

REGULAR MEETING

For the **REGULAR MEETING** of Council to be held on August 22, 2022 at 7:00 pm in the Council Chambers of City Hall, 424 – 3rd Avenue West, Prince Rupert, B.C.

1. CALL TO ORDER

2. ADOPTION OF AGENDA

Recommendation:

THAT the Agenda for the Regular Council Meeting of August 22, 2022 be adopted as presented.

3. MINUTES

a) Recommendation:

THAT the Minutes of the Special Council Meeting of July 25, 2022 be adopted. (attached)

b) Recommendation:

THAT the Minutes of the Regular Meeting of July 25, 2022 be adopted.

c) Recommendation:

THAT the Minutes of the Committee of the Whole Meeting of June 27, 2022 be adopted.

(attached)

d) Recommendation:

THAT the Minutes of the Committee of the Whole Meeting of July 25, 2022 be adopted.

(attached)

4. REPORTS & RESOLUTIONS

- a) Civic Recognition Awards Presentation
- b) Report from the Fire Chief Re: July 2022 Monthly Fire/Rescue Report

Recommendation:

THAT Council received and file the report as provided.

c) Report from the Director of Operations & Intergovernmental Relations - Re: Major Projects - Monthly Update
(attached)

d) Report from the Director of Operations & Intergovernmental Relations - Re: Ministry of Environment & Climate Change Strategy (ECCC) Update (attached)

Recommendation:

THAT Council receive the Staff Report on the Administrative Directive and Resolve to abide by the required Orders.

- e) Report from Planning Re: July 2022 Development Activity Report (attached)
- f) DVP-21-10 for 1551 Kay Smith Boulevard (attached)

Recommendation:

THAT Council proceed with approval, approval with amendments, or denial for Development Variance Permit (DVP) application #21-10.

g) DVP-22-18 for 1444 2nd Avenue West (attached)

Recommendation:

THAT Council proceed with approval, approval with amendments, or denial for Development Variance Permit (DVP) application #22-18.

h) Report from Planning - Re: Temporary Use Permit Application #22-03 (TUP-22-03) for 191 Metlakatla Road

Recommendation:

THAT Council proceed with the statutory notification process for Temporary Use Permit (TUP) #22-03 and include as a permit condition that the City receives and retains a \$5000 cash bond until the temporary use is discontinued.

 Report from the Chief Financial Officer – Re: June 2022 Financial Variance Report

(attached)

Recommendation:

THAT Council received and file the report as provided.

j) Report from the Chief Financial Officer - Re: Amended Supplementary Letters Patent Tax Share Information
(attached)

Recommendation:

THAT Council receives this report for information purposes and directs staff to provide it to the District of Port Edward and the Inspector of Municipalities for their review.

k) Report from the Fire Chief – Re: Bylaw Update – Fire Safety Inspections (attached)

Recommendation:

THAT Council direct staff to draft an amendment to City of Prince Rupert Fire Control and Protection Bylaw No. 2944, 1995 to adopt the recommended regular system of fire inspection as presented.

Report from the Corporate Administrator – Re: Bylaw Notification System Resolution

Recommendation:

THAT Council authorize Administration to request the Court Services Branch, Ministry of Attorney General to add the City of Prince Rupert to the Bylaw Notice Enforcement Regulation;

AND THAT Council directs Administration to bring forward a Bylaw Notice Enforcement Bylaw pursuant to the Local Government Act for consideration.

m) Report from the Corporate Administrator – Re: Ecotrust Canada Request for Support

(attached)

Recommendation:

THAT Council support the application to Northern Development Initiative Trust's Community Spaces Fund from Ecotrust Canada for a grant of \$30,000 to conduct pop-up community market events.

n) Report from the Corporate Administrator – Re: Amendment to Ecotrust Canada Support from 2021

Recommendation:

THAT Council amend their confirmation of support for Ecotrust Canada's Community Efficiency Financing Feasibility Study to include staff time (up to \$7,500).

5. BYLAWS

a) Zoning Bylaw Amendment Bylaw No. 3492, 2022 (attached)

Recommendation:

THAT Council give Fourth and Final reading to the Zoning Bylaw Amendment Bylaw No. 3492, 2022.

b) Public Notice Bylaw No. 3500, 2022

(attached)

Recommendation:

THAT Council give Fourth and Final reading to Public Notice Bylaw No. 3500, 2022.

c) Prince Rupert Boulevard Road Dedication Bylaw No. 3499, 2022 (attached)

Recommendation:

THAT Council give Third reading to the Prince Rupert Boulevard Road Dedication Bylaw No. 3499, 2022.

d) Report from the Chief Financial Officer – Re: Police Detachment Temporary Borrowing Bylaw No. 3502, 2022 (attached)

Recommendation:

THAT Council introduce and give First, Second and Third Readings to the Police Detachment Temporary Borrowing Bylaw No. 3502, 2022.

- 6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL
- 7. ADJOURNMENT



MINUTES

For the **SPECIAL MEETING** of Council held on July 25, 2022 at 5:00 p.m. in the Council Chambers of City Hall, $424 - 3^{rd}$ Avenue West, Prince Rupert, B.C.

PRESENT: Councillor R. Skelton-Morven

Councillor B. Cunningham

Councillor W. Niesh Councillor N. Adey

Councillor B. Mirau (by Zoom)

Councillor G. Gurvinder

ABSENT: Mayor L. Brain

STAFF: C. Bomben, Chief Financial Officer / Deputy City Manager

R. Miller, Corporate Administrator

R. Pucci, Director of Operations & Intergovernmental Relations

J. Beckwith, Fire Chief M. Pope, Planner

1. CALL TO ORDER

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

2. RESOLUTION TO EXCLUDE THE PUBLIC

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

90.1 (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

CARRIED
Confirmed:
MAYOR
Certified Correct:
CORPORATE ADMINISTRATOR



MINUTES

For the **REGULAR MEETING** of Council held on July 25, 2022 at 7:00 p.m. in the Council Chambers of City Hall, 424 – 3rd Avenue West, Prince Rupert, B.C.

PRESENT: Councillor R. Skelton-Morven - Chair

Councillor W. Niesh
Councillor G. Randhawa
Councillor B. Cunningham

Councillor N. Adey

Councillor B. Mirau (by Zoom)

ABSENT: Mayor L. Brain

STAFF: R. Buchan, City Manager / City Planner

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 J. Beckwith, Fire Chief

V. Stewart, Communications Manager

1. CALL TO ORDER

The Chair called the Regular Meeting of Council to order at 7:14 p.m.

2. ADOPTION OF AGENDA

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT the Agenda for the Regular Council Meeting of July 25, 2022 be adopted as presented with the addition of item 4(a) Award Presentation from City Manager to Council, item 4(p) Report from the Fire Chief – Re: Prince Rupert Fire Department Response to Medical Incidents, and item 4(q) Report from the Corporate Administrator Re: Prince Rupert Golf Club Request for Support.

CARRIED

3. MINUTES

a) MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT the Minutes of the Special Council Meeting of June 27, 2022 be adopted.

CARRIED

b) MOVED by Councillor Adey and seconded by Councillor Cunningham THAT the Minutes of the Regular Meeting of June 27, 2022 be adopted.

CARRIED

4. REPORTS & RESOLUTIONS

a) Award presentation from the City Manager to Council

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

MOVED by Councillor Randhawa and seconded by Councillor Adey 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.

CARRIED

c) Report from the Fire Chief Re: Fire Engine Build

MOVED by Councillor Niesh and seconded by Councillor Cunningham 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.

CARRIED

d) Report from Planning Re: June 2022 Development Activity Report.

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council receive and file the report as presented.

CARRIED

e) Report from Planning Re: DVP-21-10 for 1551 Kay Smith Boulevard.

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #21-10.

CARRIED

f) Report from Planning Re: DVP-22-18 for 2444 – 2nd Avenue West.

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council proceed with the statutory notification process for Development Variance Permit (DVP) application #22-18.

CARRIED

g) Report from Planning Re: DVP-22-10 for 108 Prince Rupert Blvd.

MOVED by Councillor Cunningham and seconded by Councillor Niesh THAT Council proceed with approval for Development Variance Permit (DVP) application #22-10.

CARRIED

h) Report from Planning Re: DVP-22-13 for 1425 – 2nd Avenue West.

MOVED by Councillor Niesh and seconded by Councillor Adey THAT Council proceed with approval for Development Variance Permit (DVP) application #22-13.

CARRIED

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

MOVED by Councillor Adey and seconded by Councillor Randhawa THAT Council proceed with approval for Development Variance Permit (DVP) application #22-14.

CARRIED

j) Report from Planning Re: DVP-22-15 for 224 – 9th Avenue East.

MOVED by Councillor Randhawa and seconded by Councillor Cunningham THAT Council proceed with approval for Development Variance Permit (DVP) application #22-15.

CARRIED

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

MOVED by Councillor Cunningham and seconded by Councillor Randhawa THAT Council proceed with approval for Development Variance Permit (DVP) application #22-16.

CARRIED

I) Report from Planning Re: DVP-22-17 for 336 – 6th Avenue East.

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council proceed with approval for Development Variance Permit (DVP) application #22-17.

CARRIED

m) Report from Planning Re: Proposed Interim Parking Strategy.

MOVED by Councillor Niesh and seconded by Councillor Randhawa THAT Council approve the proposed Prince Rupert Interim Parking Management Strategy;

AND THAT Council request staff to proceed with implementing the strategy as opportunity and budget permit.

CARRIED

n) Report from the Chief Financial Officer Re: May 2022 Financial Variance Report.

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council receive and file the report as presented.

CARRIED

o) Report from the Corporate Administrator Re: Bylaw Notification System.

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council

approve staff to enter into a Bylaw Notification System for minor bylaw infractions.

CARRIED

p) Report from the Fire Chief Re: Prince Rupert Fire Department Response to Medical Incidents.

MOVED by Councillor Niesh and seconded by Councillor Randhawa THAT Council support the Prince Rupert Fire Rescue (PRFR) to respond to BC Ambulance Service (BCAS) "Purple" calls only;

AND THAT Council seek coverage/compensation from BCAS if Firefighters are to continue to drive the ambulance.

CARRIED

q) Report from the Corporate Administrator Re: Prince Rupert Golf Club Request for Support.

MOVED by Councillor Niesh and seconded by Councillor Adey THAT Council direct Staff to provide a letter of support to the Prince Rupert Golf Club for their application to the BC Gaming Capital grant program in support of their Revitalization and Accessibility Project expecting Prince Rupert Golf Club to operate the course at this site for the next ten years.

CARRIED

5. BYLAWS

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

MOVED by Councillor Cunningham and seconded by Councillor Adey THAT Council consider the public consultation process to date, comprising of the posting of notice on the City's website and o 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.

CARRIED

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

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council consider First, Second and Third Readings to the Public Notice Bylaw No. 3500, 2022;

AND THAT Council direct the bylaw to Public Notification for Feedback.

CARRIED

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council give First and Second Readings to the Development Procedures Amendment Bylaw No. 3501, 2022.

CARRIED

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

MOVED by Councillor Adey and seconded by Councillor Randhawa THAT Council give First and Second Readings to the Prince Rupert Boulevard Road Dedication Bylaw No. 3499, 2022.

CARRIED

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

7. ADJOURNMENT

MOVED by Councillor Cunningham and seconded by Councillor Randhawa THAT the meeting be adjourned at 9:12 pm.

CARRIED
Confirmed
MAYOR
Certified Correct:
CORPORATE ADMINISTRATOR



COMMITTEE OF THE WHOLE MINUTES

For the **COMMITTEE OF THE WHOLE MEETING** of Council held on June 27, 2022 in the Council Chambers of City Hall, 424 – 3rd Avenue West, Prince Rupert, BC.

PRESENT: Mayor L. Brain

Councillor W. Niesh

Councillor B. Cunningham Councillor G. Randhawa 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 & Intergovernmental Relations

D. Rajasooriar, Planner

1. CALL TO ORDER

The Chair called the Committee of the Whole Meeting to order at 7:00 pm.

2. ADOPTION OF AGENDA

MOVED by Councillor Cunningham and seconded by Councillor Niesh that the Agenda for the Committee of the Whole Meeting of June 27, 2022 be adopted as circulated.

CARRIED

3. PRESENTATION

- a.) Opportunity for Public Comment on the 2021 Annual Report.
- b.) Veronika Stewart, Communications Manager Re: Consideration of the 2021 Annual Report for Approval

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

CARRIED

CARRIED

4.	QUESTION	PFRIOD	FROM	THE	PUBLIC
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- a.) Larry Golden, 2nd Avenue West Prince Rupert
- 5. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL.
- 6. ADJOURNMENT TO RECONVENE REGULAR COUNCIL MEETING.

MOVED by Councillor	Adey and	seconded by	Councillor	Randhawa	that the	meeting
be adjourned at 7:03	p.m.					

CORPORATE ADMINISTRATOR



COMMITTEE OF THE WHOLE MINUTES

For the **COMMITTEE OF THE WHOLE MEETING** of Council held on July 25, 2022 in the Council Chambers of City Hall, 424 – 3rd Avenue West, Prince Rupert, BC.

PRESENT: Councillor R. Skelton-Morven

Councillor W. Niesh

Councillor B. Cunningham Councillor G. Randhawa Councillor N. Adev

Councillor B. Mirau (by Zoom)

ABSENT: Mayor L. Brain

STAFF: C. Bomben, Chief Financial Officer / Deputy City Manager

R. Miller, Corporate Administrator

R. Pucci, Director of Operations & Intergovernmental Relations

J. Beckwith, Fire Chief M. Pope, Planner

D. Rajasooriar, Planner

1. CALL TO ORDER

The Chair called the Committee of the Whole Meeting to order at 7:00 pm.

2. ADOPTION OF AGENDA

MOVED by Councillor Cunningham and seconded by Councillor Niesh that the Agenda for the Committee of the Whole Meeting of July 25, 2022 be adopted as circulated.

CARRIED

3. QUESTION PERIOD FROM THE PUBLIC

- a.) Larry Golden, Prince Rupert, BC
- b.) Marc Page, Prince Rupert, BC
- 4. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL.
- 5. ADJOURNMENT TO RECONVENE REGULAR COUNCIL MEETING.

MOVED by Councillor Randhawa and seconded by Councillor Adey that the meeting be

adjourned at 7:13 p.m.	CARRIED
	Confirmed:
	MAYOR
	Certified Correct:
	CORPORATE ADMINISTRATOR



REPORT August 1, 2022

TO: City Manager

FROM: Fire Chief Jeff Beckwith

SUBJECT: Monthly Fire / Rescue Report – July 2022

During the month of July, 2022, the Prince Rupert Fire Rescue Department responded to 143 emergency incidents. Of these incidents, one property sustained damage due to fire. This fire occurred when the Department resources were stretched thin through multiple non-critical medical incidents. The fire was quickly extinguished by call back crews that were staged at the Fire Station, but these events were the catalyst to initiate changes to the types/frequency of medical incidents that the Department responses to.

The Department has committed to respond to "Purple" only calls for service from BCAS Dispatch. This change is being made to preserve a fire/rescue response within the community, and to reduce the amount of overtime created for responding to medical incidents.

Location	Property Value	Property Loss
109 Prince Rupert BLVD	\$408,100.00	\$15,000.00
841 Summit Ave	\$236, 100.00	(\$100.00 (contents))
Totals:	\$644, 200.00	\$15,000

INCIDENT COMPARISON

July	2022	143 Incidents
July	2021	168 Incidents
July	2020	84 Incidents
July	2019	138 Incidents
July	2018	122 Incidents
July	2017	130 Incidents

FIRE SERVICE ACT INSPECTIONS

During the month of July 2022 Prince Rupert Fire Rescue conducted 10 Fire Service Act inspections.

INSPECTION COMPARISON

July	2022	10 Public Building Inspections
July	2021	0 Public Building Inspections
July	2019	138 Public Building Inspections
July	2018	115 Public Building Inspections
Julv	2017	66 Public Building Inspections

DEPARTMENT ACTIVITIES AND PROGRAMS

Fire Prevention and Public Education:

Public education has continued through social media sites, City of Prince Rupert Web Site and the local newspaper. The Friendship House brought their children down to the fire station for a hall tour and Prince Rupert Fire Rescue also upgraded/tested fire alarms at a couple of senior citizen households this month.

Training & Upgrading:

During the month of July, In-house training sessions were conducted involving fire rescue personnel. Crews have been involved in recruit training, two new Firefighters have joined the hall with two more starting in August. Captains have been reviewing operational guidelines, practicing equipment & street familiarization as well as orientating the new recruits to the hall.

Daily Apparatus & Equipment Maintenance:

Daily inspections and maintenance was conducted on all equipment and apparatus and they remain in working condition.

911 DISPATCH SUMMARY

The following is a summary of emergency calls received and handled by the 911 Operators/Dispatchers.

PR ADMIN	280
PR FIRE	16
PR AMB	185
PR EHS	156
PR RCMP	250
PR ALARMS	14

PED ADMIN	0
PED FIRE	0
PED AMB	4
PED EHS	0
PED RCMP	4
PED ALARM	0

OTH FIRE	0
OTH AMB	1
OTH EHS	0
OTH RCMP	1

CITY	141
H/U	87
WRONG #	42
R.C.C.	0
CITYWEST	3
311	0

Total: 1184

Respectfully Submitted Jeff Beckwith, Fire Chief



REPORT TO COUNCIL

Meeting of Council

DATE: August 22, 2022

TO: Robert Buchan, City Manager

FROM: Richard Pucci, Director of Operations & Intergovernmental Relations

SUBJECT: MAJOR PROJECTS - MONTHLY UPDATE

REASON FOR REPORT:

The City of Prince Rupert has several active Major Projects in various states of completion. This Report aims to update Council and the public on the progress monthly.

ANALYSIS:

The Staff has completed the attached diagram to showcase the progress on our Major Projects.

3rd Avenue Extension - 15% Complete.

- Geotechnical Investigation is complete.
- Road is on hold until lot development is confirmed

Eat Street - 100% Complete.

New Landfill Cell - 100% Complete.

RCMP Detachment - 20% Complete.

- RCMP has been confirmed as a municipal detachment
- Demolition of the former Kingdom Hall is complete

Recycling Program - 100% Complete.

SCADA System Upgrade - 10% Complete.

RFP is in the process of Award

Sewer Treatment Program - 10% Complete.

 50% of design drawings are complete for the pilot program and approved to proceed

Submarine Line - 10% Complete.

RFP is Awarded

Water Treatment - 10% Complete.

Staff is working on the RFP to release

Waterfront Project - 15% Complete.

Council has Awarded the Design/Build to IDL Projects

Woodworth Dam - 100% Complete.

- The Woodworth Dam Project is complete
- Decommission of the old dam is in progress
- Reservoir is in the process of filling

COST:

There is no impact on the Annual Budget or Strategic Priorities for the Staff at this time.

Report Prepared By:	Report Reviewed By:		
Richard Pucci,	Robert Buchan,		
Director of Operations &	City Manager		
Intergovernmental Relations			

Attachment(s):

- Major Projects Progress Chart
- Photos

Major Project Update

MAJOR PROJECT	PRIORITY	STATUS	% COMPLETE
3rd Avenue Extension	High	In Progress	15%
Eat Street Project	High	Complete	100%
New Landfill Cell	High	Complete	100%
RCMP Detatchment	High	In Progress	20%
Recycling Program	High	Complete	100%
SCADA System Upgrade	High	In Progress	10%
Sewer Treatment Program	High	In Progress	10%
Submarine Line	High	In Progress	10%
Water Treatment	High	In Progress	10%
Waterfront Project	High	In Progress	15%
Woodworth Dam	High	In Progress	100%



REPORT TO COUNCIL

Meeting of Council

DATE: August 22, 2022

TO: Robert Buchan, City Manager

FROM: Richard Pucci, Director of Operations & Intergovernmental Relations

SUBJECT: MINISTRY OF ENVIRONMENT & CLIMATE CHANGE CANADA (ECCC)

UPDATE

RECOMMENDATION:

THAT Council receive the Staff Report on the Administrative Directive and Resolve to abide by the required Orders.

REASON FOR REPORT:

As Council is aware, the City of Prince Rupert (City) has a long history of non-compliance in the area of liquid waste. However, Staff has been working in concert with the Federal and Provincial Environmental Agencies for over a decade on policies and plans to fundamentally get the City back into compliance.

The most recent and relevant development is the City's new Administrative Directive to have liquid waste treatment by 2030. This Directive is a legal Order that the Council will have to adopt by Resolution. Upon Resolution, Staff will facilitate the conditions of the Directive, or there may be corrective measures or penalties levied against the City.

Staff previously reviewed the Draft Administrative Directive and took particular issue with some of the *Measures to be Taken*. Staff felt that some of the measures, like taking samples at the end of an outfall in the middle of the Harbour were an unreasonable request and would not provide the relevant data as there is too much dilution. This was considered, and Staff was given the opportunity to provide an Oral

Representation of why the City was unable to comply with some of the *Measures to be Taken*, through a Notice of Intent (NOI) process (attached).

ANALYSIS:

On July 4th, 2022, Staff went to Smithers and provided the Oral Representation with supporting documentation (some attached) on behalf of the City. The information Staff provided was well received and Staff discussed a path that the City could achieve to eventually have liquid waste treatment by 2030.

As you can see from the materials provided, Staff based the Report on 2 pillars:

- The City believes that the innovative wetland system will meet and/or exceed the current and emerging regulations under the current Wastewater Regulations; therefore, the City wants to see it through before making a final commitment on the method of treatment; and,
- 2. The justification for the relaxation of testing requirements
 - The City has 10 separate outfalls and it is cost-prohibitive to monitor all of them;
 - b. All of the City's outfalls are varying in the amount of discharge volume and therefore should not be treated equally;
 - c. Point of discharge is in the Prince Rupert Harbour at various lengths and depths offshore;
 - d. The Prince Rupert Harbour is the 3rd deepest natural harbour in the world and therefore; extremely difficult to navigate to the end of the pipe;
 - e. All of the outfalls are buried up until the point they go into the harbour with no electrical power or kiosk possibilities;
 - f. The City does not own the waterfront property where the outfall meets the harbour; therefore, it cannot test the outfall onshore or grab shoreline samples due to private and active Federal industrial property;
 - g. The Prince Rupert Harbour has "king tides"; therefore, all of the final appurtenances of the outfalls are bolted down due to hydrostatic pressure; and,
 - h. These "king tides" also flood the outfalls up to several hundred meters inland, therefore all test results would be skewed and useless.

As a result of the July 4th, 2022, Oral Representation, the ECCC agreed to the following Amendments to the Administrative Directive:

• Take all possible measures to monitor and report discharges of effluent through all Outfalls as required under sections 19(1) and 19(4) of WSER.

Plans and Characterization

- By August 30, 2022, or another date acceptable to the undersigned officer, provide the undersigned officer with a final Implementation Plan complete with a description of the chosen treatment system, estimated costs, prescribed timelines, and measures to be taken to ensure that the City's municipal sewage wastewater collection and treatment system/s complies with WSER effluent quality standards;
- Continue to complete the characterization of Outfalls A, B, C, G, H, and L;
- Within two months of completion of an Outfall Characterization program, provide a plan to actively separate the storm and sewer system;

Treatment and Collection

- Without delay, complete separation of storm and sewer water where required as determined from the characterizations completed above;
- Continuing through December 31, 2023, eliminate effluent discharges without delay from Outfall J;
- Continuing through December 31, 2025, eliminate effluent discharges without delay from Outfalls C, K;
- As soon as possible, the City will implement a staged approach to implementing secondary treatment for portions of the City with full compliance by December 31, 2030;

Reports

- By March 31, 2024, provide the undersigned officer with a progress report on the completion of a full year of operation of the innovative wetland solution Pilot Project;
- Provide a final implementation plan for secondary treatment of all wastewater by December 31, 2025, to ensure that The City municipal sewage wastewater collection and treatment system complies with WSER effluent quality standards;

Commencing August 30, 2022, and bi-annually thereafter, provide the
undersigned officer with a written progress report on fulfilling the regulatory
requirements under WSER until fully compliant. The City will include in the
progress report information on the Outfalls eliminated, works completed,
project milestones achieved, and projected work for the year to come;

As a result, Staff believes that the Oral Representation process was a success and that ECCC considered the City's concerns.

COSTS AND BUDGET IMPACT:

At this time, Staff are unaware of the budget impacts associated with this Resolution; however, it is a requirement.

CONCLUSION:

THAT Council receive the Staff Report on the Administrative Directive and Resolve to abide by the required Orders.

Report Prepared By:	Report Reviewed By:		
Richard Pucci,	Robert Buchan,		
Director of Operations &	City Manager		
Intergovernmental Relations			

Attachment(s):

- NOI
- Administrative Directive
- Oral Representation Report



Environnement et Changement climatique Canada



NOTICE OF INTENT TO ISSUE A DIRECTION PURSUANT TO THE FISHERIES ACT

FILE NUMBER: 8520-2019-10-02-0506

NAME OF PERSONS TO WHOM THIS NOTICE OF INTENT IS DIRECTED

This notice of intent is directed to the following persons:

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

C/o Richard Pucci Director of Operations City of Prince Rupert 424 3rd Avenue West Prince Rupert, B.C. V8J 1L7

The persons listed above are referred to as "you" in this document.

PURPOSE OF NOTICE OF INTENT

The purpose of this notice of intent is to notify you that I, the undersigned fishery officer, intend to issue the attached direction to the aforementioned persons.

The authority to issue a direction is found in subsection 38(7.1) of the Fisheries Act.

OPPORTUNITY TO MAKE ORAL REPRESENTATIONS

You are being given a reasonable opportunity in the circumstances to make oral representations in relation to the proposed direction.

Participation in and statements given at oral representations are voluntary.

Oral representations enable you to provide information about the alleged contraventions or the contents of the attached direction or both.

Should you choose to make oral representations I, the undersigned fishery officer, will consider them and will decide whether or not to issue the draft direction, modify or issue as is.

Please contact me by May 24, 2022 to let me know if you intend to take advantage of the opportunity to make oral representations.

If you wish to make oral representations and plan to bring any written documents to my attention at that time, please bring copies of the documents for my records.



This notice of intent is issued on May 16, 2022 at Smithers, B.C. by :

Anne-Marie Bamford Fishery Officer Environmental Enforcement Directorate Enforcement Branch Environment and Climate Change Canada PO BOX 2259, Unit 11-3167 Tatlow Road Smithers, BC, VOJ 2N0



Environnement et Changement climatique Canada



DIRECTION

FISHERIES ACT Subsection 38(7.1)

> File: 8520-2019-10-02-0506 PROTECTED B ENFORCEMENT

July 25, 2022

Registered with acknowledgement of receipt

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

C/o Richard Pucci Director of Operations City of Prince Rupert 424 3rd Avenue West Prince Rupert, B.C. V8J 1L7

RE: FISHERIES ACT DIRECTION

This document constitutes a direction to the persons named above, pursuant to subsection 38(7.1) of the *Fisheries Act* as amended, hereinafter referred to as the *Fisheries Act*.

REASONABLE GROUNDS FOR BELIEF

- I, Anne-Marie Bamford, a Fishery Officer designated by the Minister of Environment under subsection 5(1) of the *Fisheries Act*, have reasonable grounds to believe:
- That there occurs a deposit of a deleterious substance in water frequented by fish that is not authorized under the Fisheries Act (the Act).

ALLEGED FACTS

- That according to information submitted in the Effluent Regulatory Reporting Information System (ERRIS), the City of Prince Rupert owns and operates the Prince Rupert municipal sewage infrastructure that is divided into ten wastewater systems;
- That according to information contained in the City of Prince Rupert draft report of June 2015, titled 'Stage 3 Liquid Waste Management Plan', untreated effluent from the ten wastewater systems is deposited or permitted to be deposited in water or a place referred to in subsection 36(3) of the Act, namely Prince Rupert Harbour;



- 4. That seven of the municipal wastewater systems (associated with discharges at the Outfalls A, B, C, G, H, I and L), collect an average daily volume of 100 m³ or more of influent during any calendar year and therefore section 2 (1) of the *Waste Systems Effluent Regulations (WSER)* applies;
- 5. That the effluent discharged through Outfalls A, B, C, G, H, I and L to Prince Rupert Harbour is untreated effluent that contains deleterious substances as specified in section 5 of WSER;
- 6. That the owner or operator of a wastewater system must provide monitoring reports for each wastewater system as required under section 19(1) of WSER;
- 7. That the information from the ERRIS database shows that the City of Prince Rupert has not submitted monitoring reports for sewage discharges through Outfalls A, B, C, G, H and L;
- 8. That the information from the ERRIS database stated that the effluent discharged into Prince Rupert Harbour through Outfall I from the year 2016 through to the year 2021 contained concentrations of total suspended solids and quantities of carbonaceous oxygen demand matter that did not meet the conditions under section 6(1) of WSER;
- 9. That the authorization to deposit under subsection 6(1) of *WSER* is conditional on the effluent meeting the following conditions:
 - Is not acutely lethal as determined in accordance with section 15 of WSER,
 - the average concentration of suspended solids in the effluent did not exceed 25mg/L,
 - the average carbonaceous oxygen demand due to the quantity of CBOD matter in the effluent did not exceed 25mg/L,
 - the maximum concentration of un-ionized ammonia in the effluent was less than 1.25 mg/L, expressed as Nitrogen (N), at 15°C ± 1°C;
- 10. That information from the ERRIS database stated that the acute lethality test result for Outfall I was a failure for the first quarter of the year 2017, the first quarter of the year 2019 and the second quarter of the year 2021;
- 11. That the samples of effluent collected from Outfall I in the first quarter of the year 2017, in the first quarter of the year 2019 and in the second quarter of 2021 at 100% concentration killed more than 50% of the rainbow trout subjected to it and is therefore a deleterious substance for the purpose of section 36(3) of the Act;
- 12. That, on March 27, 2018, the City of Prince Rupert was issued a Written Warning under *WSER* by Fishery Officer Jason BRENNAN for the following:
 - Failing to submit quarterly monitoring reports to ERRIS within the time period specified under section 19(1) WSER for the years 2013, 2014, 2015 and 2016;
 - Failing to submit quarterly monitoring reports to ERRIS within the time period specified under section 19(1) WSER for 2017-Q1, Q2 and Q4;
 - Submitting monitoring reports to ERRIS from 2016-Q4 to 2017-Q3 that were not approved by the WSER Signing Authority for the municipality as required under section 19(4) and (5) WSER;
 - Submitted data to the identification report registration via the online ERRIS that incorrectly recorded Outfalls A, B, C, G, H and L as a 'Fictional Consolidated System' as defined in section 4, WSER.

MEASURES TO BE TAKEN

Under the authority given to me pursuant to subsection 38(7.1) of the *Fisheries Act*, I hereby direct the City of Prince Rupert (The City) to immediately take all reasonable measures consistent with public safety and with the conservation and protection of fish and fish habitat to prevent the above mentioned occurrence or

to counteract, mitigate, or remedy, any adverse effects that result from the above mentioned occurrence or might reasonably be expected to result from it, including:

1. Take all possible measures to monitor and report discharges of effluent through all Outfalls as required under sections 19(1) and 19(4) of WSER.

Plans and Characterization

- By August 30, 2022, or another date acceptable to the undersigned officer, provide the undersigned
 officer with a final Implementation Plan complete with a description of the chosen treatment system,
 estimated costs, prescribed timelines and measures to be taken to ensure that The City municipal
 sewage wastewater collection and treatment system/s complies with WSER effluent quality standards;
- 3. Continue to complete the characterization of Outfalls A, B, C, G, H and L;
- 4. Within two months of completion of an Outfall Characterization program, provide a plan to actively separate the storm and sewer system;

Treatment and Collection

- 5. Without delay, complete separation of storm and sewer water where required as determined from the characterizations completed above;
- 6. Continuing through December 31, 2023, eliminate effluent discharges without delay from Outfall J;
- 7. Continuing through December 31, 2025, eliminate effluent discharges without delay from Outfalls C and K;
- 8. As soon as possible, The City will implement a staged approach to implementing secondary treatment for portions of The City with full compliance by December 31, 2030;

Reports

- 9. By March 31, 2024 provide the undersigned officer with a progress report on the completion of a full year of operation of the innovative wetland solution Pilot Project;
- 10. Provide a final implementation plan for secondary treatment of all waste water by December 31, 2025, to ensure that The City municipal sewage wastewater collection and treatment system/s complies with *WSER* effluent quality standards;
- 11. Commencing August 30, 2022, and bi-annually thereafter, provide the undersigned officer with a written progress report on fulfilling the regulatory requirements under WSER until fully compliant. The City will include in the progress report information on the Outfalls eliminated, works completed, project milestones achieved and projected work for the year to come;

THE LAW

Fisheries Act

Deposit of deleterious substance prohibited

36(3) Subject to subsection (4), no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish or in any place under any conditions where the deleterious substance or any other deleterious substance that results from the deposit of the deleterious substance may enter any such water.

Duty to notify - deleterious substance

- 38(5) If there occurs a deposit of a deleterious substance in water frequented by fish that is not authorized under this Act, or if there is a serious and imminent danger of such an occurrence, and detriment to fish habitat or fish or to the use by humans of fish results or may reasonably be expected to result from the occurrence, then every person shall without delay notify an inspector, a fishery officer or an authority prescribed by the regulations if the person at any material time
 - (a) owns or has the charge, management or control of
 - (i) the deleterious substance, or
 - (ii) the work, undertaking or activity that resulted in the deposit or the danger of the deposit;or
 - (b) causes or contributes to the occurrence or the danger of the occurrence.

Duty to take corrective measures

38(6) Any person described in paragraph (4)(a) or (b) or 5(a) or (b) shall, as soon as feasible, take all reasonable measures consistent with public safety and with the conservation and protection of fish and fish habitat to prevent the occurrence or to counteract, mitigate or remedy any adverse effects that result from the occurrence or might reasonably be expected to result from it.

Report

38(7) As soon as feasible after the occurrence or after learning of the danger of the occurrence, the person shall provide an inspector, fishery officer or an authority prescribed by the regulations with a written report on the occurrence or danger of the occurrence.

Corrective measures

38(7.1) If an inspector or fishery officer, whether or not they have been notified under subsection (4) or (5) or provided with a report under subsection (7), is satisfied on reasonable grounds that immediate action is necessary in order to take any measures referred to in subsection (6), the inspector or officer may, subject to subsection (7.2), take any of those measures at the expense of any person described in paragraph (4)(a) or (b) or (5)(a) or (b) or direct such person to take them at that person's expense.

Offence and punishment

- 40(2) Every person who contravenes subsection 36(1) or (3) is guilty of an offence and liable
- (a) on conviction on indictment,
 - (i) in the case of an individual,
 - (A) for a first offence, to a fine of not less than \$15,000 and not more than \$1,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$30,000 and not more than \$2,000,000, or to imprisonment for a term not exceeding three years, or to both,
 - (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),
 - (A) for a first offence, to a fine of not less than \$500,000 and not more than \$6,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$1,000,000 and not more than \$12,000,000, and
 - (iii) in the case of a corporation that the court has determined to be a small revenue corporation.
 - (A) for a first offence, to a fine of not less than \$75,000 and not more than \$4,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$150,000 and not more than \$8,000,000; or

- (b) on summary conviction,
 - (i) in the case of an individual,
 - (A) for a first offence, to a fine of not less than \$5,000 and not more than \$300,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$10,000 and not more than \$600,000, or to imprisonment for a term not exceeding six months, or to both,
 - (ii) in the case of a person, other than an individual or a corporation referred to in subparagraph (iii),
 - (A) for a first offence, to a fine of not less than \$100,000 and not more than \$4,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$200,000 and not more than \$8,000,000, and
 - (iii) in the case of a corporation that the court has determined to be a small revenue corporation,
 - (A) for a first offence, to a fine of not less than \$25,000 and not more than \$2,000,000, and
 - (B) for a second or subsequent offence, to a fine of not less than \$50,000 and not more than \$4,000,000.

Other offences

40(3) Every person who fails to provide notification that he or she is required to provide under subsection 38(4) or (5), or

is guilty of an offence punishable on summary conviction and liable, for a first offence, to a fine not exceeding two hundred thousand dollars and, for any subsequent offence, to a fine not exceeding two hundred thousand dollars or to imprisonment for a term not exceeding six months, or to both.

Power to recover costs

42(2) All the costs and expenses referred to in subsection (1) are recoverable by Her Majesty in right of Canada or a province with costs in proceedings brought or taken therefor in the name of Her Majesty in any such right in any court of competent jurisdiction.

Continuing offences

78.1 Where any contravention of this Act or the regulations is committed or continued on more than one day, it constitutes a separate offence for each day on which the contravention is committed or continued.

CONCLUSION

This direction is without prejudice to any further course of action that Environment and Climate Change Canada may take with respect to any violation of the *Fisheries Act*, including an amended Direction, prosecution, or the seeking of an injunction from the court under the *Fisheries Act*, or any other Act.

This direction and the circumstances to which it refers will form part of Environment and Climate Change Canada's records of the City of Prince Rupert and its' responsible officials, and will be taken into account in future responses to alleged violations and for internal purposes such as setting the frequency of inspections. Environment and Climate Change Canada will consider taking further action if you do not take all necessary corrective steps to comply.

This direction is issued in accordance with the Compliance and Enforcement Policy for the Habitat Protection and Pollution Prevention Provisions of the *Fisheries Act.* The complete text of this policy is available on Environment and Climate Change Canada's website:

http://www.ec.gc.ca/alef-ewe/default.asp?lang=En&n=D6B74D58-1&offset=6

The <u>complete text</u> of the *Fisheries Act* and the *Waste Systems Effluent Regulations* are available on the Department of Justice website: http://laws-lois.justice.gc.ca/Search/

For more information, or to respond to the alleged facts contained in this direction, please call or write the undersigned. Your comments will be considered, and where appropriate, a response provided. Any comments you make, as well as Environment and Climate Change Canada's response, will be maintained on file with this direction in Environment and Climate Change Canada's records.

Anne Marie Bamford
Fishery Officer
Environmental Enforcement Directorate
Enforcement Branch
Environment and Climate Change Canada
PO BOX 2259, Unit 11-3167 Tatlow Road
Smithers, BC, VOJ 2N0

c.c.
Gillian Oliver
Regional Director
Environmental Enforcement Directorate
Enforcement Branch
Environment and Climate Change Canada
4th Floor, 201-401 Burrard Street,
Vancouver, BC, V6C 3S5



Oral Representations – City of Prince Rupert

System Overview

The current sewerage system within the City of Prince Rupert (City) dates back to the early 1900s and is divided into ten sewerage areas, each with a piped discharge into the Prince Rupert Harbour (outfall key plan). Of these ten areas, six are combined sewers, and four are separated sanitary and storm sewers. The majority of the wastewater is combined at the outfall and is currently discharged without any treatment.

The City has an existing Wastewater Discharge Permit issued by the Ministry of Environment (MOE) that covers all of the discharge points. This permit was updated in the year 2000 with the condition the City develop a Liquid Waste Management Plan (LWMP) to address the management of the City's wastewater in the future.

The development of an LWMP is undertaken in three stages and requires consensus building with all stakeholders. Stage 1 involves identifying existing wastewater management systems, issues, and available options for managing liquid waste. Stage 2 involves further development and evaluation of the management options identified in Stage 1. Stage 3 uses the information developed in Stages 1 and 2 to produce the strategic direction the City will follow to manage its wastewater in the future. The City has completed and received approval from the MOE for Stage 1 and Stage 2 and has currently paused progress on Stage 3.

Stage 3 Summary & Progress

The purpose of Stage 3 is to use the information presented in Stages 1 and 2 to outline approaches for implementing the LWMP. This includes execution and financing plans for the recommended management strategy. As well, it requires the creation of draft Operational Certificates for the City's proposed wastewater treatment facilities which will outline the regulatory requirements that each facility will have to meet.

Stage 3 estimates population and waste volumes that will require management as part of the strategy. The City's is based on a forty-year planning horizon using design years 2030 and 2050. At the time, the City's selected wastewater management strategy was to develop up to three new wastewater treatment facilities located within the municipal boundary. Gravity sewers, several pump stations, and force mains for catchment areas would direct flows to one of the wastewater treatment facilities. During extreme rain events, effluent, and wet weather flows would be discharged via outfalls with only minor treatment. Integrated resource recovery opportunities most feasible for the City involved the reuse of biosolids via composting initiatives.

The estimated capital costs of that proposed strategy was approximately \$150M – \$200M for Prince Rupert, a community of only 13,000 ppl. For context, that is a cost of approximately \$15,385.00 per capita with extensive operation and maintenance costs. (2020 – pre-pandemic)

The following summarizes the key progress points that have been completed to date on Stage 3:

- Discussions with the BC MOE and Environment and Climate Change Canada (ECCC), regarding the City's unique situation;
- Completion of the Draft Stage 3 LWMP Report;
- Met with City Council to provide an update on LWMP and Stage 3;
- City reviewed land acquisition for a treatment facility;
- Met with Environment Canada Regional Compliance Office;



- Development of a Draft Administrative Directive; and,
- The City completed an extensive condition analysis on Outfall I.

During the City's development of the LWMP Stage 3, the nationwide Wastewater Systems Effluent Regulation (WSER) was developed under the Fisheries Act and legislated in 2012. This new Federal Regulation put the City in the *high-risk* category, meaning the City must achieve secondary treatment for all of its liquid waste by 2020. Since the WSER applies to municipal wastewater systems, the City will be responsible for meeting the WSER in addition to the British Columbia Municipal Wastewater Regulation (MWR). Additionally, at that time, the MOE had announced the plan for harmonization of the MWR with the requirements of WSER.

This development led to numerous high-level meetings with the City and Federal / Provincial Government staff, resulting in the formal decision that the Harmonization Agreement was placed on pause until further notice. Unfortunately, since the City was led to believe that a Harmonization Agreement was to be struck, the City did not apply for a Transitional Authorization with ECCC.

Since then, the City has been working with ECCC on developing an Administrative Directive with testing, mapping, and condition assessment commitments for the wastewater system. Additionally, the City has engaged a consulting company (MAGNA) and is working with the FCM on an innovative organic biological wetland solution for the community. The City, with MAGNA, has engaged the Federal and Provincial Governments regarding this approach to wastewater treatment for the community.

Innovative Option Review

In 2019 the City was approached by MAGNA. MAGNA was looking to take their technology for stormwater management and adapt it for wastewater treatment. The City decided to engage with MAGNA as it felt it needed to exhaust all possible avenues. When the City started to discuss the unfortunate situation, the staggering costs, and the concerns about being a remote community around operators, the City landed on completing a feasibility study for their technology. The feasibility study was partly funded by the FCM, who was impressed enough by the results to encourage the City to apply for a Pilot Project. The City submitted an application to the FCM for the Pilot Project and it was generously supported. Since then the City has applied for further funding from the ICIP Provincial Grant Fund and the SPF UBCM Grant Fund; which will likely be announced in September.

The technology is relatively straightforward and does not require a formally ticketed operator. This is very important to the City as it is remote with minimal staff. The primary treatment is through a self-cleaning 20um filtration system. The secondary treatment technology is a vertical flow biofilter which is all performed through subsurface biological treatment with no standing water. This naturalized system mimics natural cycles promoting biodiversity. Finally, the tertiary treatment is through a horizontal subsurface flow wetland. The design calls for adequate endogenous respiration periods to prevent biomass clogging, and the equipment has viewports for easy inspection. There is no chemical dosing required or specialized operator tickets for the Public Works operators. Once the treatment is complete, the treated effluent is released into a pond and then into the receiving environment. The vision is to have several of these systems throughout the community incorporated into green spaces. The overall cost comparison to standardized treatment is a saving of over \$100M. MAGNA believes this system can be incorporated into the community for approximately \$70M with very little increase in the operational capacity. The per capita cost of this system is \$5,385.00 and very low operation and maintenance costs. (2020 – pre-pandemic)

Further, the City and MANGA understand that this type of treatment is in use in other parts of Canada and successfully meets and exceeds WSER Regulations.



Testing Regime Overview & Challenges

Harbour:

Prior to the Pollution Control Act, introduced by the Province in 1967, there was very little environmental regulation governing the treatment and disposal of wastewater. However, this relaxed approach continued in Prince Rupert all the way into the 1990s with the City only required to collect shoreline grab samples (1996 Report included). In 2001, the Ministry of Water Land and Air Protection (WLAP) required the City to monitor and confirm the flow and quality parameters of its wastewater. This ended up being a multi-year program that is provided with your digital package as 2003 – Associated Engineering Harbour Monitoring.

The program reviewed flow from all outfalls with characteristics from only one outfall, Outfall I, the largest. This program was concluded in 2003 and submitted to WLAP. The staff's understanding is that it was accepted, with the agreement that the City was only required to continue to monitor Outfall I. The City continued to monitor Outfall I until the late 2000s; whereas staff understood that they were approved to stop due to years and years of consistent test results. During the late 2000s and until 2015, the City completed its LWMP Stage 1 and 2, before pausing the submission of Stage 3. In 2013, the City signed onto the Green Marine Environmental Water Quality Sampling Program with local partners, which is still actively monitoring the Harbour today. (Program test results from 2013-2021 in the digital package)

Outfall:

As previously stated, during the development of the LWMP Stage 3, WSER was adopted, and no Harmonization Agreement was executed; therefore, the City has to comply with the WSER and the MWR.

When WSER became active the City was required to submit results for all of its outfalls through the Effluent Regulatory Reporting Information System (ERRIS). At that time, the City sent numerous emails, participated in Federal consultation rounds, and provided a Letter Report to the WSER Policy Group requesting relaxation on monitoring all outfalls with justification on a strategy to just monitor Outfall I.

The justification for the relaxation and the basis of the City's Oral Representations are as follows:

- 1. The City has 10 separate outfalls and it is cost-prohibitive to monitor all of them;
- 2. All of the City's outfalls are varying in the amount of discharge volume and therefore should not be treated equally;
- 3. Point of discharge is in the Prince Rupert Harbour at various lengths and depths offshore;
- 4. The Prince Rupert Harbour is the 3rd deepest natural harbour in the world and therefore; extremely difficult to navigate to the end of the pipe;
- 5. All of the outfalls are buried up until the point they go into the harbour with no electrical power or kiosk possibilities;
- The City does not own the waterfront property where the outfall meets the harbour; therefore it cannot test the outfall onshore or grab shoreline samples due to private and active Federal industrial property;
- 7. The Prince Rupert Harbour has "king tides"; therefore all of the final appurtenances of the outfalls are bolted down due to hydrostatic pressure; and,
- 8. These "king tides" also flood the outfalls up to several hundred meters inland, therefore all test results would be skewed and useless.

Unfortunately, the City never formally heard back from the WSER Policy Group; so it continued with the proposed strategy. From 2018 through to today, the City has not hidden the fact that it is out of compliance, staff is just simply doing the best they can to get quality results. In fact, in recent meetings with the WSER Policy Group, staff have been open with the strategy and have not heard any issues.



As a result, the City is currently sampling its wastewater at one location, the Outfall I Hays Creek lift station. This lift station is equipped with an auto-sampler where staff pulls the samples for analysis. The collected samples are provided to Northern Labs located in Prince Rupert. This Lab is in the process of being accredited and is capable of completing wastewater constituent testing. This information along with the following was provided to the WSER Policy Group as well as ECCC:

- 1. Outfall I is what was considered the correct and only outfall required to monitor in the 2003 Harbour Monitoring Study;
- 2. The City owns the property and the lift station;
- 3. The lift station was built in 2008 and has unencumbered access;
- 4. There is appropriate servicing to take the samples;
- 5. There is no tidal influence to contaminate the results; and,
- 6. Outfall I is the largest outfall and discharges approximately 40% of the City's wastewater.

Today samples are collected at the Hays Creek lift station and submitted using the ERRIS System from Outfall I only.

Next Steps

The City's next steps or requested outcome of this Oral Representation is to finalize the Administrative Directive with the ECCC with an Amendment to reduce the testing obligations and complete the FCM-funded Pilot Project for the innovative wetland solution. Once the City has completed a full year of operation, they will consolidate the results, and if they meet the requirements of WSER, staff will be approaching ECCC to confirm the use of this system for the entire community.

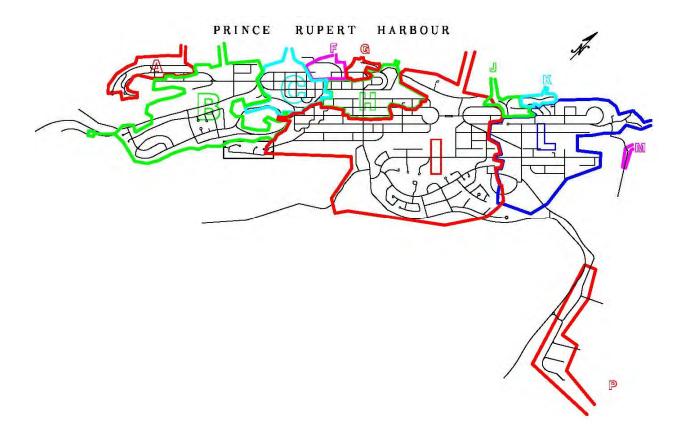
Please feel free to contact me directly for questions, or concerns.

Regards,

Richard Pucci
Director of Operations &
Intergovernmental Relations
City of Prince Rupert



Outfall Key Plan





REPORT TO COUNCIL

Regular Meeting of Council

DATE: August 22nd, 2022

TO: Robert Buchan, City Manager **FROM:** Daniel Rajasooriar, Planner

SUBJECT: DEVELOPMENT ACTIVITY REPORT FOR JULY 2022

REASON FOR REPORT:

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

In terms of development permits, three were approved and one was on hold. In terms of development variance permits, seven were approved, two were in progress, and two were on hold. In terms of temporary use permits, one was on hold. In terms of Official Community Plan and/or Zoning Bylaw amendments, two were in progress and four were on hold.

File No.	Location	Proposal Description	Date Received	Status	Date of Decision
DP-22-10	413 3 rd Avenue West	Application to have a sign.	April 1st 2022	On Hold*	N/A
		3		*The application is on hold until the applicant provides additional documentation.	
DP-22-14	255-257 3 rd Avenue West	Application to have signs. Related: DVP-22-12.	May 19 th 2022	Approved	July 18 th 2022
DP-22-15	1134 Park Avenue	Application to have a fence and reclad building.	June 2 nd 2022	Approved	June 3 rd 2022
DP-22-16	342-348 3 rd Avenue West	Application to have a sign.	June 16 th 2022	Approved	July 14 th 2022
DVP-21-10	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 th 2021	In Progress* *Before Council on August 22 nd 2022 for final consideration.	N/A

DVP-22-08	1515 Kay Smith Boulevard	Application to have (a) variance(s) to accommodate a proposed balcony extension.	March 11 th 2022	*The application is on hold until the applicant provides additional documentation.	N/A
DVP-22-10	108 Prince Rupert Boulevard	Application to have a front yard setback variance to accommodate a deck extension.	May 13 th 2022	Approved	July 25 th 2022
DVP-22-11	938 Alfred Street	Application to have a front yard area maximum fence height variance to accommodate a proposed fence.	May 16 th 2022	*The application is on hold until the applicant provides additional documentation.	N/A
DVP-22-13	1425 2 nd Avenue West	Application to have a rear property line setback variance to accommodate a proposed deck.	May 3 rd 2019	Approved	July 25 th 2022
DVP-22-14	535 Tatlow Street	Application to have a side property line setback variance to accommodate a proposed overhang over a deck.	June 9 th 2022	Approved	July 25 th 2022

DVP-22-15	224 9 th Avenue East	Application to have side property line setback variances to accommodate a proposed enclosed walkway, stairway, and landing.	June 1 st 2022	Approved	July 25 th 2022
DVP-22-16	116 Hays Cove Circle	Application to have a side property line setback variance to accommodate a proposed secondstorey addition.	June 13 th 2022	Approved	July 25 th 2022
DVP-22-17	336 6 th Avenue East	Application to have side property line setback variances to accommodate a proposed front deck extension.	June 14 th 2022	Approved	July 25 th 2022

DVP-22-18	1444 2 nd Avenue	Application to have a	June 23 rd 2022	Approved	July 25 th 2022
	West	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.			
DVP-22-19	183 Raven Crescent	Application to have a	July 25 th 2022	In Progress*	N/A
		rear property line			
		setback variance to		*Before Council on	
		accommodate a		August 22 nd 2022	
		proposed enclosed		with a	
		deck.		recommendation to	
				proceed with the	
				statutory	
				notification process.	

TUP-21-03	1502 2 nd Avenue West	Application to temporarily have a container located in a backyard.	September 27 th 2021	*The application is on hold until the applicant provides additional documentation.	N/A
ZBLA-21-01	712-714 McKay Street	Application to rezone from R2 to RM2.	April 7 th 2021	*The application is on hold until the applicant provides additional documentation.	N/A
ZBLA-22-01	1307-1309 Sloan Avenue	Application to rezone from R2 to RM1.	January 20 th 2022	*The application is on hold in consideration of a Zoning Bylaw amendment proposal.	N/A
ZBLA-22-02	542 8 th Avenue East	Application to rezone from R2 to RM2.	January 31st 2022	*The application is on hold in consideration of a Zoning Bylaw amendment proposal.	N/A

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

ZBLA-22-05	N/A	Omnibus Zoning	April 25 th 2022	In Progress*	N/A
		Bylaw Amendment.			
		Section 1 covers		*With Council.	
		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.			

Report Prepared By:	Report Reviewed By:
Daniel Rajasooriar, Planner	Robert Buchan, City Manager



REPORT TO COUNCIL

Regular Meeting of Council

DATE: August 22nd, 2022

TO: Robert Buchan, City Manager **FROM:** Daniel Rajasooriar, Planner

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION #21-10

FOR 1551 KAY SMITH BOULEVARD

RECOMMENDATION:

THAT Council proceed with approval, approval with amendments, or denial 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. To help prevent projects in violation of the City's Zoning Bylaw from being built in the future, the City recently adopted a policy drafted by the Building Department which includes the following directives:

- "When determined by a building inspector that a project has violated the Zoning Bylaw in terms of setbacks or height, the owner of the property shall immediately be informed of the steps required to bring the project into conformance. This may be accomplished by altering the building plans or receiving a variance from Council."
- "The Building Department must be informed which compliance path the owner chooses to follow. Failure to choose a compliance path will result in the immediate issuing of a stop work order."
- "After a compliance path has been chosen, work on the project may continue up until the framing stage has reached the point where the roof framing (trusses or rafters) is complete but not sheathed. This is to allow for a definitive determination of the structure's height. At such time, a stop work order will be issued and remain in place until all issues on non-compliance have been resolved."
- "If the non-compliance issue relates to setbacks and the compliance path is not a variance, a new BCLS certificate will need to be provided to show conformity with the Zoning Bylaw before work may continue."

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 needed to be removed or an easement needed to be established. The applicant chose to remove the encroachments and has successfully done so as verified by the City's Building Department

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 and the public has had 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 approval, approval with amendments, or denial for this Development Variance Permit application.

Report Prepared By:	Report Reviewed By:
Daniel Rajasooriar,	Robert Buchan,
Planner	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.

The encroachments on the neighbouring property are not permitted and have been removed as verified by the City's Building Department. 89*54'13" 12.187 POSTING PLAN EPP89989 3 5 4 Deck 0.19 Clear 1.17 Footing Pad 0.11 Encroach 1.36 9 47 Deck 0.17 Clear Footing Pad 0.17 Encroach DWELLING BLOCK 359.48'43 359*49'03" PLAN DL 1.16 Steps 0.15 Clear 4.15 1.55 Deck Below Balcony Above 4.67 0.20 Concrete 9.47 Retaining Wall ဖ 4.721 a = 7.5236 | 4.72. 6 | 89*53'14" .54,27" r = 47.229KAY SMITH

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.

BLVD

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.

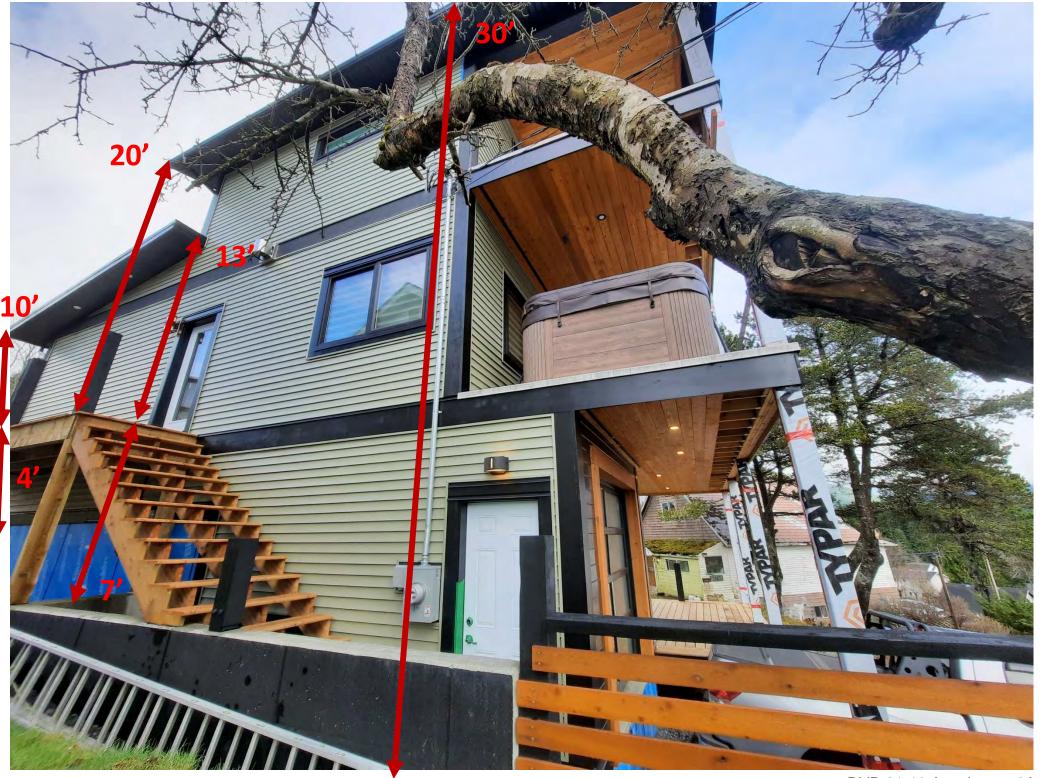
Todd Basky WINQ46 Digitally signed by Todd Basky WINQ46 Date: 2022.02.24 14:35:46 -08'00'

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.



DVP-21-10 Attachment 2A









DEVELOPMENT VARIANCE PERMITFILE NO. DVP-21-10

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

PERMIT ISSUED TO OWNER(S): Darren Louis Lagimodiere

APPLICANT: Darren Louis Lagimodiere

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.

- 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 RU By an authorized sig		
Rosamaria Miller Corporate Administra	tor	



REPORT TO COUNCIL

Regular Meeting of Council

DATE: August 22nd, 2022

TO: Robert Buchan, City Manager **FROM:** Daniel Rajasooriar, Planner

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION #22-18

FOR 1444 2ND AVENUE WEST

RECOMMENDATION:

THAT Council proceed with approval, approval with amendments, or denial 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 2nd 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.

For some context, a Development Variance Permit (DVP-22-03) for the same property approved by Council on March 28th 2022. That permit was in relation to the development of a proposed addition and rear deck. The property owner obtained a Building Permit and has proceeded with building the proposed addition and rear deck. However, against the Site Plan and Building Plan for the relevant Development Variance Permit, the property owner built a foundation for the enclosure of the space beneath the rear deck. As such, the City's Building Department issued a stop work order in relation to enclosing the space beneath the rear deck and gave the property owner the option to pursue compliance with the Zoning Bylaw through this Development Variance Permit application (DVP-22-18).

In terms of this Development Variance Permit application (DVP-22-18), property owners and the public have had the opportunity to provide input during the public consultation period. Certain property owners from the surrounding neighbourhood have reached out to the City and voiced their concerns. Of special note, the neighbouring property owner in relation to the southwestern side property line is concerned about the impact of the proposed variances on the view from his property and the sunlight received on his property. Furthermore, he is concerned about the impact of the proposed variances on his ability to pursue a similar setback from the relevant side property line in the future with there being limited space between the buildings. Regarding this last concern, it should be noted that the

variances for the addition and rear deck (DVP-22-03) went through a public consultation period and were approved by Council on March 28th 2022.

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.

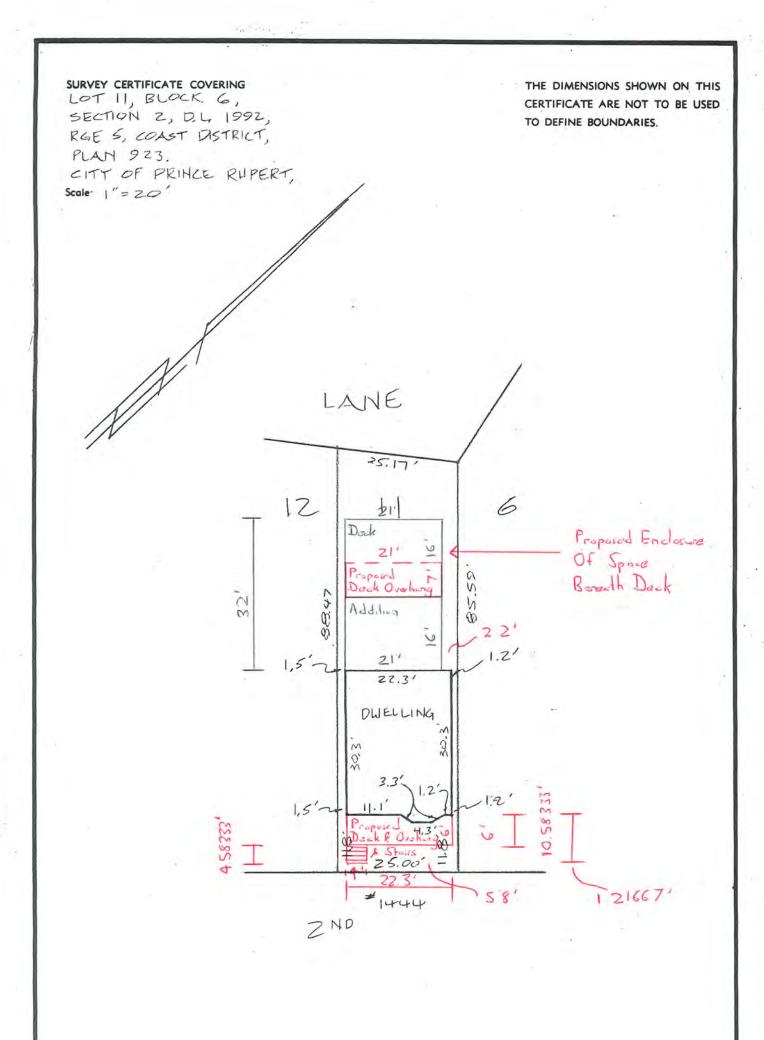
CONCLUSION:

It is recommended that Council proceed with approval, approval with amendments, or denial for this Development Variance Permit application.

Report Prepared By:	Report Reviewed By:
Daniel Rajasooriar,	Robert Buchan,
Planner	City Manager

Attachment(s):

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



CERTIFIED CORRECT

Ray T. Milella J. B.C.L.S.
Dated this 3rd day of SEPT. 1782

MCELHANNEY ASSOCIATES

PROFESSIONAL LAND SURVEYORS

205 - 4630 LAZELLE AVE.,

TERRACE, B.C. VBG IS6

FILE 043066-3

1444 - 2ND AVE PRINCE RUPERT

Proposed

FRONT

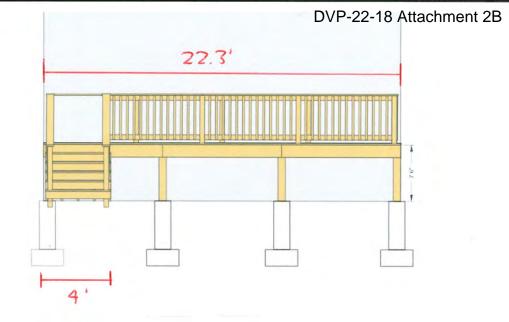
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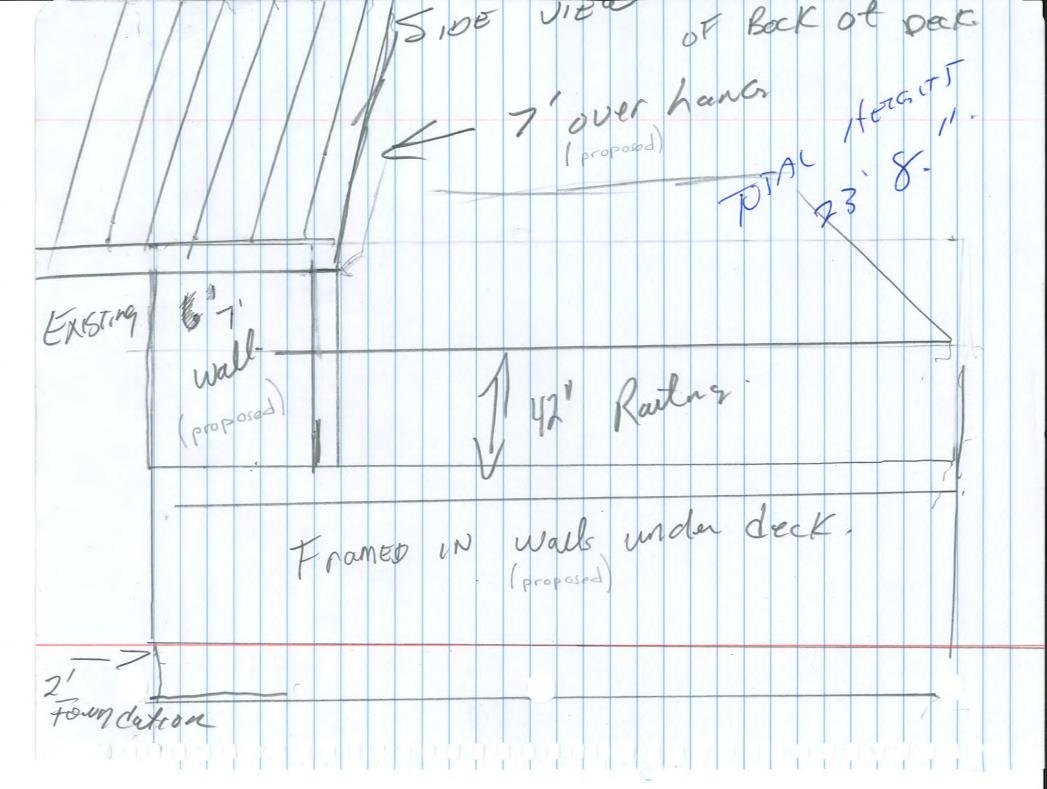
And Stairs

22.3'
A Sanson A

1444 - 2ND AVE PRICE RUPERT

Proposed
Front
Deck
And Stairs







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 3rd Avenue, Prince Rupert, BC, V8J 1L7

PERMIT ISSUED TO OWNER(S): Chad Paul Sokolowski

APPLICANT: Roman Sokolowski

 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 2nd 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

DVP-22-18 Page 3 of 3

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: August 22nd, 2022

TO: Robert Buchan, City Manager **FROM:** Daniel Rajasooriar, Planner

SUBJECT: TEMPORARY USE PERMIT APPLICATION #22-03 (TUP-22-03)

FOR 191 METLAKATLA ROAD

RECOMMENDATION:

THAT Council proceed with the statutory notification process for Temporary Use Permit (TUP) #22-03 and include as a permit condition that the City receives and retains a \$5000 cash bond until the temporary use is discontinued.

REASON FOR REPORT:

An application was received for a Temporary Use Permit for the property located at 191 Metlakatla Road.

The application involves:

1. A request to have a shipwrecking yard and store, handle, and sell scrap material on the subject property for up to one year.

The Site Plan is included as Attachment 1.

BACKGROUND AND ANALYSIS:

The request to have a shipwrecking yard and store, handle, and sell scrap material on the subject property for up to one year is made to accommodate a potential contract award by the Canadian Coast Guard to dispose of, through ship breaking, the FV Fairwind. After the removal of all hazardous material from the vessel at its current location at Port Edward, BC, the vessel would be towed to and winched onto

the subject property – the latter using pneumatic air bags under the vessel. The vessel would then be cut up and the resulting scrap metal would be barged to Vancouver, BC for further processing. Contingent on the contract award, it is anticipated that work would begin in late September and last for approximately 3 weeks. No buildings or structures would be used.

The subject property is currently zoned M3 (Waterfront Industrial Zone). Although the M3 zone has shipbuilding and repair as permitted uses, a shipwrecking yard and the storage, handling, and sale of scrap material are distinct uses. At present, a wrecking yard (albeit for autos) and the storage, handling, and sale of scrap material are only permitted uses in the M4 zone (Auto Wrecking Yard). The applicant desires to maintain the M3 zoning and proceed with this Temporary Use Permit application.

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

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

The Draft Temporary Use Permit is included as Attachment 2 (A-B).

COST AND BUDGET IMPACT:

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

CONCLUSION:

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

Report Reviewed By:	
Robert Buchan,	
City Manager	
	Robert Buchan,

Attachment(s):

- Attachment 1: Site Plan
- Attachment 2 (A-B): Draft Temporary Use Permit

Site Plan

Land to be used on a temporary basis for a shipwrecking yard and for the storage, handling, and sale of scrap material is outlined in blue.





TEMPORARY USE PERMIT

FILE NO. TUP-22-03

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

PERMIT ISSUED TO OWNER(S): 0813985 B.C. Ltd.

APPLICANT: Butze Terminal Ltd.

- This Temporary Use Permit is issued subject to compliance with all of the bylaws of the City of Prince Rupert applicable thereto, except as specifically varied or supplemented in this permit.
- 2. This Temporary Use Permit applies to those lands within the City of Prince Rupert that are described below, and any and all buildings, structures, and other development thereon:

LEGAL DESCRIPTION:

Block C of District Lot 735 Range 5 Coast District

CIVIC ADDRESS(ES):

191 Metlakatla Road

3. Pursuant to Division 8 in Part 14 of the *Local Government Act*, this permit authorizes the owner(s) and applicant to have a shipwrecking yard and store, handle, and sell scrap material on the subject property, in accordance with the Site Plan attached as Schedule 1, for up to one year.

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

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

TUP-22-03 Page 2 of 2

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: August 22, 2022

TO: Robert Buchan, City Manager

FROM: Corinne Bomben, Chief Financial Officer/Deputy City Manager

SUBJECT: JUNE 2022 FINANCIAL VARIANCE REPORT

RECOMMENDATION:

THAT Council receives this report for information purposes

REASON FOR REPORT:

This report is to apprise Council of the City's current financial experience versus the approved budget for the period ending June 30, 2022.

OPERATING BUDGET

Operating revenues and expenses continue to be on track with the overall budget and trends are in line with the same caveats as mentioned in the previous financial variance report.

UTILITIES BUDGET

Poport Propared By:

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

CAPITAL & SPECIAL PROJECTS

Projects are underway with expenses beginning to be received. There are no variances to report presently.

Papart Paviowed By:

Report i repared by.	Report Reviewed by:		
Corinne Bomben	Robert Buchan		
Chief Financial Officer/Deputy City Manager	City Manager		

Attachments:

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

June 2022 Departmental Report	T				
	YTD 2021	YTD 2022	2022	Budgeted	
REVENUES	Actual (\$)	Actual (\$)	Budget (\$)	Amount Left (\$)	% Left
Airport Ferry	52,780	402,036	875,000	(472,964)	(54.0
Cemetery	52,509	102,984	149,000	(46,016)	(30.8
Cow Bay Marina	81,174	167,396	257,000	(89,604)	(34.8
Development Services	450,902	379,814	565,000	(185,186)	(32.7
Economic Development	17,000	25,000	70,000	(45,000)	(64.2
FD 911	47,201	36,882	92,000	(55,118)	(59.9
FD Fire Protective Services	1,588	2,480	5,000	(2,520)	(50.4
Finance	11,989	10,438	15,000	(4,562)	(30.4
Fiscal Revenues	3,086,319	2,194,750	8,269,000	(6,074,250)	(73.4
Information Technology	-	-	1,000	(1,000)	(100.0
Parks	-	5,400	-	5,400	N.A
PW Engineering	1,410	1,118	5,000	(3,882)	(77.6
PW Common cost	50,402	50,521	35,000	15,521	44.3
RCMP	39,012	50,631	101,000	(50,369)	(49.8
Rec. Centre Arena	52,707	123,189	204,000	(80,811)	(39.6
Rec. Centre Civic Centre	50,440	158,716	254,000	(95,284)	(37.5
Rec. Centre Community Services	-	-	3,000	(3,000)	(100.0
Rec. Centre Pool	72,617	195,629	373,000	(177,371)	(47.5
Transit	88,496	90,899	201,000	(110,101)	(54.7
Victim Services	34,073	36,020	83,000	(46,980)	(56.6
Watson Island	-	-	400,000	(400,000)	(100.0
	4,190,619	4,033,903	11,957,000	(7,923,097)	(66.2
Property Taxes	22,845,416	23,638,321	23,638,000	321	0.0
Appropriated Surplus- COVID 19 Safe Restart Grant	-	-	850,000	(850,000)	(100.0
Capital Works- Funding from PR Legacy	-	-	200,000	(200,000)	(100.0
Capital Works- Funding from Grants	-	-	60,000	(60,000)	(100.0
Capital Works- Funding from Appr. Surplus	-	-	110,000	(110,000)	(100.0
Capital Works- Fundinf from Reserves	-	-	150,000	(150,000)	(100.0
Capital Purchases- Funding from PRLegacy	-	-	1,147,000	(1,147,000)	(100.0
Capital Purchases- Funding from Grants	5,200,000	4,000,000	12,423,000	(8,423,000)	(67.8
Capital Purchases- Funding from Appr. Surplus	_	-	431,000	(431,000)	(100.0
Capital Purchases- Fundinf from Reserves	-	-	5,400,000	(5,400,000)	(100.0
Capital Purcahses- Funding from Borrowing		-	26,300,000	(26,300,000)	(100.0
Special Projects- Funding from PR Legacy	_	_	150,000	(150,000)	(100.0
Special Projects- Funding from Grants	_	37,595	148,000	(110,405)	(74.6
Special Projects- Funding from Appr. Surplus	_	-	310,000	(310,000)	(100.00
	32,236,035	31,709,819	83,274,000	(51,564,181)	(61.9)

June 2022 Departmental Report					
	YTD 2021	YTD 2022	2022	Budgeted	
EXPENDITURES	Actual (\$)	Actual (\$)	Budget (\$)	Amount Left (\$)	% Left
Airport Ferry	894,709	1,178,847	2,403,000	1,224,153	50.9
Cemetery	119,268	145,756	300,000	154,244	51.
Civic Properties	135,493	175,739	405,000	229,261	56.
Corporate Administration	373,474	645,738	958,000	312,262	32.
Cow Bay Marina	128,896	172,691	247,000	74,309	30.
Development Services	622,986	511,678	1,358,000	846,322	62.
Economic Development	83,937	110,878	211,000	100,122	47
FD 911	283,360	286,115	612,000	325,885	53.
FD Fire Protective Services	2,002,058	2,216,595	4,445,000	2,228,405	50.
FD Emergency Measures	17,314	14,024	42,000	27,976	66
Finance	411,619	493,616	1,082,000	588,384	54
Finance Cost Allocation	(465,000)	(465,000)	(465,000)	-	
Fiscal Expenditures	941,316	1,226,458	2,823,000	1,596,542	56
Governance	176,869	180,013	407,000	226,987	55
Grants	1,304,846	1,360,064	1,640,000	279,936	17
Information Technology	309,951	334,460	588,000	253,540	43
Parks	394,571	477,765	1,295,000	817,235	63
PW Engineering	248,732	266,996	723,000	456,004	63
PW Common Cost	2,262,995	2,300,851	4,859,000	2,558,149	52
Allocation of Common Cost	(1,989,597)	(2,095,604)	(4,719,000)	(2,623,396)	55
PW Vehicles	587,004	634,264	1,623,000	988,736	60
PW Vehicle Cost Allocation	(674,866)	(839,556)	(1,623,000)	(783,444)	48
RCMP	2,942,599	3,082,638	6,540,000	3,457,362	52
Rec. Centre Arena	189,676	234,446	441,000	206,554	46
Rec. Centre Civic Centre	736,152	884,008	1,802,000	917,992	50
Rec. Centre Community Services	5	440	3,000	2,560	85
Rec. Centre Pool	619,885.85	725,693	1,506,000	780,307	53
Roads	1,148,906	1,137,577	2,319,000	1,181,423	50
Transit	289,641	364,482	745,000	380,518	53
Victim Services	71,817	78,492	165,000	86,508	52
Watson Island	264,678	190,546	400,000	209,454	52
Transfer to Reserves	-	525,000	1,650,000	1,125,000	68
Special Projects	-	108,320	823,000	714,680	8
Capital Purchases	632,255	1,715,000	45,916,000	44,201,000	96
Capital Works	453,584	57,144	1,750,000	1,692,856	96
	15,519,134	18,436,174	83,274,000	64,837,826	77

	YTD 2021	YTD 2022	2022	Budgeted	
Utilities	Actual (\$)	Actual (\$)	Budget (\$)	Amount Left (\$)	% Left
Water					
Operating Revenue	2,509,819	2,598,414	3,058,000	(459,586)	(15.0
Funding from PR Legacy- Capital Works	-	1,996,967	5,300,000	(3,303,033)	(62.3
Funding from PR Legacy- Debenture Debt Payment		61,293	560,000	(498,707)	(89.0
Funding from LT Debt- MFA	2,284,590	356,599	850,000	(493,401)	(58.0
Funding from Reserves- Capital Works	-	4,100,000	9,450,000	(5,350,000)	(56.6
Funding from Appropriated Surplus- Captial Works	-	277,000	805,000	(528,000)	(65.5
Less: Capital Works	(2,480,095)	(6,993,899)	(17,097,000)	10,103,101	59.0
Net Revenue	2,314,314	2,396,374	2,926,000	(529,626)	(18.1
Operating Expenditure	1,081,900	1,406,284	2,926,000	1,519,716	51.9
Surplus /(Deficit)	1,232,414	990,090	-	990,090	-
Sewer					
Operating Revenue	2,293,983	2,356,290	2,715,000	(358,710)	(13.2
Funding from Grants- Capital Works	87,000	-	400,000	(400,000)	100.0
Funding from App Surplus- Capital Works	280,245	-	1,261,000	(1,261,000)	100.0
Funding from Reserves- Capital Works	-	-	100,000	-	100.0
Less: Capital Works	(1,110,476)	(270,053)	(2,825,000)	2,554,947	90.4
Net Revenue	1,550,752	2,086,237	1,651,000	435,237	26.3
Operating Expenditure	782,780	688,722	1,651,000	962,278	58.2
Surplus/(Deficit)	767,972	1,397,515	-	1,397,515	-
Solid Waste					
Operating Revenue	2,566,385	3,320,488	4,599,000	(1,278,512)	(27.8
Funding from Debenture Debt (MFA)- Capital Works	2,838,368	_	-	-	
Funding from Accruals- Capital Works	-	1,803,042	3,675,000	(1,871,958)	100.0
Funding from Reserves- Capital Works	-	850,000	3,976,000	(3,126,000)	100.0
Funding from CWF (Gas Tax)- Capital Works	-	-	1,130,000	(1,130,000)	100.0
Less: Capital Purchases	-	-	(1,500,000)	1,500,000	100.0
Less: Capital Works	(2,838,368)	(2,653,042)	(7,381,000)	4,727,958	(64.0
Net Revenue	2,566,385	3,320,488	4,499,000	(1,178,512)	(26.:
Operating Expenditure	1,414,037	2,124,321	4,499,000	2,374,679	52.7
Surplus /(Deficit)	1,152,348	1,196,167	, , ,	1,196,167	

CITY OF PRINCE RUPERT			
June 2022 Capital Purchases Budget Variance Report	Budget	Actual	Variance
Special Projects	823,000	108,320	714,680
Waterfront Landing	10,900,000	25,394	10,874,606
Ferry Dock & Pontoons Repair	175,000	-	175,000
Recreation	200,000	-	200,000
DOMED D. J. L. C.	26 400 000	405 430	25 004 500
RCMP Bulding	26,100,000	195,420	25,904,580
Civic Properties	6,500,000	1,389,375	5,110,625
Civic Froperties	0,300,000	1,369,373	3,110,023
Fire Department	1,381,000	_	1,381,000
The Department	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		2,302,000
Land Acquisition	50,000	47,165	2,835
		,	,
Watson Island	185,000	-	185,000
Public Works	425,000	57,646	367,354
Solid Waste	1,500,000	-	1,500,000
Total	\$ 48,239,000	\$ 1,823,320	\$ 46,415,680

CITY OF PRINCE RUPERT							
June 2022 Capital Works Budget Variance Report	Budget			Actual		Variance	
General Operating	\$	1,750,000	\$	57,144	\$	1,692,856	
Water Utility	\$	17,097,000	\$	6,993,899	\$	10,103,101	
Sewer Utility	\$	2,825,000	\$	270,053	\$	2,554,947	
Solid Waste Utility	\$	7,381,000	\$	2,653,042	\$	4,727,958	
Total	\$	29,053,000	\$	9,974,138	\$	19,078,862	



REPORT TO COUNCIL

Regular Meeting of Council

DATE: August 22, 2022

TO: Robert Buchan, City Manager

FROM: Corinne Bomben, Chief Financial Officer/Deputy City Manager

SUBJECT: AMENDED SUPPLEMENTARY LETTERS PATENT TAX SHARE

INFORMATION

RECOMMENDATION:

THAT Council receives this report for information purposes and directs staff to provide it to the District of Port Edward and the Inspector of Municipalities for their review.

REASON FOR REPORT:

This report is prepared in accordance with the requirements stipulated in the Amended Supplementary Letters Patent of May 4, 2020 (Appendix E) for Councils of the City of Prince Rupert, District of Port Edward and the Inspector of Municipalities.

BACKGROUND:

Information required and attached are:

- Population of the City of Prince Rupert and Village/District of Port Edward per the 2021 Statistics Canada's survey - 12,300 & 470 respectively compared to 12,220 and 467 reported in the 2016 Survey.
- Property Tax revenue shared with District of Port Edward (DoPE) over the past five years:

Year	Taxes paid to DoPE
2018	\$878,977.65
2019	\$1,253,182.21
2020	\$1,000,000.00
2021	\$1,014,752.58
2022	\$945,698.39

The assessments of land and improvement, property tax rates, amount of taxes received on the extension area and tax revenue paid to DoPE (Appendix A).

- The actual and projected volume of rail cars passing though DoPE (Appendix B (i)). Information provided by the Prince Rupert Port Authority (PRPA).
- The actual & estimated volume of all cargo, by type, exported from export terminals within the extension area (Appendix B (ii)). Information provided by PRPA.
- Results of Port Edward dust fall levels and noise monitoring were collected in 2020 and 2021 (Appendix C and Appendix D respectively). Reports provided by PRPA.

CONCLUSION:

That Council receive the report for information purposes and directs staff to provide the report as identified in the amended letters patent.

Report Prepared By:	Report Reviewed By:
Corinne Bomben Chief Financial Officer/Deputy City Manager	Robert Buchan, City Manager

Attachments:

- Appendix A Assessment of land & Improvements on extension area, property tax rates, taxes received and amount of revenue paid to District of Port Edward
- Appendix B (i) Actual & estimated Volume of rail cars passing through the District of Port Edward
- Appendix B (ii) Actual & Estimated Volume of cargo by type exported from the export terminals within the extension area.
- Appendix C PRPA Port Edward Dust fall Data 2020 & 2021 (https://public.envcloud.com/ppr/rupertport/)
- Appendix D PRPA Port Edward Noise Data 2020 2021
- Appendix E Province of British Columbia Order of the Lieutenant Governor in Council

August 22, 2022

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APENDIX A

APPENDIX B

(i) Volume of rail cars passing throught the District of Port Edward reported by Prince Rupert Port Authority (Tonnes)

	Projection 2022	YTD May 2022	2021	2020	2019	2018	2017
Imports	5,442,000	2,267,615	5,469,620	6,435,898	6,789,075	5,690,705	5,239,853
Exports	5,058,000	2,107,320	5,078,740	4,978,005	5,318,688	4,669,385	4,025,550
Total	10,500,000	4,374,935	10,548,360	11,413,903	12,107,763	10,360,090	9,265,403

(iii) Volume of Export Cargo by type from each export terminal in the extension area reported by Prince Rupert Port Authority (Tonnes)

	Projection 2022	YTD May 2022	2021	2020	2019	2018	2017
Prince Rupert Grain							
Barley	45,485	18,952	594,005	541,506	324,498	142,673	428,379
Canola	482,110	200,879	767,980	1,349,493	1,212,708	1,463,815	2,160,223
Grain Pellets	-	-	-	-	-	-	9,125
Canola Meal LP	-	-	-	-	10,450	-	-
Oats	-	-	-	-	8,800	6,500	21,641
Wheat	1,892,215	788,423	2,188,826	3,778,072	3,945,050	3,830,393	3,158,155
Total	2,419,810	1,008,254	3,550,811	5,669,071	5,501,506	5,443,381	5,777,523
Ridley Terminal							
LP Gas	1,696,627	706,928	1,493,876	1,159,207	648,569	-	-
M Coal	2,863,690	1,193,204	4,476,210	5,767,343	5,479,289	5,631,624	4,008,669
Petroleum Coke	970,949	404,562	1,576,913	1,417,490	1,470,206	1,347,658	1,539,791
T Coal	2,447,494	1,019,789	1,217,139	5,214,317	3,126,691	2,144,786	2,017,733
Total	7,978,759	3,324,483	8,764,138	13,558,357	10,724,755	9,124,068	7,566,193

Information obtained from the Prince Rupert Port Authority https://www.rupertport.com/cargo-volumes/

APPENDIX C

PRINCE RUPERT PORT AUTHORITY PORT EDWARD DUSTFALL MONITORING SITE RESULTS - 2020

PRPA dustfall monitoring sites in Port Edward are located at McKeown Field and the Port Edward Harbour Authority
Monthly dustfall samples are lab-filtered trhough a 0.841 mm screen and analyzed for total, fixed (e.g. inorganic material—silt, metals, etc.) and volatile (organic material) dustfall
Units are reported as milligrams per square decimetre per day (mg/(dm2-d) averaged over the monthly reporting period
The BC Ambient Air Quality Objective for total dustfall in a residential area is 1.7 mg/(dm2-d)

BCAAQO	Port Edward Dustfall Total Station-Port Edward Fixed Harbour Authority Volatile	Port Edward Dustfall Fixed Station—McKeown Field Fixed . Volatile	Sample Month Lab ID Date Exposed Date Retrieved
1.7	0.44 0.24 0.21	0.56 0.20 0.35	Jan-20 L2414581 1/7/2020 2/5/2020
1.7	0.51 0.37 0.15	0.44 0.35 0.09	Feb-20 L2427316 2/5/2020 3/9/2020
1.7	0.80 0.38 0.43	0.72 0.27 0.45	Mar-20 L2434138 3/9/2020 4/1/2020
1.7	0.33 0.17 0.16	0.58 0.17 0.40	Apr-20 L2443119 4/1/2020 4/30/2020
1.7	0.25 0.13 0.12	0.22 0.09 0.13	May-20 L2460357 4/30/2020 6/10/2020
1.7	0.31 0.10 0.21	0.15 0.08 0.08	Jun-20 L2470098 6/10/2020 7/2/2020
1.7	0.11 0.11 0.09	0.11 0.11 0.09	Jul-20 L2490372 7/2/2020 7/31/2020
1.7	0.09 0.12 0.09	0.09 0.09 0.09	Aug-20 VA20B4565 7/31/2020 9/3/2020
1.7	0.11 0.06 0.05	0.11 0.06 0.05	Sep-20 VA20B7149 9/3/2020 10/1/2020
1.7	0.17 0.15 0.02	n/a n/a n/a	Oct-20 VA20C0212 10/1/2020 11/4/2020
1.7	0.32 0.29 0.03	0.36 0.33 0.03	Nov-20 VA20C2663 11/4/2020 12/2/2020
1.7	0.35 0.22 0.13	0.70 0.29 0.40	Dec-20 VA21A0139 12/2/2020 1/4/2021

PRINCE RUPERT PORT AUTHORITY PORT EDWARD DUSTFALL MONITORING SITE RESULTS - 2021

PRPA dustfall monitoring sites in Port Edward are located at McKeown Field and the Port Edward Harbour Authority
Monthly dustfall samples are lab-fildred through a 0.841 mm screen and analyzed for total, fixed (e.g. inorganic material—sili, metals, etc.) and volatile (organic material) dustfall
Units are reported as milligrams per square decimetre per dely (my(dim2-d) averaged over the monthly reporting period
The BC Ambient Air Quality Objective for total dustfall in a residential area is 1.7 mg/(dm2-d)

BCAAQO	PRPA-9	PRPA-8	Sample Month Lab ID Date Exposed Date Retrieved
	Port Edward Dustfall Station - Port Edward Harbour Authority	Port Edward Dustfall Station - McKeown Field	
	Total · Fixed Volatile	Total Fixed Volatile	
1.7	. 0,53 0,37 0,16	0.54 0.40 0.14	Jan VA21A2034 . 1/4/2021 2/1/2021
1.7	0.10 0.10 0.09	0.10 0.10 0.09	Feb VA21A4372 2/1/2021 3/5/2021
1.7	0.52 0.39 0.13	0.49 0.40 0.09	Mar VA21A6801 3/5/2021 4/8/2021
1.7	0.51 0.23 0.28	0,58 0,35 0.23	Apr VA21A8628 4/8/2021 5/3/2021
1.7	0.34 0.19 0.15	0.25 0.17 0.08	May VA21B1062 5/3/2021 6/2/2021
1.7	60.0 60.0 60.0	0.32 0.18 0.13	Jun VA21B3773 6/2/2021 6/30/2021
1.7	0.16 0.13 0.03	0.17 0.13 0.04	Jul VA21B6294 6/30/2021 7/30/2021
1.7	0.19 0.10 0.09	0.15 0.08 0.08	Aug VA21B9852 7/30/2021 9/9/2021
1.7	0.27 0.18 0.09	3.78 2.49 1.29	Sep VA21C2035 9/9/2021 10/4/2021
1.7	0.39 0.23 0.16	0.33 0.18 0.15	Oct VA21C6413 10/4/2021 11/5/2021
1.7	п/а п/а п/а	п/а п/а п/а	Nov NO DATA 11/5/2021 12/2/2021
1.7	0.46 0.33 0.12		Dec VA22A0360 12/2/2021 1/4/2022

Night

42.8

44.1

42.5

38.8

39.0

38.3

38.7

42.3

38.1

APPENDIX D

PRINCE RUPERT PORT AUTHORITY
PORT EDWARD NOISE MONITORING SITE RESULTS - 2020

PRPA noise monitoring site in Port Edward is a receptor located at the FireHall and monitors sound that includes local rail traffic, Ridley Island, and Porpoise Harbour activities Units are reported as "A-weighted" decibels (GBA). A-weighting refers to a frequency filter that conforms to the response of the human ear.

Leg is a sound equivalency measure that averages highs and lows over a specific time range, expressed in dBA

Lag0 is a sound equivalency measure that records the noise level just exceeded for 90% of the time (i.e. "background noise"), expressed in dB

Lag0 is a sound equivalency measure that records the noise level just exceeded for 90% of the time (i.e. "background noise"), expressed in dB

Noise is not regulated to a common standard or objective. PRPA noise assessments generally reference the 55 dB daytime and 45 dB night time average value guidance prov

value guidance provided by Health Canada.

LAeq	Site . Deriod		Dort Edward Day	Night	LA90	Dariod	L	Jak	Dort Edward Day
		Jan	58.7	57.8			Jan	5	44.5
		Feb	58.9	57.0			Feb		45.7
		Mar	60.3	58:1		,	Mar	45.6	
		Apr	59.6	57.5			Apr	43.9	282
		May	58.9	57.3			May	42.2	200
	Mc	Jun	59.0	56.6		Mc	Jun	43.8	200
	Month	lnr	59.3	57.3		Month	· Inc	45.1	
		Aug	59.2	56.4			Aug	44.6	100
		Sep	58.9	56.4			Sep ·	44.2	40 4
		Oct	59.0	56.9			Oct	44.8	ò
_	-	Nov	58.9	57.6		-	Nov	44.6	
		Dec	58.8	57.0			Dec	4.1	440

PORT EDWARD NOISE MONITORING SITE RESULTS - 2021 PRINCE RUPERT PORT AUTHORITY

LAeq is a sound equivalency measure that averages highs and lows over a specific time range, expressed in dBA Units are reported as "A-weighted" decibels (dBA). A-weighting refers to a frequency filter that conforms to the response of the human ear. PRPA noise monitoring site in Port Edward is a receptor located at the FireHall and monitors sound that includes local rail traffic, Ridley Island, and Porpoise Harbour activities

LAeq

Noise is not regulated to a common standard or objective. PRPA noise assessments generally reference the 55 dB daytime and 45 dB night time average value guidance provided by Health Canada. LA90 is a sound equivalency measure that records the noise level just exceeded for 90% of the time (i.e. "background noise"), expressed in dB

		_	_			
	Site			Port Edward		Site
	Period	LA90	Night	Day		Period
Jan			5/.3	58.9	Jan	
Feb			56./	60.4	Feb	
Mar			57.5	60.4	Mar	
Apr			56.1	58.9	Apr	
May			54.9	58.7	May	
Jun	Мо		55.0	58.3	Jun	Mo
Jul	onth		50.7	54.7	Jul	Month
Aug			47.7	53.8	Aug	
Sep			49.4	54.2	Sep	
Oct			50.6	56.1	Oct	
Nov			50.9	57.6	Nov	
Dec			47.1	51.4	Dec	
	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov	d Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov	Period Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov	Night 57.3 58.7 57.5 56.1 54.9 55.0 50.7 47.7 49.4 50.6 50.9	Night 57.3 56.7 57.5 56.1 54.9 55.0 50.7 47.7 49.4 50.6 50.9 LA90 Period Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov	Day Sep Mar Apr May Jun Jul Aug Sep Oct Nov

APPENDIX E

PROVINCE OF BRITISH COLUMBIA ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 227

, Approved and Ordered

May 4, 2020

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the supplementary Letters Patent issued on March 13, 1980, by Order in Council 595/1980, are amended as set out in the attached Schedule.

Minister of Municipal Affairs and Housing

Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Local Government Act, R.S.B.C. 2015, c. 1, ss. 30 and 33

Other: OIC 595/1980

O10386337

SCHEDULE

- 1 The supplementary Letters Patent issued on March 13, 1980, by Order in Council 595/1980, are amended by striking out everything between "shall be apportioned between the City of Prince Rupert and the Village of Port Edward in the following manner:" and "AND THAT the area of the City of Prince Rupert be extended" and substituting the following:
 - (a) Of the tax revenue received for the 2020 taxation year, the City of Prince Rupert must pay \$1 000 000 to the Village of Port Edward on or before August 1, 2020.
 - (b) Of the tax revenue received for each taxation year subsequent to 2020, the City of Prince Rupert must, on or before August 1 of the taxation year, pay to the Village of Port Edward the amount that is equal to the sum of \$550 000 and the greater of the following:
 - (i) 4% of the tax revenue received for the taxation year;
 - (ii) the percentage of the tax revenue received for the taxation year that
 is equal to the ratio of the population of the Village of Port Edward
 to the combined populations of the City of Prince Rupert and the
 Village of Port Edward;

AND THAT, on or before April 30 of each taxation year subsequent to 2020, the City of Prince Rupert must notify the Village of Port Edward, in writing, of the amount of the tax revenue the City of Prince Rupert estimates will be paid to the Village of Port Edward for the taxation year, which amount must be based on the tax rates the City of Prince Rupert intends to establish for that taxation year,

AND THAT, after each census of population is published by Statistics Canada, the City of Prince Rupert must prepare a report containing the following information:

- (a) for each calendar year of the 5-year period up to and including the calendar year in which the census is taken, the report must contain the following:
 - the populations of the City of Prince Rupert and the Village of Port Edward as developed by the director under the Statistics Act;
 - (ii) the assessments of the land and improvements as set out in the revised assessment roll, as defined in the Assessment Act, in the extension area:
 - (iii) the property tax rates established by the City of Prince Rupert for the purpose of raising municipal revenue for the year;
 - (iv) the amount of tax revenue received by the City of Prince Rupert from the extension area and the amount of that tax revenue paid to the Village of Port Edward, as reported in an audited financial statement of the City of Prince Rupert applicable to the year;
- (b) for each year referred to in paragraph (a), the report must contain the following information if, for the year, the information is publicly available or has been provided to the City of Prince Rupert in circumstances that do not prohibit the City of Prince Rupert from disclosing the information:

- (i) the volume of rail cars passing through the Village of Port Edward in the year, as reported by the Prince Rupert Port Authority or the Canadian National Railway Company;
- (ii) the volume of all cargo, by type, exported in the year from each export terminal in the extension area, as reported by the Prince Rupert Port Authority;
- (iii) the data, if any, about air quality, including data relating to odour and dust, and about noise, light emissions and vibrations at each terminal within the extension area, as reported by the operator of a terminal or the Prince Rupert Port Authority;
- (c) the report must contain an estimate or prediction of any of the information described in paragraphs (a) (i) to (iv) or (b) (i) to (iii), and an estimate or prediction of any change in that information, that the City of Prince Rupert references, or relies on, in a publicly-available report or plan of the City of Prince Rupert;

AND THAT, in the year immediately after the census of population is taken, the City of Prince Rupert must provide the report, for the purposes of review, to

- (a) the municipal councils of the City of Prince Rupert and the Village of Port Edward, and
- (b) the inspector of municipalities appointed under section 758 of the Local Government Act;

AND THAT the Letters Patent of the City of Prince Rupert, as amended, be deemed to be further amended accordingly.



REPORT TO COUNCIL

Regular Meeting of Council

DATE: August 22nd, 2022

TO: Robert Buchan, City Manager **FROM:** Jeff Beckwith, Fire Chief

SUBJECT: Bylaw update - Fire Safety Inspections

RECOMMENDATION:

THAT Council direct staff to draft an amendment to City of Prince Rupert Fire Control and Protection Bylaw No. 2944, 1995 to adopt the recommended regular system of fire inspection as presented.

REASON FOR REPORT:

Currently, the City of Prince Rupert Fire Control and Protection Bylaw No. 2944 (1995) does not provide for a regular system of fire inspection.

Section 26 of the *BC Fire Services Act* requires a municipality to provide for a regular system of fire inspections of buildings within its jurisdiction.

Municipal duty to inspect hotels and public buildings

26 (1) A municipal council must provide for a regular system of inspection of hotels and public buildings in the municipality.

(2)A municipal council may authorize persons, in addition to the local assistant, to exercise within the municipality some or all of the powers under sections 21 to 23.

Establishment of this policy is recommended practice by the BC Office of the Fire Commissioner.

ANALYSIS:

Prior to the global pandemic, the Prince Rupert Fire Department conducted nearly 1000 fire safety inspections annually across the municipality. These inspections are guided by the requirements of the BC Fire Code and include commercial, mercantile, assembly and industrial occupancies (this does not include personal residential properties). While the responsibility to maintain a compliant property remains with the

owner or property representative, the municipality is legislated to conduct inspections to confirm these requirements are completed and that life safety needs are met.

While inspections have been carried out for many years in the community, this regular system of inspection has never been defined.

The global pandemic hindered fire inspections and many communities are now getting back into their inspection roles. Looking forward, now is an ideal time to define the inspection frequency within the municipality.

Policy:

This recommendation intends to outline a target frequency of fire inspections that is reasonable, without compromising life or fire safety.

- 1. Each occupancy and building within the boundaries of Prince Rupert is assigned an occupancy classification under the BC Building Code. This classification may be adjusted to meet fire and life safety objectives at the discretion of the Fire Chief or designate.
- 2. Fire Prevention inspections are to be carried out to the best of ability according to the following frequency:

OCCUPANCY TYPE	FREQUENCY
Group A	
Division 1 – Theatres	1 Year
Division 2 – Churches, Halls	1 Year
Night Clubs	1 Year
Schools	1 Year
Large Day Cares	1 Year
Restaurants/ Pubs	1 Year
Coffee Shops/Delis	2 Years
Division 3 - Arenas	1 Year
Group B	
Division 1 – Detention Centres	1 Year
Division 2 – Hospitals	1 Year
Division 3 – Care Facilities	1 Year
Group C	
Hotels, Motels	1 Year
Apartments	1 Year
Strata Communities	2 Years
Bed and Breakfast	Initial Only
Home Daycares	Initial Only

Group D	
Business/ Service	2 Years
Group E	
Mercantile	2 Years
Group F	
Division 1 – General	1 Year
Bulk Plants	1 Year
Spray Operations	1 Year
Division 2 – General	2 years
Service Stations	1 Year
Service Garages	2 Years
Division 3 - General	2 Years
Food Trucks	1 Year
Major Construction Sites	30 Days

- 3. When the target frequency cannot be met due to unforeseen issues, inspections may be rescheduled to a future time, at the discretion of the Fire Chief or designate.
- 4. This policy will be reviewed annually by the Fire Chief and modifications will be brought forward for Council consideration, as deemed necessary.

COST:

This policy defines the frequency of inspections within the municipality. There are no cost increases with this policy. The Department does experience minor expenses including travel within the City to carry out inspections and staff training.

CONCLUSION:

Section 26 of the *BC Fire Services Act* requires a municipality to provide for a regular system of fire inspections of buildings within its jurisdiction. It is recommended that Council adopt this proposal which defines a regular system of inspection for the municipality.

Report Prepared By:	Report Reviewed By:
Jeff Beckwith,	Robert Buchan,
Fire Chief	City Manager



REPORT TO COUNCIL

Meeting of Council

DATE: July 25, 2022

TO: Robert Buchan, City Manager

FROM: Rosa Miller, Corporate Administrator

SUBJECT: Bylaw Notification System

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:
Report i repared by.	Report Reviewed By.
Rosa Miller,	Dr. Robert Buchan,
Corporate Administrator	City Manager
110	

Brianne Bunko

From: Shannon Lough

Sent: August 5, 2022 9:03 AM **To:** Rosamaria Miller

Cc: Rosamana Mille

Subject: Resolution of Support request for Aug. 22 council meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Rosa,

I am forwarding this request for an item to be placed on the August 22nd Council agenda. Ecotrust Canada is seeking a Resolution of Support for our application to the NDIT Community Spaces Fund for \$30,000 to conduct two pop-up community markets this year, building toward a more permanent market event for Spring of 2023.

Is this something that we can add to the August 22nd agenda?

Here is some additional background information: With the funding from NDIT Ecotrust Canada is planning two trial pop-up markets this year, with a plan to implement a more regular market starting Spring of 2023. The first pop-up event will be on Saturday, August 27, from 1-4pm, based at The Wheelhouse and Hecate Strait Development Society in Cow Bay. This will include vendors that are selling fresh local produce, and other products. There will be food trucks, a bakery booth (e.g. YPR Sourdough), a beer garden (contained in the Wheelhouse) selling the Gose seaweed beer for a fundraiser to a local organization (to be determined), music, and a survey to gather information from people who come by the market. The next pop-up market is planned for early fall, with a date TBD.

Thank you for your time and consideration, and let me know if you have any follow up questions.

Thanks,

425-309 2nd Ave W, Prince Rupert, BC |

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CITY OF PRINCE RUPERT

ZONING BYLAW AMENDMENT BYLAW NO. 3492, 2022

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

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

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

- That Distillery be added as a permitted use under the C3: Service Commercial Zone exclusively at the lot legally described as Parcel A (See G4248) Block 36 Section 1 District Lot 251 Range 5 Coast District Plan 92.
- That Section 6.3 of the City of Prince Rupert Zoning Bylaw No. 3462, 2021 shall be amended according to Schedule 1 attached hereto and forming a part of this Zoning Bylaw Amendment Bylaw No. 3492, 2022.
- This Bylaw may be cited as "Zoning Bylaw Amendment Bylaw No. 3492, 2022.

Read a First time this 9th day of May, 2022.

Read a Second time this 9th day of May, 2022.

Public Hearing this 30th day of May, 2022.

Read a Third time this 30th day of May, 2022.

Ministry of Transportation & Infrastructure Approval this 15th day of August, 2022.

Final Consideration and Adopted this _____day of _____, 20__.

Approved under the Transportation Act this 15th day of August 2022	MAYOR
Ministry of Transportation & Infrastructure	CORRORATE ADMINISTRATOR
	CORPORATE ADMINISTRATO

Proposed Amendment

Specific to the property legally described as Parcel A (See G4248) Block 36 Section 1 District Lot 251 Range 5 Coast District Plan 92, Section 6.3 shall be amended as follows:

6.3 C3: Service Commercial Zone

Permitted Uses:

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

- a) Retail use.
- b) Cannabis retail stores (subject to section 3.17.0).
- c) Personal service establishment.
- d) Office.
- e) Traveler accommodation.
- f) Child Care Facility.
- g) Camp site.
- h) Theatre.
- i) Assembly Hall;
- i) Service commercial use.
- k) Service station.
- I) Distillery.

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

- a) Multiple family dwellings with separate exterior entrances.
- b) Recycling centres with no more than 300m² of the gross floor area.
- c) Accessory buildings and structures.
- d) Home Office.

Lot Coverage

For multiple family dwellings (excluding mixed use buildings) 50% of the site area.

Minimum Dimensions Required for Yards

Front yard 3.6 metres.

Maximum Building Height

Maximum of 17 metres.



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),
 - 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 v	will come in	to force a	and effect	upon the	date of Fina	al Reading.

Read a First time this 25 day of July , 2022.

Read a Second time this 25 day of July , 2022.

Read a Third time this 25 day of July , 2022.

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

Mayor

Corporate Administrator



PRINCE RUPERT BOULEVARD ROAD DEDICATION BYLAW NO. 3499, 2022

BEING A BYLAW TO OPEN A PORTION OF PRINCE RUPERT BOULEVARD ROAD ALLOWANCE

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 11th Avenue East.

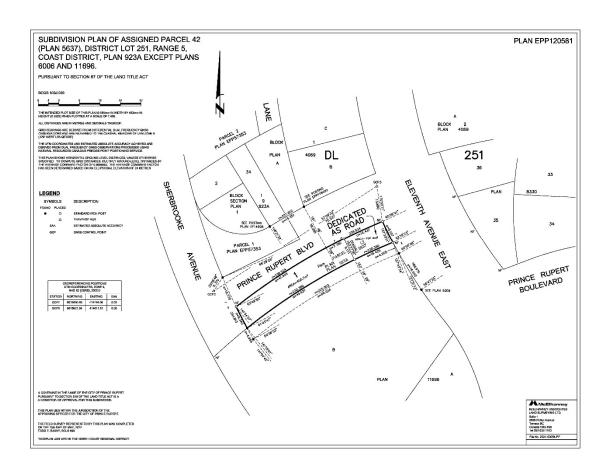
The Council of the City of Prince Rupert, in an open meeting assembled, enacts as follows:

- 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 <u>"PRINCE RUPERT BOULEVARD ROAD DEDICATION BYLAW NO. 3499, 2022"</u>

READ A FIRST TIME this 25th day of July , 2022.
READ A SECOND TIME this 25th day of July , 2022.
READ A THIRD TIME this day of, 2022.
MINISTRY OF TRANSPORTATION APPROVAL this day of, 2022 (APPROVAL NO).
FINALLY CONSIDERED AND ADOPTED this day of, 2022.
Mayor
Corporate Administrator

SCHEDULE "A" – ROAD DEDICATION PLAN (Explanatory) BYLAW NO. 3499, 2022





REPORT TO COUNCIL

Regular Meeting of Council

DATE: August 22, 2022

TO: Robert Buchan, City Manager

FROM: Corinne Bomben, Chief Financial Officer/Deputy City Manager

SUBJECT: POLICE DETACHMENT TEMPORARY BORROWING BYLAW

NO. 3502, 2022

RECOMMENDATION:

THAT Council Introduce and give First, Second and Third Readings to the Police Detachment Temporary Borrowing Bylaw No. 3502, 2022

REASON FOR REPORT:

Council has adopted Police Detachment Loan Authorization Bylaw No. 3484, 2022. This report seeks to obtain temporary financing for the purposes of construction.

ANALYSIS:

Under *Community Charter 181* Council is authorized to borrow temporarily up to the amount adopted in a loan authorization bylaw. Construction will occur prior to debenture financing is obtained therefore a temporary borrowing bylaw has been prepared for the Police Detachment Project that will enable the City to obtain the funds to discharge project obligations. Payments during this time will consist of interest only on amounts drawn down. Towards the end of the project and the final borrowing amount is known the City can trigger the long term debt by converting the temporary borrowing into debenture financing with the Municipal Financing Authority (MFA).

CONCLUSION:

By introducing and giving three readings to the bylaw, Council will enable the City to move towards obtaining financing for construction.

Report Prepared By:	Report Reviewed By:		
Corinne Bomben Chief Financial Officer/Deputy City Manager	Robert Buchan, City Manager		

Attachment:

• Police Detachment Temporary Borrowing Bylaw No. 3502, 2022

CITY OF PRINCE RUPERT

POLICE DETACHMENT TEMPORARY BORROWING BYLAW NO. 3502, 2022

BEING A BYLAW TO AUTHORIZE TEMPORARY BORROWING PENDING THE SALE OF DEBENTURES

WHEREAS it is provided by S. 181 of the *Community Charter* that the Council may, where it has adopted a loan authorization bylaw, without further assents or approvals, borrow temporarily under the conditions therein set out;

AND WHEREAS the Council has adopted Bylaw No. 3484, 2022, cited as Police Detachment Loan Authorization Bylaw, authorizing borrowing for the purpose of funding the Police Detachment Project, in the amount of Twenty Five Million dollars (\$25,000,000);

AND WHEREAS the sale of debentures has been temporarily deferred;

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

- 1. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of Twenty Five Million dollars (\$25,000,000), as the same may be required.
- The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and the Chief Financial Officer.
- 3. The money so borrowed shall be used solely for the purposes set out in Police Detachment Loan Authorization Bylaw No. 3484, 2022.
- 4. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.
- 5. This bylaw may be cited as "Police Detachment Temporary Borrowing Bylaw No. 3502, 2022".

READ A FIRST TIME this	day of	, 2022.
READ A SECOND TIME this	day of	, 2022.
READ A THIRD TIME this this	day of	2022

RECONSIDERED AND FINALLY PASSED AND ADOPTED thisday of, 2022.	
MAYOR	CORPORATE ADMINISTRATOR
Certified a true copy of Bylaw No	as adopted.
CORPORATE ADMINISTRATOR	