



## REGULAR MEETING

For the **REGULAR MEETING** of Council to be held on January 9, 2023 at 7:00 pm in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

### 1. CALL TO ORDER

### 2. ADOPTION OF AGENDA

**Recommendation:**

THAT the Agenda for the Regular Council Meeting of January 9, 2023 be adopted.

### 3. MINUTES

**a) Recommendation:**

THAT the Minutes of the Regular Meeting of December 5, 2022 be adopted.  
(attached)

### 4. REPORTS & RESOLUTIONS

**a) Report from Planning Re: Development Activity Reports for November and December 2022.**

(attached)

**Recommendation**

THAT Council receive and file the reports as provided.

**b) Report from the Director of Operations & Intergovernmental Relations Re: Public Works Building Update.**

(attached)

**Recommendation**

THAT Council receive and file the reports as provided.

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

(attached)

**Recommendation**

THAT Council receive and file the reports as provided.

**d) Report from the Corporate Administrator Re: Rural Economic Diversification and Infrastructure (REDIP) Fund Letter of Support for the**

**Prince Rupert Golf Club.**

(attached)

**Recommendation**

THAT Council direct Staff to provide a Letter of Support for the Prince Rupert Golf Club's application to the REDIP Fund for greens renovations, covering the driving range tees and possibly extending storage.

- e) Report from the Corporate Administrator Re: Rural Economic Diversification and Infrastructure (REDIP) Fund for Tourism Prince Rupert.**

(attached)

**Recommendation**

THAT Council direct Staff to provide a Letter of Support for Tourism Prince Rupert's application to the REDIP Fund their Mariner's Park Project.

- f) Report from the Chief Financial Officer Re: Property Values for PILT**

(attached)

**Recommendation**

THAT Council receive and file this report.

**5. BYLAWS**

- a) City of Prince Rupert Road Dedication Bylaw No. 3512, 2023.**

(attached)

**Recommendation:**

THAT Council introduce and give first reading to Zoning Amendment Bylaw No. 3512, 2023.

- b) City of Prince Rupert Road Dedication Bylaw No. 3513, 2023.**

(attached)

**Recommendation:**

THAT Council introduce and give first reading to Zoning Amendment Bylaw No. 3513, 2023.

- c) City of Prince Rupert Council Procedure Bylaw No. 3508, 2022.**

(attached)

**Recommendation:**

THAT Council give fourth & final reading to the City of Prince Rupert Council Procedure Bylaw No. 3508, 2022;

AND THAT Council rescind City of Prince Rupert Council Procedure Bylaw No. 3092 and all amendments thereto.

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



## MINUTES

For the **REGULAR MEETING** of Council held on December 5, 2022 at 7:00 p.m. in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

**PRESENT:** Mayor H. Pond  
Councillor R. Skelton-Morven  
Councillor W. Niesh  
Councillor G. Randhawa  
Councillor B. Cunningham  
Councillor N. Adey  
Councillor T. Forster

**STAFF:** J. Beckwith, Acting City Manager  
C. Bomben, Chief Financial Officer  
R. Miller, Corporate Administrator  
M. Pope, Planning Manager  
V. Stewart, Communications Manager

### 1. CALL TO ORDER

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

### 2. ADOPTION OF AGENDA

MOVED by Councillor Cunningham and seconded by Councillor Skelton-Morven THAT the Agenda for the Regular Council Meeting of December 5, 2022 be adopted as presented.

CARRIED

### 3. MINUTES

a) MOVED by Councillor Adey and seconded by Councillor Randhawa THAT the Minutes of the Special Council Meeting of November 21, 2022 be adopted.

CARRIED

b) MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT the Minutes of the Committee of the Whole Meeting of November 21, 2022 be adopted.

CARRIED

c) MOVED by Councillor Skelton-Morven and seconded by Councillor Niesh THAT the Minutes of the Regular Meeting of November 21, 2022 be adopted.

CARRIED

#### 4. REPORTS & RESOLUTIONS

##### a) Report from the Chief Financial Officer Re: 2023 Community Enhancement Grants

Councillor Skelton-Morven left the meeting at 7:10pm declaring a conflict for the National Aboriginal Day Committee.

Councillor Skelton-Morven returned to the meeting at 7:11pm.

Councillor Cunningham left the meeting at 7:11pm declaring a conflict for the Prince Rupert Seniors Centre Association.

Councillor Cunningham returned to the meeting at 7:12pm.

MOVED by Councillor Niesh and seconded by Councillor Randhawa THAT the 2023 Community Enhancement Grants be awarded as follows:

AFFNO	\$1,000 in-kind
CHSS Evergreen Program	\$1,000 & \$1,000 in-kind
Prince Rupert Community Arts Council	\$20,000
Prince Rupert Community Hallowe'en Fest Society	\$\$6,000 in-kind
Prince Rupert Crime Stoppers	\$500 in-kind
Prince Rupert Navy League	\$4,500 in-kind
Wildlife Rehab Shelter	\$6,600
Guns 'n' Hoses Charity Hockey Game	\$1,000 in-kind
Prince Rupert Skating Club	\$1,600 in-kind
Seniors Centre Association	\$1,000
National Aboriginal Day Committee	\$2,500 in-kind
Special Events Society	\$30,000 & \$12,000 in-kind
Tourism Prince Rupert	\$17,000

CARRIED

##### b) Report from the Director of Chief Financial Officer Re: Asset Management Strategy and Roadmap

MOVED by Councillor Randhawa and seconded by Councillor Adey THAT Council approve the City of Prince Rupert Asset Management Strategy and Roadmap.

CARRIED

**c) Report from the Planning Re: Development Variance Permit #22-21 for 539 – 6th Avenue West**

MOVED by Councillor Niesh and seconded by Councillor Cunningham THAT Council proceed with the approval for Development Variance (DVP) for 539 – 6th Avenue West.

CARRIED

**d) Report Planning Re: Development Variance Permit #22-22 for 1546 India Avenue**

MOVED by Councillor Niesh and seconded by Councillor Adey THAT Council proceed with the approval for Development Variance (DVP) for 1546 India Avenue.

CARRIED

**e) Report from the Planning Manager Re: Housing Needs Reports**

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven THAT Council receive and adopt the Prince Rupert Housing Needs Report.

CARRIED

**f) Report from the Communications Manager Re: UBCM Application for Cultural Humility Training Funding**

MOVED by Councillor Skelton-Morven and seconded by Councillor Randhawa THAT Council resolve to support the City's funding application to UBCM to fund the implementation of Indigenous Cultural Humility Training for emergency support personnel

CARRIED

**g) Report from the Director of Economic Development & Transportation Re: Business Façade Improvement**

MOVED by Councillor Randhawa and seconded by Councillor Adey THAT Council supports the application to Northern Development Initiative Trust from the City of Prince Rupert for a grant of up to \$20,000 for the Business Façade Improvement Program

CARRIED

**h) Report from the Corporate Administrator Re: Request for Support**

MOVED by Councillor Forster and seconded by Councillor Cunningham THAT Council direct staff to provide a letter of endorsement for the \$10aDay campaign Community Plan

CARRIED

## 5. BYLAWS

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

MOVED by Councillor Adey and seconded by Councillor Randhawa THAT Council give fourth & final readings to the City of Prince Rupert Zoning Amendment Bylaw No. 3493, 2022.

CARRIED

### b) **City of Prince Rupert Official Community Plan Amendment Bylaw No. 3479, 2022 (OCPA-22-01)**

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven THAT Council give first and second reading to City of Prince Rupert Official Community Plan Bylaw Amendment Bylaw No. 3479, 2022 to amend City of Prince Rupert Official Community Bylaw No. 3460, 2021 to specify that Council may allow a building height higher than contemplated by the Official Community Plan's building height framework for the City Core if Council considers a building to be low impact in terms of view obstruction;

AND proceed to Public Hearing

CARRIED

### c) **City of Prince Rupert Zoning Amendment Bylaw No. 3505, 2022 (ZBLA-22-08)**

MOVED by Councillor Forster and seconded by Councillor Adey THAT Council give first and second reading to City of Prince Rupert Zoning Amendment Bylaw No. 3505, 2022 to amend City of Prince Rupert Zoning Amendment Bylaw no. 3462, 2021 to permit one shipping container for temporary storage per property (placement on private property) in all zones with conditions as outlined in the current staff recommendation to Council under Framework 1 of this report;

AND proceed to Public Hearing

CARRIED

### d) **City of Prince Rupert Trade or Business Licence Amendment Bylaw No. 3509, 2022**

MOVED by Councillor Randhawa and seconded by Councillor Adey THAT Council give fourth & final readings to the City of Prince Rupert Trade or Business License Bylaw No. 3509, 2022

CARRIED

**e) City of Prince Rupert Ticket Information Bylaw No. 3510, 2022**

MOVED by Councillor Cunningham and seconded by Councillor Adey THAT Council give fourth & final readings to the City of Prince Rupert Ticket Information Bylaw No. 3510, 2022

CARRIED

**f) City of Prince Rupert Zoning Amendment Bylaw No. 3511, 2022**

MOVED by Councillor Niesh and seconded by Councillor Forster THAT Council introduce and gift first and second readings to Zoning Amendment Bylaw No. 3511, 2022;

AND THAT Council waives the Public Notice requirement.

CARRIED

**g) City of Prince Rupert Zoning Amendment Bylaw No. 3511, 2022**

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven THAT Council give third reading to the Zoning Amendment Bylaw No. 3511, 2022

CARRIED

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

**7. ADJORNMENT**

MOVED by Councillor Adey and seconded by Councillor Skelton-Morven THAT the meeting be adjourned at 8:09 pm.

CARRIED

Confirmed:

\_\_\_\_\_  
MAYOR

Certified Correct:

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



## REPORT TO COUNCIL

Regular Meeting of Council

**DATE:** January 9, 2023

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

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

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### **REASON FOR REPORT:**

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

### **SUMMARY:**

The table below provides a summary of the applications that were approved, approved with amendment(s), rejected, in progress, on hold, discontinued, or lapsed as of the end of November 2022.

In terms of development permits, three were approved. In terms of development variance permits, two were in progress. In terms of Zoning Bylaw amendments, three were in progress and three were on hold.

<b>File No.</b>	<b>Location</b>	<b>Proposal Description</b>	<b>Date Received</b>	<b>Status</b>	<b>Date of Decision</b>
<b>DP-22-21</b>	2250 Bellis Road	Application to have a sign.	October 26, 2022	Approved	November 4, 2022
<b>DP-22-22</b>	515 3 <sup>rd</sup> Avenue West	Application to have a sign.	November 16, 2022	Approved	November 28, 2022
<b>DP-22-23</b>	30 Cow Bay Road	Application to have a sign.	November 16, 2022	Approved	November 28, 2022
<b>DVP-22-21</b>	539 6 <sup>th</sup> Avenue West	Application to have a rear property line setback variance and a side property line setback variance to accommodate an existing/proposed second-storey alteration.	September 23, 2022	In Progress	N/A*  *The application has since been approved on December 5, 2022.
<b>DVP-22-22</b>	1546 India Avenue	Application to have a maximum lot coverage variance, a rear property line setback variance, and a side property line setback variance to accommodate a proposed attached garage.	September 28, 2022	In Progress	N/A*  *The application has since been approved on December 5, 2022.

<b>ZBLA-21-01</b>	712-714 McKay Street	Application to rezone from R2 to RM2.	April 7, 2021	On Hold*  *The application is on hold until the applicant provides additional documentation.	N/A
<b>ZBLA-22-01</b>	1307-1309 Sloan Avenue	Application to rezone from R2 to RM1.	January 20, 2022	On Hold*  *The application is on hold in consideration of a Zoning Bylaw amendment proposal.	N/A
<b>ZBLA-22-02</b>	542 8 <sup>th</sup> Avenue East	Application to rezone from R2 to RM2.	January 31, 2022	On Hold*  *The application is on hold in consideration of a Zoning Bylaw amendment proposal.	N/A
<b>ZBLA-22-03</b>	125 3 <sup>rd</sup> Avenue East	Application to rezone from C5 to P1.	March 23, 2022	In Progress*  *With Council.	N/A*  *The application has since been approved on December 12, 2022.

<p><b>ZBLA-22-05</b></p>	<p>N/A</p>	<p>Omnibus Zoning Bylaw Amendment. Section 1 covers twelve items including the addition and alteration of definitions, permitted uses within existing zones, and signage regulations, as well as the removal of the Marina District Zone from the section for Industrial Zones and the consequent renumbering. Section 2 covers accessory dwelling units including the proposed permitting of lock-off suites in multi-family buildings and secondary suites in duplexes.</p>	<p>April 25, 2022</p>	<p>In Progress*  *With Council.</p>	<p>N/A*  *The application has since been approved on December 5, 2022.</p>
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<b>ZBLA-22-07</b>	N/A	Zoning Bylaw Amendment to remove parking requirements in a specified area.	October 25, 2022	In Progress* *With Council.	N/A
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**Report Prepared By:**

**Report Reviewed By:**

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Daniel Rajasooriar,  
Planner

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Robert Buchan,  
City Manager



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** January 9, 2023

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

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

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

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

#### **SUMMARY:**

The table below provides a summary of the applications that were approved, approved with amendment(s), rejected, in progress, on hold, discontinued, or lapsed as of the end of December 2022.

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

<b>File No.</b>	<b>Location</b>	<b>Proposal Description</b>	<b>Date Received</b>	<b>Status</b>	<b>Date of Decision</b>
<b>DP-22-24</b>	330 3 <sup>rd</sup> Avenue West	Application to change siding.	December 8, 2022	Approved	December 14, 2022
<b>DP-22-25</b>	1080 3 <sup>rd</sup> Avenue West	Application to have signs.	December 9, 2022	Approved	December 14, 2022
<b>DVP-22-21</b>	539 6 <sup>th</sup> Avenue West	Application to have a rear property line setback variance and a side property line setback variance to accommodate an existing/proposed second-storey alteration.	September 23, 2022	Approved	December 5, 2022
<b>DVP-22-22</b>	1546 India Avenue	Application to have a maximum lot coverage variance, a rear property line setback variance, and a side property line setback variance to accommodate a proposed attached garage.	September 28, 2022	Approved	December 5, 2022

<b>OCPA-22-01</b>	N/A	Official Community Plan Amendment to specify that Council may allow a building height higher than contemplated by the Official Community Plan's building height framework for the City Core if Council considers a building height to be low impact in terms of view obstruction.	December 5, 2022	In Progress*  *With Council.	N/A
<b>ZBLA-21-01</b>	712-714 McKay Street	Application to rezone from R2 to RM2.	April 7, 2021	On Hold*  *The application is on hold until the applicant provides additional documentation.	N/A
<b>ZBLA-22-01</b>	1307-1309 Sloan Avenue	Application to rezone from R2 to RM1.	January 20, 2022	Discontinued*  *The application was on hold in consideration of a Zoning Bylaw amendment proposal that has since been approved on December 5, 2022.	N/A

<p><b>ZBLA-22-02</b></p>	<p>542 8<sup>th</sup> Avenue East</p>	<p>Application to rezone from R2 to RM2.</p>	<p>January 31, 2022</p>	<p>Discontinued*</p> <p>*The application was on hold in consideration of a Zoning Bylaw amendment proposal that has since been approved on December 5, 2022.</p>	<p>N/A</p>
<p><b>ZBLA-22-03</b></p>	<p>125 3<sup>rd</sup> Avenue East</p>	<p>Application to rezone from C5 to P1.</p>	<p>March 23, 2022</p>	<p>Approved</p>	<p>December 12, 2022</p>

<p><b>ZBLA-22-05</b></p>	<p>N/A</p>	<p>Omnibus Zoning Bylaw Amendment. Section 1 covers twelve items including the addition and alteration of definitions, permitted uses within existing zones, and signage regulations, as well as the removal of the Marina District Zone from the section for Industrial Zones and the consequent renumbering. Section 2 covers accessory dwelling units including the proposed permitting of lock-off suites in multi-family buildings and secondary suites in duplexes.</p>	<p>April 25, 2022</p>	<p>Approved</p>	<p>December 5, 2022</p>
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<b>ZBLA-22-07</b>	N/A	Zoning Bylaw Amendment to remove parking requirements in a specified area.	October 25, 2022	In Progress* *With Council.	N/A
<b>ZBLA-22-08</b>	N/A	Zoning Bylaw Amendment to permit one shipping container for temporary storage per property (placement on private property) in all zones with conditions.	December 5, 2022	In Progress* *With Council.	N/A

**Report Prepared By:**

**Report Reviewed By:**

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Daniel Rajasooriar,  
Planner

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Robert Buchan,  
City Manager



## REPORT TO COUNCIL

### Meeting of Council

**DATE:** January 9th, 2023  
**TO:** Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations  
**SUBJECT:** **PUBLIC WORKS BUILDING UPDATE**

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#### **RECOMMENDATION:**

**THAT Council receives and files this Report for information purposes**

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

The City of Prince Rupert Public Works temporary facility is in a state of failure. The Staff has identified a location that will suit the needs of the Public Works Department, and the City has entered into a Lease with an option to purchase.

#### **BACKGROUND:**

The current Public Works yard dates back to the early 1950s and has seen little renewal over the years. In 2016, the Department completed an extensive assessment that brought forward many safety hazards, including the presence of mold, electrical code non-compliances, and, most of all, structural deficiencies. This unfortunate assessment rendered the building unsafe and made the Staff only use the main Public Works building for transient occupancy and move into used secondhand portables from Kitimat. These portables were a temporary stop-gap and are now starting to leak, have electrical and heating issues, and showing signs of overall failure.

Public Works is an essential part of our organization and with the cost of a new building estimated to be well over \$7M, the Staff looked to find an existing facility that can be renovated to suit.

#### **CURRENT OPPORTUNITY:**

After the GM Dealership officially closed, City Staff approached the owners for an option to lease or purchase the property for the new Public Works facility. The

owners were interested so the Staff assessed the building for the needs of the Public Works. It was determined that the space available fits Public Works' needs with some renovations required. The building will need some interior work to allow more washrooms, offices, and a first aid area. The building has a mechanics shop with bays large enough for our fire truck, room for a welding shop, and a small warehousing area. The idea is to use this facility as Public Works' primary location, and keep all raw materials like aggregate, salt/sand, and piping at the old yard.

**PROGRESS TO DATE:**

- MacCarthy Motors Ltd. and City have entered into a Lease and the Staff will be recommending to Council that the City exercise the option to purchase the property;
- Initial functional design for the building layout is complete;
- RFP for the replacement of the mezzanine has been issued and awarded;
- Review of HVAC is underway
- Design of a new lunchroom, washroom, locker room, and first aid is proposed to commence just inside the new year.

**BUDGET:**

The Operations Department has been working closely with the Finance Department and early projects put completion of this work in late 2023 and at approximately \$5M inclusive of property purchase. However, the cost could see some escalation during these uncertain times.

**CONCLUSION:**

**THAT Council receives this Report for information purposes.**

**Report Prepared By:**

**Report Reviewed By:**

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Richard Pucci,  
Director of Operations &  
Intergovernmental Relations

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Robert Buchan,  
City Manager



## REPORT TO COUNCIL

### Meeting of Council

**DATE:** January 9th, 2023  
**TO:** Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations

**SUBJECT: MAJOR PROJECTS – MONTHLY UPDATE**

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

The City of Prince Rupert has several active Major Projects in various states 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.

#### **RCMP Detachment – 25% Complete.**

- Construction Awarded

#### **SCADA System Upgrade – 15% Complete.**

- Design in progress

#### **Sewer Treatment Program – 15% Complete.**

- 100% of design drawings are complete for the pilot program and approved to proceed

#### **Submarine Line – 15% Complete.**

- Design in progress

#### **Water Treatment – 10% Complete.**

- Staff is working on the RFP to release

#### **Waterfront Project – 15% Complete.**

- Bathymetric Survey is complete

January 9, 2022

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- Functional assessment complete

**Woodworth Dam – 100% Complete.**

- The Woodworth Dam Project is complete.
- Pipe is live and waiting for approval for community use

**COST:**

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

**Report Prepared By:**

**Report Reviewed By:**

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Richard Pucci,  
Director of Operations &  
Intergovernmental Relations








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Robert Buchan,  
City Manager

Attachment(s):

- Major Projects Progress Chart

# Major Project Update

MAJOR PROJECT	PRIORITY	STATUS	% COMPLETE
RCMP Detachment	High	In Progress	 25%
SCADA System Upgrade	High	In Progress	 15%
Sewer Treatment Program	High	In Progress	 15%
Submarine Line	High	In Progress	 15%
Water Treatment	High	In Progress	 10%
Waterfront Project	High	In Progress	 15%
Woodworth Dam	High	In Progress	 100%

## Rosamaria Miller

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**From:** Caroline Butler <cbutlerdickens@gmail.com>  
**Sent:** December 13, 2022 4:44 PM  
**To:** Rosamaria Miller; Farwest Sports  
**Subject:** letter of support

**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 Rosamaria

The PRGC is applying to the REDIP program for a grant. Sorry for the short notice close to the holidays. The application is due January 4th.

Is it possible to get a letter of support prior to the deadline?

<https://www2.gov.bc.ca/gov/content/employment-business/economic-development/support-organizations-community-partners/rural-economic-development/redip#streams-eligibility>

This is another ask for the Revitalization and Accessibility project which we have PRPA CIF for, and are still waiting to hear from BC Gaming Capital and the latest NDIT intake.

We are finalizing the budget for this application but are expecting it to be about a \$500 000 ask (with the club contributing 20%, some of that in kind).

More greens renovations, covering the driving range tees and possibly extending the storage.

Suggested wording:

The City of Prince Rupert supports the Prince Rupert Golf Club's application to the Rural Economic Diversification and Infrastructure Program's Economic Diversification fund, for an implementation project. The PRGC is actively seeking funding for components of its Revitalization and Accessibility project that will enhance the safety, sustainability, accessibility and playability of the golf course. This project will result in significant economic benefits and will enhance an important community recreational and tourism asset.

Thanks,  
Caroline

Date

**RE: Support for Tourism Prince Rupert's Revitalization of Mariner's Park.**

To whom it may concern:

On behalf of \_\_\_\_\_, we would like to express our support for Tourism Prince Rupert's application to the REDIP Fund for the revitalization of Mariner's Park in Prince Rupert.

The revitalization of Mariner's Park will provide a flagship public green space in Prince Rupert. The park's prominent location in the heart of Prince Rupert makes it an ideal location for an iconic feature that is both rooted in local values and uniquely memorable to visitors.

The project will rejuvenate existing park infrastructure, which will include replacing the uneven and inaccessible paving in the plaza and introducing new public amenities and event infrastructure including seating and Indigenous planting in the re-surfaced plaza, a covered outdoor events space, and public art by local Indigenous artists. The project will also include interpretive infrastructure to help orient visitors.

(Opportunity for you to add information about your financial contribution, interest in the project, etc)...

Sincerely,



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** August 11, 2020  
**TO:** Robert Buchan, City Manager  
**FROM:** Corinne Bomben, Chief Financial Officer

**SUBJECT: PROPERTY VALUES FOR PILT**

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#### **RECOMMENDATION:**

**THAT Council receive this report for information purposes.**

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

At the August 22 regular meeting of Council, council asked to have the values of Prince Rupert Port Authority lands for the periods reflected on the report provided at that same meeting. This report is provided in response to that request.

#### **BACKGROUND:**

The City can only request a Payment in Lieu of Taxes (PILT) from federal entities given they are not subject to taxation like property tax payers are. As with property tax calculations, the City uses BC Assessment values to send the PILT request to the federal entity. The City sent a request for PILT to the Prince Rupert Port Authority (PRPA) based on the values provided by BC assessment and the PRPA made the payments which are characterized as interim PILT payments while the PRPA contracts with a private appraiser to give them a value of their lands with which the port makes a final determination of values. Once that final determination is made, the City has 90 days to appeal to a panel charged with providing advice pertaining to the resolution of federal property value disputes called the dispute advisory panel (DAP).

#### **ANALYSIS:**

The following table (*Table 1*) provides the values originally used for interim PILT payment to the City and the final determination of value provided by the PRPA.

Table 1

<b>Land and Improvement values of PRPA property 2019 through 2022</b>				
	2019	2020	2021	2022
Original Value	72,820,400	72,707,000	139,359,600	27,046,900
Final Value	25,728,860	26,144,460	26,266,260	Not determined
Difference	47,091,560	46,562,540	113,093,340	

The City has applied to the Dispute Advisory Panel to challenge the final determination of values for years 2018 through 2021. No date has been set for this proceeding.

Dependent on the outcome of the DAP proceedings any advice provided to the PRPA could impact the PILT already received for those years. If any amount is found to be owing to the PRPA on the basis of land values, those amounts would negatively impact future budgets of the City through further reduction in PILT.

Staff were asked to enquire about the PRPA’s compensation policy and payments made to PRPA staff in the relevant dispute years. The following information is provided (*Table 2*) as requested and the policies are provided as attachments to this report:

Table 2

<b>Year*</b>	<b>Total Variable Compensation Program Payments to Executive and Non-Executive Staff of PRPA</b>
2018	\$1,706,999.27
2019	\$1,983,220.06
2020	\$1,946,947.70
2021	\$1,761,506.88

**Report Prepared By:**

**Report Reviewed By:**

\_\_\_\_\_  
 Corinne Bomben  
 Chief Financial Officer

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

Attachments:

- PRPA Annual Variable Compensation Program for Executive Staff (January 9, 2014)
- PRPA Annual Variable Compensation Program for Non-Executive Staff (March 6, 2014)



**PRINCE RUPERT  
PORT AUTHORITY**

LINKING A WORLD OF OPPORTUNITY

# VARIABLE COMPENSATION PROGRAM

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Executive  
Staff

**January 09, 2014**

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# VARIABLE COMPENSATION PROGRAM FOR EXECUTIVE STAFF

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## **PROGRAM OBJECTIVES**

The Variable Compensation Program payout is a component of the Total Compensation of an employee.

The Objectives of the Executive Variable Compensation Program are:

- To provide a competitive plan which will facilitate in attracting, motivating and retaining talents;
- To support PRPA's corporate strategic plans and focus employees' attention and efforts on PRPA's business plan and priorities; and
- To encourage and equitably recognize team and individual performance.

## **PROGRAM ELIGIBILITY**

All Executive staff are eligible to participate in the Program.

“Executives” refer to the President & CEO and functional department VPs reporting directly to the President & CEO.

The following are the current Executive positions:

- President & CEO
- Vice-President, Finance
- Vice-President, Operations & Harbour Master
- Vice-President, Trade Development & Public Affairs
- Vice- President, Commercial & Regulatory Affairs
- Vice-President, Project Development

## **PROGRAM OVERVIEW**

Variable compensation awards are determined by the successful achievement of specific corporate-wide and individual performance criteria.

Corporate performance recognizes team performance, while individual performance recognizes the contributions of individual executives. The effect of basing the Variable Compensation Program awards on both corporate and individual performance is to focus the executive's attention and efforts on achieving the corporate business plan while recognizing PRPA's priorities.

Variable compensation awards are made to the executive following the end of each calendar year.

## KEY FEATURES OF THE PROGRAM DESIGN

There are **three** key features in the Program Design:

1. There is a balance between shared Corporate Goals and Individual Objectives.
2. Corporate and individual performance is additive (vs. multiplicative).
3. There is an opportunity to earn a payout above target if performance warrants.

## BALANCE BETWEEN SHARED CORPORATE GOALS AND INDIVIDUAL OBJECTIVES

- Corporate performance is focused on PRPA's financial health and execution of the Strategic Plan.
- This is supported by Individual/Departmental Goals.
- The performance measures need not reflect the full spectrum of responsibilities, but only those outcomes that make the most significant contribution to the success of the organization.
- The weighting between corporate and individual performance is as follows:

CRITERIA	PRESIDENT & CEO	VICE-PRESIDENTS
CORPORATE PERFORMANCE	90%	70%
INDIVIDUAL PERFORMANCE	10%	30%
Total:	100%	100%

## CORPORATE AND INDIVIDUAL PERFORMANCE ADDITIVE

Corporate and individual performance is additive (vs multiplicative). This will provide a level of protection against unforeseen circumstances as individual performance does not depend directly on corporate performance (except in situation where corporate financial performance is below Threshold).

### Opportunity to Earn Payout above Target

- The following are the Target Payouts for executives:

	PRESIDENT/CEO	VICE-PRESIDENTS
TARGET INCENTIVE AWARD (% of Salary)	50.0%	30.0%

- There is an opportunity to earn a payout above target if performance warrants.

## MEASURING CORPORATE PERFORMANCE

Prior to the beginning of each fiscal year, the Board of Directors approves a Corporate Performance Measures plan that outlines the Target or expected levels of performance for a number of corporate-wide objectives. These performance measures include both financial (Net Income results compared to Budget) as well non-financial measures related to the advancement of business development objectives linked to the PRPA's Strategic Plan.

Following the end of each fiscal year and once the results of the performance measures are known, the Board of Directors makes a determination of the success of attaining the corporate-wide measures as outlined in the Corporate Performance Measures plan.

The multiplier for Corporate Performance (based on the overall corporate performance results) is as follows:

**TABLE 1 – CORPORATE PERFORMANCE MULTIPLIER**

PERFORMANCE MEASURES	MULTIPLIER (BASED ON RESULTS)		
	THRESHOLD	TARGET	EXCEEDS
Corporate Performance	0.5	1.0	1.5

## **MEASURING INDIVIDUAL PERFORMANCE**

Individual performance is measured by the assessment of achievements in key result areas established at the beginning of the year.

# OVERVIEW OF PLAN DESIGN

## CORPORATE PERFORMANCE\*

## INDIVIDUAL PERFORMANCE\*

**CEO – 90% Weight  
VPs – 70% Weight**

**CEO – 10% Weight  
VPs – 30% Weight**

**Target Bonus**  
(% of Salary)

**X**

**Financial Health (50%)**  
1 to 2 Key Measures, e.g.:

- Net Income (25%)
- Cash Flow (25%)

**Business Growth (50%)**  
Measured by progress toward Key Project Milestones (e.g., Phase 2 Construction – Container Port)

**+**

**Potential Categories:**

- **Up to 2 key Departmental Goals (does not apply to CEO)**, (e.g., growth in cruise business, growth in container traffic);
- **Leadership** (e.g., as rated by Peers/Direct Reports)
- **Stakeholder Relations (CEO only)** – Board and community relations

INDIVIDUAL MEASURE*	WEIGHT
Key Department Goals	<ul style="list-style-type: none"> <li>• CEO – Not applicable</li> <li>• VPs – 70%</li> </ul>
Leadership	<ul style="list-style-type: none"> <li>• CEO – 50%</li> <li>• VPs – 30%</li> </ul>
Stakeholder Relations	<ul style="list-style-type: none"> <li>• CEO – 50%</li> <li>• VPs – Not applicable</li> </ul>

\*Weight may be adjusted at the beginning of each year

## Corporate Performance Measures

The following is an illustration of the Corporate Performance Measures and their respective weight:

NO.	STRATEGIC OBJECTIVE	CORPORATE PERFORMANCE MEASURE	WEIGHT
1.	Financial Health	1. Net Income 2. Cash Flow vs Budget	50%
2.	Business Growth & Expansion	Progress Towards Key Project Milestones	50%

## Individual Performance Measures

The following is an illustration of the Individual Performance Measures and their respective weight:

NO.	INDIVIDUAL PERFORMANCE MEASURE	WEIGHT	
		PRESIDENT/CEO	VPs
1.	Key Department Goals	0%	70%
2.	Leadership	50%	30%
3.	Stakeholder Relations	50%	0%
	Total:	100%	100%

## Calibration of Performance Ranges

- The incentive program is target-based and will result in one of the outcomes listed below.
- **Threshold** payout level is at 50% of the Target Award.

PERFORMANCE	RESULT	LINK TO PRPA'S COMPENSATION PHILOSOPHY	PAYOUT	
			PRESIDENT /CEO	VPs
<b><i>Below Expectations</i></b>	<p><b>Threshold</b> is the minimum level of acceptable performance.</p> <p>Performance <u>between</u> Threshold and Target results in payout below Target (e.g., 90% of Target)</p>	Employee's Total Cash Compensation would be below Target (50% percentile)	<p><b>25.0%</b></p> <p>(Threshold of 50% of Target)</p>	<p><b>15.0%</b></p> <p>(Threshold of 50% of Target)</p>
<b><i>Meets Expectations</i></b>	<p>Represents the level of performance that is expected of the employee (and Department/PRPA)</p> <p>Results in a payout of <u>100%</u> of Target Bonus opportunity</p>	Employee's Total Cash Compensation would be positioned at Target (50% percentile)	<p><b>50.0%</b></p> <p>(100% of Target)</p>	<p><b>30.0%</b></p> <p>(100% of Target)</p>
<b><i>Exceeds Expectations</i></b>	<p><b>Maximum</b> is the level of performance above which no incremental awards would be earned</p> <p>Performance <u>between</u> Target and Maximum results in a payout above Target (e.g., 125% of Target)</p>	Employee's Total Cash Compensation would be above Target (50% percentile)	<p><b>75.0%</b></p> <p>(Maximum of 150% of Target)</p>	<p><b>45.0%</b></p> <p>(Maximum of 150% of Target)</p>

## Illustrative Payout Calculation

The Table below provides an illustrative payout calculation for a Vice-President:

VP's SALARY	TARGET BONUS
\$160,000	30% (\$48,000)

**A**

CORPORATE PERFORMANCE		INDIVIDUAL PERFORMANCE	
70% Weight		30% Weight	
Net Income/Cash Flow 50% Weight	Business Growth 50% Weight	Department Goals 70% Weight	Leadership 30% Weight

**B**  
**C**

### Payout Calculation:

	Net Income/Cash Flow	Business Growth	Department Goals	Leadership
<b>PERFORMANCE (Assume)</b>	Assume 100% of Target Performance	Assume 75% of Target Performance	Assume 150% of Target Performance	Assume 125% of Target Performance
<b>PAYOUT (%)</b>	30% x 50% x 50% x 100% = 7.5%	30% x 50% x 50% x 75% = 5.63%	30% x 50% x 70% x 150% = 15.75%	30% x 50% x 30% x 125% = 5.63%

**D**  
**E = A x B x C x D**

Total Payout (\$) = (7.5% + 5.63% + 15.75% + 5.63%) of Salary  
 = **34.51%** of Salary  
 = 34.51% x \$160,000  
 = **\$55,216**

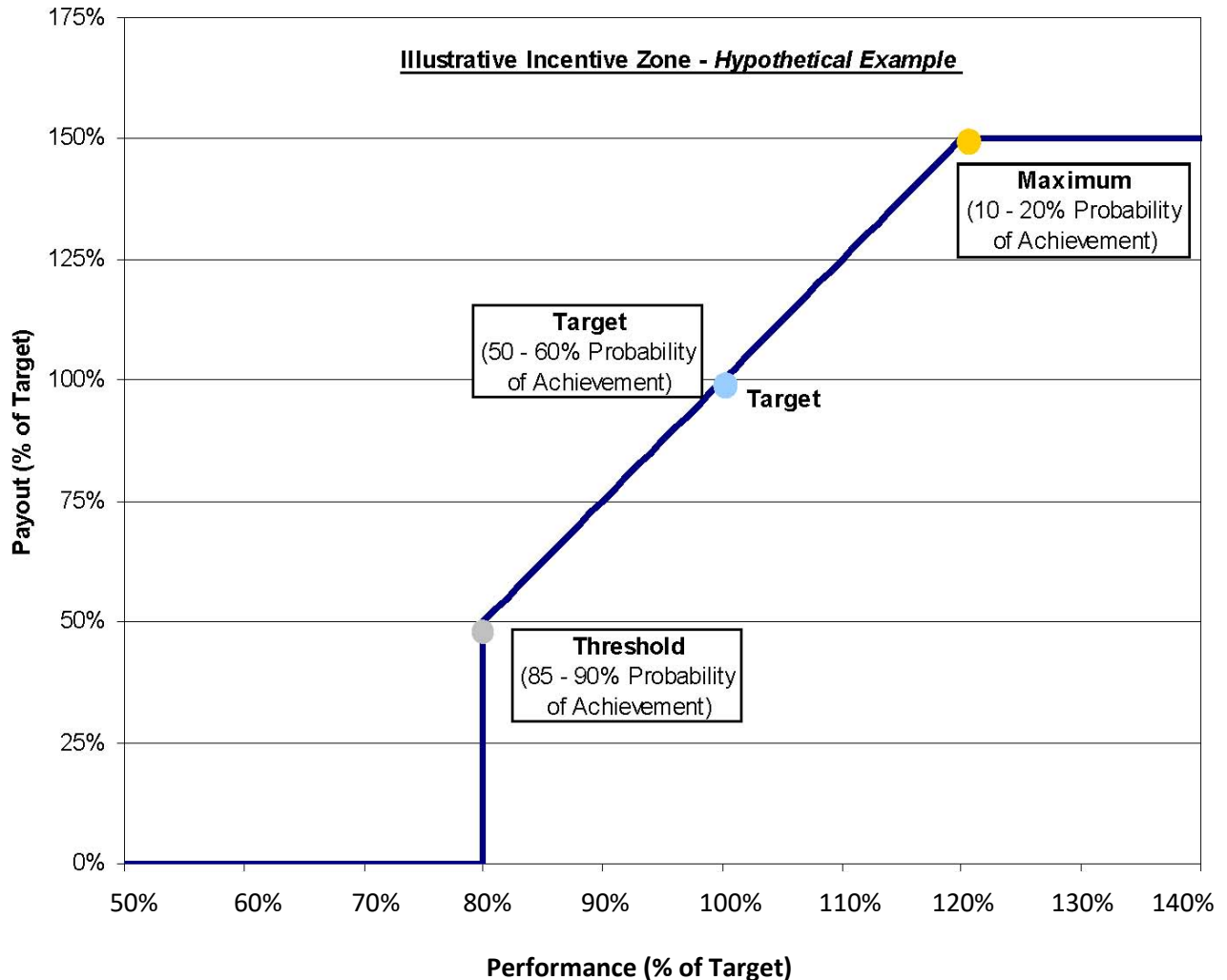
Payout as % of Target Bonus = \$55,216/\$48,000  
 = **115.0%**

## Performance Outcomes for Financial/Objective Measures

- Financial/Objective measures consist of measurable/quantifiable goals, or goals where it is possible to develop a range of performance outcomes with a fair degree of certainty, for example, *Net Income and Cash Flow vs. Budget, Growth in Container Traffic, Growth in the Cruise Business, and Progress towards Key Project Milestones.*
- Generally, the narrower the performance zone, the more predictable is the measure. For example, for *Net Income*, the typical market performance zone is 80% - 120% of the Target incentive level. A wider range is often required for a more volatile measure such as *Cash Flow*.
- It is recognized that PRPA’s business is impacted by commodity cycles (e.g., price of coal/grain) and a wider zone than market typical standards may be required to take into account potential volatility in business results.
- For the performance measure pertaining to “*Progress towards Key Project Milestones*”, a performance zone can be established based on progress vs. pre-established timelines, Costs vs. Budget, or progress towards agreements with Third Parties (e.g., Terminal Operator, First Nations).
- In instances where it may be too difficult to determine a specific Threshold, Target and Maximum for a given project, Target performance may have to be defined in broad terms. At the end of the performance period, some degree of judgment is required in assessing relative performance.
- In establishing ranges for Financial/Objective measures, the manager will consider the difficulty of achievement in relation to the desired probability of achievement when establishing performance levels. A common approach is to calibrate measures as follows:

	<b>PROBABILITY OF ACHIEVEMENT</b>
<b>Threshold</b>	<b>85% – 90%</b>
<b>Target</b>	<b>60% - 70%</b>
<b>Maximum</b>	<b>10% - 20%</b>

- In determining the probability of achievement, the manager will consider factors such as PRPA's experience in establishing stretch objectives (i.e., on average, how often is Target performance achieved), the rigor in the budgeting process, etc.



- The Chart above provides an illustration of the performance incentive zone.

## Non-Financial/Subjective Measures

- Non-Financial/Subjective Measures consist of goals which are inherently more difficult to define and require judgment to evaluate at the end of the performance period.
- Some examples of Non-Financial/Subjective measures are *Leadership*, *Stakeholder Relations*, *Non-Financial Department Goals* (e.g., development of a new Human Resources strategy), and *Progress towards Key Project Milestones*.

- “Target” performance is defined in broad terms and judgment is used at the end of a performance period to determine actual performance relative to Target.
- Methods to evaluate “Leadership” may include 360 Degree Feedback.
- Methods to evaluate “Stakeholder Relations” may include timeliness of reporting to the Board, the Board’s assessment of various qualitative attributes (e.g., conduct/demeanor in interaction with the Board), and feedback from external parties (e.g., City Council).

## **Dealing with Uncontrollable Factors**

- It is acknowledged that there may be factors outside the control of a Plan Participant that would influence the fulfillment of corporate and individual goals set for the year. These can be attributed to the high growth stage of PRPA’s business cycle, dependency on results of operations run by third parties, and prices of commodities.
- To address these issues, the Port may revisit goals on a periodic basis through the year (e.g., semi-annually), and r evis e the goals, where appropriate (with Board approval) to address changing business circumstances.
- In addition, a wider than market typical incentive zone may be developed around financial/objective measures to account for potential volatility in business results.

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# ANNUAL VARIABLE COMPENSATION PROGRAM

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Non-Executive  
Staff

Updated: March 06, 2014

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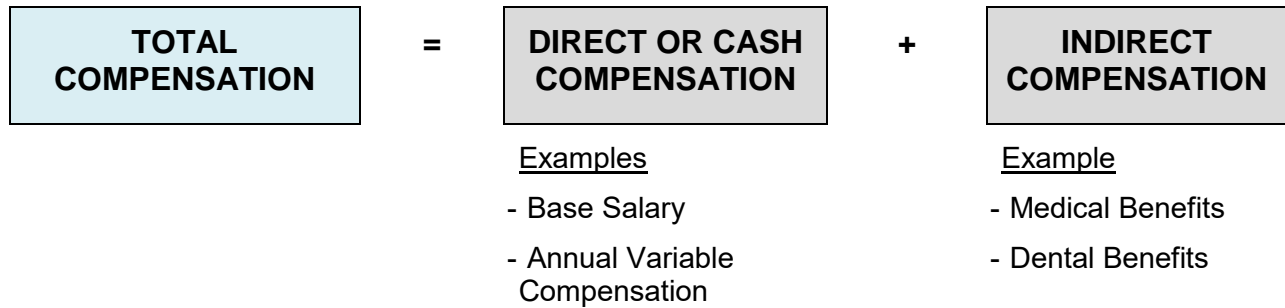
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# ANNUAL VARIABLE COMPENSATION PROGRAM FOR NON-EXECUTIVE STAFF

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## INTRODUCTION

Prince Rupert Port Authority's Total Compensation comprises the following elements:



The Non-Executive Variable Compensation Program payout is a component of the Total Compensation of an employee.

## PROGRAM OBJECTIVES

The Objectives of the Non-Executive Variable Compensation Program are:

- ◆ To provide a competitive plan which will facilitate in attracting, motivating and retaining talents;
- ◆ To support PRPA's corporate strategic plans and focus employees' attention and efforts on PRPA's business plan and priorities; and
- ◆ To encourage and equitably recognize team and individual performance.

## PROGRAM ELIGIBILITY

All permanent (regular) employees are eligible to participate in the Program.

## PROGRAM OVERVIEW

Variable compensation awards are determined by the successful achievement of specific corporate-wide and individual performance criteria.

Corporate performance recognizes team performance, while individual performance recognizes the contributions of individual employees. The effect of basing the Variable Compensation Program awards on both corporate and individual performance is to focus employee's attention and efforts on achieving the corporate business plan while recognizing PRPA's priorities.

Variable compensation awards are made to employees following the end of each calendar year.

Variable compensation awards for new employees with less than 12 months' service in their first year of service with PRPA shall be pro-rated accordingly.

**WEIGHTING FOR CORPORATE AND INDIVIDUAL PERFORMANCE**

The weighting for Corporate and Individual Performance are as follows:

**TABLE 1 – WEIGHT FOR CORPORATE AND INDIVIDUAL PERFORMANCE**

CATEGORY	WEIGHT
<b>CORPORATE PERFORMANCE</b>	<b>25%</b>
- Corporate Financial Objectives	
<b>CORPORATE PERFORMANCE</b>	<b>25%</b>
- Strategic Plan Execution	
<b>INDIVIDUAL PERFORMANCE</b>	<b>50%</b>
<b>Total:</b>	<b>100%</b>

**MEASURING CORPORATE PERFORMANCE**

Prior to the beginning of each fiscal year, the Board of Directors approves the Corporate Performance Measures plan that outlines the Target or expected levels of performance for a number of corporate-wide objectives. These performance measures include both financial (Net Income results compared to Budget) as well non-financial measures related to the advancement of business development objectives linked to the PRPA's Strategic Plan.

Following the end of each fiscal year and once the results of the performance measures are known, the Board of Directors makes a determination of the success of attaining the corporate-wide measures as outlined in the Corporate Performance Measures plan.

The multipliers for Financial Objective Corporate Performance (**FOCP**) and Strategic Plan Corporate Performance (**SPCP**) are as follows:

**TABLE 2 – CORPORATE PERFORMANCE MULTIPLIER**

PERFORMANCE MEASURES	MULTIPLIERS (BASED ON RESULTS)		
	THRESHOLD	TARGET	EXCEEDS
Financial Objectives Corporate Performance (FOCP)	0.5	1.0	1.5
Strategic Plan Corporate Performance (SPCP)	0.5	1.0	1.5

### **MEASURING INDIVIDUAL PERFORMANCE**

Individual performance is measured by the overall performance rating which is attained under PRPA’s Annual Performance Evaluation Plan (PEP). This rating is based on an assessment of the achievements in key result areas established at the beginning of the year. The four possible ratings are:

**TABLE 3 – INDIVIDUAL PERFORMANCE RATING MULTIPLIER (IPR)**

PERFORMANCE CATEGORY	INDIVIDUAL PERFORMANCE RATING MULTIPLIER (IPR)
Exceptional Performance	1.0
Quality Performance	0.7
Acceptable Performance	0.2
Below Acceptable Performance	0.0

The Maximum Individual Variable Payout Rate (IVR) depends on an employee’s position grade as follows:

**TABLE 4 – MAXIMUM INDIVIDUAL VARIABLE RATE (IVR)**

CATEGORY	POSITION JOB GRADE LEVEL	MAXIMUM INDIVIDUAL VARIABLE RATE (IVR)
Administrative Support	I, J	10.0%
Professional/ Technical	G, H	10.0%
Supervisors/ Managers	E, F	15.0%
Directors	D	25.0%

**CONDITIONS FOR PAYMENT OF VARIABLE COMPENSATION**

Incentive awards are paid to eligible employees when both of the following are achieved:

1. The Corporate Performance results are at, or above, the predetermined threshold values set by the Board of Directors each year.
2. The individual employee receives at least an “Acceptable Performance” rating.

No incentive award will be paid if either of the above conditions is not achieved.

**DETERMINING YOUR VARIABLE COMPENSATION AWARD AMOUNT**

The formula to calculate your variable compensation is as follows:

$$\begin{array}{l}
 \text{Variable Compensation Amount}^* = \text{Annual Base Salary} \times \left[ \frac{\text{Financial Objectives Corp Performance}}{0.25} \times (\text{IVR} \times 0.25) + \frac{\text{Strategic Plan Corp Performance}}{0.25} \times (\text{IVR} \times 0.25) + \frac{\text{Individual Performance}}{0.50} \times (\text{IVR} \times 0.50) \right]
 \end{array}$$

Where:

**IVR** = the Maximum Individual Variable Payout Rate (Refer to Table 4 above)

**FOCP** = the Financial Objectives Corporate Performance multiplier, as determined by the Board (Refer to Table 2 above)

**SPCP** = the Strategic Plan Corporate Performance multiplier, as determined by the Board (Refer to Table 2 above)

**IPR** = the Individual’s Performance Rating Multiplier, as determined by the employee’s year-end performance evaluation results (Refer to Table 3 above)

**Note\***

- 1. The Variable Compensation payout is subject to a maximum Individual Variable Rate (**IVR**) based on an individual’s position job grade as listed in Table 4 above (see Example 2 below).

However, this exception is waived in instances when an employee receives an “Exceptional Performance” rating for his/her individual performance (see Example 3 below)

- 2. If an employee receives an “Acceptable Performance” rating for his/her individual performance, the maximum Financial Objectives Corporate Performance multiplier (**FOCP**) and Strategic Plan Corporate Performance multiplier (**SPCP**) applicable is 1.0 (see Example 4 below).

**COMPUTATION EXAMPLES**

**Example 1**

Employee at Job Grade Level I with a “Quality Performance” rating  
FOCP = 1.2; SPCP = 1.3

Base Salary	:	\$45,900.00
Maximum Individual Variable Payout Rate ( <b>IVR</b> )	:	10% (see Table 2)
Financial Objectives Corporate Performance multiplier ( <b>FOCP</b> )	:	1.2 (determined annually by the Board)
Strategic Plan Corporate Performance multiplier ( <b>SPCP</b> )	:	1.3 (determined annually by the Board)
Individual’s Performance Rating multiplier ( <b>IPR</b> )	:	0.7 (see Table 3)

$$\begin{array}{r}
 \text{Variable Compensation Amount} \\
 \text{= Annual Base Salary} \times \left[ \frac{\text{Financial Objectives Corp Performance}}{0.25} \right] + \left[ \frac{\text{Strategic Plan Corp Performance}}{0.25} \right] + \left[ \frac{\text{Individual Performance}}{0.5} \right]
 \end{array}$$

$$\begin{aligned}
&= \$45,900.00 \times [(10\% \times 1.2 \times 0.25) + (10\% \times 1.3 \times 0.25) + (10\% \times 0.7 \times 0.5)] \\
&= \$45,900.00 \times [3.0\% + 3.25\% + 3.5\%] \\
&= \$45,900.00 \times 9.75\% \\
&= \underline{\$4,475.25}
\end{aligned}$$

### **Example 2**

Employee at Job Grade Level I with a “*Quality Performance*” rating  
FOCP = 1.5; SPCP = 1.45

Base Salary : \$45,900.00  
Maximum Individual Variable Payout Rate (IVR) : 10% (see Table 2)  
Financial Objectives Corporate Performance multiplier (FOCP) : 1.5 (determined annually by the Board)  
Strategic Plan Corporate Performance multiplier (SPCP) : 1.45 (determined annually by the Board)  
Individual’s Performance Rating multiplier (IPR) : 0.7 (see Table 3)

Variable Compensation Amount	=	Annual Base Salary	X	Financial Objectives Corp Performance	+	Strategic Plan Corp Performance	+	Individual Performance
				[(IVR x FOCP x 0.25)		(IVR x SPCP x 0.25)		(IVR x IPR x 0.5)]
		= \$45,900.00		X [(10% x 1.5 x 0.25)		+ (10% x 1.45 x 0.25)		+ (10% x 0.7 x 0.5)]
		= \$45,900.00		X [3.75% + 3.625% + 3.5%]				
		= \$45,900.00		X 10.875%				
		= \$45,900.00		X 10.0% (maximum % applicable to position, as listed in Table 4)				
		=		<u>\$4,590.00</u>				

### **Example 3**

Employee at Job Grade Level I with an “*Exceptional Performance*” rating  
FOCP = 1.5; SPCP = 1.45

Base Salary : \$45,900.00  
Maximum Individual Variable Payout Rate (IVR) : 10% (see Table 2)  
Financial Objectives Corporate Performance multiplier (FOCP) : 1.5 (determined annually by the Board)  
Strategic Plan Corporate Performance multiplier (SPCP) : 1.45 (determined annually by the Board)  
Individual’s Performance Rating multiplier (IPR) : 1.0 (see Table 3)

			Financial Objectives Corp Performance		Strategic Plan Corp Performance		Individual Performance	
<b>Variable Compensation Amount</b>	=	<b>Annual Base Salary</b>	x	<b>[(IVR x FOCP x 0.25)</b>	+	<b>(IVR x SPCP x 0.25)</b>	+	<b>(IVR x IPR x 0.5)]</b>
	=	\$45,900.00	x	[(10% x 1.5 x 0.25)	+	(10% x 1.45 x 0.25)	+	(10% x 1.0 x 0.5)]
	=	\$45,900.00	x	[3.75% + 3.625% + 5.0%]				
	=	\$45,900.00	x	12.375% (no maximum)				
	=	<u>\$5,680.13</u>						

#### **Example 4**

Employee at Job Grade Level I with an “*Acceptable Performance*” rating  
FOCP = 1.5; SPCP = 1.45

Base Salary	:	\$45,900.00
Maximum Individual Variable Payout Rate (IVR)	:	10% (see Table 2)
Financial Objectives Corporate Performance multiplier (FOCP)	:	1.5 (determined annually by the Board)
Strategic Plan Corporate Performance multiplier (SPCP)	:	1.45 (determined annually by the Board)
Individual’s Performance Rating multiplier (IPR)	:	0.2 (see Table 3)

			Financial Objectives Corp Performance		Strategic Plan Corp Performance		Individual Performance	
<b>Variable Compensation Amount</b>	=	<b>Annual Base Salary</b>	x	<b>[(IVR x FOCP x 0.25)</b>	+	<b>(IVR x SPCP x 0.25)</b>	+	<b>(IVR x IPR x 0.5)]</b>
	=	\$45,900.00	x	[(10% x <b>1.0</b> x 0.25)	+	(10% x <b>1.0</b> x 0.25)	+	(10% x 0.2 x 0.5)]
	=	\$45,900.00	x	[2.5% + 2.5% + 1.0%]				
	=	\$45,900.00	x	6.0%				
	=	<u>\$2,754.00</u>						

### **WHEN ARE VARIABLE INCENTIVE AWARDS PAID OUT?**

Incentive awards are usually paid within 90 days of PRPA’s fiscal year end (Dec 31).

### **WHAT IF I LEAVE PRPA BEFORE THE PAYOUT?**

Only permanent employees who are actively employed at PRPA at the time of the payout are eligible for the incentive awards.

Exceptions will be considered for employees who retire, or who unfortunately become disabled or pass away during the plan year. In such circumstances, PRPA will determine the incentive





## REPORT TO COUNCIL

### Meeting of Council

**DATE:** January 9, 2023  
**TO:** Robert Buchan, City Manager  
**FROM:** Richard Pucci, Approving Officer

**SUBJECT: ROAD DEDICATION BYLAW NO. 3512, 2023**

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#### **RECOMMENDATION:**

**THAT Council Introduces and gives First Reading to Road Dedication Bylaw No. 3512, 2023.**

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

The Digby Towers is preparing for occupancy and the building requires appropriate parking.

#### **ANALYSIS:**

In the July 20<sup>th</sup>, 2015 Council meeting, the Approving Officer proposed this land swap, and it was Resolved by the Council of the day; however, the owner at the time decided not to proceed.

The same proposed land swap attached is favoured because our existing lane terminates into an undeveloped parkland. The exchange will rectify the current unusable lane, add capacity for parking and allow thoroughfare traffic and emergency access to pass along the front of the property.

This Department has confirmed the areas and can see that the exchange is fair and equally in the best interest of both parties.

#### **COSTS AND BUDGET IMPACT:**

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

**CONCLUSION:**  
**THAT Council Introduces and gives First Reading to Road Bylaw No. 3512, 2023.**

**Report Prepared By:**

**Report Reviewed By:**

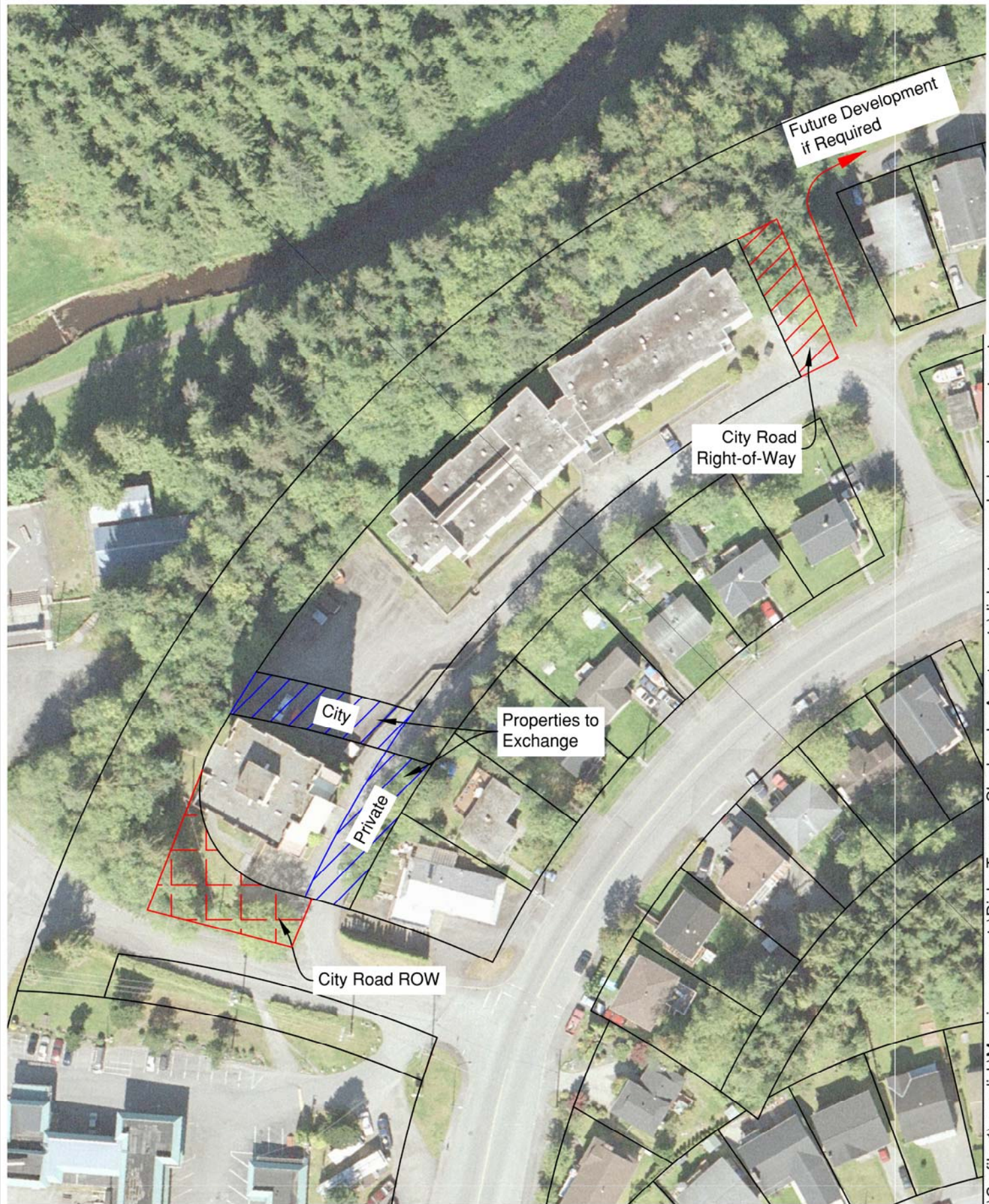
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Richard Pucci,  
Approving Officer

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Robert Buchan,  
City Manager

Attachment(s): Proposed Bylaw  
Drawing



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**CITY of PRINCE RUPERT**  
**ENGINEERING DEPARTMENT**  
 424 3rd AVENUE WEST  
 PRINCE RUPERT, B.C.  
 V8J 1L7

DESIGN	---		
DRAWN	NR	---	
APPROVED	---		
DATE (yy.mm.dd)	SCALE HOR- 1:1,000	SHEET	DRAWING NO.
2015-07-09	VER-	OF	PROJECT NO.



## REPORT TO COUNCIL

Meeting of Council

**DATE:** January 9th, 2023  
**TO:** Robert Buchan, City Manager  
**FROM:** Richard Pucci, Approving Officer

**SUBJECT: ROAD CLOSURE BYLAW NO. 3513, 2023**

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### RECOMMENDATION:

**THAT Council Introduces and gives First Reading to Road Closure Bylaw No. 3513, 2023.**

### REASON FOR REPORT:

The City of Prince Rupert has been requested for a Road Closure and Sale of the property shown on EPP124015.

### ANALYSIS:

The City of Prince Rupert has been requested for these two Road Closure properties for the purpose of consolidation with the parent lot. The owner/developer requires additional lands for onsite turning radiuses and parking for their proposed development.

### COSTS AND BUDGET IMPACT:

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

### CONCLUSION:

**THAT Council Introduces and gives First Reading to Road Bylaw No. 3513, 2023.**

**Report Prepared By:**

**Report Reviewed By:**

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Richard Pucci,  
Director of Operations &  
Intergovernmental Relations

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Robert Buchan,  
City Manager

Attachment(s):

- Proposed Bylaw



## HIGHWAY ROAD CLOSURE BYLAW NO. 3513, 2023

BEING A BYLAW TO CLOSE A PORTION OF HIGHWAY ALLOWANCE

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

The Council of the City of Prince Rupert deems that it is in the public interest to close to traffic, remove the dedication of highway comprising of approximately 252.4 sqm of dedicated Highway on Plan 923, which is shown outlined in bold black on the reference plan EPP124015 prepared by McElhanney, a reduced copy of which is attached hereto (*the "Road Closure Plan"*);

The City intends to close that portion of highway to sell and consolidate it to a neighbouring lot.

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

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

The Council of the City of Prince Rupert, in 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 closure (*the "Road Closure Plan"*).
2. The City hereby authorizes the closure to traffic and removal of highway dedication of the 252.4 sqm portion of highway which was dedicated as

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

3. On deposit of the Road Closure Plan and all other documentation for the closure of the road allowance in the New Westminster Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.
4. The Mayor and Corporate Administrator are authorized to execute all deeds of land, plans and other documentation necessary to effect this road closure and disposition.
5. This Bylaw may be cited as **“HIGHWAY CLOSURE BYLAW NO. 3513, 2023”**

READ A FIRST TIME this \_\_\_\_ day of \_\_\_\_\_, 2023.

READ A SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2023.

PUBLIC NOTIFICATION this \_\_\_\_ day of \_\_\_\_\_, 2023.

MINISTRY OF TRANSPORTATION APPROVAL this \_\_\_\_ day of \_\_\_\_\_, 2023 (APPROVAL NO. \_\_\_\_\_).

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2023.

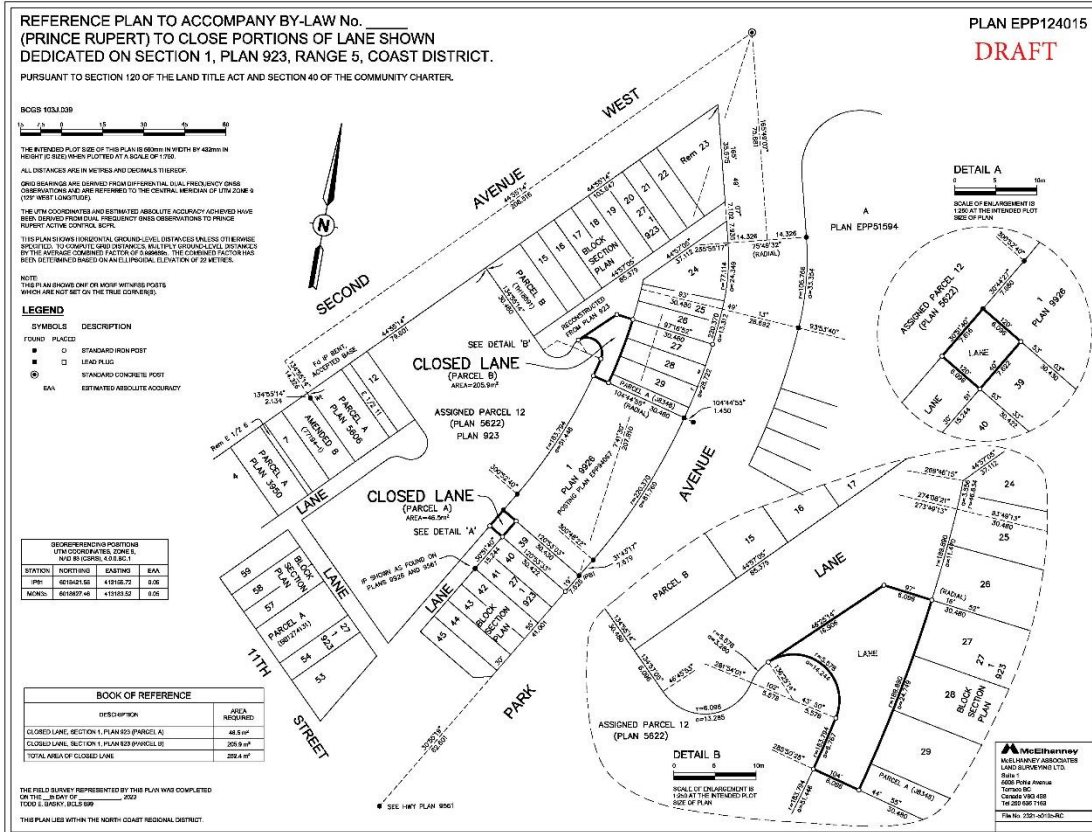
FINALLY CONSIDERED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

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

# SCHEDULE "A" – ROAD CLOSURE PLAN (DRAFT)

## BYLAW NO. 3513, 2023



# CITY OF PRINCE RUPERT

## COUNCIL PROCEDURE BYLAW NO. 3508

### A BYLAW TO GOVERN MEETINGS OF THE COUNCIL OF THE CITY OF PRINCE RUPERT

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**WHEREAS** Section 194 of the Community Charter, SBC 2003, Chapter 26, authorizes Council to, by bylaw, impose fees payable in respect of services of the City or the exercise of its authority to regulate, prohibit or impose requirements;

**AND WHEREAS** the Community Charter, SBC 2003, Chapter 26, authorizes Council to adopt and amend bylaws relating to the providing of services or the exercise of its authority to regulate, prohibit or impose requirements;

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

## PART 1 – INTRODUCTION

### Title

1. This Bylaw may be cited as the “Council Procedure Bylaw No. 3508, 2022”.

### Definitions

2. In this Bylaw:

“City” means the City of Prince Rupert;

“City Hall” means Prince Rupert City Hall located at 424 Third Avenue West, Prince Rupert, British Columbia;

“City Website” means the information resources found at an internet address provided by the City, the current home landing page located at [www.princerupert.ca](http://www.princerupert.ca);

“Committee” means a standing, select, or other committee of Council, it does not include the COW;

“COW” means the Committee of the Whole Council, which includes the Mayor and all Councillors;

“Corporate Administrator” means the Corporate Officer for the City defined in Section 148 of the *Community Charter* and the Deputy in the absence of the Corporate Administrator;

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

“Mayor” means the Mayor (or acting Mayor in the Mayor’s absence) of the City;

“Member” means the Mayor or Councillor in relation to Council, or for committees an appointed individual;

“Motion” means a formal proposal made by a Member at a meeting of Council or committee that directs an approval or a specified course of action (also, see Resolution);

“Public Notice Posting Places” means the notice board(s) at City Hall and the City Website;

“Question” means the subject matter of a motion except where referring to public question period;

“Quorum” means a majority of the number of members of which the council consist of under the *Community Charter*; and, in the case of a committee or other body, a majority of the voting members appointed;

“Resolution” means a formal determination made by Council that approves or orders a specified course of action (also see Motion).

### **Application of rules of procedure**

3. (1) The provisions of this Bylaw govern the proceedings of Council and COW meetings of Council.
- (2) In cases not provided for under this Bylaw, Robert’s Rules of Order apply to those proceedings of Council, COW and Council Committees to the extent that those Rules are:
  - a. Applicable in the circumstances; and,
  - b. Not inconsistent with provisions of this Bylaw or the *Community Charter*.
- (3) The rules of procedure contained in this Bylaw except those that are governed by statutory provisions, may be temporarily suspended, by unanimous vote of all members present.

## **PART 2 – COUNCIL MEETINGS**

### **Inaugural Meeting**

4. (1) Following a general local election, the first Council meeting must be within the first 10 days of November in accordance with s. 124(2)(g) of the Community Charter in the year of the election.
- (2) If a quorum of council members elected at the General Local Election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Administrator and held as soon as reasonably possible after a quorum has taken office.

### **Time and location of meetings**

5. (1) All Council meetings must take place within City Hall except when Council resolves to hold meetings elsewhere. Except in the case of a meeting outside of City boundaries, Council

may pass the resolution to hold a meeting outside of City Hall at the commencement of that meeting.

(2) Regular Council shall establish annually by resolution a schedule of regular meetings and meetings will normally:

- (a) be held on the second and fourth Mondays of each month unless otherwise scheduled by Council resolution;
- (b) begin at 7:00 p.m.;
- (c) be adjourned at 11:00 p.m. at the latest on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with s. 29;
- (d) when such meeting falls on a statutory holiday, be held on the next day City Hall is open following which is not a statutory holiday.

(2) Regular Council meetings may:

- (a) be cancelled by Council;
- (b) be postponed to a different day, time and place by the Mayor, provided the Corporate Administrator is given at least 2 days written notice and the Corporate Administrator will post a notice of the change; and,
- (c) be recessed by the Mayor for a short period with a statement of approximate time the meeting will be reconvened.

### **Notice of Council Meetings**

6. (1) In accordance with section 127 of the Community Charter [notice of council meetings], Council must approve annually on or before January 30th a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public including posting it at the Public Notice Posting Places.

(2) In accordance with section 127 of the Community Charter [notice of council meetings], Council must give notice annually on or before January 30th of the time and duration that the schedule of regular Council meetings will be available in accordance with section 94 of the Community Charter.

(3) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Administrator must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

(4) The Corporate Administrator need not give public notice of a cancelled or rescheduled meeting in respect of which Council has resolved to exclude the public.

## **Notice of special meetings**

7. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the Community Charter, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by s.127(2) s.127(1):
  - (a) posting a copy of the notice in the Council Chambers at City Hall,
  - (b) posting a copy of the notice at the Public Notice Posting Places, and
  - (c) leaving one copy of the notice for each Council member in the Council member's mailbox at City Hall or forwarding an electronic copy for each member to a City provided electronic device.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Administrator.

## **Cancelled, Rescheduled, or Called Regular Meetings**

8. The Council may by resolution:
  - (1) Cancel or reschedule any regular meeting;
  - (2) Change the time or location for holding the meeting; or
  - (3) Call an additional regular meeting at the time and place stipulated in the Council resolution.

## **Electronic Meetings and Council Participation Electronically**

9. Council are authorized by this Procedure Bylaw to participate electronically in meetings, as per Section 128(3) of the Community Charter, subject to the requirements of that Section.
10. (1) Provided the conditions set out in subsection 128(2) of the Community Charter [electronic meetings and participation by members] are met, a Special or Closed Council meeting may be conducted by means of audio, audio/visual or audio electronic communication facilities provided:
  - (a) The Presiding Member does not participate electronically; and
  - (b) In the case of an interruption in the communication link to the member(s) participating electronically, Council will recess to a maximum of 15 minutes until it is determined whether or not the link can be reestablished. If communications are not reestablished, the meeting will resume without the electronic participant(s) as long as there is quorum present.
- (2) Provided the conditions set out in section 128 of the Community Charter are met, Committee members who are unable to attend a Council Committee meeting may participate in the meeting by electronic means.

## **Annual Meeting**

11. The Corporate Administrator must give notice of the Council meeting or other public meeting in respect of which Council has resolved to consider:
  - (1) The annual report prepared under section 98 of the Community Charter, and s.127(3) s. 128
  - (2) Submissions and questions from the public;
  - (3) By giving notice by:
    - (a) Posting notice of the date, time and place of the annual meeting in the public notice posting places, according to the City's Public Notice Bylaw 3500; and
    - (b) Publishing notice of the date, time and place of the annual meeting in accordance with section 94 of the Community Charter.

## **PART 3 – DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

12. (1) Annually, in December, Council must from amongst its members designate Councillors to serve on a rotating basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
  - (2) Each Councillor designated under section 12(1) must fulfill the responsibilities of the Mayor in his or her absence.
  - (3) If both the Mayor and the member designated under section 12(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
  - (4) The member designated under section 12(1) or chosen under section 12(3) has the same powers and duties as the Mayor in relation to the applicable matter.

## **PART 4 – COUNCIL PROCEEDINGS**

### **Community Charter Provisions**

13. Matters pertaining to Council proceedings are governed by the Community Charter including those provisions found in Division 3 of Part 4 [Open Meetings] and Division 2 of Part 5 [Council Proceedings]. Application of Rules in This Part to Other Bodies
14. In addition to applying to Council meetings, this Part also applies to meetings of the following (note: other Parts of this Bylaw may also apply to these bodies as applicable):
  - (1) Committee of the Whole (COW);

- (2) Standing committees;
- (3) Select committees;
- (4) An advisory body established by Council;
- (5) A municipal commission;
- (6) A body that under the Community Charter or other Act may exercise the powers of the City or Council; s. 130 s. 93
- (7) The Board of Variance;
- (8) A body prescribed by Provincial Regulation.

### **Attendance of Public at Meetings**

- 15. (1) Except where the provisions of section 90 of the Community Charter [meetings that may or must be closed to the public] apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the Community Charter [requirements before Council meeting is closed], which includes the reason for the closed meeting as described in section 90 of the Community Charter.
- (3) Despite section 15(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 12 may expel or exclude from a Council meeting a person in accordance with section 19.

### **Attendance at Closed Meetings**

- 16. (1) Council may allow one (1) or more City officers or employees to attend, or may choose to exclude them from attending closed meetings, as it considers appropriate.
- (2) Council may allow a person other than a City officer or employee to attend closed meetings, if Council considers it necessary and if the person already has knowledge of confidential information or is a lawyer attending to provide legal advice in relation to the matter.
- (3) The minutes of closed meetings must record the names of all persons in attendance.

### **Resolution Required Before Closed Meeting**

- 17. Before a closed meeting is held, Council must state by Resolution passed in a public meeting, the fact that the meeting or part thereof is to be closed, and the basis under the applicable sections of the Community Charter under which the meeting or part thereof is to be closed.

### **Bylaws and Closed Meetings**

- 18. Council must not vote on the reading or adoption of a bylaw at a closed meeting.

## **Expulsion from Meetings**

19. (1) If the Mayor considers another person at the meeting is acting inappropriately, the Mayor may order that the person is expelled from the meeting.
- (2) If the person expelled does not leave the meeting, a peace officer may enforce the order under subsection (1) as if it were a Court Order.

## **Minutes of meetings to be maintained and available to public**

20. (1) Minutes of the proceedings of Council must be:
  - (a) legibly recorded;
  - (b) certified as correct by the Corporate Administrator; and
  - (c) signed by the Mayor or other member presiding at the meeting.
- (2) City staff are authorized to amend the wording of Council's motions provided the intent of the motion is not altered.
- (3) The minutes of previous meeting and reports of committees may, by resolution of Council, be received into the record.
- (4) Subject to subsection 21(3), and in accordance with section 97(1)(b) of the Community Charter [other records to which public access must be provided] minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.
- (5) Subsection 20(4) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the Community Charter [meetings that may be closed to the public].

## **Calling meeting to order**

21. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 11 must take the Chair and call such meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 12 are not present at the time at which the meeting is scheduled to begin:
  - (a) the Corporate Administrator must call to order the members present, and
  - (b) by resolution the Council members present must choose a member to preside at the meeting.

(c) Upon arrival the Mayor or Councillor designated as the member responsible for acting in the place of Mayor will take the chair and preside. Adjourning meeting where no quorum

22. If there is no quorum of Council present within 30 minutes of the scheduled time for a Council meeting, the Corporate Administrator must:

- (1) record the names of the members present, and those absent; and
- (2) adjourn the meeting until the next scheduled meeting.

## **Agenda**

23. (1) Prior to each Council meeting, the Corporate Administrator must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.

(2) When preparing the agenda prior to the meeting, the Mayor, Chief Administrative Officer or Corporate Administrator may in their discretion:

(a) vary the order set out in section 23;

(b) delete agenda headings if there is not business under those items.

(3) The deadline for complete submissions to the Corporate Administrator of items for inclusion on the Council meeting Agenda must be 12:00 noon on the Monday prior to the meeting.

(4) The Corporate Administrator must make the agenda available to the members of Council and the public on the Friday prior to the meeting.

(5) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 25.

## **Order of proceedings and business**

24. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below, however, where appropriate for timing or other reasons, the Corporate Administrator may determine an alternative order or variation in the agenda:

(a) Call to Order;

(b) Introduction of late items;

(c) Approval of agenda;

(d) Recess to Committee of the Whole - To hear all delegations and applicable staff presentations

(e) Reconvene Regular Meeting;

- (f) Public comment regarding agenda items
- (g) Consent Agenda<sup>1</sup>
  - 1. Adoption of Council minutes
  - 2. Committee and Board Minutes and Reports
  - 3. Staff Reports for information purposes (No action required)
  - 4. Correspondence (No action required)
  - 5. Release of Closed Meeting items;
- (h) Committee and Board Recommendations;
- (i) Correspondence, Council decision requested;
- (j) Staff Reports;
- (k) Recess to Closed Meeting as required;
- (l) Public and statutory hearings 6:00 p.m.;
- (m) Reconvene Regular Meeting;
- (n) Readings or adoption of bylaws where applicable where required, and approval of permits;
- (o) Land Matters;
- (p) Notice of Motion;
- (q) Business Arising;
- (r) Council Round Table & Public Question Period;
- (s) Adjournment.

(2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

### **Late Items**

25. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.

(2) If the Council makes a resolution under section 24(1), information pertaining to late items must be distributed to the members.

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<sup>1</sup> Consent Agenda: Council may approve the Consent Agenda through resolution. Once moved and seconded, any member may request that any item be removed from the consent agenda and discussed and decided separately, the balance of the items would be voted on together for approval. Each item removed from the Consent Agenda will be debated and voted on by Council separately.

(3) The member must, when making the request, inform the Council of the general nature of the business and the reason for urgent consideration.

## Voting at meetings

26. (1) The following procedures apply to voting at Council meetings:

- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
- (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating something similar to: "Those in favour raise your hands." and then "Those opposed raise your hands."
- (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not:
  - (i) cross or leave the room, unless excused as a result of not being entitled to vote under the Community Charter or if excused by Council;
  - (ii) make a noise or other disturbance; or
  - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
- (d) if requested by a member, Council must vote separately on each distinct part of a motion that is under consideration;
- (e) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it, except to defer the motion (there is no debate or discussion on a deferral) or to refer the item back to staff which will supersede the main motion and must be voted on first;
- (f) the presiding member's decision about whether a question has been finally put is conclusive; and
- (g) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand, failure for a member to raise their hand in favour or opposed, abstaining from voting, is considered to be a vote in favour (affirmative); and
- (h) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative and the result will be recorded in the Minutes as "CARRIED UNANIMOUSLY", "CARRIED" or "DEFEATED" as circumstances dictate;
- (i) the names of those who vote negative, against a question, shall be entered into the Minutes.

## Delegations

27. (1) Delegations or persons wishing to appear before Council to present briefs or submissions may be received by Council at the meeting (typically COW) provided that written notice on a prescribed form including the subject matter is delivered to the Corporate Administrator seven (7) days in advance of the preparation of the agenda for that particular meeting, and the Mayor shall have the authority to determine if the said subject matter warrants the delegation to come before Council at that particular meeting and may determine at which meeting of Council such delegation may appear and be heard.
- (2) Each address must be limited to five (5) minutes. Groups defined as a community partner (e.g. other government agencies) delegations must be limited to ten (10) minutes no more than twice per year.
- (3) The Council may waive strict compliance of the time limit by unanimous vote of those members present.
- (4) To be considered each submission must include:
  - (a) The name and address of the person(s) that will address Council;
  - (b) A description of the matter to be presented;
  - (c) The request being made and the reason(s) for making the request;
  - (d) Summary of current and proposed legislation and policy relevant to the request; and
  - (e) A copy of all materials that will be discussed.
- (5) A maximum of three (3) delegations will be scheduled per COW meeting.
- (6) A maximum of two (2) delegations will be heard on any given issue; up to one (1) in favour and up to one (1) opposed in any calendar year.
- (7) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
- (8) A delegation must not be permitted if the purpose is to address an issue which is before the courts or on which Council has authorized legal action.
- (9) The Corporate Administrator may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (10) The Mayor or Corporate Administrator may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Administrator's decision, the information must be distributed under separate cover to Council for their consideration.

(11) In the event that the Mayor has refused permission for a delegation or person to appear and be heard by Council at any meeting thereof, Council may, if the subject matter of the brief or submission to be presented by such delegation or person is germane to the business then before Council, by affirmative vote permit such delegation or person to appear before it and be heard.

(12) Only delegations on the agenda may speak to new items; public may speak to items on the agenda.

(13) If there is no business for the COW then the Mayor or Corporate Administrator may waive the meeting.

## **Petitions**

28. Petition requests must include:

(1) The name and address of the petition presenter;

(2) The complete petition;

(3) The name and address and signature of each person who has signed the petition;

(a) Petitions form part of the public record and the names and addresses of the petitioners are considered germane to the topic and will be published on the city website as part of the agenda package;

(b) Organizers of petitions must inform those who sign a petition that their names and addresses may become public.

## **Points of order**

29. (1) Without limiting the presiding member's duty under section 132(1) of the Community Charter [authority of presiding member], the presiding member must apply the correct procedure to a motion

(a) if the motion is contrary to the rules of procedure in this bylaw, and

(b) whether or not another Council member has raised a point of order in connection with the motion.

(2) When the presiding member is required to decide a point of order (a) the presiding member must cite the applicable rule or authority if requested by another Council member, (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2)(a), and (c) the presiding member may reserve the decision until the next Council meeting.

## **Conduct and debate**

30. (1) The Chair shall at all times conduct the manner and order of speaking to ensure that each member is allowed equal opportunity to speak.

(2) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.

(3) Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Chair.

(4) Members must address other non-presiding members by the title Councillor.

(5) It shall be in order for officers and employees of the City, upon receiving permission from the presiding member to do so, to comment on matters before Council, and in so doing they shall direct their comments to the presiding member and shall confine themselves to the question before Council.

(6) No member must interrupt a member who is speaking except to raise a point of order.

(7) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.

(8) Members who are called to order by the presiding member

(a) must immediately stop speaking,

(b) may explain their position on the point of order, and

(c) may appeal to Council for its decision on the point of order in accordance with section 132 of the Community Charter [authority of presiding member].

(9) Members speaking at a Council meeting

(a) must use respectful language,

(b) must not use offensive gestures or signs,

(c) must speak only in connection with the matter being debated,

(d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded or reconsidered, and

(e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.

(10) If a member does not adhere to subsections (8) and (9), the presiding member may order the member to leave the member's seat, and

(a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat , and

(b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.

(11) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.

(12) The following rules apply to limit speech on matters being considered at a Council meeting:

- (a) a member may speak more than once in connection with the same question only
  - (i) with the permission of Council, or
  - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
- (b) a member who has made a substantive motion to the Council may reply to the debate;
- (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
- (d) a member may speak to a question, or may speak in reply, for longer than a total time of 15 minutes only with the permission of Council.

### **Motions generally**

31. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.

(2) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's approval through the notice of motion process per subsection (6) below.

(3) A Council member may make only the following motions, when the Council is considering a question:

- (a) to refer to committee;
- (b) to amend;
- (c) to lay on the table;
- (d) to postpone indefinitely;
- (e) to postpone to a certain time;
- (f) to move the previous question;
- (g) to adjourn.

(4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.

(5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

(6) Notice of Motion Process: Members may give notice of motion respecting an item which the Councillor intends to present by giving a copy of such motion to the Corporate Administrator during a meeting of Council and upon the member being acknowledged by the Chair and the Notice of motion being read. Alternatively, the member may submit the notice of motion ahead of time to the Corporate Administrator who will circulate to the rest of Council if time permits prior to the meeting.

A copy of the motion may be distributed to each member of Council and shall appear in the minutes of meeting referred to in Section 30 (6) above as a notice of motion. The Corporate Administrator shall place the motion and any supporting materials, which the member presenting the motion should provide, on the agenda of the next Council meeting or other future meeting designated by the member bringing forward the notice of motion for consideration.

### **Motion to commit**

32. Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

### **Motion for the main question**

33. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.

(2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:

- (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
- (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

### **Amendments generally**

34. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.

(2) An amendment may propose removing, substituting for, or adding to the words of an original motion.

(3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.

(4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.

- (5) An amendment may be amended once only.
- (6) An amendment that has been defeated by a (negative) vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
  - (a) a motion to amend a motion amending the main question;
  - (b) a motion to amend the main question , or an amended motion amending the main question if the vote under subparagraph (a) is positive;
  - (c) the main question.

### **Reconsideration by Council Member**

- 35. (1) Subject to subsection (5), a Council member who voted with the majority either for against a motion may, at the next Council meeting,
  - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
  - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
  - (c) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (2) A vote to reconsider must not be reconsidered.
- (3) Council may only reconsider a matter that has not
  - (a) had the approval or assent of the electors and been adopted
  - (b) been reconsidered under subsection (1) or section 131 of the Community Charter [mayor may require Council reconsideration of a matter],
  - (c) been acted on irreversibly by an officer, employee, or agent of the City.
- (4) If a motion to reconsider is defeated, the subject matter of the resolution or proceeding may not be open for consideration by the Council within six months except by way of a new and substantially different motion.
- (5) Subject to applicable enactments, the Council may by resolution, rescind the most recent reading of a proposed bylaw, other than first reading, and then give the proposed bylaw that reading with or without amendment.

(6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.

(7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the Community Charter [mayor may require Council reconsideration of a matter] is as valid and has the same effect as it had before reconsideration.

## **Privilege**

35. (1) In this section, a matter of privilege refers to any of the following motions:

(a) fix the time to adjourn;

(b) adjourn;

(c) recess;

(d) raise a question of privilege of the Council;

(e) raise a question of privilege of a member of Council.

(2) A matter of privilege must be immediately considered when it arises at a Council meeting.

(3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

## **Reports from committees**

36. Council may take any of the following actions in connection with a resolution it receives from COW or any committee, task force or other body appointed by Council:

(a) agree or disagree with the resolution, support or deny support;

(b) amend the resolution;

(c) refer the resolution back to COW or committee, etc.;

(d) postpone its consideration of the resolution.

## **Adjournment**

37. (1) A Council may continue a Council meeting after 11 p.m. only by unanimous affirmative vote of the Council members present.

(2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion. (3) Subsection (2) does not apply to either of the following motions:

(a) a motion to adjourn to a specific day;

- (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## **PART 5 – BYLAWS**

### **Copies of proposed bylaws to Council members**

- 38. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement. Form of bylaws
- 39. A bylaw introduced at a Council meeting must: be printed; have a distinguishing name; have a distinguishing number; contain an introductory statement of purpose; be divided into sections if applicable. Bylaws to be considered separately or jointly
- 40. Council must consider a proposed bylaw at a Council meeting either: separately when directed by the presiding member or requested by another Council member, or jointly with other proposed bylaws in the sequence determined by the presiding member. Reading and adopting bylaws
- 41. (1) The presiding member of a Council meeting may
  - (a) have the Corporate Administrator read a synopsis of each proposed bylaw or group of proposed bylaws, and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read;
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the Community Charter and, if amended, a motion at third reading shall be “to give the bylaw third reading as amended”.
- (4) Subject to section 882 of the Local Government Act [OCP adoption procedures], each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the Community Charter [requirements for passing bylaws], Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (6) Despite section 135(3) of the Community Charter [requirements for passing bylaws], and in accordance with section 890(9) of the Local Government Act [public hearings], Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.
- (7) All bylaws which have not completed the requirements to be adopted after a 2- year period may be deemed stale dated and closed.

- (8) The Corporate Administrator is hereby authorized to consolidate one or more of the bylaws of the municipality pursuant to Section 139 [consolidation of bylaws] of the Community Charter.

### **Bylaws must be signed**

42. After a bylaw is adopted, and signed by the Corporate Administrator and the presiding member of the Council meeting at which it was adopted, the Corporate Administrator must have it placed in the City's records for safekeeping and endorse upon it: the City's corporate seal, the dates of its readings and adoption; and, the date of Ministerial approval or approval of the electorate if applicable.

## **PART 6 - RESOLUTIONS**

### **Form of resolution**

43. A resolution introduced at a Council meeting must be printed and have a distinguishing number and once voted on in the affirmative becomes effective from the date and time passed.

## **PART 7 - COMMITTEE OF THE WHOLE (COW)**

### **Going into Committee of the Whole**

44. (1) At any time during a council meeting, Council may by resolution go into COW.
- (2) In addition to subsection (1), a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the City's business, is a meeting of COW. Notice for COW meetings
45. (1) Subject to subsection (2) a notice of the day, hour and place of a COW meeting must be given at least 24 hours before the time of the meeting by:
- (a) posting a copy of the notice at the Public Notice Posting Places; and
  - (b) leaving a copy of the notice for each Council member in the Council member's mailbox at City Hall or forwarding an electronic copy for each member to a City provided electronic device or email.
- (2) Subsection (1) does not apply to a COW meeting that is called, in accordance with section 45, during a Council meeting for which public notice has been given under section 6 or 7.

### **Minutes of COW meetings to be maintained and available to public**

46. (1) Minutes of the proceedings of COW must be
- (a) legibly recorded,

(b) certified by the Corporate Administrator,

(c) open for public inspection in accordance with section 97(1)(c) of the Community Charter [other records to which public access must be provided].

### **Presiding members at COW meetings and Quorum**

47. (1) The Mayor or Acting Mayor shall preside in COW.

(2) The quorum of COW is the majority of Council members.

### **Points of order at meetings**

48. The presiding member must preserve order at a COW meeting and, subject to an appeal to other members present, decide points of order that may arise. Conduct and debate

49. The following rules apply to COW meetings:

(1) a member may speak any number of times on the same question;

(2) a member must not speak longer than a total of five (5) minutes on any one question.  
Voting at meetings

50. (1) Votes at a COW meeting must be taken in accordance with section 25. (2) The presiding member must declare the results of voting.

### **Reports**

51. (1) COW may consider reports only if

(a) they are printed and the members each have a copy, or

(b) a majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.

(2) The COW's reports to Council must be presented by the Corporate Administrator at the next regular Council Meeting unless otherwise directed by Council or in cases where additional information is required for Council to consider a motion.

## **PART 8 – COMMITTEES**

### **Appointment of Committees except Standing Committees and Other Bodies**

52. Council shall appoint at all representatives on committees and all boards, commissions, or other bodies to which the City is entitled to appoint representatives except standing committees. Standing Committees

53. The Mayor must establish standing committees for matters the Mayor considers would be better dealt with by committee and must appoint persons to those committees. At least half

of the members of a standing committee must be Council members. The Mayor shall be an ex officio of each standing committee. Duties of Standing Committees

54. (1) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters
  - (a) matters that are related to the general subject indicated by the name of the committee;
  - (b) matters that are referred by Council;
  - (c) matters that are referred by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all of the following times:
  - (a) in accordance with the schedule of the committee's meetings;
  - (b) on matters that are referred by Council or assigned by the Mayor;
    - (i) as required by Council or the Mayor, or
    - (ii) at the next Council meeting if the Council or Mayor does not specify a time.

## **Select Committees**

55. Council may establish and appoint Select Committees to consider and enquire into any matter and to report their findings and opinions to Council. At least one member of a Select Committee must be a Council member.

## **Duties of Select Committees**

56. (1) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council. (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time. Advisory Committees
57. Council may establish and appoint advisory committees to consider and make recommendations on matters set out in the committee's terms of reference or matters referred by Council and to report their findings and opinions only to Council unless otherwise specifically authorized in writing by Council. Schedule of committee meetings
58. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings to be held at City Hall unless otherwise stated in the terms of reference for the committee.
  - (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

## Notice of committee meetings

59. (1) Subject to subsection (2) after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:

- (a) posting a copy of the schedule on the City's website; and
- (b) providing a copy of the schedule to each member of the committee.

(2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Administrator must, as soon as possible, post a notice at the Public Notice Posting Places and/or the City's website which indicates any revisions to the date, time and place or cancellation of a committee meeting.

(3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 59(2) to be given to all members of the committee at least 24 hours before the time of the meeting. Attendance at Committee meetings

60. Council members who are not members of a committee may attend the meetings of the committee. Minutes of committee meetings to be maintained and available to public

61. (1) Minutes of the proceedings of a committee must be

- (a) legibly recorded,
- (b) certified as correct and signed by the committee secretary once approved by the committee, and
- (c) open for public inspection in accordance with section 97(1)(c) of the Community Charter [other records to which public access must be provided].

(2) Sections (a), (b) and (c) shall only apply to meetings of the following, unless this bylaw provides for other procedures for taking of minutes by one or more bodies referred to in this subsection, the body is exempted by regulation, or to the extent they are modified by regulations:

- (a) an advisory body, standing or select committee established by Council;
- (b) a municipal commission established under section 143 of the Community Charter;
- (c) a body that under the Community Charter or any other Act may exercise the powers of Council;
- (d) the Board of Variance;
- (e) a parcel tax review panel established under section 204 of the Community Charter; and
- (f)** a body prescribed by regulation.

**Quorum**

62. The quorum for a committee is a majority of all of its members unless otherwise noted in the terms of reference for that committee.

**Conduct and debate**

63. (1) The rules and procedures of Council defined in this bylaw must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.  
Voting at meetings

64. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

**PART 9 – GENERAL**

65. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

66. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the Community Charter [public notice].

**Repeal**

Council Procedure Bylaw No. 3092 and all amendments thereto are hereby repealed upon adoption of this bylaw.

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

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

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

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

\_\_\_\_\_  
Mayor

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