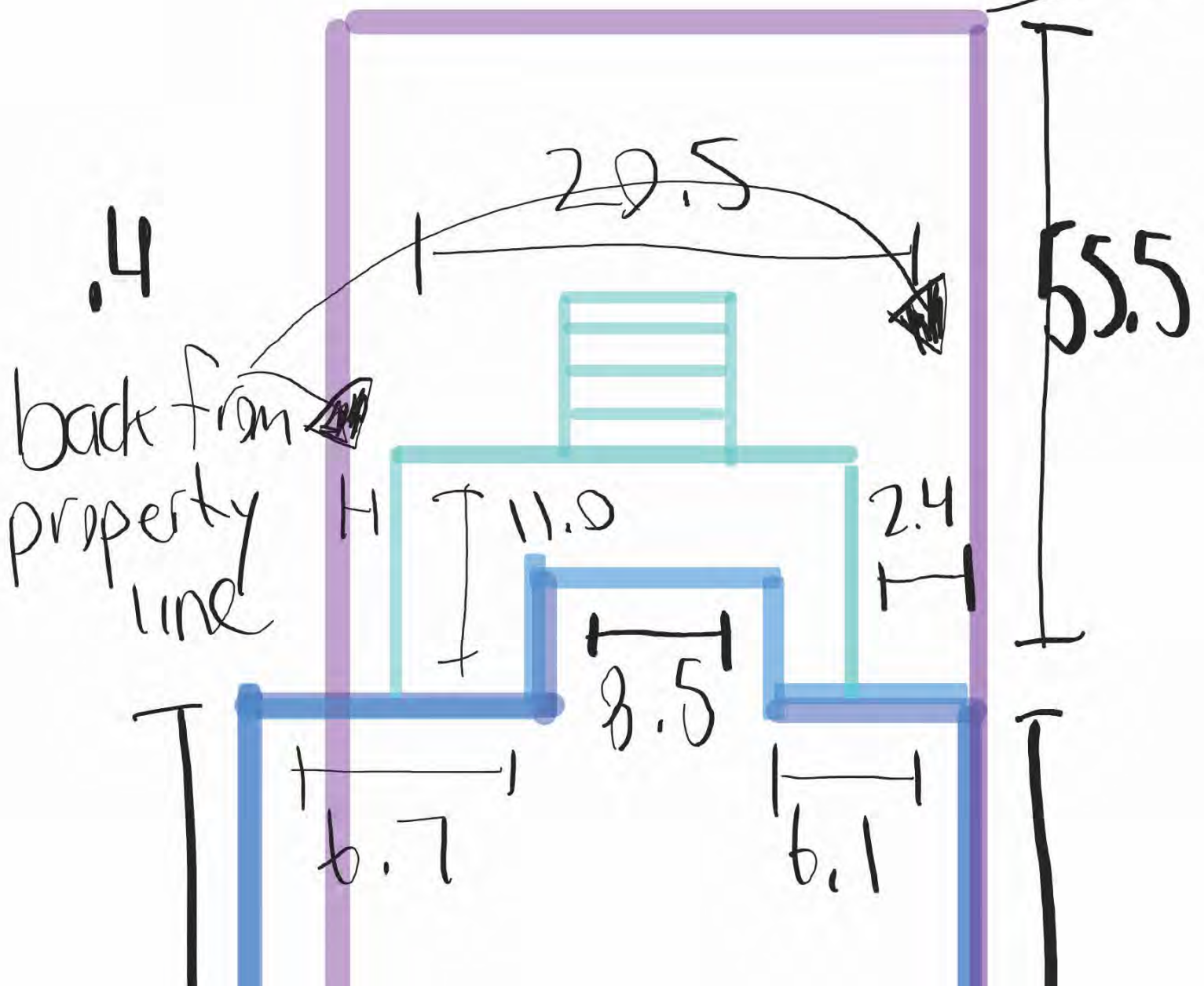
**Attachment(s):**

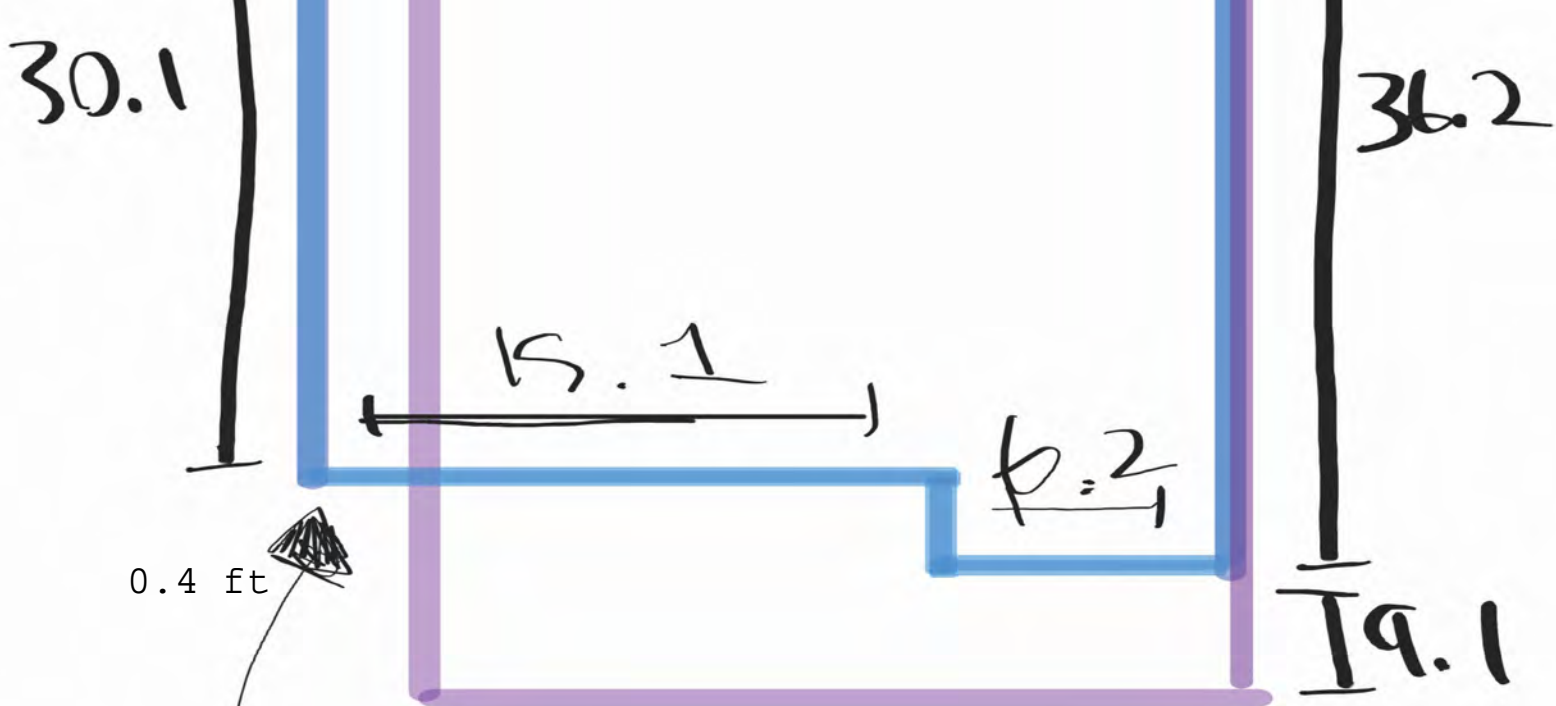
- Attachment 1: Site Plan & Elevations
- Attachment 2: Context Map
- Attachment 3: Draft Development Variance Permit

Area: 232.0730874

46 sq m

- 4 of a foot or 4.8 in away from the property line

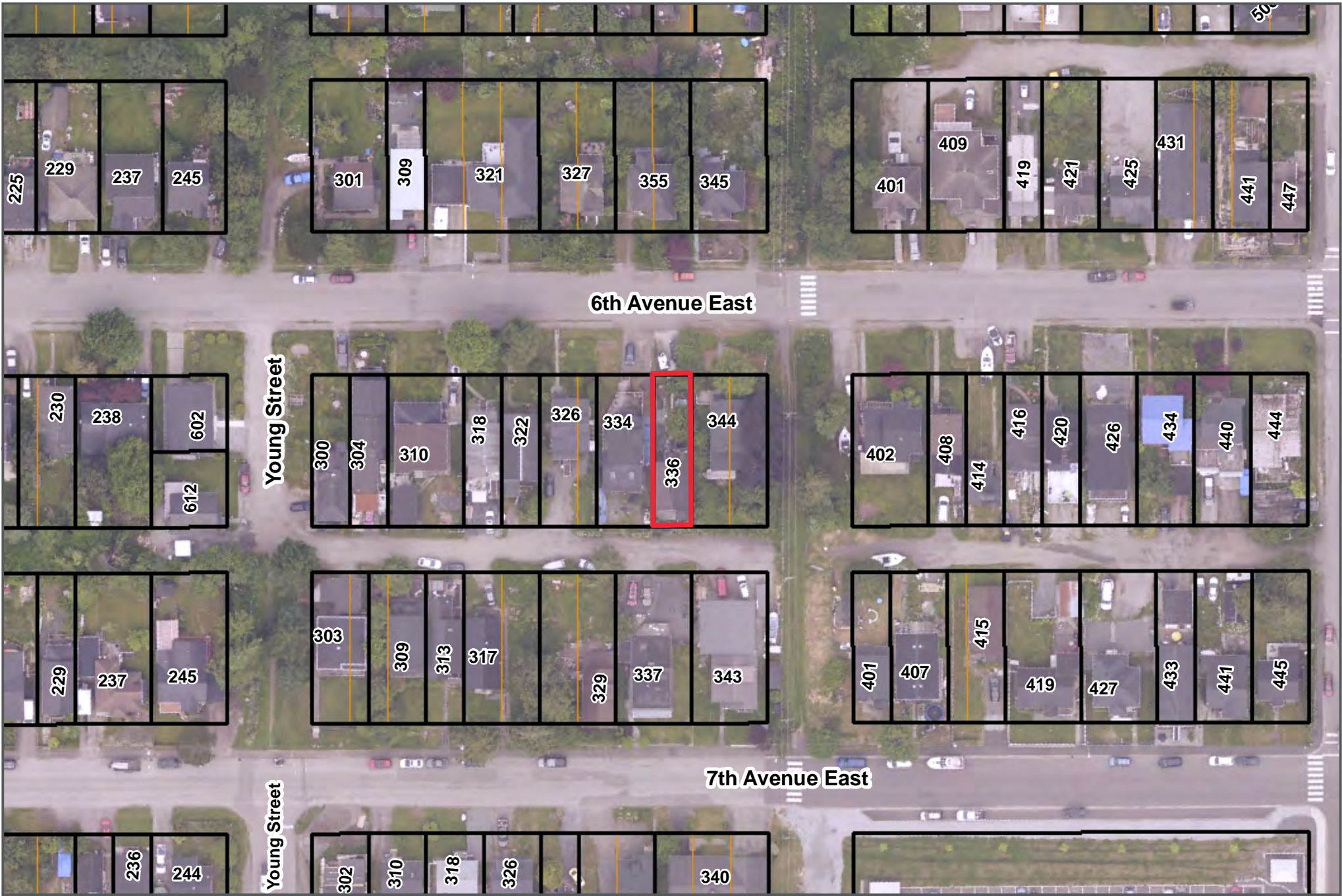




roof line is over the property line



- - Deck Dimensions
- - Property line
- - House Dimensions



Project #: DVP-22-17  
 Author: RB  
 Checked: -  
 Status: FINAL  
 Revision: A  
 Date: 2022 / 6 / 15  
 Scale: 1:1,000



Coordinate System:  
 NAD 1983 UTM Zone 9N  
 Data Sources:  
 Integrated Cadastral Information Society (ICIS)  
 City of Prince Rupert  
 2021 Orthophoto



# DVP-22-17 CONTEXT MAP 336 6th Avenue East

- Subject Property
- Assessment Fabric
- Cadastral Fabric





**DEVELOPMENT VARIANCE PERMIT**  
FILE NO. DVP-22-17

---

**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):** PENNY PATRICIA WHITE & MAGIE-MAE QUEE-I-SOOK  
THUL-LA-ME-EH ADAMS

**APPLICANT:** Jerrid Basso

---

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:**

LOT 10 BLOCK 17 SECTION 6 DISTRICT LOT 251 RANGE 5 COAST DISTRICT  
PLAN 923

**CIVIC ADDRESS:**

336 6<sup>th</sup> Avenue East

3. The City of Prince Rupert Zoning Bylaw (Bylaw #3462) is varied as follows:
  - a. Section 5.2.6 (c) is varied from a 1.2-metre setback from the side property line to a 0.122-metre setback from the west side property line and 0.732-metre setback from the east side property line in relation to the proposed extension of the front deck, in accordance with the Site Plan and elevations attached as Schedule 1.

**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 Elevations attached as Schedule 1.
- b. Compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented.

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

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

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

---

Rosamaria Miller  
Corporate Administrator



## REPORT TO COUNCIL

### Regular Meeting of Council

DATE: July 25, 2022

TO: Robert Buchan, City Manager

FROM: Myfannwy Pope, Planner

SUBJECT: REPORT ON PROPOSED INTERIM PARKING MANAGEMENT STRATEGY

---

#### RECOMMENDATION:

THAT Council

- 1) Approve the proposed Prince Rupert Interim Parking Management Strategy; and
- 2) Request staff to proceed with implementing the strategy as opportunity and budget permit.

#### REASON FOR REPORT:

This report includes a proposed interim parking management strategy (IPMS) that characterizes and proposes strategies to address parking issues in Prince Rupert's downtown. These recommendations are intended to be actioned within the next 1-3 years.

#### BACKGROUND:

A parking shortage remains a perceived issue among residents in Prince Rupert. A 2007 study of parking found that, at the time, the existing supply of parking in the City was accommodating demand in most areas with few places reaching "peak" usage (85% of stalls being occupied). Consequently, the perceived shortage of parking may in fact be a management issue related to poor parking placement, inefficiency of parking prioritization (e.g. customers vs employees), and lack of walkability. Parking supply, demand, and infrastructure can be managed to address these issues.

Council's 2022 Strategic Plan includes the development of a parking strategy as one of its objectives. Schedule 1 presents the IPMS for the City of Prince Rupert. It has been prepared based on a review of current parking policy, local parking data, and the policy initiatives underway in the City. It has also been guided by the principles and

goals developed through the Redesign Rupert process and the City’s Official Community Plan.

The value of an interim strategy is that it enables a rapid response to significant emerging parking issues, as these actions are recommended to be actioned within the next 1-3 years. It can provide some early direction and response in an informed manner to local conditions. The City can subsequently work towards a more robust parking strategy couched in the Prince Rupert Transportation Plan.

CONCLUSION:

The IPMS is a first step in responding to Council’s 2022 strategic direction for a parking strategy, and an important step in helping to meet goals for downtown revitalization and those developed through the Redesign Rupert process and Official Community Plan.

Report Prepared By:

Report Reviewed By:

---

Myfannwy Pope,  
Planner

---

Robert Buchan,  
City Manager

Attachment(s):

- Prince Rupert Interim Parking Management Strategy



# Interim Parking Management Strategy



Summer 2022

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## Introduction

Council's 2022 Strategic Plan includes the development of a parking strategy as one of its objectives. This report presents an interim City Core parking strategy for the City of Prince Rupert. It has been prepared based on a review of current parking policy, local parking data, and the policy initiatives underway in the City. It has also been guided by the local knowledge and insights of City staff. The value of an interim strategy is that it enables a rapid response to significant emerging parking issues, as these actions are recommended to be actioned within the next 1-3 years. It can provide some early direction and response in an informed manner to local conditions. The City can subsequently work towards a more robust parking strategy couched in the Prince Rupert Transportation Plan.

## Context

Located on the traditional territory of the Coast Ts'msyen Nations of Metlakatla First Nation and Lax Kw'alaams and that the Gitxaala First Nation, the City of Prince Rupert was established as a port city in the early 1900s and incorporated as a city in 1910. Since its establishment, it has experienced growth and decline cycles typical of resource dependent communities, with the City reaching highs of 17, 000 people in the 1980's and early 1990's. The City saw a significant decline with a loss of almost a quarter of the population between 1996 and 2006. Today, the Prince Rupert population has begun to climb again, not yet reaching 2011 numbers. Figure 1 shows census population trends which, while criticized for accuracy, demonstrate a population pattern reflective of residents' experiences.

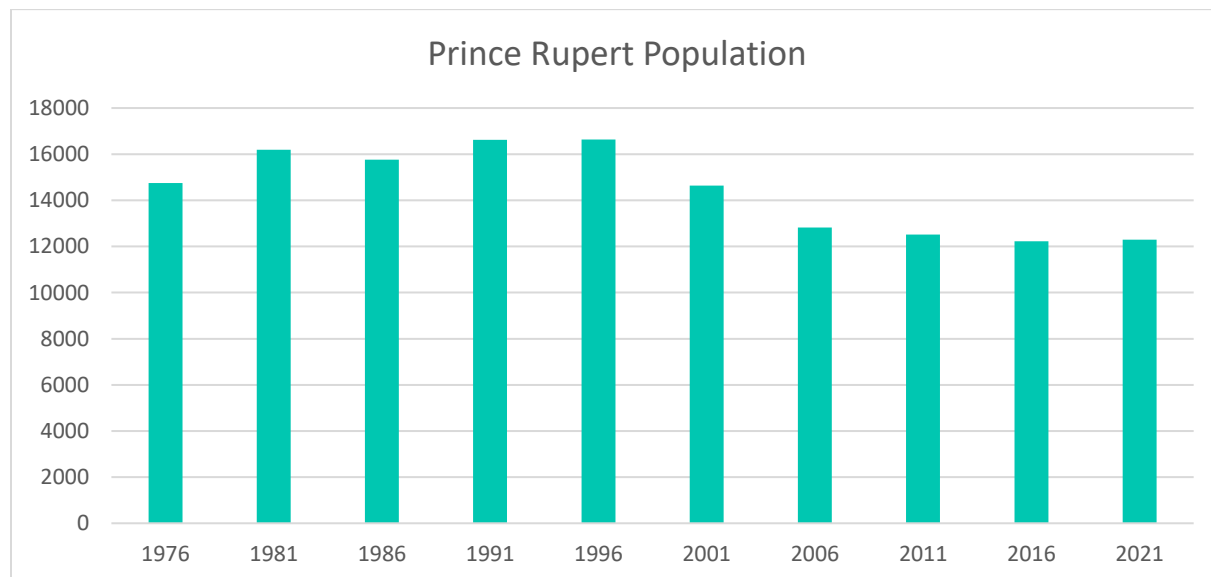


Figure 1 Prince Rupert Census Population Trends 1976-2021

Throughout these population shifts, the City has not lost significant numbers of parking, and has seen new public off-street parking lots developed in Cow Bay. Despite this, a parking shortage remains a perceived issue among residents. A 2007 study of parking found that, at the time, the existing supply of parking in the City was accommodating demand in most areas with few places reaching “peak” usage (85% of stalls being occupied). Consequently, the perceived shortage of parking may in fact be a management issue related to poor parking placement, inefficiency of parking prioritization (e.g. customers vs employees), and lack of walkability. Parking supply, demand, and infrastructure can be managed to address these issues. Furthermore, as costs of vehicles and best practices regarding land use shift away from automobile dependency, parking management can be used to promote a vibrant downtown that encourages development, accessibility, and connectivity. This strategy will support Prince Rupert’s City Core renewal objectives and the Prince Rupert Transportation Strategy, while limiting impacts to the environment and pedestrian safety of heavy car use.

## Local Need

### Parking in Prince Rupert

As in many communities across North America, parking management is a long-standing issue in Prince Rupert. In addition to finding no shortage of parking in Prince Rupert, the 2007 parking study found that while few areas are reaching peak usage, there are some areas that experienced higher levels of demand. The desire to park directly outside a destination, because of weather and inconvenience, creates a perception that there is a lack of parking. For example, researchers on the parking study found that on-street parking along certain side streets in the downtown core was nearing full utilization in the hour of peak period demand; however, there were generally stalls available within walking distance. Observations in this study revealed a high demand from long term employee parkers who used the unrestricted spaces in the downtown core for long term parking, as lack of parking time limit restrictions or enforcement were not encouraging turnover. Low turnover sends the wrong message to patrons seeking parking, while strong turnover and high occupancy is indicative of a strong economic core. Within the Cow Bay area, parking turnover was low within the public parking lots due to employee use, despite it being a popular tourism area.

These findings are still relevant today. Rupert Talks data from 2019 showed that among those who come to the City Core to access shops and services, 78% of respondents take personal vehicles and there is a 50/50 split on whether it is difficult to find parking downtown. Business owners state that employees end up taking up customer parking, contributing to low turnover in key spots and impressions of a lack of parking. Rupert Talks responses also show that 100% of respondents who require accessible parking felt there are not sufficient spaces downtown. The impression that people are unwilling to walk more than one block to a destination also remains, although recent Rupert Talks data showed that only 1/3 of respondents felt that way.

### Current Parking Management System

The City of Prince Rupert’s current parking management system can be improved to more effectively address issues that have been raised, including lack of access to longer-term parking, lack of turnover in high profile parking spaces, and need for infrastructure to support

walkability. Additionally, current management practices can be better integrated with larger land-use pattern objectives, become more economically efficient, or can increase compliance with more convenient and efficient enforcement processes.

### *Parking minimums:*

Parking minimums are requirements, as dictated by a municipality's zoning bylaw, for all new developments to provide a set number of off-street parking spots. These minimums are set to cover the demand for parking generated by said development at the peak times. Therefore, different land uses have different requirements to meet when deriving the number of parking spots needed. These may be based on floor area, number of users, or other factors.

Prince Rupert has enforced parking minimum requirements since at least 1976, but introduced them City-wide in Zoning Bylaw 3286, 2009. These parking minimums changed in some aspects with the introduction of the new Zoning Bylaw 3462, 2021. Existing non-conformance of parking is not subject to new parking bylaws.

In 2017, City staff investigated parking as part of a review for multifamily housing density. During this time, they found an existing 1677 existing off-street parking spaces downtown. If the existing minimum parking requirements were met, space for an additional 5105 additional stalls would have been required. Although parking requirements changed in some cases in 2021, this number is not substantially different. This number suggests that existing parking minimums downtown are out of step with existing space and need for parking (more stalls required than needed), as well as best practices regarding parking management. Best practices for parking management discourage parking minimums as they introduce sprawl and promote automobile dependency.

### *Pay-in-Lieu System*

In-lieu fees are fees paid by developers to the City in-lieu of parking stalls that are used to fund public parking facilities instead of private, single-destination facilities. This tends to be more cost effective and efficient because it leads to shared parking. It can be mandated or optional.

In Prince Rupert, a pay-in-lieu system has been collecting money since the 1990's in the City Core. New businesses or developments are required to make a one-time payment per unmet number of required parking stalls upon development or change of use. When this system was first implemented in the 1990's, the cost per stall was \$2000, and was largely paid into by lower Cow Bay businesses. In 2010, the parking fee changed to \$200, during which time 7 more businesses used the pay-in-lieu system for a cumulative 38 stall deficit. In 2021, the fee was changed to \$12, 500. In total, very few businesses outside of Cow Bay in the City Core have paid into this fund.

Fees from this process were moved to a statutory reserve in 2008 that can be spent on off-street parking or infrastructure supporting alternatives to automobiles, such as walking or biking infrastructure. The decision of council to maintain low fees paired with low rate of turnover, as well as built-in non-conformance of existing buildings, has resulted in limited funds to use for new parking. The recent fee change is a necessary first step to meeting economic efficiency for this system, which requires having fees approximate the actual cost of parking stall development.

*Time restrictions*

Time restrictions are a form of regulation that supports parking prioritization. Parking regulations such as time restrictions increase parking system efficiency by favoring priority uses and by reducing demand. It increases convenience to some motorists (those given priority) and reduces convenience to others. This can help to maintain high turnover in desirable spots, keep employee and customer parking from conflicting by designating longer-term parking, and ensure parking is accessible to those who really need it without implementing any pricing systems.

Currently, the City of Prince Rupert uses time restrictions along 2<sup>nd</sup> and 3<sup>rd</sup> Avenue West, as well as 1<sup>st</sup> through 8<sup>th</sup> Streets and Cow Bay Rd. On average, these time limits are for 2-hour maximums between 9AM-6PM on Monday through Saturday, with some 15-minute or 30-minute parking in front of service buildings. These time limits were implemented after the 2007 Parking study recommended them to increase turnover downtown.

According to Rupert Talks data and input from downtown business owners during the annual BizWalks, there is a shortage of long-term parking options, such as 4-hour parking, in downtown where employees and longer-term users can park without risk of penalty. This reduces compliance and impact of existing time restrictions on parking management. Businesses have shared that these time restrictions do not stop employees from parking in short term parking spots and taking space away from higher priority users such as customers.

*City Permit Parking*

The City provides permits for renting City-owned spaces found [Appendix 1]. Currently this system is not maximized and people without reservations can often be found in reserved spots. Any money the city receives from this parking is put into the public works budget. Currently, this system does not provide substantial cost-benefit to the City and could be better advertised as an option for employees downtown.

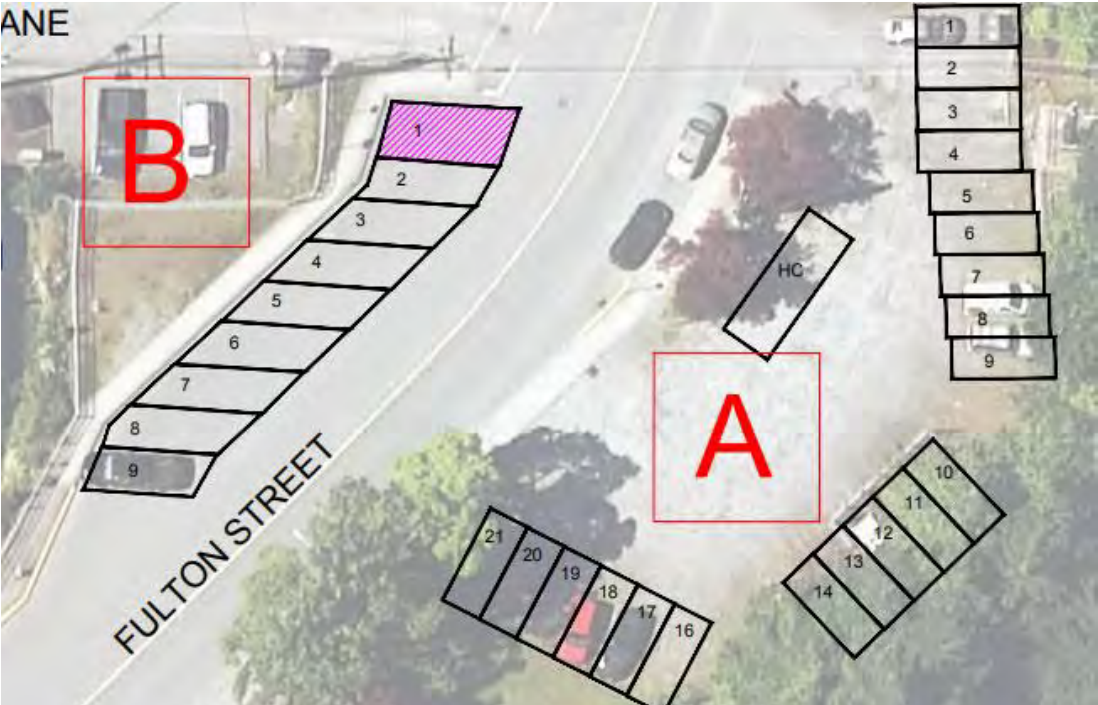


Figure 2 City Owned Parking Lot A & B. For all city parking lots, see [Appendix 1](#).

### *Rushbrook Permit Parking*

The City administers permits for Rushbrook parking on an annual basis. Any funding received through this system is reserved for Rushbrook area improvements.

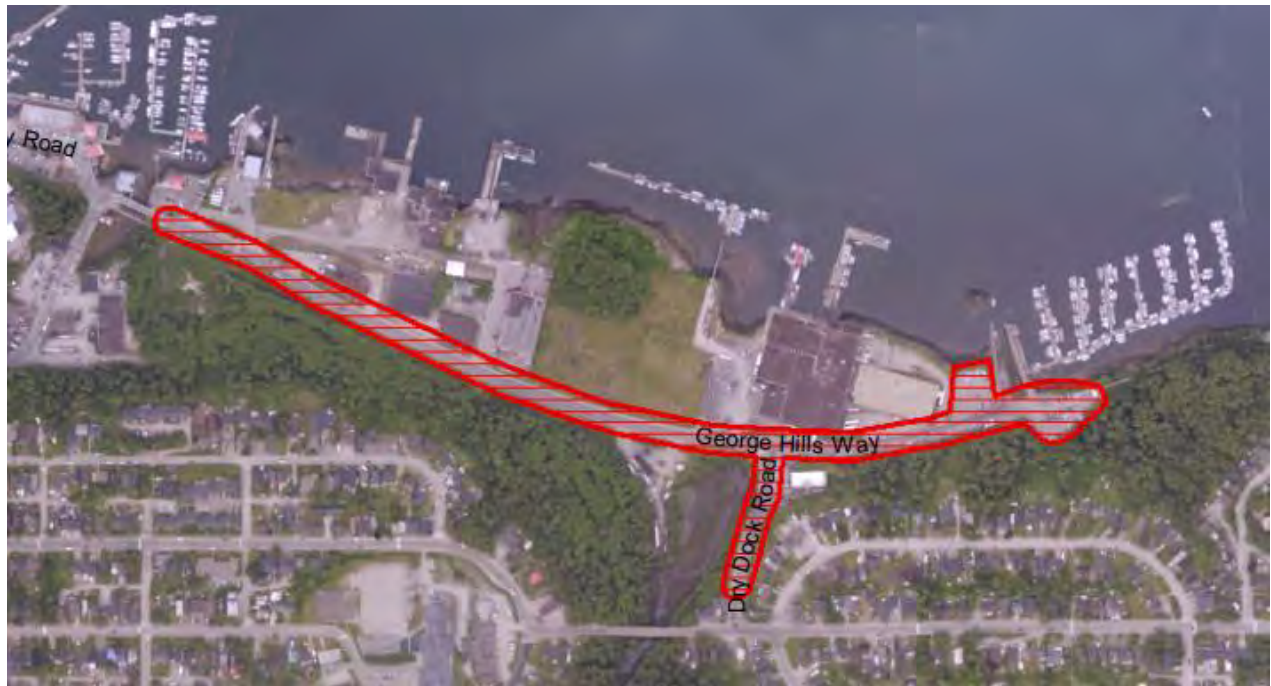


Figure 3 Rushbrook Parking Permit Area

### *Bylaw Ticketing*

Time restrictions and permit parking are enforced through our Bylaw process. Currently, less than 25% of parking tickets in 2022 have been paid, which is significantly lower than most jurisdictions. Payment is required through the municipality, with little recourse to ensure compliance. Parking tickets fines cost \$20 or \$35, which is also lower than the majority of other jurisdictions, which may only offer low costs due to discounts from early payment. The City is currently working on changing payment system to be through the provincial collections process in order to increase ticket payment compliance.

The low compliance rate may be due to capacity constraints of bylaw based on funding and tools available, as well as antiquated systems for payment of tickets that make it inconvenient for drivers and offer little recourse for the City to penalize non-payment.

### *Public on-street and off-street parking*

The City currently provides free on-street parking and off-street parking. Existing off-street parking lots include Cow Bay Road Parking Lot and Atlin Terminal Public Parking.

## Opportunities for Short Term Action

There are opportunities in the short term to improve existing management actions and adjust our management practices to meet community goals outlined in the Official Community Plan. This process will involve shifting traditional thinking about parking as only a supply issue and

centering long-term planning that accounts for reduction in automobile use. This strategy is an interim strategy that would be actioned in the next 1-3 years. A long-term, comprehensive parking strategy will be integrated with the Connect Rupert Strategy, as parking management must be integrated with transportation planning.

## Parking Management Principles

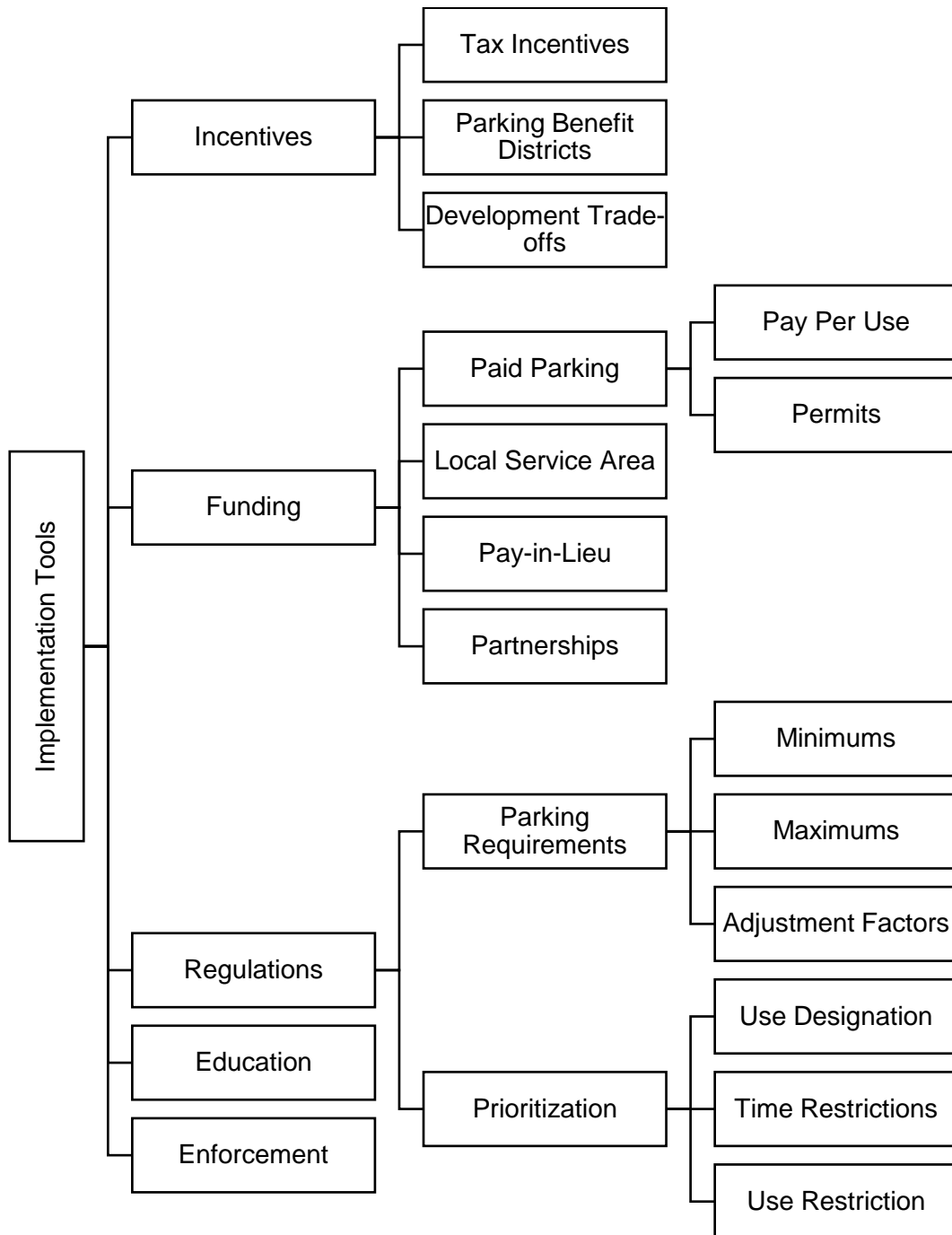
Parking management requires changing the way we think about parking programs and solutions. Parking problems go beyond motorists not being able to find a convenient and free parking space at every time and place. A parking problem can refer to inadequate or overabundance of supply, inefficient management, inadequate user information, and other problems associated with parking facilities and activities. Parking management is necessary to manage the diversity of problems that may arise and weigh solutions and their impacts. Parking management is also key to meeting planning principles outlined in the Official Community Plan that support healthy, sustainable, and diverse land use patterns, which includes reducing sprawl and automobile-dependence. Table 1 outlines of how parking can support community goals.

Table 1 OCP principles translate to parking management.

Sustainable Cities	<ul style="list-style-type: none"> <li>• Reduced car use and increased reliance on green forms of transit (electric cars, bicycles, walking/rolling)</li> <li>• More use of land for parks, green spaces</li> </ul>
Smart Growth	<ul style="list-style-type: none"> <li>• Parking serves walkable, densified areas rather than individual sites</li> <li>• Parking does not introduce sprawl</li> <li>• Parking management encourages a diversity of transportation.</li> </ul>
Healthy Communities	<ul style="list-style-type: none"> <li>• Parking management encourages development and reduces costs for housing</li> <li>• Parking management promotes active transportation.</li> <li>• Parking management increases traffic safety.</li> </ul>
Complete Communities	<ul style="list-style-type: none"> <li>• Parking management ensures access to amenities for all abilities and transportation.</li> </ul>
Community Sustainability & Resilience	<ul style="list-style-type: none"> <li>• Parking meets the needs of the community without oversupply.</li> <li>• Parking is reactive to global, national, and local changes in vehicle type and use.</li> <li>• Parking management encourages long-term thinking about vehicle use.</li> </ul>
Local Character and Natural Setting	<ul style="list-style-type: none"> <li>• Parking management supports and promotes access to natural settings for all forms of transportation.</li> <li>• Parking management helps maintain local character.</li> </ul>
Diversity & Equity	<ul style="list-style-type: none"> <li>• Parking management is reactive to the diversity of people and their motor-vehicle use and needs.</li> <li>• Parking Management strategies can reduce the need to subsidize parking facilities, improve travel options for nondrivers, provide financial savings to lower-income households, and increase housing affordability.</li> </ul>
Relationship to the Port	<ul style="list-style-type: none"> <li>• Parking management helps accommodate growth from the Port.</li> <li>• Parking management incorporates Port-City partnerships.</li> </ul>
City Core Revitalization	<ul style="list-style-type: none"> <li>• Parking management encourages revitalization by reducing barriers or incentivizing businesses and developers.</li> <li>• Parking serves the City Core area, rather than individual sites.</li> <li>• Parking does not take up developable land.</li> <li>• Existing parking is optimized.</li> </ul>
Increasing Housing Affordability and Supply	<ul style="list-style-type: none"> <li>• Parking management encourages the development of housing.</li> <li>• Parking meets demand for residents.</li> </ul>
Economic Efficiency	<ul style="list-style-type: none"> <li>• Parking is economically efficient.</li> <li>• Parking is a benefit to the City rather than a cost.</li> </ul>
Feasibility & Capacity	<ul style="list-style-type: none"> <li>• Parking management is feasible based on capacity available</li> </ul>
Integrated & Flexible	<ul style="list-style-type: none"> <li>• Parking management is coordinated with other plans or land uses.</li> <li>• Parking management is reactive to other land use decisions and issues as they arise.</li> </ul>

# The Role of Local Government

There is a diversity of tools to implement parking management actions. Local governments can use these tools to regulate and encourage parking location and behavior, as well as fund maintenance and improvement to transportation infrastructure. These tools may be used to facilitate the implementation of the proposed Management Actions in this strategy.



## Interim Parking Management Actions (1-3 years)

Management Action 1: Removing minimum parking requirements from a parking specified area (PSA) downtown.



Figure 4 Proposed Parking Specified Area for removal of required parking minimums. For full image, please see [Appendix 2](#).

Minimum parking requirements for off-street parking are specified within our Zoning Bylaw. The removal of these requirements within the Parking Specified Area (PSA) would mean that developers are no longer required to provide the specified number of parking stalls or pay in-lieu fees. This does not prevent developers providing additional off-street parking if desired and does not affect existing businesses. This change would be introduced to ensure that there is no loss of existing parking. Previous parking policies, such as the reduction of pay-in-lieu fees to \$200/stall and a parking credit system that confirmed existing non-conformance, have attempted to reduce barriers to development. This policy simplifies this system and incentivizes development in areas that are intended for densification. The proposed PSA covers areas in which parking requirements pose a development barrier [\[Appendix 2\]](#).

Removing minimum parking requirements is recommended as a best practice to create efficient use of existing parking, remove barriers to development, and support densification. Minimums result in an oversupply of off-street parking that takes up otherwise developable land or potential green spaces. Whereas removing minimums can allow for more density and encourage more shared arrangements that serve an entire area. Dense, walkable areas encourage more customer use as they can access multiple destinations at once.

Minimums give property owners little incentive to manage parking more efficiently since reducing demand would leave expensive parking spaces unoccupied. In contrast, reducing or eliminating minimum parking requirements encourages developers to implement management strategies such as parking pricing and incentives to use alternative transportation modes. It allows them to determine parking supply based on market demands, removing an often-costly barrier to development. This can further incentivize development by allowing developers or businesses to unbundle parking, which can reduce costs of development by making sure that those who need parking are paying for it directly.

Removing parking minimums requires a shift in thinking from worst-case scenario to contingency planning. It may result in overflow to on-street parking, which in some cases may take up parking that provides access to other uses. However, removing these requirements in the downtown area is unlikely to result in a parking shortage given findings in the 2007 study and proposed reconfigurations of public on-street parking along 2<sup>nd</sup> and 3<sup>rd</sup> Avenue W [\[Appendix 3\]](#). Additionally, improvements in technology, such as autonomous ride-hail vehicles and additions of ride hailing and carsharing strategies in our transportation plan, may reduce the need for parking overall in the future. As parking spots are difficult to accommodate within Rupert's small lots and can pose design and financial barriers to development, it is more efficient to implement additional parking strategies if necessary based on performance indicators that identify parking congestion or spillover problems rather than planning for worst-case scenarios.

**Management Action 2: Encourage Shared Parking Agreements between private businesses, or private businesses and the City to optimize existing parking.**

Shared parking agreements can be developed by implementing opportunities for existing businesses to rent out their required stalls for commercial or public use through arrangements administered by the City.

**Shared private-public parking** is the conversion of private parking facilities to serve the public through its integration into the public management system. Public parking (parking facilities that may be used by the public) inherently serve multiple destinations. The private owner and the City agree for the municipal enforcement system to enforce the rules. Any revenue can go to the city or be shared. The municipality can benefit from incorporating share agreements into their public enforcement system through ticketing.

**Parking Stall Leases** would allow shared parking among destinations or users through arrangements between private businesses. This would involve establishing a commercial stall lease license that parking owners can apply for with the City and an amendment to the Zoning Bylaw. Allowing sharing agreements to rent out excess parking spaces or allow multiples destinations to be served by a single parking lot can incentivize development because it allows developers to cut down on costs, as well as optimize their existing spaces and gain back monetary benefits from their surplus parking.

Shared parking encourages a “park once” mentality and increases walking, rather than driving, between destinations. Although, if not coordinated or estimated properly, parking conflict or supply shortages may occur. Additionally, if parking agreements or shared parking is managed publicly, increased enforcement and administration resources may be required.

In Rupert, large private parking lots in Rupert's City Core can be used to provide off-street, longer-term parking for employees to save street parking in front of stores for customers. During weekends, parking lots such as the mall or Safeway ones could provide park-once and walk for downtown or Cow Bay shopping trips.

**Management Action 3:** Seek opportunities to develop public parking lots in the City Core as needed to serve longer term users through land acquisition or conversion of municipally-owned lots.

This management action supports contingency-based planning. The need for increased long-term parking that is better placed to strategically support high demand areas has been identified. Seeking opportunities for public off-street parking lots is one option to address this need. Off-street parking should be shared, prioritize longer-term parking (e.g., employee parking), and be efficient so as not to oversupply and compete with other land uses. The introduction of more public off-street parking would enable easier sharing agreements and allow the City to benefit from permitting and ticketing. Finally, parking supply should be geared towards serving an area, not a specific destination, to promote densified, walkable areas.

Rupert Talks data show that approximately 66% of respondents would be willing to walk 2-3 blocks or more to their destination. If minimum parking requirements are removed from the PSA, new parking lot locations should be placed strategically to be within 2-3 blocks of all lots within the designated area. However, there can be some flexibility due to the existence of private parking lots and potential for shared arrangements. Before implementing any of these off-street parking lots, a thorough design will be created to ensure parking meets standards and is the best choice for the lot.

Specifically, staff are recommending the development of an interim parking lot on Lot 9 to be developed in the next year. This lot would serve the lower Cow Bay area and meet demand for longer term parking for businesses such as Breakers, Cowpuccinos or Smiles. Figure 5 demonstrates a conceptual drawing of this lot.



Figure 5 Conceptual layout of a proposed interim gravel parking lot on Lot 9.

#### Management Action 5: Reconfiguring 2<sup>nd</sup> and 3<sup>rd</sup> Avenues W to increase on-street parking.

On-street parking is convenient, visible, and can be easily made cost efficient. It is a form of shared parking, with each space serving many destinations, and so tends to have a high load factor. It does not require access lanes, and so uses less land per parking space than off-street parking. It is also relatively inexpensive, and can provide a buffer between pedestrians, cyclists, and vehicle traffic. Converting parallel to angled parking increases the number of stalls and makes parking faster and easier. Under some conditions, angled parking increases the rate of collisions, although it tends to reduce their severity. New on-street parking would be regulated to prioritize customer and other high turn-over users and may be designed to user-pay parking in the future.

Staff are discussing redesign to the Province to increase on-street parking through reconfiguring 2<sup>nd</sup> and 3<sup>rd</sup> Avenues W to angled parking, while adding in a bike lane on 2<sup>nd</sup> Ave. This concept is dependent on the Province's approval as 2<sup>nd</sup> Avenue W is a provincial highway. This proposal would increase on-street parking for customers and high turnover users (e.g. Loading vehicles, bussing, etc.) and be paired with the introduction of off-street parking for employees and longer-term users. See an excerpt of proposed redesign in Appendix 3.

#### Management Action 4: Maximize parking on 2<sup>nd</sup> and 7<sup>th</sup> Street to serve longer term users and free up street parking along 2<sup>nd</sup> and 3<sup>rd</sup> Ave.

Businesses have raised the issue of customer parking being taken up by employees, as well as a scarcity of spaces available for employees downtown that allows longer term parking. While this problem can be characterized as inadequate supply, it is also insufficient prioritization of parking. Parking prioritization controls who, when, and how long vehicles may park at a particular location to prioritize facility use. Prioritization may be promoted through regulations or pricing systems. In more convenient locations, such as on-street parking in front of businesses, users are often prioritized as such:

- Delivery and service vehicles.
- Vehicles used by people with disabilities.
- Rideshare and transit vehicles.
- Customers, tourists, and visitors.
- Employees and residents.
- Long-term vehicle storage.

Due to the increased capacity to accommodate parking to due to the relative widths, as well as their relative locations in the Downtown Core, staff have identified 2<sup>nd</sup> and 7<sup>th</sup> Streets between 3<sup>rd</sup> and 2<sup>nd</sup> Ave W as potential areas to serve longer term users. Within the next 1-3 years, this management action would involve changing the time restrictions to 4 hours along these streets to allow employees to remain parked in the same spot, with opportunity to move their vehicle at lunchtime, without penalty. In the longer term, this change may be followed by shortening of time restrictions along 3<sup>rd</sup> and 2<sup>nd</sup> Avenue W to promote higher turnover and further direct employees and longer-term users to not take up customer parking in front of businesses.

These changes would be implemented with an education campaign targeted at businesses and employees downtown and focused enforcement to promote a change in usage.

### Management Action 6: Increase enforcement actions.

Parking management benefits from increased enforcement. In the next 1-3 years staff would look into ways that enforcement of parking regulations and management can be more efficient and increase compliance. This may include without limiting:

- Moving ticket payment into the provincial collections process to make residents accountable for payment.
- Increased methods of ticket payment, for example online payment systems.
- Increasing ticket penalties, which are currently set at \$20 and \$35 with opportunity for discounts on early payment.
- Implementing an online parking platform. This can allow enforcement officers to easily identify when a violation took place, the time and date a ticket was issued, and whether or not it has been paid yet.
- Online ticket issuing.

### Management Action 7: Implement an Interim Parking Wayfinding Strategy

A parking wayfinding system is an integrated electronic or signage system that indicates where parking lots are located and identifies regulations and pricing for each location. These systems can support locals and visitors find parking, reduce frustration at lack of parking, and shift thinking about the parking shortage.

While a wayfinding system would best be implemented as one piece of an integrated payment, enforcement, and wayfinding system, an interim plan may simply consist of identifying locations and regulations of existing parking downtown. For example, this can include the development of a brochure or putting existing parking information on the Go-Map or Prince Rupert website. An interim strategy can be updated or implemented into an online app once a comprehensive parking strategy is developed to allow easier ad-hoc adjustments.

### Management Action 8: Work to Implement Electric Vehicle Charging Infrastructure

As electric vehicles (EV) become more accessible and gas-powered vehicles are phased out at national and provincial levels, it is important for Prince Rupert to accommodate growth in electric vehicles among its residents. This includes the implementation of EV charging infrastructure. EV charging infrastructure can be implemented in both private and public parking spaces. This management action may include increasing the required minimums of electrified stalls within our zoning bylaw, or by identifying areas within the City for new charging stations in order to direct new development.

## Recommendations:

**Recommendation 1:** Council should remove minimum parking requirements from a parking specified area (Appendix 2) in the City Core, providing that there is no loss of existing spaces.

**Recommendation 2:** Council should encourage shared parking agreements between private businesses, or between private businesses and the City, to optimize existing off-street parking. This can be done through the establishment of a Commercial Stall Lease License.

**Recommendation 3:** Council should direct staff to seek opportunities for land acquisition to develop public parking lots in the City Core as needed to serve longer term users, e.g.

employees. Specifically, Council should direct staff to direct resources to actioning an interim parking lot on Lot 9.

**Recommendation 4:** Council should direct staff to action management actions that maximize parking on 2<sup>nd</sup> and 7<sup>th</sup> Street to serve longer term users and free up street parking along 2<sup>nd</sup> and 3<sup>rd</sup> Ave.

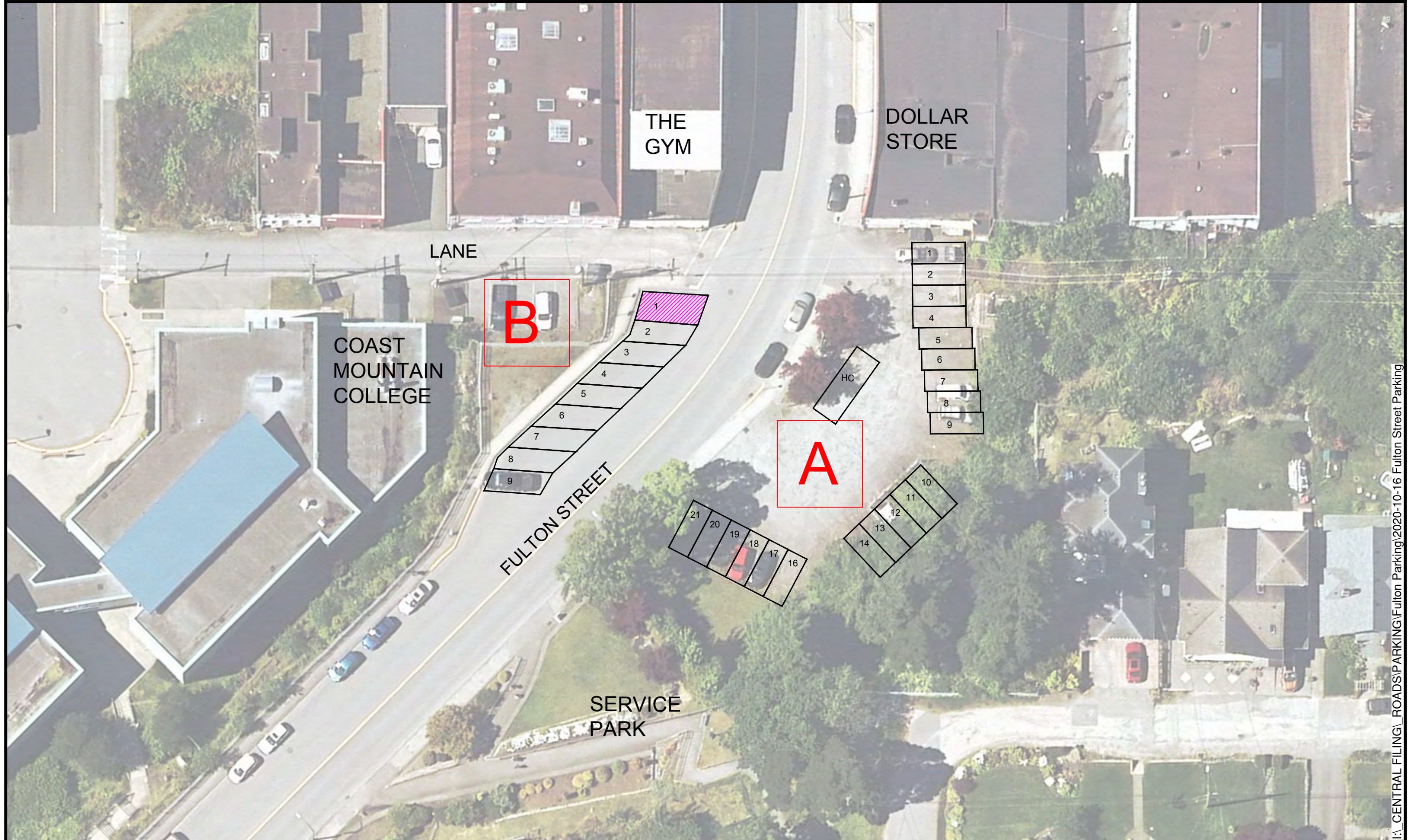
**Recommendation 5:** Council should direct staff to continue to work with the Province to reconfigure 2<sup>nd</sup> and 3<sup>rd</sup> Avenues W to add angled parking and implement a bike lane.

**Recommendation 6:** Council should direct staff to explore options for increasing parking enforcement actions.

**Recommendation 7:** Council should direct staff to develop and implement an Interim Parking Wayfinding Strategy

**Recommendation 8:** Council should direct staff to begin work on implementing more EV charging infrastructure in Prince Rupert.

# Appendix 1



I:\CENTRAL FILING\ROADS\PARKING\Fulton Parking\2020-10-16 Fulton Street Parking

Dwg. No.	Reference Drawings	No.	Date	By

Scale	Design
Hor-	Drawn
Ver-	Approved
---	Date(y.m.d)

**CITY LEASED PARKING SPACES**  
**LOT NUMBERS AND LOCATIONS**  
**FULTON STREET**



3RD AVENUE

BAKER BOY

5TH STREET

LANE

LANE

C

COAST MOUNTAIN COLLEGE

FULFON STREET

2 HOUR PARKING

2 HOUR PARKING

16 15 14 13 12 11 10 9 HC

8 7 6

5 4 3 2 1

Dwg. No.	Reference Drawings	No.	Date	By

Scale	Design
Hor-	Drawn
Ver-	Approved
---	Date(y.m.d)

I:\CENTRAL FILING\ROADS\PARKING\Fulton Parking\2020-10-16 Alleyway Parking

## Appendix 2



Project #: 22-0038  
 Author: RB  
 Checked: MP  
 Status: FINAL  
 Revision: B  
 Date: 2022 / 6 / 27  
 Scale: 1:7,200



**Coordinate System:**  
 NAD 1983 UTM Zone 9N  
**Data Sources:**  
 Integrated Cadastral Information Society (ICIS)  
 City of Prince Rupert  
 2021 Orthophoto

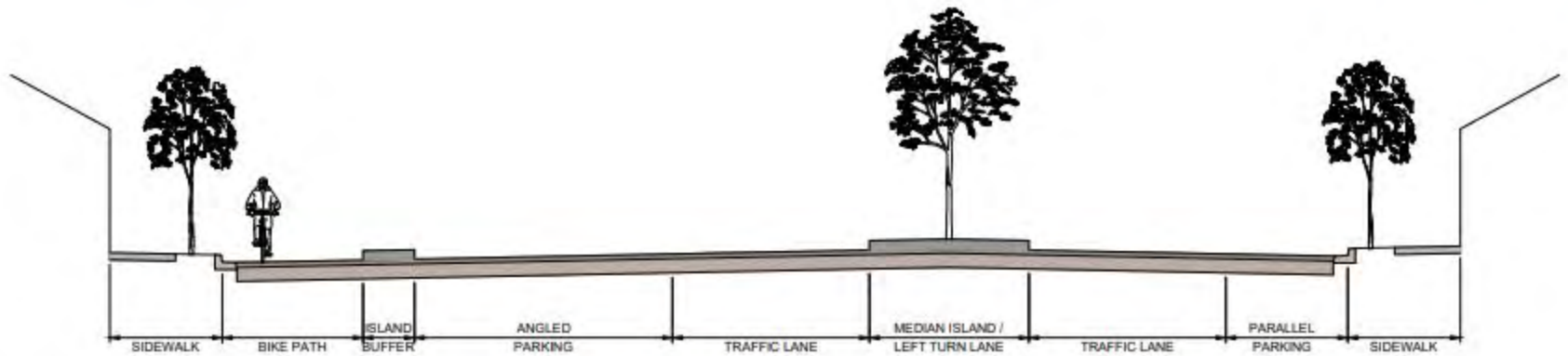
# CITY CORE PROPOSED PARKING SPECIFIC AREAS

 Parking Specified Area



OPERATIONS DEPARTMENT

# Appendix 3





## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** July 25, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Corinne Bomben, Chief Financial Officer/Deputy City Manager  
**SUBJECT: MAY 2022 FINANCIAL VARIANCE REPORT**

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#### REASON FOR REPORT:

That Council receive and file the May 2022 financial variance report.

#### OPERATING BUDGET

Overall, operating revenues and expenses are on track with the overall budget and trends are in line with expectations. Inflationary pressure may impact future performance to budget.

#### UTILITIES BUDGET

Utilities revenues and expenses are in line with the budget for this time of year.

#### CAPITAL & SPECIAL PROJECTS

Many capital and special projects are underway. Costs associated with new projects are expected to be received mid summer through fall.

**Report Prepared By:**

**Report Reviewed By:**

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Corinne Bomben  
Chief Financial Officer/Deputy City Manager

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Robert Buchan,  
City Manager

Attachment(s):

- Department Variance Report;
- Utilities Variance Report;
- Capital Purchases and Capital Works Report

CITY OF PRINCE RUPERT					
May 2022 Departmental Report					
	YTD 2021	YTD 2022	2022	Budgeted	
REVENUES	Actual (\$)	Actual (\$)	Budget (\$)	Amount Left (\$)	% Left
Airport Ferry	47,520	317,048	875,000	(557,952)	(63.77)
Cemetery	48,577	84,443	149,000	(64,557)	(43.33)
Cow Bay Marina	50,534	143,132	257,000	(113,868)	(44.31)
Development Services	378,824	344,984	565,000	(220,016)	(38.94)
Economic Development	17,000	25,000	70,000	(45,000)	(64.29)
FD 911	39,464	36,442	92,000	(55,558)	(60.39)
FD Fire Protective Services	1,588	2,480	5,000	(2,520)	(50.40)
Finance	9,438	8,707	15,000	(6,293)	(41.95)
Fiscal Revenues	2,557,825	1,001,534	8,269,000	(7,267,466)	(87.89)
Information Technology	-	-	1,000	(1,000)	(100.00)
Parks	-	2,700	-	2,700	N.A.
PW Engineering	1,248	953	5,000	(4,047)	(80.94)
PW Common cost	46,939	44,783	35,000	9,783	27.95
RCMP	32,626	48,550	101,000	(52,450)	(51.93)
Rec. Centre Arena	43,362	118,478	204,000	(85,522)	(41.92)
Rec. Centre Civic Centre	22,879	127,074	254,000	(126,926)	(49.97)
Rec. Centre Community Services	-	-	3,000	(3,000)	(100.00)
Rec. Centre Pool	55,536	156,895	373,000	(216,105)	(57.94)
Transit	72,980	73,098	201,000	(127,902)	(63.63)
Victim Services	34,073	36,020	83,000	(46,980)	(56.60)
Watson Island	-	-	400,000	(400,000)	(100.00)
	3,460,413	2,572,321	11,957,000	(9,384,679)	(78.49)
Property Taxes	22,845,416	23,638,321	23,638,000	321	0.00
Appropriated Surplus- COVID 19 Safe Restart Grant	-	-	850,000	(850,000)	(100.00)
Capital Works- Funding from PR Legacy	-	-	200,000	(200,000)	(100.00)
Capital Works- Funding from Grants	-	-	60,000	(60,000)	(100.00)
Capital Works- Funding from Appr. Surplus	-	-	110,000	(110,000)	(100.00)
Capital Works- Fundinf from Reserves	-	-	150,000	(150,000)	(100.00)
Capital Purchases- Funding from PRLegacy	-	-	1,147,000	(1,147,000)	(100.00)
Capital Purchases- Funding from Grants	5,200,000	4,000,000	12,423,000	(8,423,000)	(67.80)
Capital Purchases- Funding from Appr. Surplus	-	-	431,000	(431,000)	(100.00)
Capital Purchases- Fundinf from Reserves	-	-	5,225,000	(5,225,000)	(100.00)
Capital Purcahses- Funding from Borrowing	-	-	26,300,000	(26,300,000)	(100.00)
Special Projects- Funding from PR Legacy	-	-	150,000	(150,000)	(100.00)
Special Projects- Funding from Grants	-	30,410	148,000	(117,590)	(79.45)
Special Projects- Funding from Appr. Surplus	-	-	310,000	(310,000)	(100.00)
	31,505,829	30,241,052	83,099,000	(52,857,948)	(63.61)

CITY OF PRINCE RUPERT					
May 2022 Departmental Report					
EXPENDITURES	YTD 2021 Actual (\$)	YTD 2022 Actual (\$)	2022 Budget (\$)	Budgeted Amount Left (\$)	% Left
Airport Ferry	760,847	935,768	2,403,000	1,467,232	61.06
Cemetery	96,611	99,910	300,000	200,090	66.70
Civic Properties	100,943	154,299	405,000	250,701	61.90
Corporate Administration	293,783	543,845	958,000	414,155	43.23
Cow Bay Marina	96,378	139,970	247,000	107,030	43.33
Development Services	503,505	423,017	1,358,000	934,983	68.85
Economic Development	60,757	97,592	211,000	113,408	53.75
FD 911	237,360	224,562	612,000	387,438	63.31
FD Fire Protective Services	1,556,831	1,913,640	4,445,000	2,531,360	56.95
FD Emergency Measures	12,732	12,540	42,000	29,460	70.14
Finance	325,741	412,803	1,082,000	669,197	61.85
Finance Cost Allocation	(465,000)	(465,000)	(465,000)	-	-
Fiscal Expenditures	856,610	1,079,994	2,823,000	1,743,006	61.74
Governance	129,263	149,524	407,000	257,476	63.26
Grants	1,306,429	1,322,990	1,640,000	317,010	19.33
Information Technology	263,382	304,281	588,000	283,719	48.25
Parks	278,398	287,709	1,295,000	1,007,291	77.78
PW Engineering	200,363	232,832	723,000	490,168	67.80
PW Common Cost	1,949,811	1,860,620	4,859,000	2,998,380	61.71
Allocation of Common Cost	(1,691,287)	(1,532,906)	(4,719,000)	(3,186,094)	67.52
PW Vehicles	494,675	533,866	1,623,000	1,089,134	67.11
PW Vehicle Cost Allocation	(552,367)	(618,939)	(1,623,000)	(1,004,061)	61.86
RCMP	2,451,605	2,545,195	6,540,000	3,994,805	61.08
Rec. Centre Arena	190,733	196,551	441,000	244,449	55.43
Rec. Centre Civic Centre	592,319	798,453	1,802,000	1,003,547	55.69
Rec. Centre Community Services	5	327	3,000	2,673	89.10
Rec. Centre Pool	503,443	514,458	1,506,000	991,542	65.84
Roads	946,669	922,102	2,319,000	1,396,898	60.24
Transit	188,701	241,511	745,000	503,489	67.58
Victim Services	62,892	69,083	165,000	95,917	58.13
Watson Island	229,470	149,190	400,000	250,810	62.70
Transfer to Reserves	-	437,500	1,650,000	1,212,500	73.48
Special Projects	-	87,957	823,000	735,043	89.31
Capital Purchases	632,255	1,235,176	45,741,000	44,505,824	97.30
Capital Works	42,624	8,672	1,750,000	1,741,328	99.50
	12,656,481	15,319,092	83,099,000	67,779,908	81.57

<b>CITY OF PRINCE RUPERT</b>					
May 2022 Utilities Report					
	<b>YTD 2021</b>	<b>YTD 2022</b>	<b>2022</b>	<b>Budgeted</b>	
<b>Utilities</b>	<b>Actual (\$)</b>	<b>Actual (\$)</b>	<b>Budget (\$)</b>	<b>Amount Left (\$)</b>	<b>% Left</b>
<b>Water</b>					
Operating Revenue	2,452,422	2,537,077	3,058,000	(520,923)	(17.03)
Funding from PR Legacy- Capital Works	-	-	5,300,000	(5,300,000)	(100.00)
Funding from PR Legacy- Debenture Debt Payment	2,212,566	-	560,000	(560,000)	(100.00)
Funding from Reserves- Capital Works	-	6,390,296	9,450,000	(3,059,704)	(32.38)
Funding from Appropriated Surplus- Capital Works	-	-	805,000	-	-
Less: Capital Works	(2,267,199)	(6,501,090)	(16,247,000)	9,745,910	59.99
Net Revenue	2,397,789	2,426,283	2,926,000	305,283	10.43
Operating Expenditure	877,570	1,146,474	2,926,000	1,779,526	60.82
Surplus /(Deficit)	1,520,219	1,279,809	-	2,084,809	-
<b>Sewer</b>					
Operating Revenue	2,249,151	2,314,067	2,715,000	(400,933)	(14.77)
Funding from Grants- Capital Works	-	-	400,000	(400,000)	100.00
Funding from App Surplus- Capital Works	-	-	1,111,000	(1,111,000)	100.00
Funding from Reserves- Capital Works	-	-	100,000	-	100.00
Less: Capital Works	(874,433)	(215,033)	(2,675,000)	2,459,967	91.96
Net Revenue	1,374,718	2,099,034	1,651,000	448,034	27.14
Operating Expenditure	641,679	510,399	1,651,000	1,140,601	69.09
Surplus/(Deficit)	733,039	1,588,635	-	1,588,635	-
<b>Solid Waste</b>					
Operating Revenue	2,428,755	3,069,622	4,599,000	(1,529,378)	(33.25)
Funding from Debenture Debt (MFA)- Capital Works	2,044,212	-	-	-	-
Funding from Accruals- Capital Works	-	1,550,865	3,675,000	(2,124,135)	100.00
Funding from Reserves- Capital Works	-	850,000	3,976,000	(3,126,000)	100.00
Funding from CWF (Gas Tax)- Capital Works	-	-	1,130,000	(1,130,000)	100.00
Less: Capital Purchases	-	-	(1,500,000)	1,500,000	100.00
Less: Capital Works	(2,044,212)	(2,400,865)	(7,381,000)	4,980,135	(67.47)
Net Revenue	2,428,755	3,069,622	4,499,000	(1,429,378)	(31.77)
Operating Expenditure	1,139,735	1,716,407	4,499,000	2,782,593	61.85
Surplus /(Deficit)	1,289,020	1,353,215	-	1,353,215	-

<b>CITY OF PRINCE RUPERT</b> May 2022 Capital Purchases Budget Variance Report	Budget	Actual	Variance
<b>Special Projects</b>	823,000	87,957	735,043
<b>Waterfront Landing</b>	10,900,000	9,352	10,890,648
<b>Recreation</b>	200,000	-	200,000
<b>RCMP Bulding Design</b>	26,100,000	142,553	25,957,447
<b>Civic Properties</b>	6,500,000	981,933	5,518,067
<b>Fire Department</b>	1,381,000	-	1,381,000
<b>Land Acquisition</b>	50,000	47,165	2,835
<b>Watson Island</b>	185,000	-	185,000
<b>Public Works</b>	425,000	54,173	370,827
<b>Solid Waste</b>	1,500,000	-	1,500,000
<b>Total</b>	<b>\$ 48,064,000</b>	<b>\$ 1,323,133</b>	<b>\$ 46,740,867</b>

<b>CITY OF PRINCE RUPERT</b> May 2022 Capital Works Budget Variance Report	Budget	Actual	Variance
<b>General Operating</b>	\$ 1,750,000	\$ 8,672	\$ 1,741,328
<b>Water Utility</b>	\$ 16,247,000	\$ 6,501,090	\$ 9,745,910
<b>Sewer Utility</b>	\$ 2,675,000	\$ 215,033	\$ 2,459,967
<b>Solid Waste Utility</b>	\$ 7,381,000	\$ 2,400,865	\$ 4,980,135
<b>Total</b>	<b>\$ 28,053,000</b>	<b>\$ 9,125,660</b>	<b>\$ 18,927,340</b>



## REPORT TO COUNCIL

### Meeting of Council

**DATE:** July 25, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Rosa Miller, Corporate Administrator  
**SUBJECT:** **Bylaw Notification System**

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#### **RECOMMENDATION:**

**THAT Council approve staff to enter into a Bylaw Notice System for minor bylaw infractions.**

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

Bylaw enforcement is a common issue with all local governments. Presently, infraction remedies available are:

1. Seek voluntary compliance;
2. Ticket(s) issued and seek voluntary payment; or,
3. Initiate court proceedings.

The *Local Government Bylaw Notice Enforcement Act* provides municipalities with an alternative approach for resolving minor bylaw infractions. Local governments may establish a local government bylaw dispute adjudication system which can replace the Provincial Court as a venue for resolving minor bylaw issues. Under this system, the City of Prince Rupert would work with the BC Ministry of Attorney General to appoint an adjudicator. Adjudications may be done electronically due to remote locations.

Once the City of Prince Rupert is added to the roster of participating municipalities, some bylaw amendment work may be required and the system of adjudication will need to be established.

#### **ANALYSIS:**

The cost of bylaw adjudication system will vary depending on the volume of bylaw infractions. Currently, municipalities who participate in an adjudication process see an increase in payment of fines of an average of 40%.

**COSTS AND BUDGET IMPACT:**

There is minimal impact on the Annual Budget or Strategic Priorities for the Staff. However, the successful implementation of this new process will look to increase the payment average for minor bylaw infractions.

When the ticketing bylaw is amended to include this notification process, a dispute fee may be included for unsuccessful dispute adjudication for the purposes of recovering the costs of the system.

**CONCLUSION:**

**THAT Council support Staff's request for inclusion into a Bylaw Notice System which will allow for a more timely collection of bylaw penalties. If Council supports and passes the requested resolution and the official request is submitted to the Ministry of Attorney General processing may take six to eight weeks for full inclusion into this program. Staff anticipate, based on these time frames, to have this program in place for mid-Fall 2022.**

**Report Prepared By:**

**Report Reviewed By:**

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Rosa Miller,  
Corporate Administrator

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Dr. Robert Buchan,  
City Manager



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** July 25 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Corinne Bomben, Chief Financial Officer/Deputy City Manager

**SUBJECT: 2022 FIVE YEAR FINANCIAL PLAN AMENDMENT BYLAW NO. 3498, 2022**

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#### **RECOMMENDATION:**

**THAT Council consider the public consultation process to date, comprising of the posting of notice on the City's website and on the notice board at City Hall since June 22, 2022 and inviting feedback on the amendment bylaw, sufficient for the purpose of consultation under section 166 of the *Community Charter* and,**

**THAT Council give fourth and final reading to the 2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022.**

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

Council gave three readings to the 2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022 on June 27, 2022. Council is asked to give fourth and final reading.

#### **BACKGROUND:**

Subsequent to adopting the Five Year Financial Plan, urgent works were identified resulting in the need to make an amendment.

#### **ANALYSIS:**

A summary of the amendments are as follows:

\$175,000 to conduct repairs to the Digby Island Ferry ramp for the Digby Island Ferry. Funding for this project is proposed to come out of Capital Reserves.

\$1 million to repair and rehab the failed section on McBride Street. The works include the full replacement of the water and sewer line up to the intersection at 5<sup>th</sup> Avenue. Funding is proposed through surplus (\$150,000) and through short term borrowing over five years (\$850,000) to be repaid through dividends from the City's wholly owned subsidiary, Prince Rupert Legacy Inc.

*Public Comment*

The amendments proposed were placed on the City's website and notice board June 22, 2022 prior to the bylaw being heard by Council on June 27, 2022 along with contact information for questions and feedback. Subsequent to the three readings, the public continued to be provided opportunity to comment on the proposed amendments.

At the time this report was written, no comments have been received in respect of this proposed amendment.

**CONCLUSION:**

**THAT Council consider the public consultation process and feedback received and give fourth and final reading to the 2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022.**

**Report Prepared By:**

**Report Reviewed By:**

\_\_\_\_\_  
Corinne Bomben,  
Chief Financial Officer/Deputy City Manager

\_\_\_\_\_  
Robert Buchan,  
City Manager

Attachment:

- 2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022

# CITY OF PRINCE RUPERT

## 2022 FIVE YEAR FINANCIAL PLAN AMENDMENT BYLAW NO. 3498, 2022

BEING A BYLAW TO AMEND THE 2022 FIVE YEAR FINANCIAL PLAN  
BYLAW NO. 3494, 2022 FOR THE PERIOD 2022 - 2026

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

1. **Schedule “A”** attached hereto and made part of this Bylaw is hereby declared to be the Five Year Financial Plan of the City of Prince Rupert for the period ending December 31<sup>st</sup>, 2026.
2. This Bylaw may be cited as **“2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022”**.

Read a First time this \_\_\_\_ day of June, 2022.

Read a Second time this \_\_\_\_ day of June, 2022.

Read a Third time this \_\_\_\_ day of June, 2022.

Final Consideration and Adopted this \_\_\_\_ day of \_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

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

Schedule "A"

CITY OF PRINCE RUPERT

2022 Five Year Financial Plan Amendment  
June 27, 2022

The *Community Charter* requires certain information be presented as part of the Five Year Financial Plan. The following Section citations reference the *Community Charter*:

**1. Portion of Funding from Revenue Sources (Section 165 (3.1)a)**

Table One (1) shows the proportion and value of the total revenue proposed to be raised from each funding source in 2022. Debt forms the largest portion of planned revenue as the City is borrowing a large amount to build the new RCMP Detachment.

Property value taxes form the second greatest percentage of the revenue of the municipality. The property taxation system is relatively easy to administer and understand. It provides a stable and consistent source of revenue for many services that are difficult or undesirable to fund on a user-pay basis. These include services such as fire protection, police protection, bylaw enforcement, libraries, and street lighting. For these reasons, property value taxation will continue to be the major source of municipal revenue.

**Table 1**

Funding Source	Percentage (%) of Revenue	Amount (\$)
Municipal Property Taxes	20%	23,638,000
Parcel Taxes	0%	63,000
Payment in Lieu of Taxes & Prov. Grants	3%	4,074,000
User Fees & Charges	11%	13,828,000
Accruals	3%	3,675,000
Reserves	17%	20,386,000
Accumulated General Operating Surplus	1%	1,701,000
Accumulated Utilities Operating Surplus	2%	2,066,000
Grants and Other Miscellaneous Revenue	14%	16,738,000
Dividend- Prince Rupert Legacy	7%	7,834,000
Debt Financing	22%	27,150,000
<b>Total</b>	<b>100%</b>	<b>121,153,000</b>

Schedule "A"

CITY OF PRINCE RUPERT

2022 Five Year Financial Plan Amendment  
June 27, 2022

Objective

- Council will attempt to increase the proportion of City revenue that is derived from sources other than property taxes.

Policy

- Council reviews the fees charged for various services to ensure that the users of the service are paying a fair portion of the operating and capital cost of the service;
- Council will supplement infrastructure expenditures by aggressively pursuing federal and provincial grants; and,
- Council will encourage staff to develop new revenue sources.

**2. Distribution of Property Value Taxes (Section 165 (3.1)(b))**

The City of Prince Rupert determines the current tax rate for each property class by first adjusting the prior year's tax rate by the BC Assessment generated statistic for *Change in Property Assessment Market Value* for that property classification. The adjusted tax rate is then increased or decreased by the percentage tax increase that Council has set for the current Financial Year.

By providing this consistency, taxpayers in the various classes have stability and confidence in knowing how their future tax bills will be calculated. The City also is required to follow the Provincial Regulation which sets the maximum rates for Port Property Taxes at \$27.50/\$1,000, and \$22.50/\$1,000 for property and improvements that are listed in the Regulation.

Table (2) shows the current property tax revenues of each classification except those classes with zero tax revenue:

**Table 2**

<b>Property Class</b>	<b>% of Tax Revenue</b>	<b>Amount (\$)</b>
Residential	31%	7,377,000
Utility	1%	298,000
Major Industry	27%	6,419,000
Major Industry Port Property Tax Act	16%	3,698,000
Light Industry	3%	682,000
Business	22%	5,144,000
Recreation	0%	20,000
<b>Total</b>	<b>100%</b>	<b>23,638,000</b>

## Schedule "A"

### CITY OF PRINCE RUPERT

2022 Five Year Financial Plan Amendment  
June 27, 2022

#### Objective

- Council will encourage economic development by minimizing tax increases.

#### Policy

- Council will review user fees to ensure that they are appropriate;
- Council will rely primarily on new development and grant opportunities to fund infrastructure and new amenities;
- Council will encourage economic development by providing the stability of using a consistent methodology for calculating property tax levies;
- Council will continue to review its existing permissive property tax exemption practices;

### **3. Use of Permissive Tax Exemptions (Section 165 (3.1)(c))**

Each year the City of Prince Rupert approves partial or full permissive tax exemptions for properties within the community.

#### Objectives

- Council will continue to provide permissive tax exemptions;
- Council will permit exemptions according to the Permissive Tax Exemption Policy;
- Council will permit exemptions to revitalize the downtown core

#### Policy

- Permissive tax exemptions will be considered in conjunction with:
  - a. The value of other assistance being provided by the Community;
  - b. The amount of revenue that the City will lose or forgo if the exemption is granted;
  - c. City of Prince Rupert Permissive Tax Exemption Bylaw 3447, 2019 and Permissive Property Tax Exemption Amendment Bylaw No. 3477, 2021; and,
  - d. Downtown Core Revitalization Tax Exemption Program Bylaw 3466, 2020.

Table 3 shows the properties which received permissive tax exemptions for 2022. The approximate amount of Municipal Tax exempted is \$367,000.

**Schedule "A"**

CITY OF PRINCE RUPERT

2022 Five Year Financial Plan Amendment  
June 27, 2022

**Table 3**

Registered Owner/ Occupier Identity/ Facility	Estimated annual Permissive Tax Exemption based on 2022 Rates/Values	Roll Number
<b><u>Places of Worship (Exclude Statutory Exempt Portion)</u></b>		
Bishop of New Caledonia (Anglican Cathedral)	\$ 434.97	0001839.000
Church of Jesus Christ of Latter Day Saints Church	545.96	0091420.000
Cornerstone Mennonite Brethren Church	255.36	0002000.000
Fellowship Baptist Church	325.48	0003323.000
The Salvation Army	1,387.40	0001041.000
Harvest Time United Pentecostal Church	140.24	0003175.000
Indo-Canadian Sikh Association Temple	137.99	0002980.000
Prince Rupert Congregation of Jehovah's Witnesses	466.84	0002772.050
Prince Rupert Church of Christ Church	775.07	0009855.000
Prince Rupert Native Pentecostal Revival Church	301.85	0001038.000
Prince Rupert Pentecostal Tabernacle	631.08	0091412.000
Prince Rupert Sikh Missionary Society Temple	654.70	0006391.000
First United Church	28.87	0002099.000
First United Church (parking lot)	798.13	0002098.000
First United Church (parking lot)	798.13	0002097.000
St. Paul's Lutheran Church of Prince Rupert	149.99	0001958.000
Sub-total Places of Worship	\$ 7,832.05	

**Schedule "A"**

CITY OF PRINCE RUPERT

2022 Five Year Financial Plan Amendment  
June 27, 2022

**Table 3 (continued)**

<b>Other Properties</b>		
Cultural Dance Centre & Carving House	\$ 13,720.69	0000382.000
Museum of Northern BC	43,090.13	9000165.002
Prince Rupert Performing Arts Centre Society	135,547.81	9000363.000
Jim Pattison Ind. Ltd (Canfisco Municipal Boat Launch Facility)	26,880.88	9000246.000
Prince Rupert Golf Club	24,404.20	9000322.000
Prince Rupert Golf Club	5,606.19	9000322.001
Prince Rupert Golf Club	450.63	9000322.003
Prince Rupert Golf Club	309.39	9000322.004
Prince Rupert Racquet Association	5,426.01	9000322.002
School District No. 52 (Prince Rupert) (Pacific Coast School)	7,290.80	0000525.000
School District No. 52 (Prince Rupert) (Pacific Coast School)	116.58	0000300.000
BC Society for the Prevention of Cruelty to Animals	2,376.46	0093225.000
BC Society for the Prevention of Cruelty to Animals	13,294.72	0093227.000
BC Society for the Prevention of Cruelty to Animals	1,455.02	0093230.000
Prince Rupert Loyal Order of Moose/Moose Lodge	614.58	0000261.000
Prince Rupert Salmon Enhancement Society	1,679.21	9000323.001
Prince Rupert Curling Club	12,577.29	9000299.000
Prince Rupert Rod & Gun Club	1,690.42	9000416.000
Prince Rupert Aboriginal Community Services Society	2,612.15	0009504.000
Friendship House Association of Prince Rupert	20,150.18	0000914.000
Kaien Island Daycare Services Family Resource Centre	1,051.93	0005167.002
Prince Rupert Senior Centre Association	890.93	0001044.000
North Coast Community Services Society (Previously Prince Rupert Community Enrichment Society)	6,344.70	0000906.000
The Royal Canadian Legion Branch 27 (Only area used by Legion)	825.69	0000641.000
Navy League Prince Rupert Branch	646.83	9000299.001
Prince Rupert Rowing & Yachting Club (Only area assessed as "Recreation/Non-Profit")	1,957.35	9000214.100
Kaien Senior Citizen's Housing	58.46	0003150.000
Prince Rupert Senior Citizen's Housing Society	2,002.63	9000089.000
Prince Rupert Indigenous Housing Society (Only area assessed as "Residential/Not-for-profit")	10,274.94	0040511.050
Cedar Village Housing Society (Only area assessed as "Residential/Not-for-profit")	15,702.54	0003411.000
Sub-total other Properties	\$ 359,049.35	
<b>Estimated Annual Total Permissive Property Tax Exemptions</b>	<b>\$ 366,881.40</b>	

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**4. Proposed Expenditures (Section 165(4)(a))**

Table 4 shows the proposed expenditures for the current year by Fund:

**Table 4**

Proposed Expenditures	Amount (\$)
Operating Fund	83,274,000
Sewer Utility Fund	4,476,000
Solid Waste Fund	13,380,000
Water Utility Fund	20,023,000
<b>Total</b>	<b>121,153,000</b>

**5. Proposed Funding Sources (Section 165(4)(b) & Section 165(7)(a-e))**

Table 5 shows the proposed funding sources for the current year:

**Table 5**

Funding Source	Percentage (%) of	Amount (\$)
Municipal Property Taxes	20%	23,638,000
Parcel Taxes	0%	63,000
Payment in Lieu of Taxes & Provincial Grants	3%	4,074,000
User Fees & Charges	11%	13,828,000
Accruals	3%	3,675,000
Reserves	17%	20,386,000
Accumulated General Operating Surplus	1%	1,701,000
Accumulated Utilities Operating Surplus	2%	2,066,000
Grants and Other Miscellaneous Revenue	14%	16,738,000
Dividend- Prince Rupert Legacy	7%	7,834,000
Debt Financing	22%	27,150,000
<b>Total</b>	<b>100%</b>	<b>121,153,000</b>

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**6. Proposed Transfers Between Funds (Section 165(4)(c))**

See items 11 and 12 (including Tables 8 and 9) of this Schedule.

**7. Amount Required to Pay Interest & Principal on Municipal Debt (Section 165(6)(a))**

The amount required to pay interest and principal on municipal debt is approximately \$2,446,000.

**8. Amount Required for Capital Purposes (Section 165(6)(b))**

Capital Purchases

Table 6 shows the 2022 Capital Purchases:

**Table 6**

<b>Department</b>	<b>Amount (\$)</b>
Fire Protection	1,381,000
Building	6,470,000
Policing	26,100,000
Recreation	200,000
Real Estate	265,000
Ferry	175,000
Civic Improvements	10,975,000
Vehicles & Mobile Equipment (General)	350,000
Vehicles & Mobile Equipment (Solid Waste)	1,400,000
<b>Total</b>	<b>47,316,000</b>

Capital Works

Table 7 shows the 2022 Capital Works:

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**Table 7**

Fund	Amount (\$)
Water Utility	17,097,000
Sewer Utility	2,825,000
Solid Waste Utility	7,481,000
Civic Improvements	140,000
Transportation	1,610,000
<b>Total</b>	<b>29,153,000</b>

**9. The Amount Required for a Deficiency (Section 165(6)(c) & Section (165(9))**

Nil

**10. The Amount Required for Other Municipal Purposes (Section 165(6)(d))**

Expenditures for other municipal purposes are \$42,238,000 which is the total from Table 4 of \$121,153,000 less the amounts under Items 7 and 9 (\$2,446,000 and Nil) and the totals from Tables 6 and 7 (\$47,316,000 and \$29,153,000).

**11. Proposed Transfers of Reserves (Section 165(8)(a))**

Table 8 proposes the following transfers:

**Table 8**

Transfer of Reserves	Amount (\$)
From:	
Equipment Reserve	(1,580,000)
Land Reserve	(25,000)
Water Treatment Grant Reserve	(5,150,000)
General Capital Works Reserve	(175,000)
Northern Capital and Planning Grant Reserve	(10,357,000)
Community Work Fund (Gas Tax) Reserve	(1,130,000)
RCMP Reserve	(1,100,000)
Duncan Road Improvements Reserve	(250,000)
Solid Waste Asset Management Reserve	(419,000)
Water Asset Management Reserve	(200,000)
General Operating Fund	(2,119,000)
<b>Total</b>	<b>(22,505,000)</b>

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<b>To:</b>	
RCMP Reserve	1,050,000
Miscellaneous Reserves (interest)	200,000
Rushbrook Parking Program Reserve	88,000
General Capital Works Reserve	400,000
Public Works Vehicle Reserve	231,000
Ferry Maint. & Capital Replacement Reserve	150,000
General Operating Fund loan payments	180,000
General Operating Fund Capital Works	150,000
General Operating Fund Capital Purchases	5,400,000
Water Fund Capital Works	9,450,000
Solid Waste Fund Capital Works	3,706,000
Solid Waste Fund Capital Purchases	1,400,000
Sewer Fund Capital Works	100,000
<b>Total</b>	<b>22,505,000</b>

**12. Proposed Transfers of Accumulated Surplus (Section 165(8)(b))**

Table 9 shows the Accumulated Operating and Utility Fund Surpluses being used this year to fund operating activities, Special Projects and Capital expenditures.

**Table 9**

<b>Transfers of Accumulated Surplus</b>	<b>Amount (\$)</b>
<b>From:</b>	
General Operating Fund Surplus	(1,701,000)
Sewer Utility Fund Surplus	(1,261,000)
Water Utility Fund Surplus	(805,000)
<b>Total</b>	<b>(3,767,000)</b>
<b>To:</b>	
General Operating Fund Operations	850,000
General Operating Fund Special Projects	310,000
General Operating Fund Capital Purchases	431,000
General Operating Fund Capital Works	110,000
Sewer Utility Fund Capital Works	1,261,000
Water Utility Fund Capital Works	805,000
<b>Total</b>	<b>3,767,000</b>

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**General Operating Fund Departmental Budgets**

Tables 10(a) & 10(b) show the General Operating Fund Budgets.

**Table 10(a)**

<b>GENERAL OPERATING FUND</b>	<b>Budget 2022</b>	<b>Budget 2023</b>	<b>Budget 2024</b>	<b>Budget 2025</b>	<b>Budget 2026</b>
<b><u>Revenues by Department</u></b>					
Airport Ferry	875,000	1,480,000	1,518,000	1,549,000	1,580,000
Cemetery	149,000	170,000	176,000	182,000	189,000
Cow Bay Marina	257,000	290,000	293,000	296,000	299,000
Development Services	565,000	611,000	617,000	623,000	623,000
Economic Development	70,000	70,000	70,000	70,000	70,000
FD 911 Services	92,000	90,000	88,000	86,000	84,000
FD Fire Protective Services	5,000	6,000	6,000	6,000	6,000
Finance	15,000	15,000	15,000	15,000	15,000
Fiscal Revenues	8,269,000	7,504,000	7,602,000	7,801,000	7,902,000
Information Technology	1,000	1,000	1,000	1,000	1,000
PW Engineering	5,000	5,000	5,000	5,000	5,000
PW Common Costs	35,000	36,000	37,000	38,000	39,000
RCMP	101,000	93,000	93,000	93,000	93,000
Rec. Centre Arena	204,000	223,000	233,000	243,000	254,000
Rec. Centre Civic Centre	254,000	311,000	324,000	339,000	354,000
Rec. Centre Community Services	3,000	15,000	15,000	15,000	15,000
Rec. Centre Pool	373,000	530,000	550,000	573,000	596,000
Transit	201,000	257,000	309,000	318,000	328,000
Victim Services	83,000	77,000	77,000	77,000	77,000
Watson Island	400,000	400,000	400,000	400,000	400,000
<b>Subtotal</b>	<b>11,957,000</b>	<b>12,184,000</b>	<b>12,429,000</b>	<b>12,730,000</b>	<b>12,930,000</b>
Property Taxes (existing)	22,809,000	23,638,000	24,541,000	25,956,000	26,241,000
Property Tax Increase (Decrease) - Non-market change	131,000	-	-	-	-
Property Tax Increase (Decrease)	698,000	903,000	1,415,000	285,000	360,000
Appropriated Surplus - COVID 19 Safe Restart Grant	850,000	749,000	-	-	-
<b>Total Operating Revenues</b>	<b>36,445,000</b>	<b>37,474,000</b>	<b>38,385,000</b>	<b>38,971,000</b>	<b>39,531,000</b>
PR Legacy- Capital Works	200,000	-	-	-	-
PR Legacy- Capital Purchases	1,147,000	-	-	-	-
Conditional Project Grants - Capital Works	60,000	-	-	-	-
Conditional Project Grants - Capital Purchases	12,423,000	-	-	-	-
Appropriated Reserves - Capital Works	150,000	-	-	-	-
Appropriate Reserves - Capital Purchases	5,400,000	-	-	-	-
Appropriated Surplus - Capital Purchases	431,000	-	-	-	-
Appropriated Surplus - Capital Works	110,000	-	-	-	-
PR Legacy- Special Projects	150,000	-	-	-	-
Appropriated Surplus - Special Projects	310,000	-	-	-	-
Conditional Project Grants - Special Projects	148,000	-	-	-	-
Loans from MFA - Capital Purchases	26,300,000	-	-	-	-
<b>Total Capital Revenues</b>	<b>46,829,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total General Operating Fund Revenues</b>	<b>83,274,000</b>	<b>37,474,000</b>	<b>38,385,000</b>	<b>38,971,000</b>	<b>39,531,000</b>

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**Table 10(b)**

<b>GENERAL OPERATING FUND</b>	<b>Budget 2022</b>	<b>Budget 2023</b>	<b>Budget 2024</b>	<b>Budget 2025</b>	<b>Budget 2026</b>
<b><u>Expenditures by Department</u></b>					
Airport Ferry	2,403,000	2,652,000	2,856,000	2,907,000	2,966,000
Cemetery	300,000	305,000	311,000	317,000	321,000
Civic Properties	405,000	423,000	429,000	436,000	443,000
Corporate Administration	958,000	992,000	1,007,000	1,024,000	1,041,000
Cow Bay Marina	247,000	246,000	252,000	257,000	262,000
Development Services	1,358,000	1,377,000	1,400,000	1,422,000	1,432,000
Economic Development	211,000	220,000	223,000	227,000	232,000
FD 911	612,000	628,000	644,000	659,000	675,000
FD Fire Protective Services	4,445,000	4,680,000	4,732,000	4,762,000	4,775,000
FD Emergency Measures	42,000	43,000	44,000	45,000	46,000
Finance	1,082,000	1,104,000	1,126,000	1,148,000	1,171,000
Finance Cost Allocation	(465,000)	(465,000)	(465,000)	(465,000)	(465,000)
Fiscal Expenditures	2,823,000	2,993,000	4,204,000	4,150,000	4,111,000
Governance	407,000	422,000	432,000	442,000	452,000
Grants in Aid to Community Partners	1,640,000	1,668,000	1,736,000	1,784,000	1,813,000
Information Technology	588,000	585,000	595,000	606,000	617,000
Parks	1,295,000	1,322,000	1,349,000	1,376,000	1,403,000
PW Engineering	723,000	732,000	748,000	765,000	782,000
PW Common Costs	4,859,000	4,859,000	4,968,000	5,080,000	5,195,000
Allocation of PW Common Cost	(4,719,000)	(4,859,000)	(4,968,000)	(5,080,000)	(5,195,000)
PW Vehicles	1,623,000	1,681,000	1,710,000	1,739,000	1,768,000
Allocation of PW Vehicles	(1,623,000)	(1,681,000)	(1,710,000)	(1,739,000)	(1,768,000)
RCMP	6,540,000	6,594,000	6,748,000	6,907,000	7,069,000
Rec. Centre Arena	441,000	458,000	478,000	490,000	501,000
Rec. Centre Civic Centre	1,802,000	2,154,000	2,195,000	2,239,000	2,275,000
Rec. Centre Community Services	3,000	3,000	3,000	3,000	3,000
Rec. Centre Pool	1,506,000	1,597,000	1,635,000	1,672,000	1,710,000
Roads	2,319,000	2,372,000	2,429,000	2,485,000	2,542,000
Transit	745,000	851,000	953,000	989,000	1,027,000
Victim Services	165,000	168,000	171,000	174,000	177,000
Watson Island	400,000	400,000	400,000	400,000	400,000
Transfer to Reserves (Interest, RCMP Loan, Gas Tax)	1,250,000	1,250,000	200,000	200,000	200,000
Transfer to General Capital Reserves	400,000	400,000	400,000	400,000	400,000
<b>Total Operating Expenses</b>	<b>34,785,000</b>	<b>36,174,000</b>	<b>37,235,000</b>	<b>37,821,000</b>	<b>38,381,000</b>
Provision for Special Projects	823,000	-	-	-	-
Provision for Capital Purchases	45,916,000	-	-	-	-
Provision for Capital Works	1,750,000	1,300,000	1,150,000	1,150,000	1,150,000
<b>Total Capital Expenses</b>	<b>48,489,000</b>	<b>1,300,000</b>	<b>1,150,000</b>	<b>1,150,000</b>	<b>1,150,000</b>
<b>Total Operating Fund Expenditures</b>	<b>83,274,000</b>	<b>37,474,000</b>	<b>38,385,000</b>	<b>38,971,000</b>	<b>39,531,000</b>
<b>Surplus(Deficit)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

**Schedule "A"**

**CITY OF PRINCE RUPERT**

2022 Five Year Financial Plan Amendment  
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**13. Utility Funds Revenue & Expenditure Budgets**

Table 11 shows the Utility Operating Funds proposed budgets.

**Table 11**

UTILTY OPERATING FUNDS	Budget 2022	Budget 2023	Budget 2024	Budget 2025	Budget 2026
<b>Sewer</b>					
Revenues	2,715,000	2,769,000	2,825,000	2,882,000	2,940,000
Grants	400,000	-	-	-	-
Appropriated Surplus	1,261,000	-	-	-	-
Reserves	100,000	-	-	-	-
Capital Works	(2,825,000)	(1,075,000)	(1,092,000)	(1,110,000)	(1,129,000)
Revenue for operations	1,651,000	1,694,000	1,733,000	1,772,000	1,811,000
Expenditures	1,651,000	1,694,000	1,733,000	1,772,000	1,811,000
Surplus (Deficit)	-	-	-	-	-
<b>Water</b>					
Revenues	3,058,000	3,173,000	3,229,000	3,286,000	3,344,000
PR Legacy	5,860,000	742,000	742,000	742,000	742,000
Appropriated Surplus	805,000	-	-	-	-
Loans from MFA	850,000	-	7,000,000	-	-
Reserves	9,450,000	15,000,000	5,000,000	-	-
Capital Works	(17,097,000)	(15,750,000)	(12,750,000)	(750,000)	(750,000)
Revenue for operations	2,926,000	3,165,000	3,221,000	3,278,000	3,336,000
Expenditures	2,926,000	3,165,000	3,221,000	3,278,000	3,336,000
Surplus (Deficit)	-	-	-	-	-
<b>Solid Waste</b>					
Revenues	4,599,000	4,614,000	4,701,000	4,795,000	4,890,000
Funding from Accruals	3,675,000	-	-	-	-
Funding from Reserves	3,976,000	-	-	-	-
CWF Gas Tax Reserve	1,130,000	-	-	-	-
Capital Purchases	(1,400,000)	-	-	-	-
Capital Works	(7,481,000)	-	-	-	-
Revenue for operations	4,499,000	4,614,000	4,701,000	4,795,000	4,890,000
Expenditures	4,499,000	4,614,000	4,701,000	4,795,000	4,890,000
Surplus (Deficit)	-	-	-	-	-



## REPORT TO COUNCIL

Regular Meeting of Council

**DATE:** July 25th, 2022

**TO:** Robert Buchan, City Manager

**FROM:** Veronika Stewart, Communications Manager

**SUBJECT: PUBLIC NOTICE BYLAW**

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### RECOMMENDATION:

**THAT Council receive this report for information, and;**

**THAT Council consider First, Second and Third Readings to the proposed Public Notice Bylaw No. 3500, 2022 (see attachment 1), as is permitted under the updated Section 94.2 of the Community Charter, and direct the Bylaw to Public Notification for community feedback.**

**THAT Council give First and Second Readings to the proposed Development Procedures Amendment Bylaw No 3501, 2022 (see attachment 2) which proposes to:**

- Update section 3.5 of Development Procedures Bylaw No. 3469 to reflect above proposed changes to Public Notice;
- Update the forms section in the Appendix for administrative clarity and to implement the consolidation of forms recommended by Planning staff;
- Consolidate the existing Bylaw to incorporate the amendments; and,
- Direct the Bylaw Amendment to Public Notification for community feedback prior to Final Consideration.

### REASON FOR REPORT:

City staff are encountering challenges to proceed with Bylaw and other regulatory consideration processes efficiently due to the limitations within Section 94.1

(default public notification requirements) of the Community Charter, alongside updated advertising deadlines of the local newspaper. Staff is requesting Council adopt the attached Public Notice Bylaw, as permitted under the amended Section 94.2 of the Charter, that would enable staff and Council to move more efficiently through our notification and bylaw consideration processes.

Rather than having a requirement to publish in the newspaper for two consecutive weeks as per the current standard, the proposed Bylaw would require publication in the newspaper for a minimum of 1 week, alongside the use of the City's Notice section of our website at princerupert.ca and the City's official Facebook page as alternative locations. This will ensure that the City can meet all notification timing requirements under the Community Charter within the usual two weeks between Council meetings, while retaining a public notification process that is accessible and transparent to the public.

Given that local elections are occurring in October of 2022, it is important to note that the City's Election Officer will continue to use the newspaper, website and notice boards (current practice) to publish notices for the minimum notification two week periods for nominations, voting information and other information sharing requirements determined by Elections BC. City Council is not involved in election processes once Elections and Voting Bylaws are passed and thus potential conflict between Council Meeting schedules and publishing deadlines pose no risk to the efficient distribution of these notices.

**BACKGROUND:**

Section 94.1 of the Community Charter's Default Publication Requirements (Attachment 3) states that, unless a Council has adopted a Bylaw under Section 94.2, a notice must be published in a newspaper that is distributed at least weekly, and unless the Community Charter or another Act provides otherwise, it must be advertised once each week for 2 consecutive weeks. Although additional provisions exist within Section 94.1 to provide for alternative means of notice, the Province recommends that municipalities that anticipate the frequent use of alternative means of notice adopt a Bylaw under Section 94.2 with clearly defined methods of notification so that the community has a clear understanding of how notification will be provided and where to look for information.

Recently, there have been updates to the local advertisement submission deadline at the local newspaper to Thursdays (one week) in advance of publication of the newspaper. Unfortunately, this deadline effectively prevents staff/Council from achieving the 2 week notification requirements between Council meetings, which

generally occur every two weeks. For instance, if Council approves a Bylaw to move to Public Hearing at a Monday evening Council Meeting, that Hearing cannot be scheduled for the next Council meeting (in two weeks), because two-week public notification requirements under Section 94.1 cannot practically be met given advertising deadlines.

This challenge has been encountered by a number of municipalities, as newspaper circulation has declined across the Province. Some communities have experienced the full-scale closure of their local newspapers. Given changing newspaper publication conditions, in February of 2022, the Province amended the Community Charter to enable local governments to adopt a Bylaw to Provide for Alternative Methods of Publication (Public Notice Bylaw) under Section 94.2. This amendment is what is enabling the City to now propose the updating of its public notification methods.

#### **ANALYSIS:**

As per the Public Notification Guidance Materials (Attachment 4) provided by the Province:

*“Section 94.2 provides local governments the authority to adopt a public notice bylaw if they choose not to use the default notice provisions. Local governments that adopt a public notice bylaw must then publish notice by all the methods specified in the bylaw, and are still required to post a notice at the public notice posting places. A bylaw adopted under section 94.2 must:*

- *specify at least two methods of notice (e.g., newspaper and local government website), not including the public notice posting places; and,*
- *consider the principles of effective public notice (reliable, suitable and accessible) described by the Public Notice Regulation before adopting a public notice bylaw.”*

Available options for alternative publication suggested by the Province, include:

- Online or print newspaper.
- Local government website.
- Local government subscription service.
- Community website or newsletter.
- Local government Facebook page.
- Direct email or mail out.
- Posting at recreation centres.

As outlined in the draft Bylaw, attached, staff is recommending the use of the City of Prince Rupert’s Official Facebook page (@CityofPR) and website (www.princerupert.ca), as well as the local newspaper as the methods selected for notice requirement – based on determination that these methods are currently reliable, suitable and accessible. Although the newspaper would be a preferred primary method, the local government website and social media were selected as the two primary methods because both are the only options currently available to meet notification timeline requirements of between (3 to 10 days – *See p. 3 of Public Notice Guideline in Attachment 4 for details*).

New regulations under Section 94.2 require that both primary methods for notification selected by a municipality, for circumstances where a two week notification is required, must be published a minimum of at least seven days prior to Council consideration. The newspaper cannot meet this standard, which is why it will be the third method, rather than second, of notification. However, it should be noted that all three notification methods were provided for in the Bylaw and will be used, to ensure accessibility for those without access to the internet.

*(Illustrated example below)*

2022 JULY						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5	6	7	8	9
10	11 Council Meeting	12	13	14 Deadline Following Approval for Notification	15	16
17	18	19	20	21 First Date Notification Can be Published	22 Only 4 days between publication and Council Meeting	23
24	25 Council Meeting	26	27	28	29	30
31						

As per our Development Procedure Bylaw, Council Procedure Bylaw, and the *Local Government Act*, staff will also continue to post notices to the official notice board at the front desk area of City Hall.

Should Council elect to adopt the Bylaw, it should also be noted that information will also be shared to additional locations as needed as part of work to improve public understanding of certain issues, which is currently undertaken via our online newsletter via Rupert Talks, mailouts, Twitter, and other channels. However this Bylaw will outline the *minimum standard* of notification, and give the public surety and clarity about where information will be located.

**COST:**

The only cost to support this resolution is staff time to develop and amend associated Bylaws. Existing newspaper publication cost and website management costs have been considered as part of the annual budget.

**CONCLUSION:**

**THAT Council consider First, Second and Third Readings to the proposed Public Notice Bylaw No. 3500, 2022 (see attachment 1), as is permitted under the updated Section 94.2 of the Community Charter, and direct the Bylaw to Public Notification for community feedback.**

**THAT Council give First and Second Readings to the proposed Development Procedures Amendment Bylaw No 3501, 2022 (see attachment 2) which proposes to:**

- Update section 3.5 of Development Procedures Bylaw No. 3469;
- Update the forms section in the Appendix for administrative clarity and to implement the consolidation of forms recommended by Planning staff;
- Consolidate the existing Bylaw to incorporate the amendments; and,
- Direct the Bylaw Amendment to Public Notification for community feedback prior to Final Consideration.

**Report Prepared By:**

\_\_\_\_\_

Veronika Stewart,  
Communications Manager

**Report Reviewed By:**

\_\_\_\_\_

Robert Buchan,  
City Manager

**Attch 1:** Proposed Public Notice Bylaw No. 3500, 2022

**Attch 2:** Proposed Development Procedure Amendment Bylaw No. 3501, 2022

**Attch 3:** Section 94 of the Community Charter

**Attch 4:** Public Notice Guidance Materials: For BC Local Governments, Ministry of Municipal Affairs, February 2022



## CITY OF PRINCE RUPERT

### PUBLIC NOTICE BYLAW NO. 3500, 2022

#### A BYLAW FOR IDENTIFYING METHODS OF PUBLIC NOTICE

---

**WHEREAS** a council must give notice of certain bylaws, public meetings, elections, public hearings, disposition of land or other matters by advertising, if the Community Charter or another Act requires notice to be given;

**AND WHEREAS** as per Section 94.2(1) of the Community Charter, local governments are granted the authority to adopt a public notice as an alternative to the default notice provisions to publish in a newspaper in accordance with Section 94.1(1)(a) and (b);

**AND WHEREAS** this Bylaw affirms the importance of government transparency;

**AND WHEREAS** this Bylaw considers principles for effective public notice to ensure that the public can access information regarding proposed local government activities in reliable and consistent locations;

**AND WHEREAS** the City of Prince Rupert is seeking to ensure that regulatory consideration processes are conducted efficiently and without undue delay;

**AND WHEREAS** existing newspaper advertising submission schedule requirements may lead to delayed regulatory processes;

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

#### 1. CITATION

1.1 The Bylaw will be referred to as the "Public Notice Bylaw, No 3500".

#### 2. DEFINITIONS

2.1 In this Bylaw:

"Act" means the *Community Charter* and *Local Government Act*

"Matters requiring Public Notification" means any matter considered within the *Local Government Act* and *Community Charter* which has a legal requirement for public notice. This includes, but is not limited to, Zoning

and OCP Bylaw public hearings, property dispositions, proposed temporary use permits, amendment of Council procedure bylaws, intent to provide certain kinds of assistance, meeting on annual municipal report, redefinition of municipal boundaries, annual tax sale, and notice requirements pertaining to elections.

### **3. INCORPORATION OF ACTS' DEFINITIONS**

3.1 Any definition in the Act which is incorporated into this bylaw has the meaning given to it in the Act as of the date of adoption of this bylaw.

### **4. METHODS OF PUBLIC NOTICE**

4.1 With respect to any matters requiring Public Notification that are required to be advertised under section 94 of the Community Charter, notice will be given, in accordance with the timelines prescribed in the Act according to the methods described below:

- 4.1.1 Electronically by posting the complete notice of the matter via the City's website ([princerupert.ca](http://princerupert.ca)),
- 4.1.2 Electronically by posting the notice prominently on the City of Prince Rupert's Facebook social media site,
- 4.1.3 By Publishing in a local weekly newspaper for a minimum of one week, and,
- 4.1.4 By posting Notice in the physical posting locations identified in the City's Development Procedure Bylaw and Council Procedure Bylaw.

4.2 For matters where legislation specifies that public notice must be published within a specific timeframe and/or for a specified period, the methods identified in section 4.1.1 (City website) and 4.1.2 (City of Prince Rupert Facebook social media site) will be used as the City's two primary notification methods to ensure all timeline requirements are met, in addition to the physical notification posting locations (notice boards) identified in the City's Development Procedure Bylaw and in the Council Procedure Bylaw.

4.3 For matters where legislation specifies that public notice must be published within a specific timeframe and/or for a specified period, the notice will also be published a minimum of once in the newspaper prior to Council consideration, to ensure those without internet access have the opportunity to see it.

### **5. SEVERABILITY**

5.1 If any section or parts of the bylaw are found in any court of law to be illegal or beyond the power of Council to enact such Section or parts shall be deemed to be severable and all other Sections or parts of the bylaw shall

be deemed to be separate and independent from and to be enacted as such.

## **6. EFFECTIVE DATE**

6.1 This Bylaw will come into force and effect upon the date of Final Reading.

Read a First time this \_\_\_ day of \_\_\_\_\_, 2022.

Read a Second time this \_\_\_ day of \_\_\_\_\_, 2022.

Read a Third time this \_\_\_ day of \_\_\_\_\_, 2022.

Final Consideration and Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Mayor

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Corporate Administrator



**CITY OF PRINCE RUPERT**

**DEVELOPMENT PROCEDURES AMENDMENT BYLAW NO. 3501, 2022**

**A BYLAW TO AMEND  
THE CITY OF PRINCE RUPERT DEVELOPMENT PROCEDURES  
BYLAW NO. 3469, 2022.**

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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 Development Procedures Bylaw No. 3469, 2021 be amended as follows:

1. That Section 3.5(b) be amended to say “The advertisement shall be published according to the City’s Public Notice Bylaw, as per Section 94.2 of the community Charter.”
2. That all forms and signage standards contained in the Appendix be updated to reflect current branding and standards.
3. That these amendments be consolidated into the existing Bylaw for efficiency.

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\_\_.

\_\_\_\_\_  
MAYOR

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

**Proposed Amendments to Development Procedures Bylaw 3469, 2021**

Section 3.5, Notice of Public Hearing, of the Development Procedure Bylaw No. 3469, 2021 shall be amended as follows:

**3.5 Notice of Public Hearing**

A Notice of Public Hearing shall be prepared by the City as follows:

- a) Individual notices shall be mailed or otherwise delivered to the owner on the assessment roll as at the date of the application and to the tenants within a distance of 100 m (330 ft.) of any property line of the property subject of the bylaw amendment. The notification area may be expanded by Council when development proposals are deemed to have a significant impact;
- b) The advertisement shall be published according to the City’s Public Notice Bylaw, as per Section 94.2 of the Community Charter;
- c) Notice of Public Hearing shall be posted on the City notice board; and
- d) A copy of all pertinent correspondence received prior to the Public Hearing shall be available for public viewing.

Section 3.1, Application for OCP and Zoning Bylaw Amendments, of the Development Procedure Bylaw No. 3469, 2021 shall be amended as follows:

**3.1 Application**

Shall be submitted in accordance with Appendix B as amended from time to time by the City Planner.

*(Form appended within Bylaw as Appendix B to be updated as per the attached – below)*

Section 3.2(3), Application for OCP and Zoning Bylaw Amendments, of the Development Procedure Bylaw No. 3469, 2021 shall be amended as follows:

**3.2 Application Review & Consultation**

The City Planner shall examine the application for completeness and if complete shall:

- 3. The Applicant must install a sign in accordance with Appendix C which is attached and forms part of this Bylaw; this will be completed at the Applicant’s expense.

*(Form of Rezoning Signage appended within Bylaw as Appendix C to be updated as per the attached – below)*

**4.1 Application**

Shall be submitted in accordance with:

- (a) Appendix “D” for Development Permit;
- (b) Appendix “E” for Development Variance Permit; and
- (c) Appendix “F” for Temporary Use Permit.

*(Forms appended within Bylaw as Appendices D-F to be updated as per the attached – below. Note that former Appendices E – Development Permit with a Variance and F Minor Development Permit have now been combined as options contained within the Development Permit application for convenience.)*



**Development Services / Planning Department**  
 424 3<sup>rd</sup> Avenue West  
 Prince Rupert, BC V8J 1L7  
**Phone:** (250) 627 0946 **Fax:** (250) 627 0979  
**Email:** planning@princerupert.ca

## APPLICATION FOR AN OCP AND/OR ZONING BYLAW AMENDMENT

### APPLICATION INFORMATION (FOR OFFICE USE ONLY)

**Application Number:** ZBLA- \_\_\_\_\_ **Related Applications:** \_\_\_\_\_

#### APPLICANT

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

#### APPROVED AGENT (OPTIONAL)

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

#### PROPERTY OWNER(S)

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

#### SUBJECT PROPERTY

**Address(es):** \_\_\_\_\_

**PID(s):** \_\_\_\_\_

**PROPOSAL**

**PRIOR TO FILLING OUT THIS PAGE**, the applicant and/or agent should contact the Planning Department to setup an in-person or online meeting to discuss their proposal so that they will know:

- (a) the additional attachments(s) required by the Planning Department for the specific proposal

**Proposal Description**

Please list applicable OCP and/or Zoning Bylaw amendments below:

**OCP and/or Zoning Bylaw Amendments**

Current OCP Designation/Policy	Proposed OCP Designation/Policy
Current Zoning Bylaw Zoning/Policy	Proposed Zoning Bylaw Zoning/Policy

**AFTER FILLING OUT PAGE 1 AND 2**, the applicant and/or agent should submit the following to the Planning Dept.:

- (a) the application form (**WITHOUT FILLING OUT PAGE 3**)
- (b) the additional attachments (s) required by the Planning Department for the specific proposal

If the documents above are satisfactory, a Planner will sign below indicating that the application package is:

- (a) ready to receive authorization from the property owner(s)
- (b) and subsequently, ready to be taken in by the City (this does not mean an amendment has been approved)

**PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (FOR OFFICE USE ONLY)**

**Signature of Planner:** \_\_\_\_\_

<b>AUTHORIZATION</b>		
<b>This page should only be filled out AFTER RECEIVING PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (SEE PAGE 2).</b>		
As an applicant or agent, I hereby make or contribute to this application in accordance with the City of Prince Rupert's bylaws and declare that statements in this application are accurate and precise. It is understood that this application, including personal information and attachments, is open for inspection by the public and may be reproduced and distributed to the public. Furthermore, it is understood that all fees are non-refundable.		
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
As a registered property owner for the subject property, I confirm that this application is made with my full knowledge and consent.		
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____

<b>FEES (FOR OFFICE USE ONLY)</b>			
<b>This page should only be filled out AFTER RECEIVING PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (SEE PAGE 2).</b>			
<b>Application Intake Date:</b> _____			
<b>Receipt Number:</b> _____			
OCP Amendment Application	\$1100.00	x	=
Zoning Bylaw Amendment Application	\$1100.00	x	=
OCP and Zoning Bylaw Amendment Apl.	\$1140.00	x	=
Copy of Title Certificate (Within 30 days of application intake date)	\$15.00	x	=
<b>TOTAL</b>			<b>=</b>

## OCP AND/OR ZONING AMENDMENT SIGN

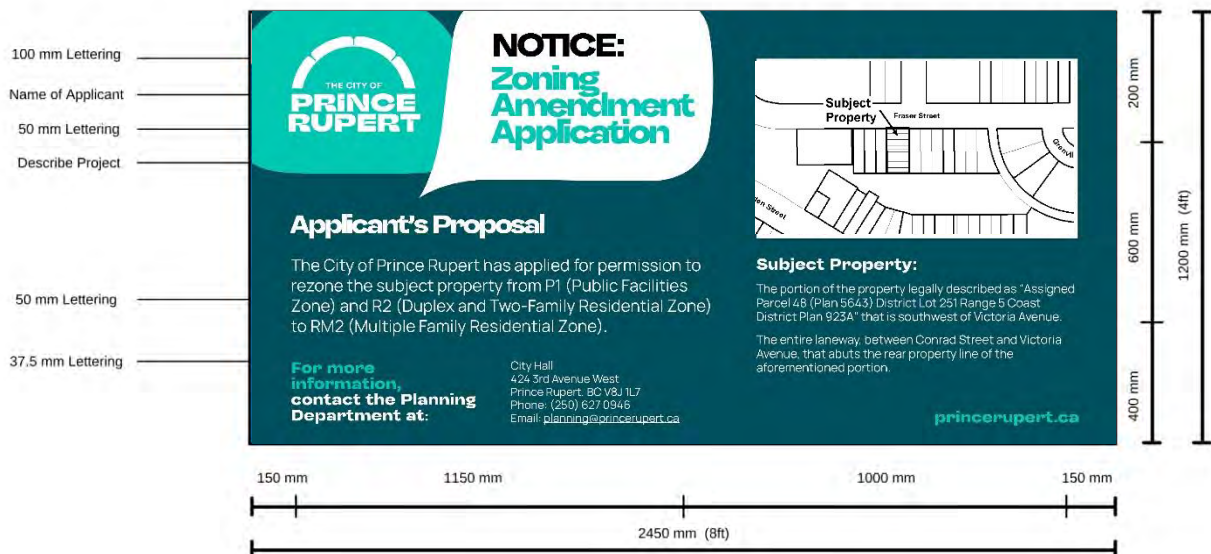
### SPECIFICATIONS:

1. Template for signage will be provided by Development Services/Planning Staff to the applicant.
2. Please identify in the title of the sign whether it is solely for a Zoning Application, or combined OCP Amendment and Zoning Application.
3. Sign to include site map with white background and black lines (see sample below).
4. The map will show the project location, adjoining roads (labelled) and properties, address of the affected properties, and a north directional arrow.
5. All measurements described below are in millimeters (mm). A variance of 5% is permitted in specified signage dimensions.
6. The sign is to be constructed with 5/8" thick plywood with supporting/anchor posts that raise the sign at least 36" from the ground.

### PLACEMENT:

In every case, a sign shall be located to the front property line. Where the subject property also abuts a separate, but unconnected improved public road, a like sign shall also be located adjacent to the second public road.

**NOTE: DRAWING IS NOT TO SCALE; SPECIFIC LANGUAGE IS FOR ILLUSTRATIVE PURPOSES ONLY.**





**Development Services / Planning Department**  
424 3<sup>rd</sup> Avenue West  
Prince Rupert, BC V8J 1L7  
**Phone:** (250) 627 0946 **Fax:** (250) 627 0979  
**Email:** [planning@princerupert.ca](mailto:planning@princerupert.ca)

**APPLICATION FOR A DEVELOPMENT PERMIT**

**APPLICATION INFORMATION (FOR OFFICE USE ONLY)**

**Application Number:** DP- \_\_\_\_\_ **Related Applications:** \_\_\_\_\_

**APPLICANT**

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**APPROVED AGENT (OPTIONAL)**

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**PROPERTY OWNER(S)**

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**SUBJECT PROPERTY**

**Address(es):** \_\_\_\_\_

**PID(s):** \_\_\_\_\_

**PROPOSAL**

**PRIOR TO FILLING OUT THIS PAGE**, the applicant and/or agent should contact the Planning Department to setup an in-person or online meeting to discuss their proposal so that they will know:

- (a) the relevant development guidelines for the Development Permit Area(s)
- (b) if applicable, the variances to be put in this Development Permit application
- (c) the additional attachments(s) required by the Planning Department for the specific proposal

**Proposal Description**

**Proposal Value**

- Under, or equal to, \$10,000
- Over \$10,000

Development Permits (DPs) may only include variances that would enable the proposed development to comply with a development permit guideline or OCP policy/objective. For all other variances, a separate Development Variance Permit (DVP) will be required.

Please list applicable variances below:

**Variances (If Applicable)**

Zoning Bylaw Regulation	Proposed Variance

**AFTER FILLING OUT PAGE 1 AND 2**, the applicant and/or agent should submit the following to the Planning Dept.:

- (a) the application form (**WITHOUT FILLING OUT PAGE 3**)
- (b) the additional attachments (s) required by the Planning Department for the specific proposal

If the documents above are satisfactory, a Planner will sign below indicating that the application package is:

- (a) ready to receive authorization from the property owner(s)
- (b) and subsequently, ready to be taken in by the City (this does not mean a permit has been approved)

**PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (FOR OFFICE USE ONLY)**

**Signature of Planner:** \_\_\_\_\_

<b>AUTHORIZATION</b>		
This page should only be filled out <b>AFTER RECEIVING PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (SEE PAGE 2).</b>		
As an applicant or agent, I hereby make or contribute to this application in accordance with the City of Prince Rupert's bylaws and declare that statements in this application are accurate and precise. It is understood that this application, including personal information and attachments, is open for inspection by the public and may be reproduced and distributed to the public. Furthermore, it is understood that all fees are non-refundable.		
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
As a registered property owner for the subject property, I confirm that this application is made with my full knowledge and consent.		
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____

<b>FEES (FOR OFFICE USE ONLY)</b>			
This page should only be filled out <b>AFTER RECEIVING PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (SEE PAGE 2).</b>			
<b>Application Intake Date:</b> _____			
<b>Receipt Number:</b> _____			
<b>Each regulation for which there is a variance is subject to a separate fee but processed in one application.</b>			
Development Permit Application (Project value under, or equal to, \$10,000)	\$60.00	x	=
Development Permit Application (Project value over \$10,000)	\$225.00	x	=
Copy of Title Certificate (Within 30 days of application intake date)	\$15.00	x	=
<b>TOTAL</b>			<b>=</b>



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 424 3<sup>rd</sup> Avenue West  
 Prince Rupert, BC V8J 1L7  
**Phone:** (250) 627 0946 **Fax:** (250) 627 0979  
**Email:** planning@princerupert.ca

## APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT

### APPLICATION INFORMATION (FOR OFFICE USE ONLY)

**Application Number:** DVP- \_\_\_\_\_ **Related Applications:** \_\_\_\_\_

#### APPLICANT

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

#### APPROVED AGENT (OPTIONAL)

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

#### PROPERTY OWNER(S)

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

#### SUBJECT PROPERTY

**Address(es):** \_\_\_\_\_

**PID(s):** \_\_\_\_\_

**PROPOSAL**

**PRIOR TO FILLING OUT THIS PAGE**, the applicant and/or agent should contact the Planning Department to setup an in-person or online meeting to discuss their proposal so that they will know:

- (a) the additional attachments(s) required by the Planning Department for the specific proposal

**Proposal Description**

Please list applicable variances below:

**Variances**

Zoning Bylaw Regulation	Proposed Variance

**AFTER FILLING OUT PAGE 1 AND 2**, the applicant and/or agent should submit the following to the Planning Dept.:

- (a) the application form (**WITHOUT FILLING OUT PAGE 3**)
- (b) the additional attachments (s) required by the Planning Department for the specific proposal

If the documents above are satisfactory, a Planner will sign below indicating that the application package is:

- (a) ready to receive authorization from the property owner(s)
- (b) and subsequently, ready to be taken in by the City (this does not mean a permit has been approved)

**PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (FOR OFFICE USE ONLY)**

**Signature of Planner:** \_\_\_\_\_

<b>AUTHORIZATION</b>		
<b>This page should only be filled out AFTER RECEIVING PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (SEE PAGE 2).</b>		
As an applicant or agent, I hereby make or contribute to this application in accordance with the City of Prince Rupert's bylaws and declare that statements in this application are accurate and precise. It is understood that this application, including personal information and attachments, is open for inspection by the public and may be reproduced and distributed to the public. Furthermore, it is understood that all fees are non-refundable.		
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
As a registered property owner for the subject property, I confirm that this application is made with my full knowledge and consent.		
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____

<b>FEES (FOR OFFICE USE ONLY)</b>			
<b>This page should only be filled out AFTER RECEIVING PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (SEE PAGE 2).</b>			
<b>Application Intake Date:</b> _____			
<b>Receipt Number:</b> _____			
<b>Each regulation for which there is a variance is subject to a separate fee but processed in one application.</b>			
Development Variance Permit Application	\$330.00	x	=
Copy of Title Certificate (Within 30 days of application intake date)	\$15.00	x	=
<b>TOTAL</b>			<b>=</b>



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 424 3<sup>rd</sup> Avenue West  
 Prince Rupert, BC V8J 1L7  
**Phone:** (250) 627 0946 **Fax:** (250) 627 0979  
**Email:** planning@princerupert.ca

## APPLICATION FOR A TEMPORARY USE PERMIT

### APPLICATION INFORMATION (FOR OFFICE USE ONLY)

**Application Number:** TUP- \_\_\_\_\_ **Related Applications:** \_\_\_\_\_

#### APPLICANT

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

#### APPROVED AGENT (OPTIONAL)

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

#### PROPERTY OWNER(S)

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

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

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

#### SUBJECT PROPERTY

**Address(es):** \_\_\_\_\_

**PID(s):** \_\_\_\_\_

**PROPOSAL**

**PRIOR TO FILLING OUT THIS PAGE**, the applicant and/or agent should contact the Planning Department to setup an in-person or online meeting to discuss their proposal so that they will know:

- (a) the additional attachments(s) required by the Planning Department for the specific proposal

**Proposal  
Description**

**AFTER FILLING OUT PAGE 1 AND 2**, the applicant and/or agent should submit the following to the Planning Dept.:

- (a) the application form (**WITHOUT FILLING OUT PAGE 3**)
- (b) the additional attachments (s) required by the Planning Department for the specific proposal

If the documents above are satisfactory, a Planner will sign below indicating that the application package is:

- (a) ready to receive authorization from the property owner(s)
- (b) and subsequently, ready to be taken in by the City (this does not mean a permit has been approved)

**PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (FOR OFFICE USE ONLY)**

**Signature of Planner:** \_\_\_\_\_

<b>AUTHORIZATION</b>		
<b>This page should only be filled out AFTER RECEIVING PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (SEE PAGE 2).</b>		
As an applicant or agent, I hereby make or contribute to this application in accordance with the City of Prince Rupert's bylaws and declare that statements in this application are accurate and precise. It is understood that this application, including personal information and attachments, is open for inspection by the public and may be reproduced and distributed to the public. Furthermore, it is understood that all fees are non-refundable.		
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
As a registered property owner for the subject property, I confirm that this application is made with my full knowledge and consent.		
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____
<b>Name:</b> _____	<b>Signature:</b> _____	<b>Date:</b> _____

<b>FEES (FOR OFFICE USE ONLY)</b>			
<b>This page should only be filled out AFTER RECEIVING PLANNING DEPARTMENT APPROVAL FOR APPLICATION INTAKE (SEE PAGE 2).</b>			
<b>Application Intake Date:</b> _____			
<b>Receipt Number:</b> _____			
<b>Each regulation for which there is a variance is subject to a separate fee but processed in one application.</b>			
Temporary Use Permit Application	\$630.00	x	=
Copy of Title Certificate (Within 30 days of application intake date)	\$15.00	x	=
<b>TOTAL</b>			<b>=</b>

## Section 94 of the Community Charter

*Excerpt provided for ease of reference – for full Bylaw, [go to the Provincial Website](#).*

### Division 4 — Public Notice and Access to Records

#### Requirements for public notice

94 (1) If this or another Act requires notice to be given or published in accordance with this section, the notice must be published

(a) in accordance with section 94.1 or 94.2, as applicable, and

(b) by posting the notice in the public notice posting places.

(2) If a matter is subject to 2 or more requirements for publication in accordance with this section, the notices may be combined so long as the requirements of all applicable provisions are met.

(3) A council may provide any additional notice respecting a matter that it considers appropriate, including by the internet or other electronic means.

#### Default publication requirements

94.1 (1) Unless a council has adopted a bylaw under section 94.2, and subject to subsection (3) of this section, a notice must be published

(a) in a newspaper that is distributed at least weekly

(i) in the area affected by the subject matter of the notice, and

(ii) if the area affected is not in the municipality, also in the municipality, and

(b) unless this or another Act provides otherwise, once each week for 2 consecutive weeks.

(2) The obligation under subsection (1) may be met by publication of the notice in more than one newspaper, if this is in accordance with that subsection when the publications are considered together.

(3) If publication under subsection (1) is not practicable, the notice may be given in the areas by alternative means so long as the notice

(a) is given within the same period as required for newspaper publication,

(b) is given with the same frequency as required for newspaper publication, and

(c) provides notice that the council considers is reasonably equivalent to that which would be provided by newspaper publication.

(4) As an exception, subsection 3 (b) does not apply in relation to an area if the alternative means is by individual distribution to the persons resident in the area.

Bylaw to provide for alternative means of publication

94.2 (1) A council may, by bylaw, provide for alternative means of publishing a notice instead of publishing the notice in a newspaper in accordance with section 94.1 (1) (a) and (b).

(2) A bylaw adopted under this section must specify at least 2 means of publication by which a notice is to be published, not including posting in the public notice posting places.

(3) Subject to the regulations, a council may specify, in a bylaw adopted under this section, any means of publication, so long as, before adopting the bylaw, the council considers the principles prescribed by regulation under subsection (6) (a).

(4) Section 12 does not apply in relation to a council's authority to adopt a bylaw under this section.

(5) If a bylaw is adopted under this section, the applicable notice referred to in section 94 (1) (a)

(a) must be published by the means specified in that bylaw,

(b) subject to the regulations and unless this or another Act provides otherwise, must be published at least 7 days before the date of the matter for which notice is required, and

(c) if a period is prescribed for the purpose of this paragraph and unless this or another Act provides otherwise, must be published in the prescribed period before the date of the matter for which notice is required.

(6) The minister may make regulations as follows:

(a) prescribing the principles that must be considered before adopting a bylaw under this section;

(b) prescribing one of the means of publication that must be specified in a bylaw adopted under this section;

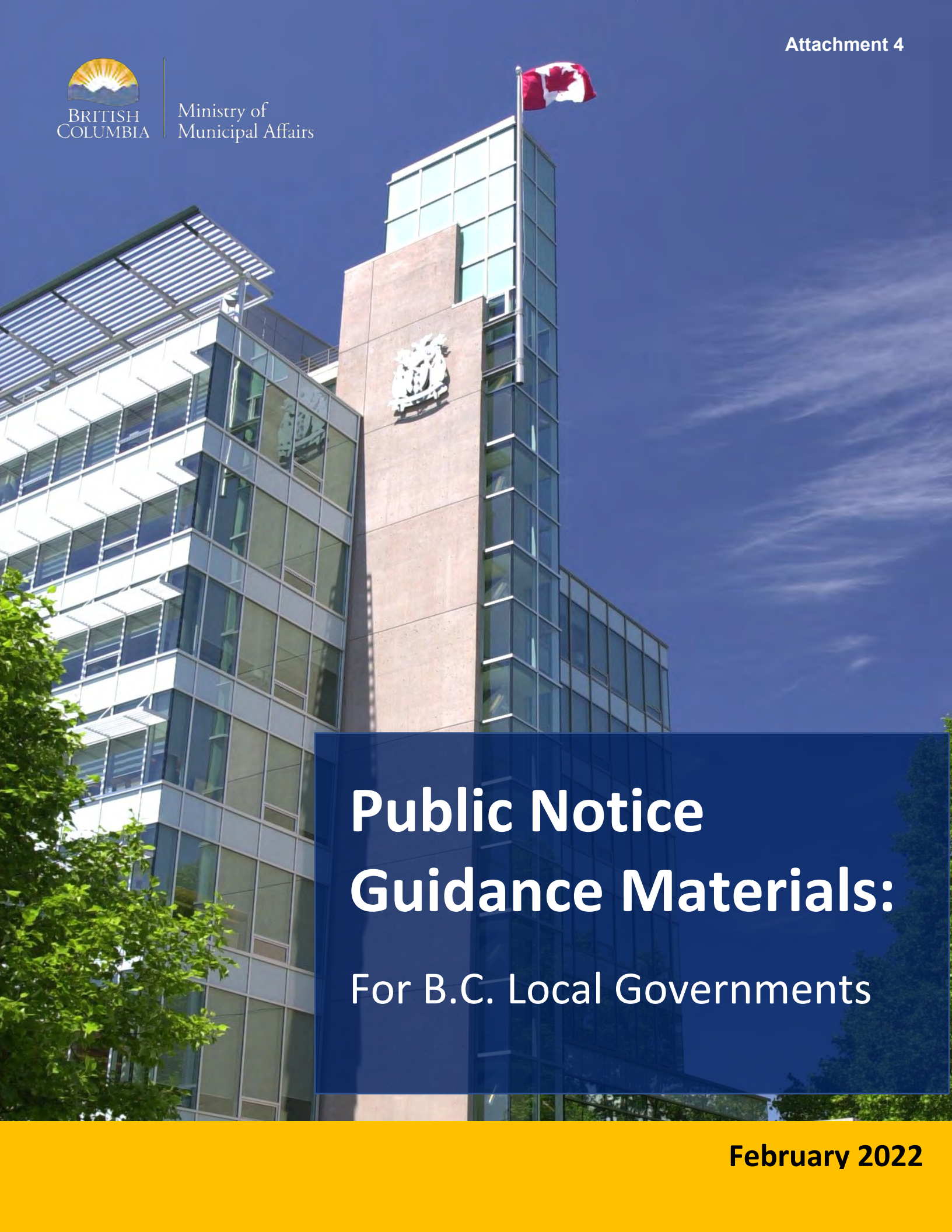
(c)requiring that one or more of the means of publication specified in a bylaw adopted under this section be selected from the prescribed means;

(d)for the purpose of subsection (5) (b), prescribing a number of days, other than 7 days, before the date of the matter for which notice is required;

(e)for the purpose of subsection (5) (c), prescribing a period of time.



Ministry of  
Municipal Affairs

A photograph of a modern government building with a glass facade and a central tower. A Canadian flag flies from the top of the tower. The building is set against a clear blue sky with some light clouds. The text "Public Notice Guidance Materials: For B.C. Local Governments" is overlaid on a dark blue semi-transparent box in the lower right portion of the image.

# Public Notice Guidance Materials: For B.C. Local Governments

February 2022

## Introduction

The *Community Charter* and *Local Government Act* require local governments to provide advance public notice of matters of public interest (e.g., public meetings, elections, public hearings, disposition of land). Public notice is required to facilitate transparency and accountability and is part of the public engagement process.

Public notices inform the public of opportunities to participate in local government decision-making and share views. The *Community Charter*, *Islands Trust Act*, *Local Government Act* and *Vancouver Charter* set out the minimum content requirements for public notice and how notice must be provided; however, they do not limit any additional information that the local government may choose to incorporate into a notice or additional methods the local government may choose to use to provide notice to its community.

## Requirements for Public Notice

The public notice requirements that came into force February 28, 2022 provide local governments with two options for providing public notice under Section 94 of the *Community Charter*:

- 1. continue to use the default publication requirements of publishing in a newspaper once each week for two consecutive weeks; or,**
- 2. adopt a bylaw to provide for alternative methods of publication (i.e., a public notice bylaw).**

Local governments must also provide public notice by posting the notice at the public notice posting places identified in their [procedure bylaw](#).

If a matter is subject to two or more requirements for publication (e.g., election notices), the notices may be combined as long as the requirements of the applicable provisions are met.

A local government may provide any additional notice regarding a matter that it considers appropriate, including by the internet or by other electronic methods.

Section 94 of the *Community Charter* states that if public notice is required the notice must be published in accordance with s. 94.1 [*Default publication requirements*] or s. 94.2 [*Bylaw to provide for alternative means of publication*] and by posting in the public notice posting places.

Section 94.2 of the *Community Charter* refers to the “means of publication”. In this document the term “methods” is used to express the “means of publication” for a public notice bylaw to differentiate it from “alternative means” in section 94.1.

## Default Publication Requirements for Public Notice (94.1)

The public notice provisions that were in place prior to February 28, 2022 (“default publication requirements for public notice”) continue to be an available option for local governments. The default publication requirements apply if a local government has not adopted a public notice bylaw to provide for alternative methods of publication specific to the community. The default rules provide that the local government must:

- publish notice in a newspaper that circulates in the community once each week for two consecutive weeks; or,
- if publication by newspaper is not practicable, the notice may be given in the area by alternative means (e.g., posted on a community bulletin board or directly mailed).

If a local government uses alternative means the notice(s) must be given within the required time period and frequency set out in the legislation. The council or board must also consider the notice to be reasonably equivalent to that which would be provided by a newspaper.

Local governments that regularly have to use alternative means because publication by newspaper is not practical may want to consider adopting a public notice bylaw so the public consistently knows where to find public notice(s) in the community.

Alternative means in section 94.1 are not defined in the legislation, and could include any type of notice that the council or board believes will adequately reach the community and meet the legislative requirements, such as online advertising, direct mailing and/or radio ad. If the local government is using alternative means to meet the notice requirements, best practice is to provide the rationale for the mean(s) chosen and adopt a resolution in an open meeting.

## Bylaw to Provide for Alternative Methods of Publication (94.2)

Section 94.2 provides local governments the authority to adopt a public notice bylaw if they choose not to use the default notice provisions. Local governments that adopt a public notice bylaw **must** then publish notice by all the methods specified in the bylaw, **and** are still required to post a notice at the public notice posting places.

A bylaw adopted under section 94.2 must:

- specify at least two methods of notice (e.g., newspaper and local government website), not including the public notice posting places; and,
- consider the principles of effective public notice (*reliable, suitable and accessible*) described by the *Public Notice Regulation* before adopting a public notice bylaw (detailed information about the principles is provided below).

### **2022 General Local Elections**

Local governments considering adopting a public notice bylaw in 2022 are recommended to do so before July 4, 2022, so there is sufficient time to develop the bylaw and let the public know about any changes to public notice before notices start for the October 15, 2022 general local elections.

Under a public notice bylaw, the notice must be published at least seven days before the matter for which notice is required (unless a different period is prescribed in the *Community Charter, Local Government Act* or another Act).

## Principles of Effective Public Notice

Each council or board is required to consider the principles described in the *Public Notice Regulation* and think critically about the same set of principles in making public notice choices. These principles are intended to foster a shared set of good governance expectations among local governments and give British Columbia's confidence that their local governments will conduct their business in an open and transparent manner.

The principles that **must** be considered before a public notice bylaw is adopted are:

- *Reliable* – the publication methods are dependable and trustworthy;
- *Suitable* – the publication methods work for the purpose for which the public notice is intended; and,
- *Accessible* – the publication methods are easy to access and have broad reach.

As a best practice, local governments may want to note how the principles have been considered (e.g., by resolution, reflected in the minutes, or included in the preamble of the public notice bylaw). A record of the decision demonstrates that the council or board discussed the principles and that the discussion is on the public record.

For example, if a council or board is considering whether to use the local government website and a community newspaper as the two required means of publishing notice in their bylaw, they would need to consider if:

- the community can easily access the website, and that the newspaper is distributed broadly in the community (i.e., accessibility principle);
- the community considers that the website and the newspaper will provide reliable and accurate ongoing information (i.e., reliability principle); and,
- the website and newspaper together can meet specific timing requirements (e.g., between three and 10 days) and content requirements (i.e., suitability principle).

### Possible methods to publish public notice:

- Online or print newspaper.
- Local government website.
- Local government subscription service.
- Community website or newsletter.
- Local government Facebook page.
- Direct email or mail out.
- Posting at recreation centres.

### Examples of sources that would likely **not** meet the principles of public notice\*:

- Twitter: the character limit means it is not **suitable** for displaying all the required information for a statutory public notice.
- Non-government Facebook or webpage: a source containing mostly opinions and not facts would not meet the principle of **reliability**.
- Radio/TV: because the information is only quickly displayed/read – it limits **access** to the information.

*\*All of the sources listed above would be appropriate as a supplemental way of informing the public; however, they would likely not meet the threshold established by the principles of effective public notice (e.g., reliable, suitable and accessible) and therefore couldn't be used as one of the official means of public notice under section 94.2 of the Community Charter.*

### *Reliable*

The publication methods are dependable and trustworthy in the community. To meet the principle of reliability consider whether the method is:

- trusted by the community to provide factual information (e.g. not solely opinions);
- a source that isn't likely to abruptly stop operating and has been part of the community for some time (e.g., is a well-established source of information); and,
- tested and able to reliably display the required information.

### *Suitable*

The publication methods work for the purpose of informing the community. To meet the principle of suitability consider whether the method can:

- display all of the legislatively required notice information in a legible manner;
- meet specific timing requirements outlined in the legislation (e.g., publishing by at least one of the means between three and 10 days before the matter is to be considered);
- be revisited during the publication period (e.g., won't be published once and then disappear); and,
- allow for the local government to keep a record of the date and period of time that the notice was published.

### *Accessible*

The publication methods are easily accessible for people and have broad reach in the community. To meet the principle of accessibility consider whether the method(s):

- are accessible to a broad spectrum of the local population (e.g., age, location);
- provide an easy way for people to find and read the public notice information (considering also persons with disabilities, community demographics, and language needs);
- provide different ways for the public to be informed (e.g., in print and online);
- have limited barriers to access (e.g., one is free if the other is a paid subscription); and,
- take into consideration local circumstances (e.g., lack of reliable internet or a local newspaper).

## **Best Practices for Developing a Public Notice Bylaw**

Best practices for development and adoption of a public notice bylaw may include:

- discussion of different options for public notice and the principles of effective public notice at an open meeting of council or regional district board before deciding on the methods and adopting the bylaw;
- a public survey to understand communication needs and practices in the community (perhaps including a question to find out how the person heard about the survey, which may show how people access information from the local government);

- outreach to the newspaper (if it is one of the methods being considered) to understand publication schedules and future plans, to ensure that the principles of reliability and suitability can continue to be met;
- outreach to member municipalities (for regional districts) to discuss the methods they use to provide public notice to be as consistent as possible;
- information for the public about the adoption of a public notice bylaw to promote accountability and transparency. This may include:
  - a press release;
  - local government open house;
  - information on the local government website and/or social media; or,
  - information at the public notice posting place.
- review of the public notice bylaw (e.g., annually) to ensure that the principles continue to be met for each of the methods identified in the bylaw.

## **Public Notice Posting Place**

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All notices must be posted at the public notice posting place(s) for the public notice requirements to be met, regardless of whether a local government is using the default notice requirements or has adopted a public notice bylaw. Local governments must identify places that are to be the public notice posting places in their [procedure bylaw](#).

Examples of public notice posting places include: the public notice board at municipal hall or regional district board office; the council chamber at municipal hall or regional district board meeting place.

## **Public Notice Timing Requirements**

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Specific timing and content requirements in the *Community Charter*, *Islands Trust Act*, *Local Government Act* and *Vancouver Charter* continue to apply whether the local government has adopted a public notice bylaw or is using the default rules. However, there is some new terminology for councils and boards to be aware of.

### ***Notice must be published at least seven days before the matter***

For most matters, local governments that adopt a public notice bylaw are required to publish notice “at least seven days before the date of the matter for which notice is required”. The [Interpretation Act](#) sets out the definitions and how to determine the beginning or end(s) of a time period. It also sets out considerations if a day falls on a holiday or the office is closed. A period of consecutive days is counted as seven days from the day before the reference day (so eight days including the reference day). If the term “at least” is used, then one day is added to this calculation.

To establish when notice must be published:

- determine the date the matter will be considered. This date will be the “reference day”;
- start counting backwards seven days from the day before the reference day; and,
- add one more day to the calculation because the term “at least” is used.

For illustration:

- If the matter is to be considered on May 12 then the notice must be published by May 4.

May						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	29	30	1	2
3	4 At least seven days before +1	5	6	7	8	9
10	11	12 Reference Day	13	14	15	16
2	1					

**Notice must be published by at least one of the means “not less than” and “not more than”**

For some matters (e.g., public hearings, zoning bylaws, notice of annual tax sale), the legislation specifies rules that public notice must be published within a specific timeframe. If a local government has adopted a public notice bylaw, only one of the means must be published during this specific timeframe. The other means would be subject to the default “at least seven days before the date of the matter for which notice is required” (described above).

To establish when notice must be published for “not less than three days and not more than 10 days”:

- determine the date the matter will be considered. This date will be the “reference day”;
- to determine “not less than three days” count backwards three days from the day before the reference day (so four days including the reference day) and then add one day because the term “not less than” is used;
- to determine “not more than 10 days” count backwards 10 days from the day before the reference day (so 11 days including the reference day) – do not add an extra day for this one because “not more than” is not a special period in the *Interpretation Act*; and,
- a notice must be published by one of the methods specified in the bylaw between these two dates.

For illustration:

- If the matter is to be considered on November 15 – “not less than three days” before would be November 11 and “not more than 10 days” before would be November 5. Notice must be published between November 5 and November 11.

November						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	29	30	1	2
3	4	5 Not more than ten days before 10	6 9	7 8	8 7	9 6
10 5	11 Not less than three days before 4 (+1)	12 3	13 2	14 1	15 Reference Day	16

### **30 days after publication by two of the methods**

For some matters, the legislation specifies the notice deadline to be “at least 30 days after the second publication of the notice” (e.g., alternative approval process), or “within 30 days after the second publication” (e.g., local area service – subject to petition against).

If a local government has adopted a public notice bylaw, the 30-day period starts on the date when the notice has been published by two means. If notice is published on:

- **two different dates**, the 30-day period starts on the day the second notice is published (as long as the first notice is still published at the same time); or,
- **the same day**, the 30-day period starts on the day both the notices are published.

Where a local government has established more than two methods in its public notice bylaw, only the first two methods used must be considered with respect to the timing requirements. However, the notice must still be published by all the methods specified in the bylaw.

To determine how to count 30 days from the start date, please refer to the *Interpretation Act* for that specific section of the legislation. For example, “at least” and “within” are counted slightly differently.

## **Public Notice Policy**

Local governments may decide to establish a public notice policy in addition to adopting a public notice bylaw. This policy may indicate:

- additional methods of public notice (in addition to the required notices) that will be provided to specific hard-to-reach rural areas or populations;
- what additional methods would be used if staff were directed to do so by council/board (e.g., local government social media page if this is not one of the methods specified in the bylaw);
- a public notice e-mail subscription service for residents to sign-up for (if this is not one of the methods specified in the bylaw);
- the specific name of the primary newspaper that will be used for public notice (if this is one of the chosen methods in the bylaw and the name of the newspaper is not included in the bylaw);

- the specific names of alternative newspapers that would be used if the primary newspaper for public notice isn't available (if this is one of the chosen methods in the bylaw and the name of the newspaper is not included in the bylaw);
- how notice of the matter will be provided to First Nations communities in the area (if applicable) and persons living on reserve (e.g., contact the band manager to advise of notices and direct mail to persons living on reserve); and,
- records management practice for public notices.

## **Public Notice Bylaws and Regional Districts**

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Regional districts generally encompass large areas with a diverse mix of rural and urban needs which may make it challenging to find methods of public notice that will reach everyone.

One approach for regional districts that want to adopt a public notice bylaw is to specify methods that are consistent with the principles of effective public notice and as widely available as possible within the region (e.g., regional district website and Facebook) and then adopt a public notice policy to specify additional methods that will be used for different electoral areas or municipalities (e.g., a local newsletter; posting at firehalls or member municipal halls; publishing a condensed notice in the local newspaper with a link to the website for the full notice). This will give the regional district flexibility to provide notice in different ways depending on which urban or rural area it is providing notice.

## **Public Notice Records Management**

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Local governments that establish a public notice policy with additional methods to publish notice may also want to include best practices for records management of those public notices. Records management practices for public notice may consider how to keep an historical record of public notice if it is published in electronic form, posted on a bulletin board, or published in a newspaper.

Best practices for public notice records management include:

- outlining records management practices for public notice(s) in a policy;
- requiring that a date of publication be included on the notice;
- for electronic notices, taking a screen shot that shows the date and download the analytics (e.g., how long the notice was posted for; how many viewed the notice);
- for newspaper, saving the original news clipping (if printed) or a screen shot if online, and all supporting documents (e.g., information from the newspaper stating the date of publication; PDF of the notice and the invoice);
- if posting notice on a bulletin board (e.g., fire hall, recreation centre) including the dates for which the notice is to be posted on the notice itself (e.g., July 10 – July 22) and take a date stamped photo; and,
- storing all of the information related to the notice (including copies of the notice itself) in one folder for ease of access in the future and keeping a copy on an offsite server.

# Public Notice Bylaws - Frequently Asked Questions

## Q: Why adopt a public notice bylaw?

A: A local government may decide to use the authority to adopt a public notice bylaw in circumstances where publication by newspaper is no longer practical or where the community has a desire for more varied notice.

Considerations before adopting a public notice bylaw may include:

- Does the community have an accessible, reliable and regularly published newspaper?
- How is public notice accessed most often by the community?
- Are there areas or people in the community that may access public notice differently?
- Has the local government recently had to use “alternative means” to publish notice for a matter? If yes, what method of publication was used?
- Has there been past confusion from the public about where to find public notice?
- Would a public notice bylaw provide clarity for local government staff and/or the public?

## Q: Is public engagement required to adopt or amend a public notice bylaw?

A: **No.** Section 94.2 of the *Community Charter* does not require local governments that adopt or amend a public notice bylaw to engage with the public or provide public notice that the bylaw is being adopted. However, as a best practice, notice of the proposed public notice bylaw or amendment can be posted on the local government’s website or shared in other ways (e.g., at a council or board meeting; posted to a public notice posting place; shared through a news release).

Providing the public with information about where to find public notice (especially if the method of public notice is changing) facilitates openness and transparency, a fundamental principle of good governance. Informing the community about the public notice bylaw also helps people know where to find public notices for matters affecting the community.

## Q: Can a public notice bylaw use newspaper publication as one of the methods?

A: **Yes.** In many communities, local newspapers remain an accessible, reliable and suitable source for sharing information with the public. Where this is the case, a local government may choose to have newspaper as one of the methods of publication specified in a public notice bylaw, or the local government may decide not to adopt a bylaw and continue to use the default requirements for public notice.

## Q: What methods may be used for publishing notice?

A: Newspapers are considered a regular source of local information in many communities and, where available, can be used for public notice; however, where this is not the case, there may be other reliable sources the public looks to for community information (e.g., local government website). Local governments that choose to adopt a public notice bylaw must consider the principles of effective public notice to determine the most appropriate methods for the community. The methods of publishing notice will vary from community to community and depend on local circumstances.

**Q: Can a public notice bylaw have more than two methods of publishing notice?**

A: **Yes.** Local governments can consider whether to establish additional methods of public notice, beyond the required two methods. However, *all* the methods of public notice specified in the bylaw must be completed before the public notice is considered “published”. Specifying more than two methods of publication in a public notice bylaw may increase the risk that public notice requirements may not be met. Where additional public notice is desired and the local government prefers not to include it in the bylaw, it can consider adopting a public notice policy that specifies where and when additional notice will be provided.

**Q: Can a public notice bylaw use different methods of providing notice for different types of notices (e.g., elections, planning and land use)?**

A: **No.** A local government adopting a public notice bylaw must use the same two or more methods specified in the bylaw for publishing **all** public notices. This ensures the public knows consistently where to find notices that may be of interest.

In the event that one of the methods for publishing notice is unavailable, the local government must amend the public notice bylaw and choose a new method of publishing notice to meet the legislated public notice requirements.

**Q: Can a public notice bylaw be combined with a procedure bylaw?**

A: **It is not recommended.** Local governments developing a public notice bylaw may do so as a stand-alone bylaw so the information remains easily accessible to the public. Where appropriate, local governments can refer to a public notice bylaw in their [procedure bylaw](#).

## Additional Public Notice FAQs

**Q: Can a local government using the default rules still publish notice by “alternative means”?**

A: **Yes.** Local governments that choose to use the default public notice requirements can, where publication in a local newspaper is not practical, publish the notice using “alternative means”. The legislation specifies that if “alternative means” are being used instead of newspaper, the notice must be:

- given within the same period as required for publication;
- given with the same frequency as required for publication; and,
- provide notice the council or board considers is reasonably equivalent to that which would be provided by newspaper publication.

Section 94.1(3) of the *Community Charter* sets out how to give notice using alternative means under the default requirements.

The frequency requirement does not apply if a local government chooses to distribute the public notice directly (e.g., delivered by mail or by hand) to residents in the area impacted by the matter set out in the notice.

### **Q: Can public notices for two different matters be combined?**

A: **Yes.** Generally public notice is given separately for different matters – this provides clarity for the public. However, if the same matter is subject to two or more requirements for publication, the notices may be combined so long as the requirements of all applicable provisions are met (e.g., timing and frequency).

#### **Examples of Combined Notice**

##### ***Notice of Assent Voting***

The public notice for assent voting must be published at least six, and not more than 30 days, prior to general voting day. Notices for assent voting can be combined with the notices required for general local elections (if happening at the same time).

##### ***Disposition of Local Government Property***

A local government that wishes to dispose of property below market value must provide a public notice of its intention to grant assistance, as required either by section 24 of the *Community Charter* or section 272 of the *Local Government Act*. This notice may be combined with the notice of disposition (section 26 of the *Community Charter* or 286 of the *Local Government Act*), and the notice must clearly state that it provides for both disposition and assistance.

##### ***Local Government Elections***

A local government may combine required local election notices (e.g., notice of advance voting and general voting day) as long as the timing set out in the legislation is met for both notices. For example: the notice of advance elector registration, elector qualifications, list of registered electors and objection to registration of an elector can appear in one notice.

### **Q: Have the timing and content requirements for public notice changed?**

A: **No.** The timing and content requirements specified in the *Community Charter*, *Islands Trust Act*, *Local Government Act*, and *Vancouver Charter* continue to apply regardless of whether the local government has adopted a public notice bylaw or is using the default rules.

Amendments have been made to some sections of the legislation to provide clarity on the timing rules for local governments that adopt a public notice bylaw (refer to the public notice timing section of this document for further information).

### **Q: Has the requirement for “publication in a newspaper” changed in the *Local Government Act* and *Islands Trust Act*?**

A: **Yes.** The reference to “publication in a newspaper” has been removed from sections of the *Local Government Act* and *Islands Trust Act* and replaced with the requirement to publish notice in accordance with Section 94 of the *Community Charter*. The explanation for “giving notice by newspaper publication” in section 4 of the Schedule in the *Local Government Act* has also been removed. This means all local governments now have the same requirements and options for public notice. Regional districts and Islands Trust bodies are now required to also post notice at the public notice posting place.

Sections of the *Local Government Act* where the reference to “newspaper” has been removed and replaced with “publishing notice in accordance with Section 94 of the *Community Charter*”.

- Section 13 – Reduction of municipal area
- Section 16 – Other redefinition of boundaries
- Section 50 – Public notice by newspaper publication
- Section 225 – Procedure bylaws
- Section 272 – Publication of intention to provide certain kinds of assistance
- Section 286 – Notice of proposed disposition
- Section 376 – Annual reporting on regional district finances
- Section 466 – Notice of public hearing
- Section 467 – Notice if public hearing waived
- Section 494 – Public notice and hearing requirements
- Section 612 – Heritage designation procedure
- Section 647 – Notice of annual tax sale
- Section 659 – Application of surplus from tax sale

**Q: Has the public notice requirement for regional district procedure bylaw amendments changed?**

A: **Yes.** The amendments for a regional district board’s procedure bylaw are no longer required to be mailed to each director five days before the meeting at which the amendment is to be introduced. The *Local Government Act* now requires the local government to provide notice in accordance with section 94 of the *Community Charter* describing the proposed changes in general terms, which is consistent with the requirement for municipalities.

**Q: Has the notice for regional district special board meetings changed?**

A: **Yes.** The notice for regional district special board meetings provided in section 220 of the *Local Government Act* now has the same requirements as that of municipalities under section 127 of the *Community Charter*. Notice of a regional district special board meeting must be given at least 24 hours before the time of the meeting by:

- posting a copy of the notice at the regular board meeting place;
- posting a copy of the notice at the public notice posting places; and,
- leaving one copy of the notice for each board member at the place to which the member has directed notice be sent (this can be by email).

Additionally, the notice must include the date, time and place of the meeting and describe in general terms the purpose of the meeting and be signed by the chair or corporate officer.

The notice of a special meeting may be waived by unanimous vote of all directors. However, waiving notice for special meetings is best used sparingly and the reasons for waiving notice documented in the meeting minutes.



Ministry of  
Municipal Affairs



## REPORT TO COUNCIL

### Meeting of Council

**DATE:** July 25, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Richard Pucci, Approving Officer

**SUBJECT: ROAD DEDICATION BYLAW NO. 3499, 2022**

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**RECOMMENDATION:**

**THAT Council Introduces and gives First and Second Readings to Road Dedication Bylaw No. 3499, 2022.**

**REASON FOR REPORT:**

The Digby Towers is preparing for occupancy and the building requires appropriate parking.

**ANALYSIS:**

The owners have requested to purchase a linear parcel across from their building and the Council has agreed to sell it at market value. In order to protect access to the neighbouring property, this Road Dedication Bylaw is required.

**COSTS AND BUDGET IMPACT:**

There is no impact on the Annual Budget or Strategic Priorities for the Staff.

**CONCLUSION:**

**THAT Council Introduces and gives First and Second Readings to Road Bylaw No. 3499, 2022.**

**Report Prepared By:**

**Report Reviewed By:**

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Richard Pucci,  
Approving Officer

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Robert Buchan,  
City Manager

Attachment(s): Proposed Bylaw



## **PRINCE RUPERT BOULEVARD ROAD DEDICATION BYLAW NO. 3499, 2022**

BEING A BYLAW TO OPEN A PORTION OF PRINCE RUPERT  
BOULEVARD ROAD ALLOWANCE

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Pursuant to Section 40 of the *Community Charter*, Prince Rupert City Council may, by bylaw, open a portion of a highway to traffic through the dedication of the highway.

The Council of the City of Prince Rupert deems that it is in the public interest to open to traffic a dedication of highway comprising of approximately 150.4 square meters on Prince Rupert Boulevard dedicated on Plan EPP120581, which is shown outlined in bold black on the reference plan prepared by McElhanney, on the 25 day of May, 2022, a reduced copy of which is attached hereto (*the "Road Dedication Plan"*);

The City intends to open that portion of highway to allow dedicated access to 101 11<sup>th</sup> Avenue East.

The Council of the City of Prince Rupert, in an 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 dedication (*the "Road Dedication Plan"*).
2. The City hereby authorizes the dedication to traffic and highway of the 150 square meters portion of highway which will be dedicated as highway at the New Westminster Land Title Office by Plan EPP120581, outlined in Bold on the Road Dedication Plan (*the "Dedicated as Road"*).
3. On deposit of the Road Dedication Plan and all other documentation for the dedication of the road allowance in the New Westminster Land Title Office,

the Opened Road is opened to public traffic, it shall be used as a public highway.

4. The Mayor and Corporate Administrator are authorized to execute all deeds of land, plans, and other documentation necessary to effect this road dedication.
5. This Bylaw may be cited as **“PRINCE RUPERT BOULEVARD ROAD DEDICATION BYLAW NO. 3499, 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

